



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD MINUTES**

**APRIL 19, 2017**

**Work Session Began: 6:30 p.m.**

**Meeting Began: 7:00 p.m.**

**Place: Community Conference Room, Greece Town Hall**

### **Present**

Alvin I. Fisher, Jr., Chairman

Richard C. Antelli

Christine R. Burke

John Geisler

William E. Selke

Jamie L. Slocum

Michael H. Sofia

Christopher A. Schiano, Esq., Deputy Town Attorney

John Gauthier, P.E., Associate Engineer

Scott R. Copey, Planner

Michelle M. Betters, Planning Board Secretary

### **Absent**

### **Additions, Deletions and Continuances to the Agenda**

### **Announcements**

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**PUBLIC HEARINGS**

**Old Business**

None

**New Business**

1. Applicant: Timberland Development, Inc.  
Location: Generally, west of Flynn Road and south of the Rochester Gas and Electric Corporation utility right-of-way (former Penn Central Railroad & Conrail railroad right-of-way)  
Request: Final plat approval for the Avery Park subdivision, Section 7, consisting of 16 lots on approximately 9.55 acres  
Zoning District: R1-E (Single-Family Residential)  
Mon. Co. Tax No.: 033.04-2-62.4

**The following is a synopsis of the discussion pertaining to the above-referenced request.**

Richard Giraulo, LandTech Surveying & Planning, PLLC, presented the application.

Mr. Giraulo: We are on Section 7 of this subdivision, which is the northwest corner of the site; there will be only one section left after this. This section is in compliance with the approved preliminary plat. There was a section of the creek that had to be relocated, as planned back in 2002, and we have the permits in hand from the U.S. Army Corps of Engineers and the New York State Department of Environmental Conservation. We are in discussion with the Town's engineering staff about the cross section of the creek; we may expand flood storage to the north. We met with the engineering staff today, and we don't have any problems. One issue sort of set my client back, which was to extend the sanitary sewer to the property to the west. That was not part of the preliminary plat, but we understand that it is Town policy; the sanitary sewer will be extended to the property to the south. My client is not really happy with spending money to extend the sanitary sewer westward; however, he will do it so as to not hold up the development of this section.

Mr. Copey: One of the conditions of approval will be that street trees will be planted, as required in the preliminary plat. Also that the sanitary sewer will be extended to the west, subject to approval by the Commissioner of Public Works.

Mr. Gauthier: We met with Mr. Giraulo, and the only challenge is to try to figure out a way to create some compensatory storage for the floodplain. We have been requiring that sort of thing pretty consistently; having the storage would help if there were a major storm.

Mr. Fisher: Lot 712 is the biggest lot, but the dashed line for the storm water and drainage area shows that this lot has the smallest buildable area of all the lots in this section. What does that precludes you from building?

Mr. Gauthier: You could put a shed or a volleyball court; that's about it. The Town won't issue a permit for such things, but people have put things in such areas.

Mr. Fisher: Is there a way to inform the buyer that they can't build there?

Mr. Gauthier: The builder has agreed to put in monumentation identifying an easement.

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Mr. Fisher: Many people don't look at a map. There should be something like a physical reminder on the ground that there is an easement.

**Ms. Slocum made the following motion, seconded by Mr. Sofia:**

WHEREAS, Timberland Development, Inc. (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a final plat, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property generally located west of Flynn Road and south of the Rochester Gas and Electric Corporation utility right-of-way (former Penn Central Railroad & Conrail railroad right-of-way) (the "Premises"); and

WHEREAS, having considered carefully all relevant documentary, testimonial and other evidence submitted, the Planning Board makes the following findings:

1. Upon review of the application, the Planning Board determined that the application is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes an Unlisted action under SEQRA.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all parties in interest were afforded an opportunity to be heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
4. The Planning Board has carefully considered an Environmental Assessment Form ("EAF") and supplementary information prepared by the Applicant and the Applicant's representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the "Environmental Analysis").
5. The Planning Board has carefully considered additional information and comments that resulted from telephone conversations or meetings with or written correspondence from the Applicant and the Applicant's representatives.
6. The Planning Board has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town's own staff.
7. The Planning Board has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from nearby property owners, and all other comments submitted to the Planning Board as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Planning Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
10. The Planning Board has met the procedural and substantive requirements of SEQRA.
11. The Planning Board has carefully considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.

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12. The Planning Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
13. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
14. The Planning Board has made a careful, independent review of the Proposal and the Planning Board's determination is rational and supported by substantial evidence, as set forth herein.
15. To the maximum extent practicable, the Proposal as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were revealed in the environmental review process.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED**

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**Ms. Slocum then made the following motion, seconded by Mr. Sofia, to approve the application, subject to the following conditions:**

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. The Town's *2001 Community Master Plan Update* (Clough, Harbour & Associates, September 2001) contains current and projected population growth; an inventory and analysis of public, private, and semi-private recreation facilities, both active and passive; and recommendations for future actions. Based on this document, the Planning Board finds that the Town currently needs, or will need, additional park and recreation space in the vicinity of the Proposal. The Planning Board further finds that development of this subdivision will contribute to the demand for additional park and recreation space, and that this subdivision provides no suitable park or recreation land to address such current or future need. Therefore, pursuant to New York State Town Law, Section 277, payment of the Town's recreation fee shall be required for each building lot in this subdivision, payable to the Town upon the issuance of the original

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building permit for each house. A note that indicates this requirement shall be added to the plat.

3. In accordance with Condition #5 of the Planning Board's August 7, 2002, preliminary plat approval of the Avery Park subdivision, one (1) street tree shall be provided for each building lot. Trees shall have a variety of no more than three (3) species, all subject to approval by the Town's Tree Council, and shall have a diameter at breast height of at least 1-1/2 inches.
4. As offered and agreed by the Applicant, in addition to a future sanitary sewer connection to the south in Section 8, the sanitary sewer shall be extended to the western limits of the Avery Park Subdivision, in the current section, subject to approval by the Commissioner of Public Works.
5. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been submitted to and approved by the Town.
6. No building permits shall be issued for any of the lots in this subdivision unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk. The Liber and Page of easement filing shall be referenced on final as-built record drawings provided to the Town.
7. No building permits shall be issued for any of the lots in this subdivision unless and until this final plat has been recorded in the Office of the Monroe County Clerk. The Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk shall be indicated on the approved, signed copies of this final plat that are submitted to the Town. A note that indicates this requirement shall be added to the plat.
8. Subject to approval by the Town's Commissioner of Public Works and Engineering staff.
9. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
10. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
11. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED**  
**APPLICATION APPROVED WITH CONDITIONS**

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**SITE PLANS**

**Old Business**

1. Applicant: Bell Atlantic Mobile Systems of Allentown, Inc. (d.b.a. Verizon Wireless)
- Location: 1510 Maiden Lane
- Mon. Co. Tax No.: 059.19-3-1.1
- Request: Site plan approval for a proposed cellular service telecommunications facility, consisting of a freestanding antenna tower (119 feet-high, including lightning rod) and related antenna(s), accessory antenna structures, and access driveway, on approximately 0.13 acres
- Zoning District: R1-18 (Single-Family Residential)

**Ms. Burke made a motion, seconded by Mr. Antelli, to continue the application to the May 3, 2017, meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
APPLICATION CONTINUED TO  
MAY 3, 2017, MEETING**

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**New Business**

1. Applicant: DVL1, LLC  
Location: Generally, southeast corner of Latta Road and Long Pond Road  
Mon. Co. Tax No.: 045.03-4-1, 045.03-4-2, 045.03-4-3, 045.03-4-4, 045.03-4-17.11 & 045.03-4-20.111  
Request: Site plan approval for a proposed medical office building (one story, 15,000± square feet), with related parking, utilities, grading, and landscaping on approximately 15.2 acres  
Zoning District: BR (Restricted Business)

**Ms. Burke made a motion, seconded by Mr. Antelli, to continue the application to the May 17, 2017, meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
APPLICATION CONTINUED TO  
MAY 17, 2017, MEETING**

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**SPECIAL PLANNING TOPICS**

**Old Business**

None

**New Business**

1. Applicant: Atlantic Funding & Real Estate, LLC  
Location: 400 Bellwood Drive (in Canal Ponds Business Park)  
Mon. Co. Tax No.: 089.04-1-13.11 & 089.04-1-14.12  
Request: Waiver of the requirements that site plan reapproval be obtained for a proposed hotel (4 stories; 120± rooms; 60,000± total square feet), with related parking, utilities, grading, and landscaping on approximately 2.3 acres (previously approved on October 7, 2015 and extended on August 17, 2016)  
Zoning District: BG (General Business)

**Mr. Antelli then made the following motion, seconded by Ms. Burke, to waive the requirements that site plan reapproval be obtained (previously approved on October 7, 2015 and extended on August 17, 2016).**

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
WAIVER GRANTED**

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**ADJOURNMENT:** 7:12 p.m.

**APPROVAL OF PLANNING BOARD MEETING MINUTES**

The Planning Board of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Alvin I. Fisher, Jr., Chairman