

**Town of Geneseo Planning Board
Special Work Meeting Minutes
April 7, 2008
7:00 – 9:20 P.M.**

Members Present:

Dwight Folts, Chairman
Patti LaVigne
Margery Wilkie
Trish Jones
Mark Shepard
Tom Curtin
Hank Latorella

Others:

John Girolamo
Doug Jerun
Ken Kamlet, Esq.
Thomas Greiner, Esq.

Please see attached for additional signatures at the close of these minutes.

Also Present:

Joseph Picciotti, Esq., Harris Beach
Michael Guyon, P.E., MRB Group
William Holthoff, P.E.

1. **Call to Order:**

Chair Folts called the meeting to order in the board room of the Town Offices at 7 p.m. He introduced the members of the town Planning Board, town engineers and the town attorney to the public present. He explained that although the meeting tonight was an open one, the discussion would take place among those at the table.

2. **Gateway Towne Center: FEIS:**

Chair Folts began the discussion by asking the town attorney, Joseph Picciotti, Esq., to briefly summarize the board's purpose at tonight's meeting.

Mr. Picciotti said the board has before it a new draft with changes incorporated by the town engineers with the aid of Harris Beach. The board is now in a position tonight to consider whether said document should be considered a final EIS. The PB must decide whether the substantive comments have been adequately responded to and whether measures have been identified that might address the impacts. If the FEIS is thus deemed complete, there is then a 30-day consideration period when the FEIS is published and provided to the other involved agencies as well as the public. After this period, the board can then issue its Findings statement, whether positive or negative. If the Findings are positive, the board has made a determination that certain identified issues can be mitigated; if the impacts cannot be mitigated, the board will issue a negative finding. This statement must be done 30 days after the FEIS is issued. Once a negative finding's statement is issued, the process stops. If the statement is positive, the board is then free and required to consider site plan, subdivision, etc. and the process moves forward.

Margery Wilkie clarified that the issuance of a complete EIS tonight does not mean that the board will later decide in favor of a positive Findings statement in 30 days.

The town attorney also explained that the “consideration” period is not a “comment” period and that the 30 days begins with the date of publication stating that the FEIS is complete.

Positive Findings will identify certain measures and then Planning Board members (as well as the Architectural Review Board) are free to examine issues such as which road the building may face, and the actual appearance of the building. These issues will be identified as well as mitigation measures. If it is determined that there is no way that certain measures can be mitigated, then the process stops. These conditions may or may not be dependent upon SEQR.

Mr. Picciotti suggested that the board begin with section V, Addendum to the Draft Environmental Statement submitted by the applicant.

Margery Wilkie questioned William Holthoff, town traffic engineer, about a “right in – no out” versus an “in and out.” Mr. Holthoff said there were instances in his experience where this did not work and mentioned the town of Webster as an example. He said the studies do not support the volume of traffic on 20A necessary to warrant this.

Patti LaVigne requested that C4 be changed to reflect that the HLD is currently on the watch list as reflected in appendix P

Hank Latorella brought up the traffic problem at Center Street and requested that the current problem at that intersection be looked at in the future. Tom Curtin suggested creating a “Transportation District” to deal with existing traffic problems.

Chair Folts reminded members that such problems can be dealt with in the Findings statement. Mr. Picciotti requested that measures subject to mitigation be identified now and not left to final site plan approval.

Margery Wilkie requested that the Lima Road speed limit approaching Volunteer Road be reduced at Country Club Road. There currently is no indication of a road ahead. Otherwise, with the establishment of another large retail business on Volunteer Road, it is conceivable that those from the East waiting to make a left hand turn off Lima Road will back up traffic. Mr. Folts said there were members of the Town Board present and that they were now aware of and would, no doubt, deal with the problem.

Patti LaVigne asked questions about buffering 100 feet from 20A. Trish Jones then asked about the final ownership of this parcel in front of the proposed site. Mike Guyon said this might go to the town. The Town Board may wish to consider other options for the greenspace.

The question of the “internal road” was then brought up by Mike Guyon. He said he had discussed what this meant with Ron Maxwell. Zoning discusses this as access to 20A and is interpreted as Volunteer Road.

There is also some reference to an internal “service road” which could mean a future road built to access development that would occur further to the east of the proposed GTC. The pharmacy would then face the “internal service road” but would not be a dedicated road. Mr. Guyon said this would allow access to an internal road from that parcel without any future developments having direct access from 20A. Ron Maxwell said this internal road would be similar to the road existing between Aldi’s on the left and TSC on the right.

There was then some discussion by Tom Curtin and Mike Guyon about whether an appeal to the ZBA should be included. It was decided to leave this in as an available avenue.

Patti LaVigne requested that on (her) page 9, under comment A.8, that the phrase “minimal or no impact” as regards to the Access Management Study and GTC traffic affecting the Geneseo National Landmark status, be removed. “There are critical areas,” said Ms. LaVigne and Geneseo has now been added to the NLM watch list. Mr. Holthoff will make the change. Funding sources and timeliness are still issues for a future traffic study as is the possibility of a need for an additional traffic device. Such a device is dependent upon the increased volume of traffic directly caused by GTC once it is operational for a period of three months.

Patti LaVigne requested that the phrase, “Certain highway improvements may be required along 20A at such point in the future to accommodate traffic increases” inserted under the A.6 and 7 response.

Margery Wilkie then brought up the importance of considering Lima Road as a residential street. She said the village portion of use has never been differentiated from the “country” portion and the difficulty of backing out of a driveway onto Lima Road is a real problem.

Ms. Wilkie further brought up the issue of the Lima Road speed limit and that there is no indication of an upcoming intersection (Volunteer Road). Cars could conceivably approach Volunteer Road at 55 miles an hour and cause an accident. By way of contrast, when leaving the village, the speed limit increases to 55mph before Volunteer Road.

Patti LaVigne wished to talk about the New York State DOT claim there would be no funds put aside for improvements to 20A in the near future. She spoke about unanswered questions such as road widening and her wish to have this issue of timeliness and funding included in the FEIS with the hope for future improvements. Mr. Picciotti said that perhaps the future traffic study could “weigh into” this.

Mr. Holthoff said that even after it is decided to upgrade and funding is obtained, there is basically a five-year wait. He said that right now a 10 percent increase on Lima Road, for instance, is only five more cars per hour. Mr. Latorella said all the Planning Board can do is to ask “Lowe’s” to take responsibility for what they create. He requested that any increases be stated as percentages. After more discussion among board members, it was decided not to add anything regarding traffic volume but to retain Mr. Holthoff’s numbers and make them understandable.

Trish Jones pointed out a typo on page 105, comment 70.15 referred to the comment above when this should be referring to 70.14. This refers to the issues of “redevelopment” when a building is vacated.

The term “category killer” will be defined in the final document.

Ms. LaVigne asked about A.28’s reference to the traffic study issue mentioned in the DEIS and a clearer reference to the DEIS will be supplied.

Trish Jones asked that the answers to the comments on pages 68 and 91 be filled in (as they were omitted).

Margery Wilkie brought up the topic of taxes and the possibility of the state later cutting the property and school allotment to Geneseo. Chair Folts brought up the fact that taxes will never go down but they may not go up as quickly with GTC.

Joseph Picciotti, Esq., suggested wording that “any affect that the development might have on property taxes after the first year - because the method of taxing is not within the PB’s purview - the overall effect is not known and it cannot be predicted with certainty.”

Ms. LaVigne referred to the original zoning purpose to avoid development of the “Frew Farm” along Volunteer Road to the east. She requests that this documentation referring to the creation of the Gateway District’s zoning as a transition area be added. The zoning refers specifically to retail and attempts to limit size. Mike Guyon, P.E., said there would be no issue if GTC was a call center instead and would not be limited as to size. Trish Jones said that the transitional part of the Gateway is referred to and size is limited along 20A. Ms. LaVigne said that perhaps it depends on whether one is coming from the West or the East. Tom Curtin said that this refers to the legality of the PDD. Joe Picciotti said that this all is a relative question for the board; PDD does not make underlying zoning irrelevant. The rest of the board members feel this fact is already in the document but Mike Guyon, PE, will add to the wording to reflect the size requirements of the current commercial development.

Patti LaVigne referred to her page 45, D.2 and asked that rather than the phrase “vacancy plan” that “redevelopment plan” be added here. She also requested that it be noted that Camoin was selected by the Applicant to do the study.

Mike Guyon offered to discuss briefly in the document what transpired.

Referring to E1 and E2 where the 28 million dollar figure is projected from business to be repatriated, Ms. LaVigne asked for a clarification that some of this will come from Monroe County. She also requested that it be clearly stated that the Oswego Study was a case study and as such a case study is not as strong in evidence as is a pure data study. Additionally, the case study was conducted for a period of only two years. She requested that the fact that the true impact of the GTC on local small business might only be felt after a longer period of five to seven years be included. Ms. LaVigne also wishes this section to reflect the amount repatriated from Livingston County businesses.

She also noted that because of her work schedule, she was able to concentrate mainly on sections I and V, as suggested, and did not have time to look at all comments in any depth.

Mr. Picciotti said that while additional changes to the document after tonight's meeting were not possible, there will be additional public meetings if the project proceeds.

Trish Jones said that while she had not read the document word-for-word, her general impression was that the document was complete.

Trish Jones then made the MOTION/RESOLUTION which follows on pages 7 and 8 of these minutes.

Hank Latorella SECONDED.

RESOLUTION PASSED.

8. **New/Other Business:**

Trish Jones, Mark Shepard and Margery Wilkie announced that they would be out of town for the next meeting on April 14.

9. **Adjournment:**

There being no additional business, the meeting was adjourned at 9:20 p.m.

Mark Shepard made a MOTION to adjourn the meeting at 9:20 p.m.

Hank Latorella SECONDED the motion.

All in favor: Margery Wilkie, Dwight Folts, Patti LaVigne, Trish Jones, Tom Curtin, Hank Latorella and Mark Shepard.
Opposed: None. MOTION PASSED.

Respectfully submitted,

Diane McMullan, Secretary
Town of Geneseo Planning Board

dmm
Attachment (signatures)

RESOLUTION ACCEPTING THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE GENESEE GATEWAY CENTRE PROJECT

WHEREAS, the Town of Geneseo Planning Board (the "Planning Board") has received an application for the Gateway Town Centre which includes the subdivision of an approximately 119 acre parcel into 4 lots including: a lot of 21.5 to 24.5 acres for the main structure devoted to a retail building supply structure for a Lowe's Home Improvement Warehouse, and a garden store on such lot; a lot of approximately 1.975 acres for a pharmacy, a lot of approximately 2.6 acres, proposed to be conveyed to the Town of Geneseo, and the remaining acreage to be retained. The proposed project consists of construction of an approximately 137,933 square foot retail building supply store, an approximately 14,820 square foot pharmacy and an approximately 31,179 square foot garden center with associated landscaping and other improvements including parking to be located at the northeast corner of the intersection of Route 20A and Volunteer Road in the Town of Geneseo, New York (the "Project"); and

WHEREAS, the Planning Board accepted a draft environmental impact statement ("DEIS") in accordance with the provisions of the New York Environmental Quality Review Act, including pursuant to Article 8 of the Environmental Conservation Law and associated regulations including 6 NYCRR Section 617.1 et seq. ("SEQR") for the Project on September 24, 2007; and

WHEREAS, a public hearing on the DEIS was held on October 29, 2007 and a public comment period was established in accordance with SEQR and public comments were accepted for consideration through November 8, 2007; and

WHEREAS, additional information for purposes of a revision to the DEIS was provided by the project sponsor on or about March 10, 2008; and

WHEREAS, the Planning Board has reviewed a final environmental impact statement ("FEIS") as submitted pursuant to 6 N.Y.C.R.R. §617.9.

THEREFORE, BE IT RESOLVED, that the Planning Board accepts the final environmental impact statement ("FEIS") as submitted with the changes identified in the meeting minutes pursuant to the Planning Board's April 7, 2008 Meeting pursuant to 6 N.Y.C.R.R. §617.9 which are attached hereto as Exhibit "A" and the Planning Board commissions its consultant MRB Group and its counsel Harris Beach PLLC to make the changes referenced in Exhibit "A" and directs same to publish and circulate the FEIS as required by SEQR ; and be it further

RESOLVED, that pursuant to 6 N.Y.C.R.R. §617.9(a)(6), the Planning Board shall prepare, file and publish a notice of completion of the FEIS in accordance with 6 N.Y.C.R.R. §617.12; and be it further

RESOLVED, that pursuant to 6 N.Y.C.R.R. §617.11(a), the Planning Board shall afford the involved and interested agencies, as well as the public, ten (10) calendar days to consider the FEIS before the Planning Board issues its written findings statement as required under SEQRA; and be it further

RESOLVED, that pursuant to 6 N.Y.C.R.R. §617.11(b), the Planning Board shall file a written findings statement within thirty (30) calendar days after the filing of the FEIS.

Ayes: Trish Jones, Dwight Folts, Hank Latorella, Tom Curtin

Nays: Patti LaVigne and Margery Wilkie

No abstentions.