

Town of Geneseo Planning Board
Meeting Minutes
February 9, 2015
7:01 PM

Members Present:

Darcy Young
Tom Curtin, Vice Chair
Bob Irwin
Marcea Clark Tetamore, Esq.
David Woods

Others: Allithea Killeen, 9080 Cole Rd., Boston, NY,
Bread 'n' Breakfast
Frederick W. Staley, Staley Storage
Kami Smith, Student
Jason Nash, Student
Kathy Baker, 3166 Elm Road, Geneseo, *Massage
in Motion*
Rich Baker, 3166 Elm Road, Geneseo

Excused:

Dwight Folts

1. CALL TO ORDER:

The regularly scheduled February Planning Board meeting was called to order in the board room of the Town Offices at 7:01 p.m. by Tom Curtin, Vice Chair.

2. CODE OFFICE REPORT:

Ron Maxwell reported that: he had been to the Hammocks for structural damage problems; the church by the state police barracks had burned down; and Craig Livingston is going forward with a solar farm on rented land (Big Tree Farm behind the old state police barracks). The company, Renewal Solar Panel, is to sell the power. There are no code requirements for solar generators either in the town or village. (Code for wind does exist.) An email is to go to Jim Coniglio for assistance.

3. VILLAGE PLANNING BOARD REPORT:

David Woods reported on the 1/28 meeting: there are to be public hearings on 2/25 for Special Use for Euro Cafe (Muddy Waters) , 72 E South St. (lone house across from Pizza Hut), and 3 South St. (a new structure with three apartments behind Valley Liquor).

David reported that the Town code revisions should be done one year from now.

4. REVIEW OF UNAPPROVED MINUTES:

FOR November 10, 2014 Planning Board meeting minutes. MOTION was TABLED due to lack of a quorum at the meeting.

FOR December 8, 2014 Planning Board meeting minutes.

MOTION was TABLED due to lack of a quorum at the meeting.

FOR January 12, 2015 Planning Board meeting minutes.

David Woods moved to approve the January 12, 2015 amended minutes changing #5, Para 2, the #30 to 1 and changing wording in conditions 2) Vehicles to be stored are limited to recreational vehicles and their trailers, and boats and their trailers.

Marcea Clark Tetamore SECONDED the Motion.

All in Favor: Tom Curtin, David Woods, Bob Irwin, Marcea Clark Tetamore, and Darcy Young

Opposed: None.

Abstained: None.

MOTION CARRIED.

Before proceeding to public hearings, Vice Chair, Tom Curtin read an email received that day from Attorney Jim Coniglio. "The Town of Geneseo Code doesn't appear to authorize the granting of temporary special use permits. Therefore, in the absence of such authority the Planning Board neither has the authority to impose such time limits nor authority to require further public hearings on previously issued permits."

At this time there was much discussion as to how to proceed. Tom Curtin's stance was that there is no legal ground for these two special use hearings today before the board. Marcea Clark Tetamore's view is to go ahead with the hearings and eliminate time restrictions. David Woods, to clear up ambiguity in past actions, go ahead with the scheduled hearings. If time limits didn't exist then the old actions were really granted in perpetuity. The consensus was to go forward.

5. Public Hearing for a Permanent Special Use Permit: Fred Staley, Staley Storage, 5319 Lakeville Rd., and Tax Map #62.-2-29.2

Vice Chair Curtin opened this hearing at 7:30 p.m. and asked for public comments. Ron Maxwell has never had a complaint in all the years he has been the Zoning Enforcement Officer. Fred Staley explained there was no use given to the property when he purchased his eleven acres. It had been a chicken farm. There was a neighbor dispute for the next 13 years and Mr. Staley had to live with a temporary permit. He now wants a permanent permit. He accepts all conditions given with that permit.

At 7:35, Vice Chair Curtin closed the public hearing and asked for a motion.

Bob Irwin made the MOTION for CONCEPT/PRELIMINARY/FINAL APPROVAL for a permanent SPECIAL USE PERMIT for Fred Staley, Staley Storage, 5319 Lakeville Rd. with the four conditions listed in the 1/12/2015 minutes as amended Tax Map #62.-2-29.2

- 1) **Vehicles to be parked at the northern end of the most westerly building; parked in an orderly linear fashion, and no less than 50 feet from the nearest building.**
- 2) **Vehicles to be stored are limited to recreational vehicles and their trailers, and boats and their trailers.**
- 3) **Vehicles to not exceed 30 in number.**
- 4) **Vehicles to be licensed, registered and insured.**

Darcy Young SECONDED the Motion.

All in Favor: Tom Curtin, David Woods, Bob Irwin, Marcea Clark Tetamore, and Darcy Young

Opposed: None.

Abstained: None.

MOTION CARRIED.

6. Public Hearing for Special Use Permit: Kathy Baker, Massage in Motion, 3166 Elm Rd., Tax Map #63.-1-22

Vice Chair Curtin opened this hearing at 7:35 and asked for public comments.

Ron Maxwell stated in all the time since this business opened until now there have been no complaints to the Code Enforcement Office.

Kathy Baker said most people don't even know they are there. They have only one customer at a time so no traffic is ever created.

At 7:40, Vice Chair Curtin closed the public hearing and asked for a motion.

Darcy Young made the MOTION for CONCEPT/PRELIMINARY/FINAL APPROVAL for SPECIAL USE PERMIT in perpetuity for Kathy Baker, Massage in Motion, 3166 Elm Rd., Tax Map #63.-1-22

Marcea Clark Tetamore SECONDED the Motion.

All in Favor: Tom Curtin, David Woods, Marcea Clark Tetamore, Darcy Young and Bob Irwin

Opposed: None.

Abstained: None.

MOTION CARRIED.

7. Special Use Permit for Allithea Killeen, Bed'n'Breakfast, located on 4185 Roots Tavern Rd., Tax Map #63.-1-9.1

Allithea explained the setting up of a business is a learning curve for her twin sons who have taken all the steps necessary to comply with all the regulations for a bed and breakfast.

Ron Maxwell stated they have met the code requirements, especially the hard-wired smoke detector.

The house has only two bedrooms and is presently rented. Tenants Erika and Jimmy will run the B&B especially during hunting season. The previous owner was Charlotte Castle. It is rather isolated but is in an Ag district.

A public hearing is set for March 9 at 7:10. If County approval has been received, they can move forward on that date. Otherwise they can take action at the April meeting without Allithea present.

8. NEW/OTHER BUSINESS:

The Solar Wind Farm will need to be researched for applicable code. If there is no rush, permanent language could be added to the code revision. Attorney Coniglio needs to be ready for advice if and when this comes before the board.

Attorney Coniglio should be at the next Special Use Hearing. He should have been present tonight. There are still questions the Planning Board needs to have answered.

9. ADJOURNMENT:

There being no additional business, Vice Chair Curtin called for adjournment.

Darcy Young made the MOTION to adjourn the meeting at 8 p.m.

David Woods SECONDED the Motion.

APPROVED

All in favor: David Woods, Tom Curtin, Marcea Clark Tetamore, Darcy Young and Bob Irwin.

Opposed: None.

Abstained: None.

MOTION CARRIED.

Respectfully submitted,

Carolyn Meisel
Secretary pro tem
Planning Board
Town of Geneseo

cm