

APPROVED
on 07/11/2011

Town of Geneseo Planning Board
Monthly Meeting Minutes
June 13, 2011
7:00 – 8:00 PM

Members Present:

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

Others:

Ron Maxwell, CEO
Theodore Trojanoski
Roy and Susan Teitsworth

1. Call to Order:

Dwight Folts, Chair, called the regular June monthly meeting to order in the board room of the Town Offices at 7:00 p.m.

2. Review of Minutes:

Chair Folts asked the board to review the minutes from the May 9, 2011 regular monthly meeting.

Tom Curtin made the MOTION to approve the May 9, 2011 meeting minutes as corrected.

Mark Shepard SECONDED the motion.

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

Opposed: None.

MOTION PASSED.

3. CODE OFFICE REPORT.

Chair Folts asked CEO Maxwell to report on the Code Office for this past month.

Ron Maxwell reported that another new house in the town requires a variance as it is too

close to the road. It is located on Reservoir Road. Most of his time in the Code Office is taken up by phone calls as there is no longer a Code Office Clerk.

There are the usual complaints from lake residents which is quite common for this time of year. These are mainly property maintenance issues.

Josh Bruckel has requested an erosion control permit for the project going up next to Latimore PT; however, there are no plans as yet for a dental office.

4. VILLAGE PLANNING BOARD REPORT.

Chair Folts asked David Woods to give a report.

D. Woods said that the Village Planning Board met on May 25. It was a rather busy meeting. There has been an initial meeting with the attorneys representing 18 Wadsworth Street. The request to convert the house to a two-family dwelling has now come from the original owners. There is a Public Hearing on this issue scheduled.

There are site plan modification issues at ESL involving the retaining wall.

Three sign issues were dealt with. One was a new attorney's office on University. At this point window signs were discussed briefly. CEO Maxwell said that signs inside a window are not regulated by sign regulations. They are dealt with under the amount of window area that must remain uncovered. (Also, there are to be no flashing lights.) A sign in a window cannot block a certain percentage of the window area which is specified in the code.

5. PUBLIC HEARING: Final Approval of the Trojanoski Two-Lot Subdivision, 3420 Avon Rd., Tax Map#63.-1-30.

Chair Folts opened the Public Hearing for the above project at 7:10 p.m. The hearing was held open for thirty minutes during which time the public attending was given an opportunity to speak.

There were no comments from the floor and so the chair closed the Public Hearing at 7:40 p.m. The maps available were signed by the Chair and Mr. Trojanoski was asked to supply the missing Mylar and an additional map for county filing.

SEQR short form was then done by the Planning Board members.

David Woods made the SEQR MOTION for negative declaration for the Trojanoski two-lot subdivision, tax map #63.-1-30, based on the information and analysis done, the proposed action will not result in any significant adverse environmental impacts.

Patti LaVigne SECONDED the motion.

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

Opposed: None.

MOTION PASSED.

David Woods then made the MOTION for FINAL APPROVAL of the Trojanoski Two-Lot Subdivision, 3420 Avon Rd., Tax Map#63.-1-30.

Mark Shepard SECONDED the motion.

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

Opposed: None.

MOTION PASSED.

6. PUBLIC HEARING: FINAL APPROVAL: PERMANENT SPECIAL USE PERMIT for Wind Tamer windmill to be constructed as a science project at the Genesee Christian School, tax map#90-1-4.2.

Chair Folts opened the Public Hearing for the above special use permit at 7:15 p.m. The hearing was held open for thirty minutes during which time the public attending was given an opportunity to speak.

A letter in support of the permanent Wind Tamer was received from a neighbor and entered into the official files.

There were no comments from the floor and so the chair closed the Public Hearing at 7:45 p.m.

Mark Shepard made a MOTION to amend the original five year Special Use Permit for a Wind Tamer windmill as a science project at the Genesee Christian School, tax map#90-1-4.2, and to grant a permanent Special Use Permit.

Hank Latorella SECONDED the motion.

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

Opposed: None.

MOTION PASSED.

David Woods suggested adding an indication in the minutes for the reasoning why this special use permit was granted on a permanent basis. Board members referred to earlier minutes and the Town Code which also references that the permit will be rescinded should the structure no longer be operational. It may stand “. . . as long as it is functional.” Abandonment language is dealt with in 103-19 of the town code. A structure must be removed within 90 days after receipt of notice given if it is inoperable.

Marcea Clark Tetamore expressed her concerns that granting such a permanent permit will be setting a precedent.

CEO Maxwell pointed out that in the code, Use Class 4 and 5 are always special use permits. Upon further discussion David Woods said that this proves there is more than one issue necessitating the redoing of the town code.

7. New/Other Business.

After brief discussion it was the consensus of the Planning Board that the work meeting originally scheduled for June 27, 2011 be cancelled. The secretary will take care of this notice.

Chair Folts then asked members to refer to a zoning request from Dawn Aprile. Documents in support of this request were distributed to the Planning Board.

The request was made originally to the Town Board who referred it to the Planning Board for input. Dawn Aprile has made an informal request, at this time, to change the Mixed Use I zoning on the property north of Walmart (owned by town). She is requesting that it be rezoned Mixed Use II.

Patti LaVigne spoke about the original plan to have a residential area in the Gateway down near Lima Road. This request would allow for commercial uses in an area originally designated transitional.

Hank Latorella said he is concerned about the economic impact of the project. Chair Folts said he understands the proposal to be for upscale/active senior housing. David Woods said he believes one advantage of such a project would be to allow seniors to take advantage of college courses. Walking trails were also a possibility.

The plan is for apartment buildings and town homes. The height of buildings may be an issue (must be 35 feet which would be two-stories). Transitional areas would house medical/dental offices.

There was discussion then among board members as to doing SEQR. David Woods believes a generic SEQR analysis would be possible. Most of archeological, etc. analyses have already been done.

Chair Folts agreed to contact Dawn Aprile to request her attendance at the next monthly meeting. At that time she can go into her request in more detail.

David Woods suggested recommending to the Town Board that the town code/zoning law be thoroughly revised – restructuring would be advisable. It is difficult for the ordinary person to interpret zoning the way it is written. There are zoning districts vs. use classes vs. both districts AND use classes. Hiring a consultant to do this was one suggestion. Chair Folts requested that David Woods draft a letter for the Planning Board to send to the Town Board regarding revising the zoning.

8. Adjournment:

There being no additional business, the meeting ended at 8:00 p.m.

Marcea Clark Tetamore made a MOTION to adjourn the meeting at 8:00 p.m.

Mark Shepard SECONDED the motion.

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

Opposed: None.

MOTION PASSED.

Respectfully submitted,

Diane McMullan, Secretary
Town of Geneseo Planning Board
dmm