

**APPROVED**  
**on 01/10/2011**

**Town of Geneseo Planning Board**  
**Regular Monthly Meeting Minutes**  
**December 13, 2010**  
**7:00 – 8:10 PM**

**Members Present:**

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

**Others:**

Jennifer Bielicki  
James Bonsignore, Esq.  
Mike Hedges  
Ron Maxwell, CEO

**Excused:**

Marcea Clark Tetamore

**1. Call to Order:**

Dwight Folts, Chair, called the regular December 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 November 8, 2010 Planning Board meeting were reviewed by the board members present.

**Tom Curtin made the MOTION to accept the minutes of the November 8, 2010 meeting as corrected.**

**Patti LaVigne SECONDED the motion.**

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

**Opposed: None.**

**MOTION PASSED.**

**3. CODE OFFICE REPORT:**

Chair Folts asked CEO Ron Maxwell for a Code Office Report. CEO Maxwell announced that C of Os were issued for Morgan Estates for three out of six units. Chair Folts asked if there were any additional reports. Jim Oberst, Town Engineer, then reported that Ron Maxwell and he had performed a punch list inspection of the stormwater pond, site stabilization and dedicated utilities. The pond work is complete and the as-builts provided by Land Tech verify that this pond was constructed in accordance with the design plans. Site stabilization at the pond looks good; however, there are still several areas near the housing development that will need further grading and restoration work in the spring. Based on this,

it is recommended that the stormwater permit stay open until the site has been fully stabilized. A security in the amount of \$36,000 was posted by the developer for stormwater management issues on this site. Based on our inspection, we have recommended that the Town give consideration to reducing this security to \$10,500, which covers the original portion of this estimate for sedimentation and erosion control.

Jim Oberst continued that, in accordance with the Town Code, the developer is required to post a maintenance bond (or security) equal to at least 10% of the value of all dedicated items for this project. For this project, that equates to a minimum of \$3,100 based on the value of the dedicated water main and sanitary sewer improvements installed.

CEO Maxwell announced that the Town Board has already acted on reducing this security bond at its recent meeting.

Chair Folts spoke about the news article which appeared in the paper about a proposed expansion of Coast Professional in the spring. This would require modification of their site plan. Chair Folts has spoken with Roxanne Baker from Coast Profession and this expansion might not even occur until spring. At that time they would apply to the Planning Board for approval.

Chair Folts asked that CEO Maxwell check into the Sears' fence as it is supposed to enclose the dumpster attractively.

**4. VILLAGE PLANNING BOARD REPORT.**

Chair Folts asked David Woods to report on the Village Planning Board. D. Woods said that Village Planning Board had not met in November. There is a meeting scheduled for next week. Items on agenda are sign-related (specifically, the Hampton Inns and Taco Bell signs).

**5. PUBLIC HEARING: SITE PLAN REVIEW and SPECIAL USE PERMIT: Wind Tamer windmill as a science project at the Genesee Christian School, tax map#90-1-4.2**

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

The hearing remained open for 30 minutes.

A sound study was provided by Mike Hedges and was examined by Planning Board members. He said there was no night time test but has submitted a sound test study of a larger unit for the official file. Jennifer Bielicki was not able to report on wind velocity recently – only current reports. Location of the turbine on the official map was clearly noted for the file (in red). Tom Curtin said he has spoken with a neighbor who reported no problems with having a wind turbine project nearby. Jennifer Bielicki, from the school, said she felt this was a wonderful donation to the school. There was a comment from the floor by a neighbor that she has no objection to the wind turbine.

Chair Folts requested Planning Board members examine the material provided by Jim Coniglio, Town Attorney, for this evening's meeting. (This will be amended to these minutes.)

After discussion by board members about what procedure would be appropriate, it was determined that following final approval, a recommendation will be forwarded to the Town Board. That board will then act on formulating a law for residential wind turbines.

Chair Folts asked if there were any additional comments. David Woods questioned whether a fence might be necessary. Hank Latorella said he was concerned should there be a failure due to rotation at high speed. Mike Hedges then showed board members a diagram of the turbine which has a cage on the back and a velociter ring with the blade set back from the front.

Chair Folts closed the public hearing at 7:45 p.m.

Board members then discussed the timing of final approval. David Woods reported that the County Planning Board is scheduled to meet January 13. The Wind Tamer will be on their agenda. The Town Planning Board will meet for a work meeting on January 24 and it was decided by consensus that at that time a vote for final approval can be considered.

**Tom Curtin made the MOTION to grant CONCEPT/PRELIMINARY APPROVAL for the site plan for a Wind Tamer windmill at the Genesee Christian School, tax map#90.-1-4.2. A Special Use permit for this wind tamer will also be granted for a period of five years.**

**Mark Shepard SECONDED the motion.**

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

**Opposed: None.**

**MOTION PASSED.**

SEQR short form was then done by Planning Board members.

**Tom Curtin 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.**

**Patti LaVigne SECONDED the motion.**

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

**MOTION PASSED.**

**6. LAKEVILLE ESTATES II SITE PLAN MODIFICATION, Tax Map #064.000-0002-040.0010000: Revision of Lease (Lot) Line #30,**

Chair Folts asked that the attorney present describe this matter for the board. Jim Bonsignore, Esq., came forward and opened up a map to better explain the modification of a proposed lease line. He has marked the spot where the lot will be modified. He then provided the background for this request in that a new customer wishes to purchase lot #30 (which previously was the phase I model home) but also wants a garage. No garage could be accommodated on said lot per prior variance approvals. There is room on both adjoining properties to shift the existing lot line a few degrees to the north. This would still satisfy the requirements of the current code. The lot would be considered a corner lot of 12,000 sq. ft. This will allow a garage to be constructed. Attorney Bonsignore asked that the Planning Board be gracious enough to approve his request. Scott Harter will be asked to prepare a revised site plan if approval is granted. Hank Latorella and Chair Folts asked that lot owner #31 provide a letter to Lakeview Estates stating they have no objection to this change. CEO Maxwell said he did speak to the neighbor involved who reports no objection. Setbacks have been checked. There will be no significant change. Board members decided that a letter for the file would still be necessary. Attorney Bonsignore will provide this.

David Woods said that he felt the matter technically should be referred to the County Planning Board due to its proximity to a state highway. However, the rest of the board felt that the change was minimal and thus referral would not occur.

**Tom Curtin made a MOTION that the Lakeview Estates lot #30 (3476 Sonora Way) line modification as proposed in the drawing from Professional Engineering Group dated November 2010 be APPROVED pending a letter of understanding from the neighbor affected (lot#31, 3474 Sonora Way). (Copy will be attached to these Final Approved Minutes.)**

**Mark Shepard SECONDED the motion.**

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

**ABSTAINED: David Woods (due to the fact this matter was not sent to the County Planning Board).**

**Opposed: None.**

**MOTION PASSED.**

**7. New/Other Business:**

The secretary provided a list of proposed meeting dates for 2011. Board members decided to meet on October 3 instead of October 10. The February 14 meeting was also changed to February 7. Regular monthly meetings on the second Monday of the month will be January 10, March 14, April 11, May 9, June 13, July 11, August 8, September 12, November 14, and December 12.

There will be work meetings on January 24, April 25, June 27, and September 26. Chair Folts requested that these be posted and distributed as usual.

Chair Folts also requested that the secretary provided him with a table of meeting dates and the necessary deadlines for submission of agenda items.

**Tom Curtin made a MOTION to accept the above Planning Board meeting dates for 2011.**

**David Woods SECONDED the motion.**

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

**MOTION PASSED.**

**8. Adjournment:**

There being no additional business, the meeting ended at 8:10 p.m.

**Patti LaVigne made a MOTION to adjourn the meeting at 8:10 p.m.**

**Mark Shepard SECONDED the motion.**

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

**Opposed: None.**

**MOTION PASSED.**

Respectfully submitted,

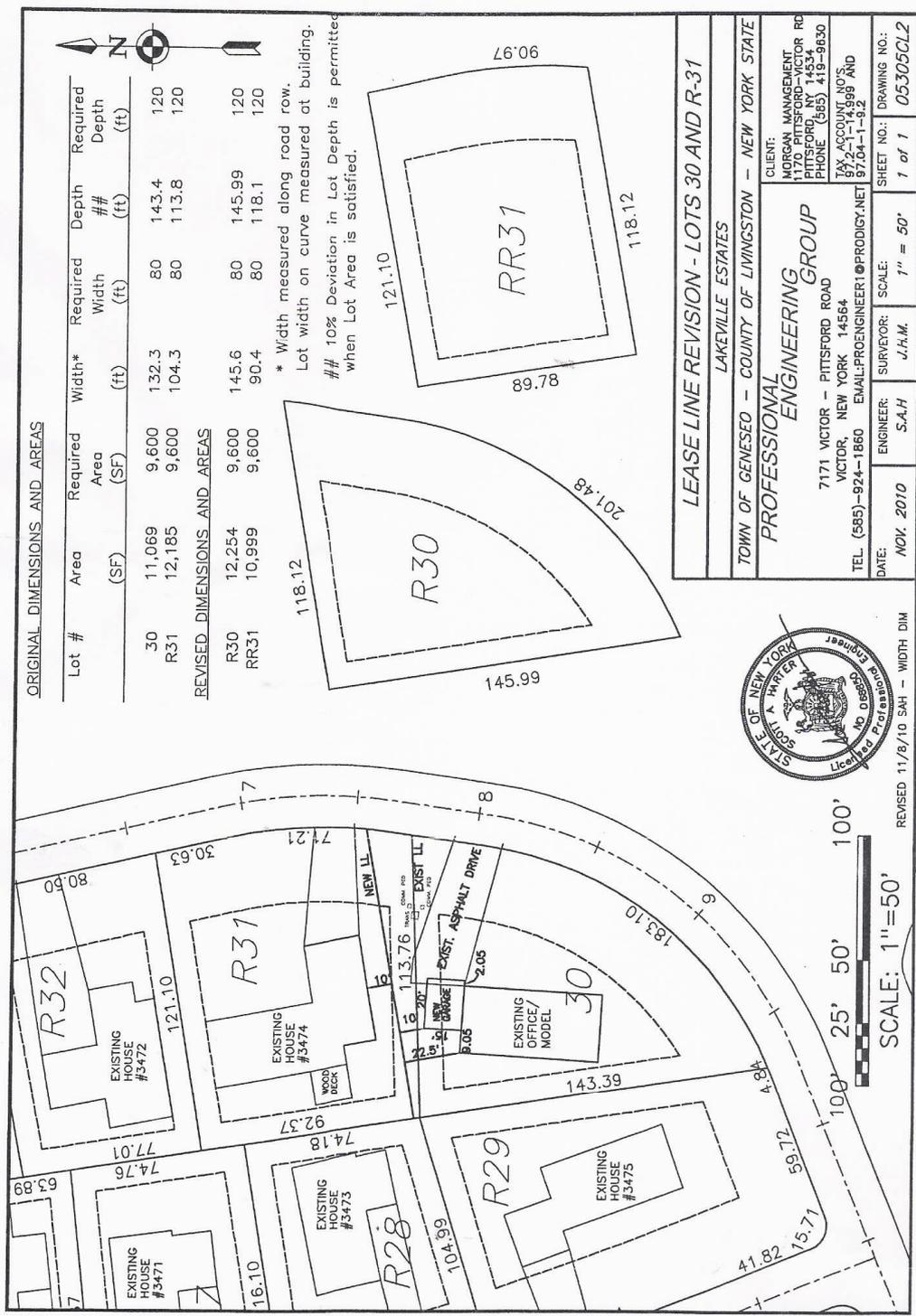
Diane McMullan, Secretary  
Town of Geneseo Planning Board

dmm  
Attachments (2)

December 20, 2010

This is to certify that we (James K. and Paulina K. Glynn) have agreed to the construction of a garage located next to our property at 3474 Sonora Way in Lakeville Estates.

James K. Glynn  
Paulina K. Glynn



**LEASE LINE REVISION - LOTS 30 AND R-31**  
LAKEVILLE ESTATES  
TOWN OF GENESEO - COUNTY OF LIVINGSTON - NEW YORK STATE

**PROFESSIONAL ENGINEERING GROUP**  
CLIENT: MORGAN MANAGEMENT  
1170 PITTSFORD-VICTOR RD  
PITTSFORD, NY 14550  
PHONE (565) 419-9630

7171 VICTOR - PITTSFORD ROAD  
VICTOR, NEW YORK 14564  
TEL. (565)-924-1860 EMAIL: PROENGINEER1@PRODIGY.NET

DATE: NOV. 2010  
ENGINEER: S.A.H.  
SURVEYOR: J.H.M.  
SCALE: 1" = 50'  
SHEET NO.: 1 of 1  
DRAWING NO.: 05305CL2



REVISED 11/8/10 SAH - WIDTH DIM

SCALE: 1"=50'