

**Town of Geneseo Planning Board
Regular Monthly Meeting Minutes
January 25, 2010
7:00 – 8:35 PM**

Members Present:

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

Others:

Jim Coniglio, Esq.
Dean O'Keefe, CEO
Jim Oberst, MRB
James Bonsignore, Esq.
John Sciarabba, L.S.
Gary and Rick Benedict
Roger Christiano

Hendrika Van Lieshout
Leon Van Lieshout
Pauline G. Coakley

1. **Call to Order:**

Chair Folts called the January 25 work meeting to order in the board room of the Town Offices at 7:00 p.m.

2. **PUBLIC HEARING for FINAL APPROVAL: Benedict 2-lot Subdivision, 5446 Booher Rd., Tax Map#100.-1-10.1.**

Gary Benedict is the applicant. He wishes to subdivide a lot for his grandson, Rick.

SEQR was done by Planning Board members.

David Woods made the MOTION to grant negative declaration for this project. Based on information and analysis, the proposed action will not result in any significant adverse environmental impacts.

Marcea Clark Tetamore 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.

Chair Folts then opened the public hearing at 7:15 p.m. He asked for comments from the floor.

The hearing remained open for 30 minutes.

There were no comments from the floor. Chair Folts closed the hearing at 7:45 p.m.

Mark Shepard made the MOTION for FINAL APPROVAL for the Benedict 2-Lot Subdivision, 5446 Booher Rd., Tax Map#100.-1-10.1.

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.

Maps were signed by the chair at the conclusion of the meeting.

3. **Site Plan for extension of the existing Geneseo Mini Storage Rentals at 4550 Geneseo Street, Tax Map # 80-1-18.111.**

Applicant: Roger Christiano, Genesee Riverfront Properties, LLC.

Board members discussed the findings of the County Planning Board contained in the January 15, 2010 letter. The secretary reported that Planning Board minutes are sent to the Village secretary for distribution.

Roger Christiano showed the original lighting plans to board members. He reported that he had actually presented the lighting to CEO Maxwell already. The lights are dark sky compliant and he has sent such a letter to that effect to Ron Maxwell.

Regarding the landscaping issue, Roger Christiano showed board members the plans for the beds and the specific trees and evergreens to be planted. He will narrow the distance between the beds from 40 feet to 20 feet, resulting in additional plantings.

Regarding drainage issues, Roger Christiano reported that he has expanded the pipe under the driveway. There is a drainage ditch between his property and Peter Scorsone's. There is another ditch on the other side along his property and the Wadsworth's. Mr. Christiano said that every spring there is a lot of water filling this ditch; he did put stone along one side to keep erosion at a minimum. Tom Curtin questioned whether this qualified as storm water disturbance and it was determined that it did not as the area affected was only 0.92 acre.

Tom Curtin made a MOTION to remove the flood contingency from CONCEPT/PRELIMINARY APPROVAL from the site plan as the area is not in a flood zone.

Marcea Clark Tetamore SECONDED the motion.

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

Mark Shepard abstained. (Mr. Christiano is a tenant.)
MOTION PASSED.

Marcea Clark Tetamore made the MOTION for FINAL APPROVAL for the extension of the Site Plan for Geneseo Mini Storage Rentals (4550 Geneseo Street) in order to build six buildings, tax map # 80-1-18.111, with the provision that the town has made the necessary notifications.

Patti LaVigne SECONDED the motion.

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

**Mark abstained. (Mr. Christiano is a tenant.)
MOTION PASSED.**

4. Site Plan and Special Use Permit for Morgan Estates Phase II, tax map#81.-1-29.13.

Applicant: Peter Bruckel.

Planning Board members discussed the County Planning Board findings itemized in the January 15, 2010 letter. John Sciarabba, L.S., from Land Tech attended the meeting in place of Ed Martin. He went through the County's findings as follows:

1. Sprinklers are in the three larger 6-unit buildings only. The specs for these will be provided.
2. Utility easements – The existing ones do not line up with what is actually constructed. Documentation will be provided so that the correct easements can be filed.
3. Cleanouts will be done and are on the utility plans.
4. Manhole #1 is slightly depressed and now has a water tight lid.
- 5-13. Pertain to regional ponds. There are also some erosion issues that need to be taken care of. These will be brought up to the current phase 2 standards. Jim Oberst said Mr. Bruckel may want to have a maintenance agreement in place so that it is clear who owns the ponds and who is responsible for maintaining them. There are two ponds that will be affected. (Pondside may own the one pond.) Mr. Sciarabba showed the grading plan with its improvements to Planning Board members. The one pond was originally designed for entire project when completed.

Chair Folts said the Planning Board is concerned about the legal issue of pond ownership. "Who is the owner of the rectangular pond?" Jim Coniglio, Town Attorney, said the town has not taken dedication of either pond. There are some measures that will be put into place in order to manage the overflow/outlet structure of the ponds.

Marcea Clark Tetamore asked, "Who is responsible for clean up and maintenance?" Hank Latorella and Tom Curtin both remarked about the present state of the pond.

(It is anaerobic.) It is not being kept up. Jim Oberst, MRB, said there probably was not decent vegetation established originally. Hank Latorella said he wants to prevent this in the future. Jim Oberst said that is why a maintenance agreement is advisable.

Architectural drawings still have not been received. Mr. Sciarabba will look into that.

Regarding whether there is access for public transportation, Mr. Sciarabba felt there is already adequate space alongside the community building.

Wall mounted lighting will be dark sky compliant.

John Sciarabba reported that a detailed landscaping plan is on the site plan. Plantings have been added totaling 58 plants nine inches high. Chair Folts said plantings 2-3 feet in height would be better and the landscaping plans should be upgraded to reflect this.

David Woods raised the issue of erosion control again and wants to ensure erosion control plans will be submitted and approved by Code Office. The Planning Board will continue to discuss this at its February meeting.

5. CONCEPT APPROVAL: Site Plan Lakeville Estates, Phase II.

Chair said the Planning Board consensus is to move ahead with phase 1 in that the necessary variances have been granted by the ZBA.

James Bonsignore, Esq., spoke about the surveying of lots for phase II. Monuments will be put on the perimeters of the park and then each lot will be measured from the respective monuments. The lots will be inspected by the Code Office to ensure that each home is placed correctly on the lot. The lots will be flagged before a pad is even put down. The corners of the lots will be marked out.

A lengthy discussion regarding walkways ensued. Board members would like the walkways included in both phase I and II.

Walkways in phase I will probably require a variance from the ZBA. Regarding phase II walkways, code requires that walkways be centrally located to provide access to the community center/recreation area. Easements for walkways are allowed through the National Grid area so access to the phase I area will not be an issue. Lots 111-119 need access to the auxiliary parking area; this would be another proposed walkway. A walkway between lots 102 and 103 is another. A walkway between lots 88 and 89 would provide access to the roadway. Marcea Clark Tetamore asked about the make-up of the walkways and then pointed out that no one has purchased those properties. Attorney Bonsignore spoke about a geo-paver which is likened to a golf fairway. It is filled with stone or gravel and is permeable. This could be an alternative to paved walkways in view of the fact that he believes the majority of residents do not want walkways in "their backyards."

Chair Folts asked about the community center/recreation area. Attorney Bonsignore said management is willing to condition the building of such a center before "x" number of homes are placed on the lots.

The recreation center will have a kitchen, a workout room, meeting area and parking area. David Woods is in favor of such a contingency and would like the town attorney to make this enforceable. Attorney Bonsignore said he will present such a proposal at the February Planning Board meeting.

In view of the fact that some of the area will be disturbed by the building of a community center, Attorney Bonsignore said the remaining land could remain undeveloped but turned into a conservation area. Chair Folts asked for a landscape plan for that area with an alternate walkway plan utilizing the suggested geo-paver/grid that would stabilize the surface. Chair Folts would like these trails/walkways clearly marked between the lots throughout the project.

Hank Latorella and Marcea Clark Tetamore both said they are in favor of paving to allow for scooters on the walkways. Attorney Bonsignore said there will be gutters along the roadways which will also provide a better walking environment in addition to the walkways.

When asked about the claim that the majority of homeowners do not want walkways, Attorney Bonsignore said that 28 out of 40 phase I homeowners had signed a petition objecting to walkways. Patti LaVigne brought up fact that another letter by a homeowner in favor of walkways had been brought to tonight's meeting; this will be copied and discussed at the February 8th meeting. Hank Latorella would like another more recent survey done – perhaps anonymous is the way to do it. Attorney Bonsignore agreed to look into this.

Tom Curtin made the MOTION for CONCEPT APPROVAL for phase II site plan for Lakeville Estates.

Hank Latorella SECONDED the motion.

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

Abstained: None.

MOTION PASSED.

Chair Folts asked that Attorney Bonsignore have any new plans delivered by February 1st so that Planning Board members can examine them before the February 8th meeting.

At this time, one of residents in attendance asked to speak from the floor; Chair Folts gave Mr. Van Lieshout permission. Mr. Van Lieshout said he is concerned about phase I lots. He said that from eight lots six have now been made. He claimed that residents would rather have homes instead of the empty space. He passed around photos of Dixon Dr., Canton Dr. and these showed that the walkway area has effectively been eliminated by the encroachment of garages. Chair said, however, this is part of phase I and variances have already been granted.

Tom Curtin showed Mr. Van Lieshout the walkway in phase II on the handout. Mr. Van Lieshout then showed board members an area of the park that was not developed and suggested it be reserved as greenspace/pond area. Chair Folts thanked Mr. Van Lieshout for his comments.

Marcea Clark Tetamore then asked to continue discussion of Lakeville Estates but about another matter. She asked if it were permissible to go into Executive Session. It was decided not to do so. Marcea Clark Tetamore reported that AGL had a flagged lot and sold the R13 lot. Dean O'Keefe, CEO, said he believed that AGL had either returned the money or was in the process of doing so and had abandoned the lot. CEO O'Keefe also said the code office is aware of a particular lot that is so steep that it is not buildable. Each lot in phase II will have a separate building permit and C of O before a pad is poured.

Hank Latorella said he would like the unsold lots graded and maintained.

6. New/Other Business:

Chair Folts asked if there was any new business or other issues. Hank Latorella asked for a legal definition of frontage (i.e. lot frontage versus what is considered road frontage, for instance). Jim Coniglio, Esq., was asked for his opinion. Town Attorney Coniglio said traditionally it means the area of the lot fronting the road. Flag lots are granted via a variance.

7. 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