

VILLAGE OF GENESEO  
BOARD OF TRUSTEES

May 18, 2009

PUBLIC HEARING to consider changes to several sections of the Village Code.

PRESENT:

Richard B. Hatheway, Mayor  
Sandra F. Brennan, Deputy Mayor  
John Fox, Jr., Trustee  
Thomas J. LaGrou, Trustee

J. Thomas Reynolds, Attorney  
Ron Maxwell, Code Enforcement Officer  
Dean O'Keefe, Code Enforcement Officer  
Aprile Mack, Deputy Clerk/Treasurer

PUBLIC PRESENT:

Sue Richardson  
Howard Appell

1. **HEARING OPENED:**

Mayor Hatheway opened the public hearing at 7:15PM, noting that the appropriate notification had been published. The Village Board adopted the revised Zoning Code (Chapter 130) in January. Since then the Code Enforcement Officers along with the Planning and Zoning Board secretaries have found some discrepancies. Along with the discrepancies in the Zoning Code, the Police Department has noticed some in Chapter 123, Vehicles and Traffic. Changing these discrepancies will bring the Code in conformance with what is being and should be practiced.

Attorney Reynolds stated that he is not aware of any issues related to the proposed changes, except for a brief conversation he had with a resident of Highland Road this afternoon. Since a stop sign has been placed at the Oak Street/Highland Road/Highland Park intersection, at times, vehicles are parked directly up to the stop sign, which blocks the line of site. Attorney Reynolds stated that he would discuss this with Police Chief Osganian and report back to the Board.

Attorney Reynolds noted that parking is allowed on both sides of Highland Park, through these changes, parking on the west side of Highland Road is proposed to be prohibited.

Changes being proposed to Chapter 130, Zoning, are for the most part nothing of substance. Code Enforcement Officers Maxwell and O'Keefe, Zoning Board Secretary Deb Lund and Planning Board Secretary Aprile Mack immediately noticed some issues when they first started to work with the Zoning Code on a case-by-case basis. General Code Publishers codifies the Code for the Village. While in the process of codifying Chapter 130, they also noticed some discrepancies that they brought to the Village's attention. Deputy Mayor Brennan, Code Enforcement Officers Maxwell and O'Keefe along with Planning Board Secretary Aprile Mack worked together to summarize the changes that are being proposed.

Section 130-54 C. states that no front yard or driveway shall be used for any open storage or other storage of equipment such as motor homes, camping trailers, boats less than 20 feet in length, utilities trailers or other similar equipment. The proposed change is to eliminate the word front, change boats less than 20 feet in length to boats greater than 20 feet in length, and change utilities to utility. Code Enforcement Officer O'Keefe stated that the change stemmed from the Code Officers believing it should read boats greater than 20 feet in length, instead of less than. As the entire section was reviewed, it was agreed that the word front should be removed. Trustee LaGrou is concerned with removing the word front and disallowing motor homes to be stored at all as currently there are several situations like this in the Village. The Code Enforcement Officers noted that they would not go looking for a violation of this type or any other violation, but they act on complaints. Deputy Mayor Brennan stated that in other municipalities, she has seen tractor-trailers being parking in one's driveway, and does not think that the Village wants to see this either.

Trustee LaGrou agrees that a motor home or other type of vehicle like this parked in one's driveway/yard might be unpleasant to the eye, but as a taxpayer he would be upset if he were told that he could not store his camper in his driveway/yard.

Sue Richardson stated that she thought there was something in the Village Code that states that these types of vehicles could only be parked up to 180 days. CEO Maxwell stated that he believed that that statement might have been in the previous zoning code.

Mayor Hatheway wondered how practical it would be for a homeowner to apply to the Code Enforcement Office to have their motor home or other similar vehicle parked on their property. CEO O'Keefe stated that this might make one think that the Code Enforcement Officers are being selective on who is allowed or disallowed. Perhaps this type of use could be granted under a special use permit process. The Board and Code Enforcement liked this idea, as it would provide the neighbors an opportunity to voice their opinion.

Trustee Fox asked if the Board would be interested in instituting a moratorium on any more changes until the code book was able to get codified and brought up to date. Mayor Hatheway stated that he did not think a moratorium needed to be instituted. He noted that the Board adopted the new zoning on January 5<sup>th</sup>, and the intervening three months of using the document on a case-by-case basis revealed several items that needed to be changed. These were collected in an informal manner, which led to this public hearing on the proposed changes. He also noted that a couple of the changes proposed really needed to be fixed as soon as possible.

2. **HEARING CLOSED:**

Without hearing further comments or questions from the Public, Deputy Mayor Brennan moved and Trustee Fox seconded the motion to close the public hearing. The vote was as follows: Deputy Mayor Brennan – Aye, Trustee Fox – Aye, Trustee LaGrou – Aye, and Mayor Hatheway – Aye. The motion passed and the hearing closed at 8:28pm.

Aprile S. Mack, Village Deputy Clerk