APPROVED

Town of Geneseo Planning Board
Regular Monthly Meeting Minutes
May 12, 2008
7:00 – 10:45 P.M.

Members Present:
Dwight Folts, Chair
Patti LaVigne
Tom Curtin
Hank Latorella
Margery Wilkie
Mark Shepard

Members Excused:
Trish Jones

Also Present:
Joseph Picciotti, Esq., Harris Beach
Ron Maxwell, CEO
William Holthoff, PE
Michael Guyon, PE

Others:
Ray Ruliffson
Sanford Vreeland, PE
Ken Kamlet, Esq.
John Girolamo
Will Wadsworth, Town Supervisor

See attached for additional attendees.

1. **Call to Order:**

   Chair Folts called the regular monthly meeting to order in the board room of the Town Offices at 7 p.m. He explained briefly to those present what the agenda for the evening entailed.

2. **Review of Minutes:**

   The minutes of the April 7, 2008, Planning Board meeting were reviewed.

   Hank Latorella made the MOTION to accept the minutes as corrected.
   Mark Shepard SECONDED the motion.

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

   The minutes of the April 14, 2008, Planning Board meeting were reviewed.

   Hank Latorella made the MOTION to accept the minutes as corrected.
   Tom Curtin SECONDED the motion.

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

3. **Code Office Report and Other Business**:

The list of Town Building Permits (and other permit information) for the period 04/01/08 – 04/30/08 was received by the Planning Board. Ron Maxwell, CEO, reported that work on Staples has begun and they might open in a couple of months. Olympia Sports is expected to move into the former Dollar Store space. Mr. Maxwell also reported that work on a new roof for the "old" Town Hall has begun, and the county is putting in a new parking lot on Millennium Drive.

4. **PUBLIC HEARING for FINAL APPROVAL: Ruliffson 2-Lot Subdivision, 4994 Lima Road, Tax Map # 64-2-2.**

Chair Folts asked Mr. Ray Ruliffson to please come into the board room as he had been waiting in the hall.

Chair Folts opened the public hearing at 7:15 p.m. and announced that the hearing would remain open for 30 minutes. He announced that during this time the floor would remain open for any comments about the proposed subdivision from those present.

Mr. Ruliffson explained that he may build a smaller home on the two acre parcel located on one of the subdivided lots on Lima Road just past North Road.

The public hearing was held open for thirty minutes. There were no comments from the floor and the chair closed the hearing at 7:45 p.m.

Margery Wilkie made the MOTION to grant FINAL APPROVAL for the Ruliffson two-lot subdivision on Lima Road, tax map # 64-2-2.

Patti LaVigne SECONDED the motion.

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

It was noted by the chair that SEQR was completed at an earlier meeting date. Mr. Ruliffson brought the necessary maps for signing.

5. **CONCEPT/PRELIMINARY APPROVAL: Barber two-lot subdivision, town lot no. 151 Lakeville-Groveland Road near the intersection of Booher Hill, tax map#100-1-1.1.**

Chair Folts announced that he was reluctant to consider this subdivision without Mr. Barber being present. Ron Maxwell offered to try and phone Mr. Barber and ask him his intentions for the evening.

This matter was then tabled for a few minutes until Mr. Maxwell could return.

A few minutes later Mr. Maxwell reported that although he had been unable to reach the applicant, Mr. Barber had dropped off the maps for the proposed subdivision.

The maps were then examined by the board members. An issue regarding the placement of the driveway in terms of road cut and its proximity to a nearby road on one of the new lots was brought up by Hank Latorella. After some discussion, board members agreed that final approval would be contingent upon line of sight and placement of the future road cut for the driveway.

SEQR was then done by Chair Folts together with Planning Board members.

Patti LaVigne made the MOTION for negative declaration, based on the information and analysis done, that the proposed action will not result in any significant adverse environmental impacts. Reasons supporting this determination are contained in the official file.

Tom Curtin SECONDED the motion.

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

Tom Curtin then made the MOTION for CONCEPT/PRELIMINARY APPROVAL for the Barber two-lot subdivision, town lot no. 151 Lakeville-Groveland Road near the intersection of Booher Hill, tax map#100-1-1.1.

Hank Latorella SECONDED the motion.

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

The chair then set the public hearing date for June 9 at 7:15 PM.

6. **CONCEPT/PRELIMINARY APPROVAL: Sandrock two-lot subdivision, Polebridge Rd., 1623 feet south of Triphammer, Tax Map#64-1-14.211.**

Sanford Vreeland, PE, presented a surveyor's topo map to the Planning Board and then outlined the newest Sandrock subdivision. Patti LaVigne questioned the fact that there have been three subdivisions granted previously on this Polebridge Road property. Mr. Vreeland said that although he was not the surveyor, he was the engineer, and reiterated "New York state law" that the lots could be subdivided after a three-year period. Chair Folts then read a letter dealing with this issue from the official file; the letter states that because of the time frame involved, realty law does not apply. The parcel in question is 6.239 acres and the subdivision application seeks to divide it evenly into two lots — one of which is already sold.

Board members then discussed the above issue as maps were examined. Mr. Vreeland also produced an older map of the original farm. He reported that deep holes for septic have been dug.

The question of well water was raised by Margery Wilkie and the resulting drain on the water supply of existing homes. This issue has come before the board in the past and Mike Guyon, town engineer, was asked to look into this. Ron Maxwell, CEO, stated that a test well has been dug at some point.

SEQR was then done by Chair Folts together with Planning Board members.

Patti LaVigne made the MOTION for negative declaration, based on the information and analysis done, that the proposed action will not result in any significant adverse environmental impacts. Reasons supporting this determination are contained in the official file.

Tom Curtin SECONDED the motion.

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

Hank Latorella then made the MOTION for CONCEPT/PRELIMINARY APPROVAL for the Sandrock two-lot subdivision, on Polebridge Road, tax map#64.-1-14.211.

Tom Curtin SECONDED the motion.

All in favor: Patti LaVigne, Dwight Folts, Hank Latorella, Mark Shepard, Tom Curtin and Margery Wilkie.

Opposed: None.
MOTION PASSED.

The chair then set the public hearing date for June 9 at 7:30 PM. He emphasized to Mr. Vreeland that it was the Planning Board's wish to see a full subdivision map of the entire parcel at final approval.

7. **Gateway Towne Center: Findings Statement Debate.**

Chair Folts asked Planning Board attorney, Joseph Picciotti, Esq., to briefly summarize the process which board members now had before them.

Mr. Picciotti explained that the board would be dealing with the Findings Statement, either positive or negative, for the GTC project. This Findings Statement would serve as the lead agency's rationale about whether certain adverse impacts can, or cannot, be mitigated. If a positive Findings Statement is voted this evening, it then opens the way for the consideration of other applications such as special use permit, subdivision, and site plan. The board must identify the mitigation measures which are the conditions for approvals of these applications.

Hank Latorella then asked about consideration of the pharmacy as a part of the project. (There are already several pharmacies in Geneseo.)

Margery Wilkie confirmed the role of the Architectural Review Committee and the original intent of the early 1990's zoning.

Patti LaVigne asked about further subdivision of the 24 acres in the future. She feels strongly that development should be "inward, not to the east along 20A."

Chair Folts pointed out how much the original project has already been cut.

Tom Curtin's former question about the Planning Board's role in the PDD was clarified by Mr. Picciotti.

Mr. Picciotti also reminded the board that the actual question of alternative access points and whether there is access on route 20A or Volunteer Road is a matter for the Town Board. The Planning Board, however, makes recommendations.

Board members then reviewed the draft Findings Statement, page by page. Patti LaVigne spoke about reducing the overall size of the project. Much discussion then ensued about this issue, the issue of road cuts, orientation, affect on the viewshed, traffic, and internal traffic within the GTC itself.

Trish Jones, who was excused from this meeting, sent in comments which were reviewed by Planning Board members as they applied to the Findings statement.

Among the changes suggested (and adopted) were:

Change of "existing" to "proposed" (Trish's change) on page 2.

Tom Curtin spoke about the access points discussed; i.e. access from Volunteer Road and access from route 20A. Joseph Picciotti, Esq., responded that these are dealt with later in the statement.

Chair Folts asked about the meeting dates listed and Mr. Picciotti replied that he and the secretary are double checking these dates for accuracy.

Item 14. Board members agreed that the word "primate" is to be changed to "primary."

Item 15. Patti LaVigne noted that Wal-Mart has a pharmacy and Wegman's pharmacy will deliver. This will be added.

Item 16. In discussing "jobs" Patti LaVigne noted that it was the applicant sponsored study that was cited.

Item 17. Margery Wilkie requested a clarification in the statement about taxes. She wishes it to be clear that property taxes will not necessarily be lowered. Tom Curtin suggested that more appropriate wording might be to the effect that the project will provide an increase in tax revenue. This will be added.

Item 19. Patti LaVigne said that she continues to have problems with her feeling that the project does not comply with the underlying zoning. She asked board members to look at item 23. and 24. dealing with zoning. She wishes to delete those two paragraphs and replace it with item 27. from the Finding draft stating that problems could not be mitigated.

Ms. LaVigne then read no. 27 from the negative findings statement: "The Planning Board finds that without regard to jurisdictional issues related to the underlying zoning for the project and the PDD, the Planning Board finds that this direct entrance from route 20A to the project site is not appropriate and would adversely affect the character of the area associated with the project site, particularly in light of the goals and objectives set forth in the town's Comprehensive Master Plan. In sum, the Planning Board finds that under the circumstances, direct access to the project site from 20A would not further the Comprehensive Master Plan goals and objectives. Whereas, here the project contemplates substantial commercial use and traffic associated with the project, including traffic that would be entering and exiting route 20A, would negatively impact traffic, causing increased congestion around the project site and much increased traffic would also negatively impact community character due to negative impact on traffic on the site area as well as cultural resources including historic resources deemed important to this community. Moreover, the town's Comprehensive Master Plan including the mass made or part thereof contemplate that

transitional uses be established in or around the project where it is located, of the type being associated with the project which includes large scale retail, is inconsistent with the areas contemplated under the town's Comprehensive Master Plan. Further, the Planning Board finds that the direct access on to route 20A would adversely impact the character of the community and area associated with the project site and would increase traffic in the area of this project site."

Item 27. would then look at CP3 and CP orientation toward Volunteer Road. She wishes the applicant to consider this. Bill Holthoff then confirmed that Ms. LaVigne wishes to remove the 20A access and have the building turned toward Volunteer Road and reduce the size of the building. Ms. LaVigne thinks that in addition to addressing the zoning, this approach would foster further internal development of that property rather than development expansion to the east along 20A. She feels that "road front visibility" for Lowe's may not really be needed because people going there are already aware of their purpose for shopping. She believes this would mitigate community character concerns.

Hank Latorella then asked for Ms. LaVigne's ideas about the size of Lowe's that she would propose. She replied that the original size estimate was expected to be around 100,000 sq. feet but the actual project proposal is 170,000. She added that she did like the verbiage in the statement and did not wish to throw out the project itself.

Therein ensued a great deal of discussion about size of the store.

Margery Wilkie remembered discussions in the early 1990s about not allowing "another mall" across from Wegman's and the "old" Wal-Mart. She wishes the project to face "the internal road" which is now Volunteer Road.

Chair Folts said he thought this would also deal with reducing impact on the viewshed. He went on to say he thought this facing of the project toward Volunteer Road in the first couple of site plans with eventually CP5 chosen for the express purpose of viewshed effect. This location/orientation also affects the wetlands, said Mike Guyon.

Patti LaVigne believes her approach would also lessen the effect on the wetlands as well. CP5 has just "fallen into being the selected one" and she does not believe the board has really discussed in detail which site plan would be the best. She said that turning the building away from 20A would encourage internal development.

Hank Latorella suggested further development of the internal road system and also questioned how much and how deep into the shale the building could be set. He pointed out that Wal-Mart must have dealt with the blasting of shale. Chair Folts replied that the difficulty of lowering the building into the shale had already been dealt with before Mr. Latorella was on the board.

Both Hank Latorella and Tom Curtin spoke about compromise and recognition of the current zoning as it relates specifically to the size of the proposed project. Chair Folts said that he wishes this subject of size had been brought up sooner rather than later. Ms. LaVigne replied that it had been a process of evolution in her own thought process.

There was lengthy discussion among board members.

Tom Curtin said that the current land owner had had other projects presented to him, which were rejected because of "big box" concern. He went on that he does not believe that the community wants a "big box alley" down Volunteer Road.

Chair Folts then said it was an option to limit further development on Volunteer or east on 20A.

Patti LaVigne then said the project needs to be on the board's terms and that it needs to flow and reflect the aesthetic values of the community. Hank Latorella's said that in order to get the very best, the board needs to ask these questions.

As mitigation, Ms. LaVigne said that the board could remove the last sentence and add on that changing the orientation, decreasing the size of the building, and eliminating the 20A access would mitigate the issues dealing with access off 20A, impact on community resources, and the underlying zoning.

Margery Wilkie then said she thought this would appease many of the objections to size and traffic and the other obvious worries that we cannot deal with.

Again, there was lengthy discussion about what the building size should be. Taylor McDermott, CEO of Lowe's nationally, was asked to estimate the size of the Henrietta store. He estimated internal area of the store to be around 116,000 sq. feet and the garden center could be about 32,000 sq. feet. He stressed that he did not have those exact numbers readily available at that moment.

Mark Shepard said he believed this proposal to reduce the size should be put on the table right now in an effort to help mitigate the issues before the board. He said he wishes to continue the discussion and hear more now.

Chair Folts expressed his opinion that the Planning Board had focused for many months on this discussion and "to come now at the last minute of the last hour and ignore the mitigation of the viewshed, ignore the mitigation of the wetlands, and all of the work we have done. . . We have looked at a particular site plan and I have polled the board before and the only one that has been consistently against CP5 has been Marge." He continued that the board has gone under the assumption for many months that a certain size was requested and studies have been requested for traffic and for the viewshed. These studies have shown the impact for both and "we have mitigation for all of that."

Patti LaVigne asked why the viewshed could not be mitigated for 116,000 sq. feet when it was already mitigated for 170,000 sq. feet. Chair Folts said that turning the building would expose the back. Margery Wilkie said that there are buildings which have very attractive views both front and back. She emphasized that it was "our town and it's how we want it to look."

At this point Tom Curtin and Hank Latorella again emphasized the importance of compromise, if at all possible, on this issue.

Chair Folts expressed his being uncomfortable with this "change in direction at this point" after everything the board has gone through to get to the current point. He continued that these changes now at this late date might cause the Applicant to go elsewhere.

Tom Curtin said he had difficulty believing that a store the size of Henrietta would not be large enough for Geneseo.

Chair Folts said he personally did not have a problem with sizing. However, after traffic studies have been done, the proposal to eliminate the road cut at the 20A/Volunteer Rd. intersection would generate a great deal more traffic on Volunteer Road. Tom Curtin suggested saying that if this would not have any impact on future retail development, and would really just serve Lowe's and the pharmacy, then it would be entirely different in his mind.

Patti LaVigne then asked the question of which location would be preferred for future retail businesses or malls: behind Lowe's or parallel to 20A road front. Hank Latorella suggested widening Volunteer Road if necessary.

Bill Holthoff said that given the traffic data from the FEIS, Volunteer Road would still operate in a satisfactory manner even without the addition of GTC's future traffic signal.

Chair Folts said he is concerned then about the route of Lowe's delivery trucks.

Hank Latorella said he does not want to create another traffic hazard. Chair Folts said this would be dealt with by the 90-day traffic study and the bond Lowe's would be putting up.

Margery Wilkie then reminded board members of the multiple traffic lights on Hylan Drive in Henrietta and her wish to not produce a similar situation with the additional traffic light. Bill Holthoff said the DOT would be very concerned with the flow of 20A traffic because this might eventually result in the need to widen 20A, which they do not want to do. Hylan Drive traffic lights are not a good example, he continued, because those lights were put in specifically for the malls and it was not meant to be a thru road. However, the traffic light "we are discussing would be for Lowe's and for

Morgan View, if it were ever put in."

Margery Wilkie continued that driving on the shoulder concerns her. Board members then discussed this. It is technically illegal but is not usually enforced, said Bill Holthoff. Travelling on the shoulder is not taken into account when traffic studies are done.

Chair Folts summarized by saying there will probably not be a traffic signal, but there will be a left and straight-through lane and a right turn only lane.

Tom Curtin asked about whether future projects could propose different entrances off 20A or Volunteer Road. Chair Folts said it was up to the board to accept or deny each individual proposal.

Mike Guyon then talked about the MRB comments made regarding access: it would separate cars and trucks; it provides a secondary route to access Wal-Mart without using Volunteer Road; it would provide access to properties to the east; otherwise, access would be via Volunteer and all the way around the Lowe's property.

Patti LaVigne then said that if a 35,000 sq. foot building proposal came in, it could be built to the east. Mark Shepard then said that he had thought the board wanted each and every project to use an internal service road to take the pressure off the "Wegman's" traffic light so that people on Morgan View can cut through and still have them go down Volunteer or Veteran and go to Wal-Mart, etc. "We have that traffic study right now and so that would lessen the traffic pressure on 20A." He thought that was a real advantage to the community.

Margery Wilkie then brought up the fact that it is against traffic law to cut through and avoid a traffic signal. She thought a similar situation would be cutting through the Lowe's parking lot to get to Wal-Mart. Bill Holthoff said easements would have to be granted to allow access to 20A or to Volunteer.

Tom Curtin then talked about the map he had from the access study showing access at Morgan View and another future access a bit further east. He asked members of the board to look at the map and proposed making "this the only access because zoning is low intensity office of 10 acres east and additional mixed use 3.

Hank Latorella and Patti LaVigne then discussed the possibility of developments all the way along 20A up to land across from Family Eye Care. Ms. LaVigne said to prevent types of future developments would entail a zoning change. Mr. Latorella then suggested a one-year moratorium. Tom Curtin expressed his view that the board needs to deal with "this now" rather than in the future. Mr. Latorella then asked what the consensus was at this point.

Chair Folts said he had no problem limiting access to one entrance for the acres to the east zoned mixed use. However, he does not "see removing the curb cut at this time."

He also reminded board members of the fact that the Planning Board can only make recommendations to the Town Board; that board will deal with the PDD.

Patti LaVigne again spoke about underlying zoning and its original purpose meant to limit "big box" development. There are some key elements of that zoning which she believes should not be compromised – access being one and orientation being the other. "Why was CP5 the orientation chosen?"

Tom Curtin spoke then about being cautious not to put everything down Volunteer Road.

Patti LaVigne said that now is the time to talk about the important issues.

Hank Latorella asked about a second internal road parallel to Volunteer, and connecting to Volunteer, fulfilling the need for future development access.

Bill Holthoff said that it would.

Tom Curtin drew board members' attention to the roads proposed on the Access Management map he had brought and the importance of what this board decides.

Chair Folts then said the board does have an objective tonight and that was to get through the document whether it is voted on tonight, or not. He said he is willing to concede to a smaller building of 120,000 sq. feet. Tom Curtin said it is at 130,000 sq. feet.

Chair Folts then stated that everyone knew he was for the project because he believes it is good for employment, good for the tax base and is concerned that the Applicant "might walk." He said people will come to Geneseo as a market center instead of Henrietta due to gas prices. Ultimately, he does like CP5 orientation.

Patti LaVigne said she thought the group has not definitely chosen CP5 other than a straw vote taken once. Joseph Picciotti then said the board is bound to select orientation at site plan approval. Before site plan the question asked was as to how the building would be oriented; ". . .it has always been on the table."

Bill Holthoff said that one correction was with the road coming through the back, that orientation was the best for parking, loading and island location. Orientation affects driveways and cross traffic. Orientation certainly impacts how parking is laid out. Joseph Picciotti also said that wetlands and storm water are also affected by orientation, as Mike Guyon has laid out.

Margery Wilkie said she has always wanted the project to be a Volunteer Road project.

Chair Folts said he believes CP5 has a lesser impact on the viewshed but perhaps that is not as important to the rest of the board.

Tom Curtin named the three issues the board was talking about – orientation, size and 20A access. He suggested going through each one at a time. He then asked Mr. Picciotti how this would weigh in on the Findings statement. Joseph Picciotti said that if the board makes a determination as far as SEQR findings go that size should only be "x" square feet. . . The sponsor has taken the position that his proposal is the minimal number of sq. feet in order to be financially feasible. There were economic analyses cited but they were not complete. If the board says in the Findings statement that that particular impact cannot be mitigated unless there is a smaller store, then that will be the law for the purposes of the Town Board.

Hank Latorella then suggested a size of 120,000 sq. feet. Tom Curtin asked why it is necessary to go beyond the Henrietta store in size. He proposed 140,000 as the maximum size for everything, including Garden store and all. Chair Folts said it would be 137,933 sq. ft. for the store. Joseph Picciotti said it would be 33,179 Garden Center, and14,820 for the pharmacy. Mark Shepard asked Margery Wilkie what she thought of the current size of 170,000 reduced to 140,000 sq. feet.

Lowe's representative then said that would be approximately the same as the Henrietta store in customer area with difference in storage area. He said to change size results in throwing a lot of things "out of kilter in the store."

Tom Curtin questioned what would happen if a project came in at over 200,000. Chair Folts said that each project should be dealt on its own merits. He reminded board members of their original Concept Approval vote for the PDD as appropriate for the GTC development. He said that he was willing to compromise on size and space as well as orientation but not on the 20A curb cut. The original 35,000 sq. feet size limitation, Folts continued, was set in the early 1990s. He continued, "Times change."

Tom Curtin said he believes the Planning Board must still make its decisions and recommendations based on the present legal zoning. Some recognition of the underlying zoning of 35,000 sq. feet must be made. He said the Town Board can decide to change what they will but that is still the obligation of the Planning Board to deal with the underlying zoning. "If the zoning gets changed in the future, then it is a horse of a different color."

Joseph Picciotti reminded the board then that the project will come back for site plan, special use, and subdivision applications. He said that the Town Board has to accept the Findings statement and its mitigation measures as law.

Tom Curtin then brought up the possibility of the larger store drawing more shoppers and therefore, increasing more traffic problems. Mr. Picciotti said the problem with that is the board did not look specifically at a smaller store. If there was a finding that conditioned the store size on adverse impact on community character, viewshed or whatever, that might be appropriate. However, it is hard to tie traffic in. Traffic generators for a smaller store were not looked at.

Margery Wilkie said that the leap from 35,000 to 170,000 sq. feet is too great for a number of board members.

Hank Latorella said that the board wants the very best Lowe's possible with the least impact on aesthetic considerations. If it were possible to get lesser impacts, then it might be less important to "shrink it."

Patti LaVigne pointed out that Home Depot had gone into a lot with 80,000 sq. feet because that had been what was allowed.

Tom Curtin and Chair Folts asked the board to move on, with a great many pages remaining to deal with.

Mark Shepard said he was not comfortable "just grabbing numbers." He pointed out that the new Wal-Mart was an improvement over the old Wal-Mart and yet was greater in size. The Lowe's representative was not sure of the exact size of the Henrietta store and thus he himself was reluctant to "grab a number."

Hank Latorella again brought up the overall height of the Home Center and asked for clarification on the reasons why this building could not be sunk further into the ground. Chair Folts said that in order to bury the project building 30 more feet, mining permits would need to be obtained. Tom Curtin said he didn't think Mr. Latorella was suggesting 30 feet down but reminded members that the present proposed peak was at the same height as the top of Wal-Mart. He suggested waiting until board members got the drawings. Mike Guyon said the building will be down, but that there are certain parameters which do not allow it to be put deeper into the ground ─ one of these factors being draining and Jacox Creek.

Therein was discussion of the size of the warehouse as well as retail. CEO Maxwell reminded board members that the warehouse size affects the amount of parking spaces needed.

Tom Curtin made a MOTION to reduce the total building size of the home improvement portion and garden center portion to 140,000 square feet as a mitigation measure to address community character.

Patti LaVigne SECONDED the motion.

All in favor: Patti LaVigne, Tom Curtin and Margery Wilkie.
Opposed: Dwight Folts and Hank Latorella.
Abstained: Mark Shepard. (No reason given.)
Motion did not pass.

Chair Folts then suggested that the discussion deal with orientation. Several orientations were then examined by the board.

Regarding CP4, William Holthoff said that trucks could come in 20A. He is not sure how much this would reduce 20A traffic since most is coming from the west and going eastbound or coming from Morgan View. One thing to consider is that back loading is no longer occurring on parking aisles because most of the traffic would be forced to drive toward the front of the store. He said this is not preferred.
Hank Latorella pointed out that it is, however, a compromise, and provides a road if there is a traffic jam on Volunteer.

William Holthoff said that with CP3 most of the trucks would come from 390 and using that access would make it much more attractive to enter. Also, the parking lot orientation would allow for back loading which forces fewer people in the front which is more desirable. The issue is that traffic would come in the front and go past all the driveways. Internally, it is better because cars do not circulate as much.

Mike Guyon, PE, said it was difficult to say how much CP3 would change the visual impact on the viewshed. It does impact wetlands. Hank Latorella said that the visual impact is how nice the building looks, not that it is invisible. Chair Folts said it was for that reason he had always preferred the CP5 orientation.

Margery Wilkie and other board members expressed their desire that the rear view of the building be properly landscaped.

Hank Latorella made a MOTION to recommend CP3 orientation, which includes 20A access at the rear of the proposed building, as this best represents mitigation measures regarding community character, traffic (parking and internal circulation), and visual impact on the viewshed.

Dwight Folts SECONDED the motion.

All in favor: Patti LaVigne, Dwight Folts, Hank Latorella, Tom Curtin, and Mark Shepard.
Opposed: Margery Wilkie. Reason: Road cut should be a "right turn only."
Abstained: None.
MOTION PASSED.

Note: The above motion was first presented as CP4 (with majority of traffic coming down Volunteer) but then was quickly amended to the above CP3 orientation.

Board members then continued their review of the document with item #22. Patti LaVigne asked for clarification of the citation dealing with 250,000-foot shopping center. Joseph Picciotti said this was objective 13 of the original Comprehensive Plan. Ms. LaVigne said she believes the statement actually refers to the

Wegmans/Genesee Valley Plaza already built and not to the property across the street. This Wegmans/Genesee Valley Plaza was planned at the time of the original 1990s Master Plan.

Trish Jones' comments were addressed again. The following change will be made to read: "The village is located within the historic town."

Item 28 dealing with loss of business within the "town and village" will replace the term "National Historic District." The latter will be deleted.

Item 33 was brought up by Chair Folts in that the final appearance of the building has yet to be determined. He believes the statement: "The architectural features of the building will not result in any adverse impacts," to be premature as those features are yet to be determined. Hank Latorella requested a reference to brick in the final appearance. Margery Wilkie then said the Architectural Review Board has not yet met. Tom Curtin said a combination brick, split face. . . block and brick is possible and that is what was done with Wal-Mart. Mr. Latorella said he wants "brick" and that would be optimal. Ms. Wilkie wants a reference made to "other Architectural Review Board suggestions also." After Architectural Review Board suggestions are made to the Planning Board, final decisions of appearance can be made. Joseph Picciotti said that the reference to split face was taken directly from the DEIS and from the Applicant's application and "is in there already." He will add that brick should be done after appropriate consultation with the architect; this will be a recommendation to the Town Board.

Item 36. Chair Folts questioned that the "valley wall is 12,000 feet" given that is the range of the Rockies. This will be changed to 1,200 feet.

Item 38 and 39. Patti LaVigne requested that the CP reference be changed. Mr. Picciotti will do that.

Item 40. Chair Folts said that now the board is into traffic issues.

Item 42. Chair Folts asked that the word "not" be added to ". . . found to be not significantly higher than accepted level of service." Patti LaVigne asked that it read "favorable level" rather than "very favorable." The term "reasonable" was suggested by Bill Holthoff and will be used instead.

Item 46. Trish Jones' comment was with regard to "south and west lanes" should read, ". . . from the south and the west lanes."

Item 48. "Primate" will be changed to "primary."

Item 52. Chair Folts read the statement dealing with a request that delivery trucks avoid the National Historic District both before and after construction. He has no problem with the previous statement but questions the ". . . three strikes and out"

measure mentioned which would result in suspension of goods and services delivered to the project site. Joseph Picciotti said this has been done internally at other projects and is done by the developer. The fact that 20A is a state road does not come into play. Both Mr. Picciotti and Bill Holthoff thought this was too difficult to enforce after the project is completed.

Item 53. Hank Latorella raised the question whether three months is adequate, given weather cycles. He suggested an entire year. Bill Holthoff said the biggest variation in traffic should be when school opens and after three months things should "settle out." The state has agreed to three months at which time they will look at Morgan View Drive. He said, ". . . three months and while SUNY Geneseo is in session," should be sufficient. Mr. Holthoff believes this is reasonable. Patti LaVigne brought up the fact that traffic will be greater when the store first opens because of the novelty.

Margery Wilkie then brought up the issue of "passing on the right" being illegal and mentioned an instance she had witnessed on 20A where a semi was parked on the shoulder, thereby backing up traffic through the light as cars attempted to enter HSBC and also Kentucky Fried Chicken. She is concerned that "we are counting on such shoulders to serve as right turning lanes." Mr. Holthoff said that motorists will be ticketed if such a turn from the shoulder results in an accident. Otherwise, that law is not usually enforced; the law to pull over if there are three cars behind a motorist turning is not enforced either. He continued that shoulders/right turns are recognized but not taken into account when a traffic study is done. There is a possibility, however, in the future of a continuous left turn lane at the locations Ms. Wilkie mentioned. If a traffic light were to be installed at Morgan View (which Mr. Holthoff seriously doubts will come to pass) it does have a left turn lane, it does have a right turn lane and it will impede the flow of through traffic but would be coordinated with the adjacent signal if it were to be put in at all. "It is more the cross volume – particularly that traffic coming out of driveways and those vehicles that turn left and what one does in that case is to make sure the driveways out to the road consist of a left turn lane and a right and right through lane so that people who want to make a right and head back toward the village in this particular case, are not impeded by people waiting to make left hand turns." Hank Latorella asked if there were no left turn on 20A access if it would help. Mr. Holthoff replied that at the proposed access to Lowe's being discussed, with the modified re-striping of pavement to provide a left turn lane so people turning left going straight to Morgan View or turning left on route 20A, it would be out of the way of those people using that driveway to turn right and head back down 20A towards the village. Mr. Holthoff doubts that there will be sufficient volume for a signal 90 days after the project opens even while SUNY Geneseo is in session. The state would also have to approve such a signal. Then and only then would the Applicant be responsible for putting in a traffic signal.

Tom Curtin then asked if board members could go back and discuss the issue of "access" only. He asked whether it is better for the community as far as traffic goes to restrict access to 20A and yet somehow prevent further development along 20A. If

a mall came in at 35,000 or up to 80,000 sq. feet, could that entrance off 20A be proposed as part of a project? Chair Folts said that anything can be proposed; it is up to the Planning Board to approve or disapprove a project. Such a project's applicant could request a curb cut there as well. Mike Guyon then said that MRB had made three comments regarding that particular access: 1) it separates cars from trucks so loading would be done through that access; 2) it provides a type of secondary route to Wal-Mart (an internal service road) without using Volunteer or Ryan Drive; 3) it would provide access to the properties to the east. Otherwise, we would ask the applicant to provide cross easements to allow access to properties to the east which would involve access via Volunteer all the way around and through the Lowe's property, or coming around behind it to access if you follow the Gateway zoning because the Gateway basically limits access from 20A. Mr. Guyon continued that it makes good planning sense to provide such an access for adjacent properties to the east even though there is no commitment to develop at this time.

Mark Shepard said that he had thought the board was fairly adamant about using "the internal service road" to take the pressure off of the traffic light at Wegmans because as is evident now – which was not known 10 years ago – all the people use Morgan View to cut through and that is one of the internal roads. He thought this would be a great opportunity (reference Access Management Study) because all the people using Morgan View now will lessen the load down at the corner. They still will have to go down Volunteer to Wal-Mart to Veteran by that traffic light. Mr. Shepard continued that we have that study right now enabling the board to lessen the pressure on 20A. Chair Folts continued that this also lessens truck traffic on Volunteer Road.
Two ways to come from the east are Reservoir Rd. and 20A (people from the Lake) and Lima Road (people coming from South Lima).

Margery Wilkie asked what the difference was between cutting through a gas station versus driving through the future Lowe's plaza to get to Wal-Mart. Bill Holthoff replied that it is assumed that cutting through a gas station, for instance at a corner, is to avoid a traffic control device and that is illegal.

Tom Curtin drew board members' attention to the map he had from the Comprehensive Access Management Plan team showing access at Morgan View Road and another future access a bit further east. He asked that the board consider making ". . .this the only access because there is land – low intensity office – 10 acres to the east and additional mixed use 3. . ."

Hank Latorella said that some concerns might be alleviated that this project is an "in road" to future large developments in that area which make the internal road acceptable for access to the back lots. The most you could get back there would be some shops and some apartments. Patti LaVigne, however, believed there is enough room for another project the size of GTC up to the land across from Family Eye Care. A zoning change would be necessary to absolutely prevent this from happening. Hank Latorella then suggested a one-year moratorium but Tom Curtin believed that would not deal with the board's mission to address the underlying zoning in the

Gateway. Mr. Latorella then asked members if some consensus were possible. Chair Folts said he had no problem limiting access to one mixed use project in the "eastern acres". However, he does not want to see the curb cut removed at this time.

Tom Curtin asked Chair Folts how he came to terms with underlying zoning. Mr. Folts said the board must deal with or recommend a PDD whose final decision is made by the Town Board. It is the Town Board who will make the final decision regarding zoning based upon the PDD. Patti LaVigne said she had reread minutes from the past where board decisions about zoning had been made merely to prevent "big box" development and a mall across from a mall. She said that times do change and this leaves compromise open but there are some key principles of that zoning that should not be compromised – access being one and orientation being another. Hank Latorella said that the board should not assume decisions made 15 years ago were infallible. Tom Curtin expressed the importance of having logical reasons for keeping the underlying zoning.

Patti LaVigne asked why CP5 is the preferred orientation. Tom Curtin said the board must be careful not to put all projects down Volunteer Road which would then overtax that intersection. Hank Latorella's suggestion of a second road parallel to Volunteer Road was regarded as too close to the intersection by Bill Holthoff.

Chair Folts reminded board members of the evening objective of "getting through" the document whether it is voted on tonight or not. Regarding consensus, he then suggested a concession to a smaller building. Whether a token reduction or a true reduction in size should be suggested was discussed. Chair Folts stated that "Everyone knows I am for this project" but expressed his fear again that a much smaller project might prompts the Applicant to go elsewhere and the community would then lose the tax base the GTC would create. He said that Geneseo has always been a market center and will draw shoppers that formerly went to Henrietta. He believes it will cost $8 to $10 to drive to Henrietta and back. This will encourage shoppers to visit Geneseo rather than Henrietta.

Patti LaVigne said that the board has been told to continue with the process and that it was not necessary before now to select a particular plan. She remembers taking a straw poll about which building board members liked but that is all that she can remember doing as a board. Joseph Picciotti, Esq. said he thinks Ms. LaVigne is asking when the final site plan will indeed be selected. The Planning Board is bound to select a particular plan upon final site plan approval. Before that final approval, the question has always pertained to building orientation. That has always been on the table. There is a lot of documentation supporting this in the DEIS and FEIS.

Bill Holthoff said that with the road coming through in the back – depending on orientation of the building – it affects parking and therefore what was selected was the best one for parking. Otherwise, the parking lot would be back loaded and instead of cars driving in front when they come in there would be cross traffic. Building orientation certainly impacts how you lay out your parking. Margery Wilkie stressed that she had and has always wanted this to be a Volunteer Road

development. To make it face 20A and then start development out that way (which is exactly what we didn't want to do), . . . then you will have to figure it out. Chair Folts said he always preferred CP5 because of the lesser impact on the viewshed. He then asked if the consensus of the board was that this impact was less important than the other issues mentioned. Tom Curtin asked if this recommendation was going to go to the Town Board. Joe Picciotti replied that if the board makes a determination based on SEQR findings that the size should be x-square feet, a couple of things could happen. One is that the project sponsor has taken the position that what is offered is the minimum square footage to be financially feasible. FEIS says that there was an economic analysis cited but it was not complete and so the response was that we do not have all that data before us. If we say in our Findings statement that this impact cannot be mitigated unless the store is smaller, then that will be the law for purposes of the Town Board.

Hank Latorella then asked if the board could propose something "in the middle" as far as size is concerned. Tom Curtin said he doubted the community required a store larger than the Henrietta store. Four times the allowable square footage of 35 thousand is 140 thousand and Mr. Curtin proposed that as maximum for everything – garden store, pharmacy, so forth. He felt the job of this board is to address the zoning issue.
Chair Folts said the board's job was to make recommendations and to make allowances for the PDD. Hank Latorella then went back to the suggestion of 120 thousand sq. feet. Chair Folts said he preferred what the Applicant had proposed but would go along with 140. There was then much discussion with several members speaking.

The Henrietta store was described as having an approximate customer area of 116,000 sq. ft. by Taylor McDermott. This is similar to what is proposed for GTC. What is different is a larger GTC storage area. He said if the "building footprint" is changed, a lot of other things are then thrown out of kilter on the floor plan. He said this is the best he could supply, given he did not have exact figures tonight.

Chair Folts reminded the board of the history and the Planning Board's recommendation to the Town Board of the PDD. He said he would compromise on building size but not on the curb cut. He said, "Times change" and reminded board members that the Comprehensive Plan was done 16 years ago – the current one being in process. Tom Curtin said he believes the Planning Board's recommendation needs to be based on careful consideration, however, of the current zoning. "If the zoning is changed in the future, then that's different." Margery Wilkie agreed. Joe Picciotti added that anything in the future would come to the Planning Board for site plan approval, subdivision, etc.

Tom Curtin then proposed the board saying it was considered about traffic and if projections were not conservative enough and if a bigger store brings more people, then a smaller store would bring less people. Mr. Picciotti said that the problem with that statement is that the board did not look specifically at a smaller store and that was

not analyzed. If there was a Finding that conditioned the store size on adverse impact on community character or view shed or so forth, then that might be appropriate. However, it is hard to tie in to traffic. Marge Wilkie said originally store size was viewed at 35,000 sq. ft. in accordance with the zoning but now 170,000 is proposed. She feels it is too big a leap for several Planning Board members and asked if that statement could be included. Mr. Picciotti said it has to be based on the facts before the board now. He told Tom Curtin that traffic generators for a smaller store were not looked at. Therefore, speculation cannot be done due to lack of data and rationale. As far as community character is concerned, the sponsor has looked at smaller stores and said it is not economically feasible to have less square footage. The FEIS states that not all the data was obtained and so it cannot be said with certainty that the data supports a smaller square footage.

Hank Latorella said that the board wants the very best store possible with the least impact on aesthetics. Therefore, if the Lowe's is the very best architecture possible, it may be less important to shrink it.

Patti LaVigne said the board has been presented with a "take it or leave it" plan.

Board members then decided on a size of 140,000 sq. foot. Mark Shepard said he still was uncomfortable grabbing numbers. Tom Curtin said he still believes elevation needs to be examined. Mike Guyon said there are parameters preventing the building being lowered – one of those being drainage and Jacox Creek – which had been mentioned before.

Bill Holthoff spoke about traffic and orientation. He said he was not sure how much usage of 20A could be reduced. A consideration is that back loading is not longer occurring with CP3 as most traffic will drive towards the front of the store and then go into parking spaces.

Chair Folts spoke about Center Street traffic and that Noyes Hospital plans to locate a building there. There is also a Mormon Church being built. Hank Latorella spoke about how an honest traffic study could be done with some sort of license plate recognition. Bill Holthoff said it is highly unlikely that the state will install a traffic signal. Margery Wilkie said it is because no one has been killed there yet.

Patti LaVigne spoke about the difficulty of pedestrians crossing without a traffic island. However, pedestrian traffic is very light. Mike Guyon brought up a pedestrian count study which measured seconds crossing to the island and timing being insufficient on the weekends to cross. Chair Folts said if a residential project went in to the east, it would generate more bike and pedestrian traffic and it would then be appropriate to ask that developer to put in an island.
Bill Holthoff brought up the issue of bikes and the fact they were considered a vehicle to open traffic laws the same as cars. Patti LaVigne mentioned that crossing 20A on a bike up by Morgan View Road was very scary.

Chair Folts then called members attention to page 35, then pedestrians, air quality, then alternatives and asked for consensus to delay a vote in view of the changes necessary to be made by the attorney. Joe Picciotti stated that he will revise the Findings Statement, making the suggested changes on the specified pages. He will also circulate the document to Mike Guyon.

Chair Folts suggested a vote at the next meeting, on May 27.

8. **New/Other Business.**

Hank Latorella distributed a draft of the background and possible future motions dealing with Lakeville Estates, homes there, and the owner's request for rezoning. In essence, the Planning Board is not recommending any change in zoning to the Town Board at this time. Issues such as lot size, frontage, etc. can be presented at future Planning Board meetings.

Board members then discussed, and agreed upon dates for additional Planning Board work meetings on May 27, June 23, July 21 and August 25, 2008.

No other business was presented.

9. **Adjournment:**

There being no additional business, the meeting was adjourned at 10:45 p.m.

Tom Curtin made a MOTION to adjourn the meeting at 10:45 p.m.

Mark Shepard SECONDED the motion.

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

Respectfully submitted,

Diane McMullan, Secretary
Town of Geneseo Planning Board

dmm