

VILLAGE OF GENESEO
BOARD OF TRUSTEES

October 19, 2015

PUBLIC HEARING – Local Law to amend Sections 130-34, Mixed-Use District-1, Section 130-104, Application for site plan approval and Section 130-105, Standards for approval or disapproval in the Village Code.

PRESENT:

Richard B. Hatheway, Mayor	Marsha Merrick, Village Clerk/Treasurer
Sandra F. Brennan, Deputy Mayor	David Woods, Planning Board Chair
Margaret E. Duff, Trustee	
Benjamin W. Gajewski, Trustee	
Bob Wilcox, Trustee	

PUBLIC PRESENT:

Chad Putnum	Liz Porter	Margaret Vangalio	Josh Williams (Genesee Sun)
Louise Wadsworth	Matt Leader (Livingston County News)	Grayce McLaughlin	
Scott Hicks			

1. MEETING OPENED:

Mayor Hatheway opened the public hearing at 5:15PM. Notices were printed in the official newspaper and posted advertising this public hearing to amend Sections 130-34, Mixed-Use District-1, Section 130-104, and Application for site plan approval and Section 130-105, Standards for approval or disapproval in the Village Code. A local law is necessary to make the proposed changes..

Mayor Hatheway explained that the changes to the Code would apply to the Mixed-Use (MU-1) District. According to the Village Zoning map, that district encompasses the downtown business district as delineated on the map adopted by the Village Board on June 7, 2010. A full environmental assessment review was performed in consideration of these changes and a negative declaration of any significant impact was issued. A zoning referral form was submitted to the County Planning Board and their comments were received following their meeting on October 8, 2015. The County Planning Board voted to recommend “approval” of the proposed action, but submitted some advisory comments.

The text changes to the Code are listed below:

Amend Section 130-34, Mixed-Use District 1, to add new item J and K.

"J. Visual compatibility. *New structures shall be compatible in height and number of useable floors with existing buildings on adjoining properties.*"

"K. Facades. *New or renovated structures shall comply with the Façade Renovation Guidelines, as approved and adopted by the Village Board of Trustees.*"

Amend Section 130-104, Application for site plan approval, to insert a new item (4) under D, Development data. Remaining items will be renumbered accordingly.

"(4) *Architectural features, including exterior design, facade, windows and doors, roof line, building height and number of useable floors, and exterior materials and colors.*"

Amend Section 130-105, Standards for approval or disapproval, to insert a new item C. Remaining items will be re-lettered accordingly.

"C. *Achievement of a harmonious relationship and visual compatibility with surroundings and buildings located on adjoining properties.*"

The public hearing was then open for questions. Scott Hicks, local funeral home owner, asked, assuming the changes proposed are adopted, if he were to re-build his building, which has a three story building on one side and a one story building on the other, what would he be encouraged to build? David

Woods responded that that would be the reason the wording isn't specifically quantifiable in section 130-34. Any plan submitted for re-building to the Planning Board would be reviewed on a case by case basis with the guidelines that are in place at that time. Discussion followed with regard to the differences in building height in the district. With the new wording in place, the Planning Board would have some guidelines as to how the building will conform to others in the MU-1 district, which is included in the National Historic Landmark area of the Village. It was noted that the guidelines are not cast in stone, nor is the entire Code, as changes are made periodically.

Liz Porter added that the funeral home stands alone and is not leaning against anything. There would be more freedom than if a building is attached. Margaret Vangalio and Liz Porter are past presidents and APOG members and offered APOG's help with any sort of planning for building replacement. They stated they support the proposed changes.

Grayce McLaughlin, Main Street business owner, said that from her perspective, the idea of these amendments to the Code is a positive step in the right direction. The business district is in the center of town. There has been a lot of positive overseeing of how things might look and fit together on Main Street. The façade work is looking pretty wonderful and several examples were given.

Louise Wadsworth, Downtown Coordinator for Livingston County stated that the changes are a good idea; it is good for Main Street to have two story buildings with residential space above. She would be glad to work with anyone who would like the County's assistance.

These changes, if adopted, would apply to anyone who has not already obtained a building permit, Mayor Hatheway stated.

Trustee Ben Gajewski agrees with the idea of façade guidelines. The structure height is something that he would like to see defined further; he took an informal survey of buildings currently on Main Street. He found that there were six single story properties with two stories on one side and three on the other. There were nineteen single story buildings on one side and two stories on another side. The business district should be striving to require high density, multi-use buildings. Discussion followed as to the wording of the first amendment in Section 130-34.

Scott Hicks mentioned that if the regulations required all replacements to be two stories, it might place an undue burden on the property owner, as they might be insured only for replacement of a one story building, meaning the rest of the cost would be out of pocket.

Three Board members stated that leaving the discretion to the Planning Board is preferable, and therefore agreed with the wording as proposed. However David Woods does agree that Ben's point is well taken. With the current wording, there would be more of a burden on the Planning Board to make their decisions rational and defensible.

Liz Porter said that perhaps one day, Main Street could be defined in terms of blocks. There are lots of pieces in the Village that are original and some that are not original.

The inclusion of the terms 'visual compatibility' and 'harmonious relationship' seem to be cause for concern, due to their vagueness. It was pointed out that these terms are not new for these amendments, but are terms already in the existing Code.

Trustee Bob Wilcox suggested using compatible *and complimentary* in the wording for Section 130-34. Deputy Mayor Sandy Brennan added, however, that in other parts of the Village Code there is room for interpretation.

2. MEETING CLOSE:

Following further discussion, Trustee Duff moved to close the public hearing and Deputy Mayor Brennan seconded the motion. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye. The motion passed and the hearing was closed at 5:50PM.

Marsha B. Merrick, Village Clerk