



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD MINUTES

SEPTEMBER 6, 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

None

SITE PLANS

Old Business

1. Applicant: DVL2, 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)

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

Jerry Goldman, Esq., Woods Oviatt Gilman LLP; and Matthew Tomlinson, Marathon Engineering, presented the application.

Mr. Goldman: We are here to talk about the remainder of what was known as the Howe property, near the southeast corner of Long Pond Road and Latta Road. The applications that are before you include the subdivision of the undeveloped portion, as well as the existing four houses that are on the site. Greece Center Drive comes off Latta Road and accesses the Gardens at Town Center, but it also goes west through the proposed development site, to a traffic signal at Long Pond Road. The first step in the process of completing the development was to rezone the property where the four houses are; the zoning has been changed to BR (Restricted Business), and the entire site now is zoned BR. Existing development consists of two banks, an Aldi supermarket, and OcuSight eye care; they all access off the same drives. We are proposing the first phase of the completion of development, which includes a 5800-square-foot medical building and a quick-serve restaurant, Burger King. We have responsibilities as owners for the approvals for the medical building; Burger King will be coming in with their own applications for site plan approval. We are here with the total package because this Board is vested with the lead agency role for State Environmental Quality Review Act ("SEQRA") review. We have submitted a Full Environmental Assessment Form ("EAF") to the Town, with supplemental information. We have had some meetings with the Town's staff, and in May we met with residents of the Gardens at Town Center. We are certain the building will be medical office of some sort. We have done a full traffic impact study for the full buildout of this project, and took a look at the initial traffic impacts of Phase 1 of our development, which is the Burger King and medical building. The New York State Department of Transportation ("NYSDOT") issued a letter at the end of May, which stated that in Phase 1 they did not want to see any adjustments or any changes made to Latta Road.

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This is a bit different than the NYSDOT saying that they think that a new traffic signal is warranted; they are saying pretty much that they don't want to see it. The NYSDOT has made it clear that after Phase 1 they are going to want a follow-up traffic study before any further development occurs. The Town's staff requested clarification of some of NYSDOT's comments; in June, the NYSDOT sent a clarification. We also sent the traffic analysis to the Monroe County Department of Transportation ("MCDOT"); the MCDOT said that they had no issues with the proposed development. Because the initial analysis was predicated on a new urgent care facility, we had our traffic engineers retool the study to determine whether there was a difference in the traffic analysis if it was a medical office instead; the results showed that there was no material difference; the NYSDOT reviewed the change, and had no change in their position. The traffic analysis also was reviewed by the Town's Traffic Advisory Committee; they were satisfied with the NYSDOT's recommendations. With regard to the site plan, our lighting is LED, which will be shielded so that it remains on our site and will not spill onto adjoining properties. We plan to retain one of the four houses temporarily for a construction office. The rest of the houses will be demolished and are expected to come down in the fall; before demolition, the Fire Department will use them for training. We propose one access driveway off Latta Road, east of the proposed Burger King site and west of the remaining properties. As part of this development, the Latta Road access driveway near the existing M&T Bank will be closed. We are enhancing the safety of traffic conditions by moving the access farther away from the Latta Road-Long Pond Road intersection. Greece Center Drive will remain the same. There will be landscape buffering in the rear of the medical building for the Gardens at Town Center apartments.

Mr. Tomlinson: Over the course of a few months since the application first was submitted, we have coordinated with utility providers to find out whether there they had any issues with the project; they did not. Another thing that we can address is the storm water management. There is an existing storm water management pond, which we will be bringing up to conformance with current regulations, as well as incorporating new green infrastructure practices. We met with neighbors at the Gardens at Town Center, and will be amending the landscape buffer in response to their comments. There are some trees down as a result of the March windstorm, which created some unsafe conditions; we will be taking care of those. The medical use inside the site lends itself to good buffering for the remainder of the property. Typical retail or some other uses would have a loading dock; this use will have just an access drive for fire and safety. There will not be the amount of activity that would happen with a retail use.

Mr. Goldman: We have an application for site plan approval for the medical building and the subdivision, but before there are any approvals, we have to address the SEQRA requirements. There is a special use permit for a restaurant, which will have to come from Town Board. We want to finalize SEQRA and the medical office site plan. This will get the infrastructure squared away, as well as construction for the medical office building.

Mr. Copey: We did notified neighbors about tonight's meeting because there had been such a delay over the summer in hearing the project. In May, the Board sent out its Notice of Intent to Become Lead Agency for the coordinated environmental review. We have comments from the Monroe County Department of Planning and Development and the Monroe County Development Review Committee, mainly on traffic and deferring to the NYSDOT and MCDOT's review comments; Mr. Goldman gave a good summary of that. We asked for some clarification, and the NYSDOT provided that. A new traffic signal is not warranted at this time, and will not be warranted until sometime possibly after Phase 1. The NYSDOT wants to review the traffic again in the future, looking at what's proposed after Phase 1 and at what traffic has resulted from Phase 1. The Town's Traffic Advisory Committee agreed with the NYSDOT and MCDOT's assessments of the traffic, and had no further comments. The Fire Marshal had a few questions regarding hydrant location and assigning addresses. There also was a request

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to install a preemption system in the traffic signal for emergency vehicles to get a green light when they need it; I believe that that has been discussed. We have a letter from residents, Tom Seeley and others, who are concerned about safety for pedestrians, additional traffic congestion, maintenance of the private road, maintenance of the green space, and what other business might be there in the future. I know that the applicant has had a meeting with those residents to address those concerns. We received a letter from Patrick and Bella Bianchi of 3074 Latta Road; they had concerns about traffic, construction, and distance to the intersection. We received an e-mail from Margaret Call, 3025 Latta Road; she had the same concerns. Mrs. Call suggested that the entrance into Greece Town Center also be the only Latta Road entrance for the new development. She also mentioned lighting on the site and the lighting on the building.

Mr. Gauthier: Most of our engineering concerns are conceptually resolved. We have a few details to iron out, but I think that, with a full review of those details, we'll be in good shape to recommend approval.

Mr. Fisher: We have two things to work out: one is the environmental review for the entire site; and the second is the site plan for the medical building. This won't be the last opportunity to have comments, but it is an opportunity to raise questions and comments.

Tom Seeley, 100 Greece Center Drive: My concern is traffic. Greece Center Drive is not necessary for the residents, they drive down the center, take the turn quickly. Coming out of the drive, they still think that they can make a left-hand turn out onto Latta Road and 20 minutes later they still are sitting there, waiting to go west on Latta Road. If I understand correctly, the medical building will come in first with the road go in later?

Mr. Fisher: Both will be part of Phase 1; Burger King will be part of that also, but will be a separate application.

Mr. Seeley: Will the other tenants have outdoor music or noise? I live on the west side of the Gardens at Town Center building. I spoke with the developer, and there is a dumpster that I will have to look at; I don't want to look at that. They did a fair job of explaining the green space; if it's the same as described to us neighbors in May, it sounds like a sound solution. My biggest concern is the traffic; everyone comes through there, using Greece Center Drive as a shortcut to/from Latta Road.

Patrick Bianchi, 3074 Latta Road: This is my daughter Stephanie. We live at the last house across the street, and my concern is traffic. The last time that we were here, we asked for a traffic study. What were the results?

Mr. Fisher: The traffic study was prepared, and was reviewed by both the NYSDOT and the MCDOT. Depending on the amount of traffic, the developer might have to do additional work on Latta Road or Long Pond Road, possibly including a new traffic signal on Latta Road. You are welcome to look at that information.

Mr. Bianchi: Did the results show a lot of traffic or was it inconsequential?

Mr. Gauthier: The test is whether it would negatively impact the level of service without mitigation. For Phase 1, there is no recommended mitigation, and the indication is that it would not reduce the level of service. The NYSDOT is going to review future phases of development to whether mitigation would be in order at that time.

Mr. Bianchi: Coming out of my driveway takes about three to five minutes, depending on traffic. There is a lot of traffic that has occurred on Latta Road between Long Pond Road and the Gardens at Town Center access. Now there is a new thing added to create more traffic. If you close the M&T Bank exit and add the new entrance, you can't tell me that this will not increase traffic. I have no objection if the entrance by the bank is used instead of the new entrance; it's already there. I'm speaking as someone who has been here. I built this house

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in 1964, and I care about this neighborhood. I have been a loyal resident in Greece for 53 years. I don't mind this development but I don't think that you have to have three entrances right here together, that close.

Mr. Fisher: If the traffic volume reaches the point that warrants a traffic signal, then the NYSDOT would require its installation.

Mr. Bianchi: Having a signal so close, people would be trying to beat the light. This will only increase the problem. I just don't see the value except making it comfortable for the business that will be here. It is across the street from me.

Stephanie Corcoran: I'm here for my father as an interested party. We have not seen a traffic study and don't know about them. I would like a better understanding about what the study showed, and what mitigation means, and at what point is it implemented.

Mr. Gauthier: The traffic analysis takes a count of what the current volumes are and add in the national standards for peak volumes that would occur with the proposed development. They look at wait time at driveways, and analyze the gaps in traffic flow. On top of the existing base volume of traffic, you add what is being proposed, and the computer model can identify whether there will be a drop in the current level of service. If the level of service dropped enough, mitigation would be required. Mitigation might be a traffic signal, a new lane, or a dedicated turn lane. This Board sees the traffic themselves and hears what the residents say, but the Board can't go contrary to what the NYSDOT says because the NYSDOT has jurisdiction over Latta Road. All that we can do is request that the NYSDOT or MCDOT consider requiring mitigation before their design manuals say that it is necessary. This traffic study was performed by a firm that specializes in that sort of thing, and the NYSDOT and MCDOT accepted the findings after they reviewed it. The level of service that would be occurring in the future with Phase 1 is the same as the current level of service. The traffic experts have said that this level of development does not warrant mitigation at this time.

Mr. Selke: Does the study show what direction the flow is supposed to go? When it comes to mitigation, who is responsible for that?

Mr. Gauthier: The developer will be responsible to satisfy the agencies, we are only looking at Phase 1.

Mr. Fisher: One of the responsibilities that this Board will have when we come to Phase 2 or 3 would be to require the applicant to update the traffic study to include the traffic from the business that actually opens up in Phase 1.

Mr. Bianchi: If this is approved, that driveway will be there?

Mr. Fisher: We won't be taking action on this tonight.

Mr. Bianchi: Traffic has changed so much since NYS Route 390 was constructed north of West Ridge Road. I made a map that shows that keeping the bank entrance where it is would be about half-way between Long Pond Road and the entrance at the Gardens at Town Center. I realize that you need something there, but the new driveway will cause more problems. This was approved back then, but having a cut in the middle, I believe is what is incorrect.

Mr. Fisher: This proposal is similar to the signalized intersections at Wegmans Plaza.

Mr. Bianchi: There are no residents there. By putting it where it's, you are taking the residential value of my home.

Mr. Fisher: The folks from the apartments will have the opportunity to turn left onto Latta Road at a traffic signal. We don't want to encourage more traffic to go into the apartment access.

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Mr. Bianchi: The driveway that is already there makes more sense than having a road that is closer to this parcel.

Mr. Fisher: The NYSDOT makes that determination for state roads.

Mr. Geisler: I would like to see the study. They are dealing with only one restaurant, and you brought up some valid points.

Mr. Selke: I agree that we have some work to do.

Mr. Gauthier: We have to approve driveways that meet all the requirements. The NYSDOT is in the same situation. Sometimes, what meets their design criteria doesn't fit with what our instincts tell us. The Long Pond Road entrance at Walgreens, we had doubts about that, but once the MCDOT approved it, we really didn't have any way out of it.

Mr. Copey: Mr. Tomlinson can explain why it was put in that position and not closer to the traffic signal at the intersection of Latta Road and West Bend Drive.

Mr. Tomlinson: I have been the contact with the NYSDOT, the MCDOT, and the Town staff. Some of the things that you brought up, we have looked at. We have looked at multiple possible locations for the new driveway, and it comes down to safety and also where a developer is going to bring in business and jobs. We looked at whether or not the bank's driveway would work as the location for the whole development. We wanted to separate that as much as possible because of the queuing at the signal and crossing left turn lanes. If you take a left out of the bank driveway onto Latta Road, it is very unsafe; visibility is low. That is the primary reason for trying to separate that entrance. In addition, there are design standards for separation of traffic signals. It was mentioned that the Wegmans access on Latta Road is the about same distance or separation from the intersection of Latta Road and Long Pond Road. One of the comments from the MDCOT was that a signal should be sequenced with West Bend Drive and with Wegmans. They can determine that if a signal turns red, how many cars will go through, and manage the queues. As mentioned, these are experts, and all they do is traffic analysis and design. Regarding the level of service, Latta Road gets about 24,000 cars a day and Long Pong Road gets about 18,000 cars a day; these driveways get about 200 to 250 cars a day. In the eyes of the NYSDOT and the MCDOT—maybe not in everyone else's—the separation between these intersections and traffic signals is more important than these two driveways, just because of the number of vehicles that takes precedence over a commercial or residential driveway. It should be noted that we are removing four residential driveways. Phase 1 was specific only to this lot being developed and the medical office being developed; Phase 2 is anything after that. No matter how big or small that will be, it will be added into the follow-up study. There are seven criteria for allowing or requiring turn lanes or signals. Even if the developer wants a traffic signal and is willing to pay for it, they have to demonstrate that this driveway will have enough traffic to warrant the signal; otherwise, the NYSDOT won't allow it.

Mr. Bianchi: You bring up a good point, make the bank entrance right turn only. Why was this road put here if it serves no use? Just consider the future ramifications of that.

Mr. Fisher: Traffic is a very important part. These are things that we are going to look at.

Mr. Selke: Does the proposed road have a right and left tuning lane?

Mr. Tomlinson: Yes. Remember that this driveway services the development at all times of the day. The level of traffic at the driveway is relatively small compared to the surrounding roadways. The NYSDOT does not focus on the roadway, but on the number of vehicles added. If this driveway were not here or were right-turn only, it would result in much more traffic going to the traffic signal at Greece Center Drive and Long Pond Road, and also to Greece Center Drive at Latta Road.

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Mr. Selke: We have to look at lot of things.

Mr. Tomlinson: That is one reason that we took our time. We wanted the most complete study, and we feel comfortable presenting that.

Mr. Seeley: Was traffic study done for the present six months or so?

Mr. Gauthier: There is a baseline volume, which uses actual traffic counts; then they look at projected counts for the medical building and the restaurant.

Mr. Tomlinson: The analysis also takes into account a growth factor in the background traffic volume because this project will be built over time. Also, we did the analysis based on busier times of the day during the school year.

Mr. Seeley: Has the traffic from the brand new development, Orchard View, been considered?

Mr. Tomlinson: Yes, that traffic was incorporated in our study. Our traffic consultant was the same one that did the traffic study for Orchard View.

Mr. Copey: We get calls from traffic consultants regarding upcoming projects; they want to know what new developments are on the horizon so that they can take them into account when making projections of future traffic volumes.

Mr. Seeley: So you're going to have at least 200 cars with this project. Will you have to adjust your projections as this project goes along and you look at this again?

Mr. Fisher: As requested by the NYSDOT, we will require a new review of the traffic when new phases come in, and we will check with the NYSDOT and the MCDOT again.

Mr. Geisler: Mr. Seeley, are you satisfied with the landscaping?

Mr. Seeley: Yes, that sounded fine to me.

Mr. David Thesing, 3032 Latta Road: How many phases? Which house has been designated for the construction office? What will be left after the houses are torn down? I think that a traffic signal does need to be installed. I also think that some speed humps are needed in the Gardens Town Center. People use that as a cut-through because they don't want to get stuck at a traffic signal. People race through there, and there are elderly people, kids on bikes. Another thing to consider is that Greece Center Drive should be a right turn out only at Latta Road—no left turn. I think that it's a bad situation; someone will get "T-boned."

Mr. Goldman: For traffic analysis purposes, Phase 1 will be the 15,000-square-foot medical building and the Burger King. The remainder will be lumped together as Phase 2. Anything more will have to be analyzed. There might be a special use permit and that would be reviewed by the Town Board. The house closest to Greece Center Drive will be used a construction office for now. We show three out parcels; they are undefined uses for now. Remember, they will have to come to this Board for approvals. After demolition of the three houses, that area will be lawn area.

Mr. Tomlinson: There was mention of a traffic signal at the intersection of Latta Road and Greece Center Drive. One problem with that is its presence would draw more traffic to a residential area. Another problem, and the most difficult one for us, is that there has been a lot of right-of-way taking for additional width, so some of the residential property would go to the state for that turn lane. Acquisition of additional right-of-way would be costly and move more of the impact onto the residents along that part of Latta Road.

Mr. Goldman: The Town mandated the extension of Greece Center Drive through to Long Pond Road as part of the rezoning approval for the Gardens at Town Center. The Town Board thought that it would be important for the residents of the Gardens at Town Center to have access to Long Pond Road, and to the traffic signal there, if they wanted to go west on Latta

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Road. If the Board required it, we would install sidewalks with the construction of the roadway. As businesses move in, it will become less likely that people will cut through because they will see that there is traffic internal to the site; the time saved on that shortcut route will be diminished. With this developer, the plan is that maintenance will be more controlled and taken care of on the overall property.

Mr. Selke: The access road is fairly narrow; I think that the turn radius needs to be enlarged. There is a drainage ditch behind the existing houses. What will be done with that? With traffic there, the ditch could be hazardous. What will be the height of the light poles, or will there just be building-mounted lighting? I'd like to know about the heating, ventilation and air conditioning ("HVAC") equipment and the noise level. Signage is important for the medical building. Could you also provide us with the architectural appearance of the building and landscaping?

Mr. Tomlinson: We will be putting storm water control in and there will be a staging area, so yes, the majority of the trees will be taken down near the existing houses. The width of the road will widen to 24 feet, with curbs. As development continues so will the road, so that it is not damaged by construction vehicles. The owners want to protect the pedestrians, so we are limiting driveway crossings. Pedestrians can get to Wegmans by crossing only one driveway entrance. Also, we will be looking at slowing down traffic inside the site; there will be "Yield" signs, "Stop" signs, and crosswalks. The ditch will be covered, and inlets added. The majority of the slope is in the first 10 feet of green space and then it falls to the loop road. That loop road is about eight feet below the pad elevation of the proposed building, so the first floor windows will see the same limit that they see now. We will plant evergreens, so we feel that we are putting in a pretty good buffer for the majority of the residents. Most of the HVAC condenser's site is in the ground, so the decibel level is about 50 dB to the edge of the property; I don't anticipate an increase in noise level. We will be match the pole lighting that's out there now. The lights probably will be LED. If it's there is no use of the site at night, LEDs can be turned down quite a bit. The dumpster location we felt was a good location because it can be screened, and it is 80 feet off the corner. We show a future one, but that one can be relocated.

Mr. Copey: Will the existing vegetation that doesn't have to be removed for Phase 1 remain in place until future development?

Mr. Tomlinson: Yes, unless it's in poor condition. The parking lot will be graded because we have to run storm water utilities. The design of the street was to accommodate emergency vehicle and normal vehicular use. We will look at the radius again. There will be an on-site management person to make sure that trash is collected.

Mr. Selke: Will the residents from the Gardens at Town Center be looking at the top of the building?

Mr. Tomlinson: There will be some sort of a vertical screen. For the HVAC, they will be looking more across it. We are proposing to landscape around the building. As projects come in, landscaping that matches or complements will be added to the new development. We will be adding a variety of pines with different growth rates, and spruce that are deer-resistant. The trees will be six to seven feet in height at planting; street trees and some flowering trees to create a nice streetscape.

Mr. Fisher: The far driveway that is shown in the future, is problematic because you have parking on both sides of that road; that is something to look at.

Mr. Tomlinson: What is shown is the densest possible layout of the business center. As the needs of the future tenants become known, we can fine tune that. This is the maximum development case, and is shown for storm water design purposes.

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Mr. Fisher: What is the building size?

Mr. Tomlinson: The immediate need for the medical building is 15,000 square feet; the future addition is about 10,000 square feet.

Mr. Goldman: We are confident that that is where we will be; it could be less. We would come back to the Board.

Mr. Fisher: I think that there are items we need to understand, such as traffic and what the building will look like.

Mr. Bianchi: I would like to bring up another point. The Town made no entrances off here on Latta Road; the same with McDonalds, Aldi. Any intersection is a hazard, a problem for traffic and pedestrians. I have no problem with the development, but the entrance will be a problem. Please think about it.

Mr. Geisler made a motion, seconded by Ms. Slocum, to continue the application to the September 20, 2017, meeting, as requested by the applicant.

VOTE:	Antelli	Yes	Burke	Yes
	Geisler	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
APPLICATION CONTINUED TO
September 20, 2017, MEETING**

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2. 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 September 20, 2017, meeting, as requested by the applicant.

VOTE:	Antelli	Yes	Burke	Yes
	Geisler	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
APPLICATION CONTINUED TO
September 20, 2017, MEETING**

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New Business

None

SPECIAL PLANNING TOPICS

New Business

1. Applicant: Wilmorite, Inc
Location: 271 Greece Ridge Center Drive
Mon. Co. Tax No.: 074.18-4-7.113
Request: Relief from approval conditions from Planning Board Meeting of March 15, 1995
Zoning District: BG (General Business)

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

Stu Chait, Chait Studios Architect, Agent for Wilmorite and architect for Ruby Gordon, presented the application.

Mr. Chait: Ruby Gordon is in the process of locating to the site of the former Circuit City; the space has been vacant for about 10 years. As part of Ruby Gordon's expansion, they are going through a corporate identification, with new graphics and colors on the outside. The drawings show that the existing burgundy panels will be painted black, and the balance of the building will be painted a taupe-beige, which is similar to the existing split-faced block. The bottom four feet of the building, all the way around, will have a white band. Wilmorite is happy with the changes with the mall on that side, and this use will help to anchor the mall.

Mr. Fisher: It's nice to see a quality tenant that is making use of that area and has modified it to be more welcoming.

Mr. Chait: The bands will be painted all the way around; the black will be just in the front.

Mr. Copey: It's a great improvement, and the windows add a modern look.

Mr. Geisler: What does the south side have in the way of signage?

Mr. Chait: There will be none because there is no entrance on the south side; just a loading dock.

Mr. Sofia made a motion, seconded by Mr. Antelli, to grant relief of the prior approval conditions and permit material and color changes as described this evening.

VOTE:	Antelli	Yes	Burke	Yes
	Geisler	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

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ADJOURNMENT: 8:55 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