

**Town of Geneseo Planning Board
Work Meeting Minutes
April 27, 2009
7:00 – 9:30 P.M.**

Members Present:

Dwight Folts, Chair
Tom Curtin
Hank Latorella
Patti LaVigne
David Woods
Mark Shepard

Others:

Will Wadsworth, Town Supervisor
Ron Hull, Esq.
Dawn Aprile, Premium Development Corporation
Ken Book
Howard Appell
Melissa Anifra

Excused:

Marcea Clark Tetamore

1. **Call to Order:**

Chair Folts called the work meeting to order in the board room of the Town Offices at 7:00 p.m.

2. **Review of Minutes:**

The minutes of the Planning Board's regular monthly meeting on April 13 were reviewed.

Tom Curtin made the MOTION to accept the minutes as corrected.

Hank Latorella SECONDED the motion.

All in favor: Dwight Folts, Hank Latorella, Patti LaVigne, David Woods, and Tom Curtin.

Abstained: Mark Shepard

Opposed: None.

MOTION PASSED.

3. **Discussion of Gateway District Design Standards. Preparation of recommendations for additions, changes and corrections to the Town Board.**

Chair Folts briefly introduced Ron Hull, Esq. to those board members who did not know him. Attorney Hull is from James Coniglio's office. He was asked to speak about the document, "**Town of Geneseo, New York – Gateway District Design Standards.**" This document was prepared by the Town Board and was sent to the Planning Board for their comments.

Ron Hull, Esq. said that when the final document is finally adopted by the Town Board, it will represent official Gateway Design Standards. Having actual standards will limit flexibility in the case of an actual project presented. Flexibility would entail just adopting guidelines. Project developers do tend to prefer specific standards which give the force of law – more stringent than just guidelines.

In terms of enforcement of design standards, Ron Hull was not aware of any detailed design standards being overturned by the courts. In the case of aesthetic conditions for health and public safety, these would be sustained by the courts. There might eventually be a brief amendment to the zoning law referencing these design standards. If the amendment is by local law, it will involve a public hearing.

David Woods asked about enforceability. Ron Hull said the Planning Board will have the power, as it does now, in the process of site plan review. "What is gained in terms of enforceability and clarity is lost in flexibility," Attorney Hull said, "and this has been done both ways in the state." It would be within the Planning Board's discretion to review it.

Guidelines would set a higher architectural standard but not be as strict. David Woods and Chair Folts both think this will eventually "evolve" as the town works with the standards. Some standards may then be re-evaluated as the town gains experience working with them.

Patti LaVigne asked about building in some flexibility for site plan review. Could the design standards be adopted by a simple resolution or changed via same? Resolutions do not require a public hearing. However, a public hearing may be held. Patti LaVigne would like to see public comment. She believes the public needs to comment on form. Hank Latorella also wants input from the community. Chair Folts said that would be up to the Town Board.

Dawn Aprile feels this document does not address the types of uses in her recent concept plan for her project. She feels the document is too focused on retail.

Even though the Town Board will make the final decision on this document, Supervisor Wadsworth said the Planning Board is being asked for language.

Patti LaVigne questioned whether "low intensity office" should be included next to Pondsider Plaza (SE side of the road). David Woods said we are intending a denser development in the Gateway. Patti LaVigne and Hank Latorella disagree. Tom Curtin suggested a change in the first sentence of the document; this would add a third item "(C) Low Intensity Office" in the first sentence under "1. Intent of the standards."

David Woods said we need a definition of "front and fronting". Perhaps Bergmann can give us a definition. Dawn Aprile pointed out that a building fronting on Volunteer Road could take away from aesthetics. Ken Book will find this out. Then the Planning Board can see what these words imply.

On page 2 regarding "Drive-in facilities," David Woods said this implies one location in the words "whenever possible." Chair Folts said that it is vague. Ken Book said this gives the Planning Board flexibility.

Regarding "appropriate screening" on page 2 (and page 7), the words, "no less than three sides constructed of the same or similar materials found in the principle structure" were added in describing an enclosure.

Pages 2 and 3: the words "allowed" and "where practical" were added in (e) and (b). On page 3 under (6), "sidewalks" was added under (a).

Regarding storm water, applicants should be asked to submit storm water pollution prevention plans (under phase II regs) with their application for site plan review to ensure compatibility. The Planning Board needs to make sure storm water requirements do not make it impossible under federal law. Dawn Aprile said that (two) other regional retention ponds have already been built.

Regarding the use of the term “subterranean” on page 3 of the document, Ken Book said this refers to wording for the future; it is not encouraged now but it might avoid a future messy pond.

Tom Curtin suggested inserting “where practical” under “(5) Shared access and parking” as a compromise. The intent is to eliminate multiple curb cuts but not to develop problems with ownership and maintenance.

Dawn Aprile said some medical offices prefer that patients be able to park close to the entrance. Convenience parking is different for retail as opposed to medical. This will also depend on whether the location is on Lima Road, Volunteer Road or on internal roadways.

On page 5, (c) 30% parking was explained by David Woods. Figure 3 does not show this 30%. Thirty percent refers to linear distance – not square footage. Bergmann will be asked to clarify.

Planning Board members questioned what a “7. Main drive aisle” is referring to on page 6. Another figure is needed.

Dawn Aprile questioned the purpose of curbing around an entire large parking lot. Will Wadsworth said that curbs protect pedestrian walkways in some cases, keep mud off parking lot, and help drainage. Dawn Aprile mentioned that in many instances landscaping is done rather than curbing.

On page 6 there is a list of trees suitable for buffering. David Woods presented comments on various species.

It was noted that the correct species of coniferous trees could be used. (Norway spruce for example).

Board members decided to eliminate the list and to word as follows: “. . . species endemic, indigenous, hardy; those species known to be non-invasive to this area and deer-resistant.” Landscape architects can select the appropriate species.

On page 7, 3 (d) “landscape plan” is mentioned and David Woods asked if a landscape plan is needed for every site plan submitted to the Planning Board. What about a landscape architect for a very small project? Some landscaping is already required in the present code. Dawn Aprile feels that a project such as a Walmart or a large office park would require landscape architect. After discussion, board members decided to leave this section as is.

Board members continued discussion and the question of possible conflicts with current zoning was raised. Patti LaVigne then suggested inviting a representative from Bergmann attend the next Planning Board meeting in order to answer questions. Chair Folts agreed to contact Bergmann.

4. **New/Other Business:**

Tom Curtin said he will be unable to attend the May 11 meeting.

5. **Adjournment:**

There being no additional business, the meeting was adjourned at 9:30 p.m.

Tom Curtin made a MOTION to adjourn the meeting at 9:30 p.m.

Mark Shepard SECONDED the motion.

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

Opposed: None.

MOTION PASSED.

Respectfully submitted,

Diane McMullan, Secretary
Town of Geneseo Planning Board

dmm