



# TOWN OF GREECE

One Vince Tofany Boulevard • Greece, NY 14612

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[www.greecenyny.gov](http://www.greecenyny.gov)

William D. Reilich  
Supervisor

February 23, 2016

Mr. Anthony J. Caraglio  
223 Basket Road  
Webster, NY 14580

Re: Special Use Permit to Rezone 1.01 ± acres from BP-2 (Professional Office) to BR  
(Restricted Business) on property located at the  
Northeast Corner of North Greece Road and Bram Hall Drive

Dear Mr. Caraglio:

The Town Board, at a meeting held Thursday, February 18, 2016, passed a resolution approving the aforementioned application. A copy of the formal resolution detailing the findings and stipulations of the Town Board is enclosed.

Please do not hesitate to contact Gary Tajkowski at 723-2345, if you have any questions.

Sincerely,

Cheryl M. Rozzi  
Town Clerk

Cc: William D. Reilich, Supervisor  
Gary Tajkowski, Director of Development Services  
Leo Carroll, Building Inspector

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held February 18, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

PRESENT:

William D. Reilich	Supervisor
David M. Barry, Jr.	Councilman
Brett Granville	Councilman
Andrew J. Conlon	Councilman
Diana Christodaro	Councilwoman

Cheryl M. Rozzi, Town Clerk  
Brian Marianetti, Town Attorney

EXCUSED: None

**#84 A** - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Conlon:

WHEREAS, Anthony J. Caraglio (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 1150 North Greece Road; and

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

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to rezone 1.01± acres of real property (the Premises") from BP-2 (Professional Office) to BR (Restricted Business). The Applicant/Project Sponsor proposes to construct a commercial plaza (one story; 6000± square feet) (the "Project"). The proposed vehicular access to the Premises is via an unsignalized driveway at Bram Hall Drive (a Town-owned, two-lane, subdivision road), which connects to North Greece Road (Monroe County Route 144, a two-lane urban collector) at a signalized intersection. Existing land uses in the vicinity include but are not limited to: single-family houses; apartments; restaurants; retail; a child daycare center; and automotive sales, service and repair.
2. Upon review of the Proposal, the Town Board determined that the Proposal 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 Proposal constitutes an Unlisted action under SEQRA.

3. On February 18, 2016 at 6:19 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal were presented at the Hearing for the Town Board's consideration.
5. The Town Board has carefully considered environmental information that was prepared by the Applicant/Project Sponsor's representatives or the Town's staff, which included but was not limited to: a project narrative; a conceptual site plan; aerial photographs; and Part 1 of an Environmental Assessment Form (the "EAF"), which was prepared in part by using the New York State Department of Environmental Conservation's (the "NYDEC") online EAF Mapper application (collectively, the "Environmental Analysis").
6. The Town Board also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant/Project Sponsor's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
7. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have 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; the Monroe County Department of Public Health; the Town's Planning Board (the "Planning Board"); and the Town's own staff.
8. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of February 18, 2016.
9. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Proposal on the following principal relevant issues: vehicular traffic; storm water management; and compatibility with nearby uses. A summary of the analyses of these issues and the Town Board's reasoned elaboration supporting its determination of environmental significance follows.
10. Vehicular traffic.
  - a. Description of analysis and impacts. The nature, location, and size/intensity of the Project do not warrant a traffic impact study; therefore, the Project is not likely to have a significant adverse effect on the existing transportation network.

- b. Mitigation measures. No mitigation measures are required at this time.
- c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Project without mitigation measures.

11. Storm Water Management.

- a. Description of analysis and potential impacts. The Premises currently consist of undeveloped land covered by grass. The Project includes the construction of a building and paved driveways and parking lots. The Project has the potential for altering drainage patterns and volumes in the area by the construction of impervious surfaces and changes to the drainage characteristics of the area. The Project would create a need for on-site management of storm water runoff quality and quantity. The proposed changes to the Premises must comply with applicable federal, state, and local regulations, including the most recent storm water management guidelines promulgated by the NYSDEC.
- b. Mitigation measures.
  - i. The Project will include provision of storm water management facilities on the Premises, to be designed to limit peak storm water discharge to rates that are below the pre-development level for precipitation events up to and including the 100-year storm. In order to manage storm water quantity and quality, the Applicant/Project Sponsor will construct one or more surface or subsurface detention facilities and will include “green infrastructure” practices. The storm water management facilities will be designed to include water quality improvement features consistent with the most recent guidelines promulgated by the NYSDEC.
  - ii. Standard construction procedures will be followed to control storm water runoff, erosion, and sedimentation during construction in accordance with all applicable regulations.
- c. Conclusions.
  - i. The Project will not degrade existing storm water conditions on the Premises or on adjacent properties, and may present an opportunity to improve drainage conditions for adjacent properties.
  - ii. The Project will include features that are designed to improve storm water quality before runoff leaves the Premises.
  - iii. The proposed storm water management facilities will avoid or minimize potential adverse impacts on storm water runoff quantity and quality.

12. Compatibility with Nearby Uses

- a. Description of analysis and potential impacts. The Premises are located across the street from existing retail uses. A child daycare center is located on the adjoining lot to the east. The closest residences are located 250± feet to the north and northwest of the Premises. Other uses in the immediate vicinity of the Premises include but are not limited to: apartments; restaurants; additional retail; and automotive sales, service and repair.
  - b. Mitigation measures. The Planning Board will require buffering for the daycare center and the few residents that live nearby.
  - c. Conclusions. The Proposal will not have a significant adverse effect on existing character of the surrounding area.
13. The Environmental Analysis examined the relevant issues associated with the Proposal.
14. The Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
15. The Town Board has met the procedural and substantive requirements of SEQRA.
16. The Town Board has carefully considered each and every criterion for determining the potential significance of the Proposal and the Project upon the environment, as set forth in SEQRA.
17. The Town Board has carefully considered (that is, has taken the required “hard look” at) the Proposal and the Project and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional relevant information submitted.
18. The Town Board concurs with the information and conclusions contained in the Environmental Analysis.
19. The Town Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Town Board’s determination is supported by substantial evidence, as set forth herein.
20. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant/Project Sponsor’s voluntary incorporation of mitigation measures that were identified as practicable.

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 Town 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 Town Board determines that the Proposal and the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration.

ADOPTED Ayes 5  
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

**#84 B** - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Conlon:

WHEREAS, Anthony J. Caraglio (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 1150 North Greece Road; and

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

1. In summary, the Applicant's proposal (the "Proposal") is to rezone 1.01± acres of real property (the Premises") from BP-2 (Professional Office) to BR (Restricted Business). The Applicant proposes to construct a commercial plaza (one story; 6000± square feet) (the "Project"). The proposed vehicular access to the Premises is via an unsignalized driveway at Bram Hall Drive (a Town-owned, two-lane, subdivision road), which connects to North Greece Road (Monroe County Route 144, a two-lane urban collector) at a signalized intersection. Existing land uses in the vicinity include but are not limited to: single-family houses; apartments; restaurants; retail; a child daycare center; and automotive sales, service and repair.
2. Proof was had of the notice of a public hearing on a resolution proposing to amend said Official Zoning Map by rezoning 1.01± acres from BP-2 (Professional Office) to BR (Restricted Business), relative to property located at 1150 North Greece Road.
3. On February 18, 2016 at 6:19 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing.
6. The Premises are surrounded by the following zoning districts and land uses:

North: BP-2 (Professional Office)—undeveloped land; R1-12 (Single-Family Residential)—undeveloped land and single-family residences.

South: BG (General Business)—a large commercial plaza.

East: BP-2 (Professional Office)—a child daycare center; RMH (Multiple-Family Residential)—apartments.

West: BR (Restricted Business)—a small commercial plaza; BG (General Business)—undeveloped land.

7. The proposed zoning and use of the Premises are consistent and compatible with the zoning and uses that are adjacent to the Premises.
8. At its regularly scheduled meeting on February 17, 2016, the Town's Planning Board recommended that the Town Board approve the Proposal.
9. The size and shape of the Premises are suitable for the Proposal.
10. Public utility service and vehicular access are adequate for the Proposal.
11. The Premises are located in the West Ridge Road corridor. The Town's 2001 Community Master Plan Update (the "Master Plan Update," completed September 18, 2001) noted that West Ridge Road is the Town's principal commercial corridor, and recommended that that continue.
12. On February 18, 2016, in accordance with 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"), the Town Board issued a Negative Declaration for the Proposal (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable. The SEQRA Negative Declaration is incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the Proposal.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the Official Zoning Map of the Town of Greece, New York, hereby be and the same is amended to change the zoning classification of 1.01± acres from BP-2 (Professional Office) to BR (Restricted Business), relative to property located at 1150 North Greece Road, as more particularly identified in the description attached hereto, subject to the following conditions:

1. The Applicant shall submit a request to the Town of Greece Planning Board for site plan approval in order to address the details of site development issues, including but not limited to: landscaping and buffering; lighting; parking; vehicular and pedestrian access for the Premises; on-site vehicular and pedestrian circulation; utilities; grading; storm water management; and architectural appearance.
2. In the event of any conflict among the oral or written descriptions of the Proposal, the site development plans for the Proposal, or the requirements or restrictions of this resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.
3. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
4. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors, and assigns.
5. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

ADOPTED    Ayes 5  
                  Nays 0

Reilich, Barry, Granville, Conlon, Christodaro