

**APPROVED**  
**on 2/08/10**

**Town of Geneseo Planning Board  
Regular Monthly Meeting Minutes  
January 11, 2010  
7:00 – 8:35 PM**

**Members Present:**

Dwight Folts  
Marcea Clark Tetamore  
Patti LaVigne  
David Woods  
Mark Shepard  
Tom Curtin  
Hank Latorella

**Others:**

Thomas Linsner  
CEO Ron Maxwell

1. **Call to Order:**

Chair Folts called the regular January monthly 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 December 14, 2009 were reviewed.

**David Woods made the MOTION to accept the minutes as corrected.**

**Patti LaVigne SECONDED the motion.**

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

**Opposed: None.  
MOTION PASSED.**

3. **Code Office Report:**

The Code Office Report for the period 12/01/09 through 12/31/09 was received and reviewed by the Planning Board.

CEO Maxwell reported that ESL is going to appear before the Village Planning Board as they are considering locating on Ryan Drive (near H&R Block).; Newman Development is not moving quickly on the Gateway Town Centre property.

Chair Folts asked if the Josh Bruckel demolition refers to property on the lake. CEO Maxwell replied that it does.

4. **PUBLIC HEARING for FINAL APPROVAL: Linsner 3-lot subdivision, 4826 Lima Rd., Tax Map # 73.-1-1.11**

Applicants are Thomas J. Linsner, Samuel E. Linsner & Melvin E. Linsner

Chair Folts opened the public hearing to remarks from the floor at 7:15a.m.

The hearing remained open for 30 minutes.

Since there were no questions or comments from the floor; the chair closed the public hearing at 7:45 p.m.

**Mark Shepard made the MOTION for FINAL APPROVAL of the Linsner 3-lot subdivision, 4826 Lima Rd., Tax Map # 73.-1-1.11.**

**Tom Curtin SECONDED the motion.**

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

**Opposed: None.**  
**MOTION PASSED.**

5. **Lakeville Estates, Phase II of Site Plan Approval**

Discussion was opened by Chair Folts regarding this site plan. He asked David Woods his opinion after reading the original SEQR/FEIS from 1999.

David Woods thought that the scope of the original plan as detailed in the 1999 FEIS has not really changed. The original number of units is slightly less than what was detailed in the original Findings statement. It was his opinion that the SEQR is still adequate - provided that mitigation effects are the same.

David Woods then referred to a statement originally signed by Jenks, et al. His question was whether new owners need to sign such a statement as to Lakeville Estates being a senior community. A senior community requires that at least 80% of residents be over 55; in cases of a couple, only one member needs to be over 55. The statement was read and after discussion it was determined that the original signed statement by Jenks, et al goes with the land and does not require additional signatures.

Ron Maxwell, CEO, was asked about ZBA decisions and reported that the Zoning Board of Appeals had met. They do not approve of the elimination of the walking paths. Marcea Clark Tetamore, whose mother lives at the Estates and is one of the most recent to move there, said those residents who purchased in phase I were told they would have walking paths. CEO Maxwell said that some other residents had attended a Planning Board meeting last year and spoke against having the paths. The issues at that time were those of privacy. Marcea Clark Tetamore pointed out that there are still others that want them, however.

No matter what is decided, the ground itself where the paths would be located is uneven and would require regular mowing.

Board members discussed reasons why it might be advantageous for management to eliminate the walking paths. CEO Maxwell said that eliminating the greenspace previously dedicated to the walking paths would enable houses to be built back to back closer to each other.

Maps were then examined by Planning Board members. CEO Maxwell produced the maps from phase I also so that both I and II could be viewed and compared. Lakeville Estates wants to eliminate the walking paths from both phase I and phase II. Marcea Clark Tetamore pointed out that on Phase I maps walking paths are clearly shown. It might be possible to eliminate them in phase II because possibly there are not as many purchased homes yet.

Board members discussed the width of such paths and Ron Maxwell said the paths would only be about 4 feet wide. As far as maintenance, homeowners are already assessed for grass mowing and Marcea Clark Tetamore said she feels the fee is already high enough to cover the additional path maintenance. It might be necessary to put down some sort of mulch or stone dust as older residents walking on uneven turf is not practical. Such mulch and/or stone dust was originally specified by the Town Planning Board at that time. Tom Curtin said asphalt would probably not be practical.

More discussion ensued among board members. CEO Maxwell suggested that a letter be written to the ZBA detailing the Planning Board's feelings about eliminating the walking paths. Should a variance be granted for their elimination, it would allow the open space to be occupied and not maintained as greenspace.

Hank Latorella would like paths delineated as the original maps show them.

David Woods pointed out the section of the code that this pertains to.

CEO Maxwell and Chair Folts both pointed out that MRB has also found three additional lots that also will require variances from the ZBA.

Patti LaVigne said that it is her feeling that 163 houses near major highways need walkways to enable residents to get around this "walkable community."

Chair Folts will write a letter to the ZBA indicating the Planning Board's wish that the variance eliminating walking paths be denied. Chair Folts would like paths with direct access to the community center and such paths should be maintained.

Marcea Clark Tetamore asked about whether variances for the size of phase I lots will be granted as homes already exist there. CEO Maxwell said the ZBA will probably grant those variances.

Chair Folts then indicated that MRB is working with project engineers on this.

Patti LaVigne said she is concerned that fire protection/water pressure may not be adequate. Is existing ambulance service apt to still be adequate? Marcea Clark Tetamore said there are actually few calls. CEO Maxwell said the original SEQR had looked at the entire park as developed at once and felt the services should be adequate. He then suggested that a flow test be done as part of site plan review.

**6. New/Other Business:**

Chair Folts asked members to reference correspondence received from Jean Bennett regarding a legal notice of property reverting to AR from OFF. David Woods questioned why the word “rezoning” had not been used. The property in question is a pre-existing non-conforming flag lot located behind what used to be Dr. Anderson’s office on 20A. Code would normally specify that setback be 70 ft. from the house. The driveway is not considered frontage. The Town Board has already acted on this matter and the property will now be considered agricultural/residential.

Board members then discussed the new Byrne dairy/store. CEO Maxwell said it is up for bid. The building will be a slab/pole barn.

**9. Adjournment:**

There being no additional business, the meeting ended at 8:35 p.m.

**Tom Curtin made a MOTION to adjourn the meeting at 8:35 p.m.**

**Marcea Clark Tetamore SECONDED the motion.**

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

**Opposed: None.**

**MOTION PASSED.**

Respectfully submitted,

Diane McMullan, Secretary  
Town of Geneseo Planning Board

dmm