

Members Present:

Matthew Griffo, Chair
Robert Freiburger
Charles Nesbitt
Susan Richardson
Dori Farthing

Other Village Representatives Present:

Robert Yull, Livingston County PB Rep

Public Present:

Kaitlin Moran	Erin Gallucci	Ashley Villone
Shirley Jopson	Ashley Jopson	Heather Shields
Jessica Tette	Erica Shaw	

Applicants Present:

R.D. Sharma, Nexgen Properties
Adam Fishel, APD Engineering, Nexgen Properties

1. Meeting Opened:

Chair Griffo opened the meeting at 7:00PM. Chair Griffo welcomed the Livonia Central School students that were in attendance.

2. Meeting Minutes:

The February 27, 2008 meeting minutes were reviewed. R. Freiburger moved to approve the minutes as amended. S. Richardson seconded the motion and the motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt, S. Richardson and D. Farthing.

3. Code Enforcement Report:

February 2007

Building Permits:	1
Zoning/Sign Permits:	0

Chair Griffo noted that CEO Maxwell and CEO O’Keefe were attending the annual Finger Lakes Building Officials Conference, therefore, neither one of them were able to make it to tonight’s meeting.

C. Nesbitt asked if there was any word on the former gas station/car wash parcels on South Street at the intersection of Center Street. Chair Griffo and Secretary Mack were both unaware of anything.

4. NEXGEN Properties – Veteran Drive – Site Plan Modification Request:

Adam Fishel, APD Engineering referenced the March 12, 2008 cover letter from him regarding the site plan modification request by Nexgen Properties for the site on Veteran Drive, which was given final site plan approval in September 2007. Mr. Fishel noted that the only changes being requested are with regards to the building and that the site plan features remain the same.

At this time, Mr. Fishel introduced, R. D. Sharma, one of Nexgen’s Managing Partners. Mr. Sharma stated that Shoppers World would like to occupy approximately one half of the building with a possibility of three other tenants in the remaining part of the building.

Mr. Sharma stated that they would be using the same colors as previously presented, but are proposing to change the look of the building. Mr. Sharma also noted that they cannot build higher than a 22' tall building per deed restrictions. Chair Griffo asked at what point they were made aware of these height restrictions as the Planning Board was not aware of this when final approval was given.

Mr. Sharma continued by explaining that Shoppers World (a shoe store) would like to purchase the building from Nexgen therefore this is the look they are hoping for. Chair Griffo asked at what point did Shoppers World decide they would like to occupy and purchase this building. Mr. Sharma stated that Nexgen had just signed a lease with them. Chair Griffo stated that then that was after final site plan approval had been given.

C. Nesbitt asked if the height of the building was the only issue. It was noted that the height restriction was one issue, but that what they did receive approval for is more expensive than they had originally thought. Mr. Sharma explained that there are similar buildings to this one throughout the country and the way it is being presented is the way the tenants would like it to be. Mr. Sharma pointed out that in the new revision there are still no Heating-Ventilation-Air Conditioning (HVAC) units being proposed for the roof, but that they remain in the rear of the building as approved at final site plan.

Chair Griffo asked at what point prior to site plan approval did these issues arise. Mr. Sharma stated that they were brought to his attention shortly before final approval was granted. S. Richardson asked how much the building height was over in the final approval. Mr. Sharma stated that they were approved for a 26' tall building; therefore they were over by 4'. Chair Griffo asked what the ceiling height would be inside each tenants space. Mr. Fishel stated that they would be approximately 12' high.

S. Richardson asked if Mr. Sharma had visited the site, as the site sits much lower than the road and that was one of the Planning Board's major concerns during the site plan review process. The Board did not want the flat roof to be visible from Volunteer Road. The approved design did hide the rooftop from view.

Mr. Sharma stated that the roof would not be visible with what is currently being proposed. S. Richardson disagreed. Chair Griffo stated that the Board would need some type of documentation or visual drawing on how the rooftop would appear if one were on Volunteer Road. Mr. Fishel stated that he had provided the Board with visuals on what had been approved and could prepare new ones for the Board based on the revised design.

S. Richardson asked about the 8' retaining wall, which she did not think was on the approved site plan. Some discussion took place regarding this and even the Board did not remember discussing the retaining wall. It was determined by looking through the file that the retaining wall was on the signed set of the approved plans.

Mr. Sharma stated that they are not in favor of the retaining wall and hopes to try to gradually slope the area, therefore eliminating it. S. Richardson stated that she believes a retaining wall is a maintenance issue and that the wall will attract employees. Chair Griffo stated that Engineer DeHollander would have to review the change from a retaining wall to sloping the area. Chair Griffo also stated that before any building permits are issued this would have to be worked out.

Chair Griffo asked if any thought had been given to still having a pitched roof, just a shorter one to stay within the 22' height requirement. Mr. Fishel stated that he does not believe this had been looked at because of the price of having this type of a roof. Chair Griffo stated that the aesthetic element of the pitched roof was a significant part of the Planning Board's approval.

Mr. Sharma stated that this would be similar to the Tim Horton's building on Ryan Drive at Route 20A. Chair Griffo stated that this is a different situation than Tim Horton's, as the top of that roof cannot be seen from a road. Mr. Sharma agreed that the aesthetic element is significantly different than what was approved.

S. Richardson asked about the awnings that were also approved but are gone from this modification request. Mr. Sharma stated that they are a maintenance issue. However, Chair Griffo

stated that they were not an issue at final site plan approval. S. Richardson commented that in this climate covered walkways are appropriate.

C. Nesbitt commented that the Planning Board worked with the Wal*Mart engineers/architects for approximately two years on the aesthetics of their building. He also commented that this modification request does not even come close to what was originally approved for this site. Chair Griffo stated that as a Board we have to weigh the impact of the change requested to what was originally approved for this site for Nexgen.

C. Nesbitt suggested that their architect come down and meet with the Board.

Chair Griffo stated that he and the Board can appreciate the deed restriction but what they approved is what is appropriate for this area. The Board agreed that deed restriction should have been mentioned at the subdivision approval stage, which was a few months prior to the site plan approval. Chair Griffo asked if Nexgen was aware of the deed restriction when the parcel was subdivided and purchased from Wal*Mart. Mr. Sharma stated that they were.

Chair Griffo explained that the change is a very significant one and the Board is trying to find a positive in it. At this point, Chair Griffo stated that the Board is looking for the same type of roof while conforming to the deed restriction and a pictorial view of the redesigned roof.

Chair Griffo explained that once final site plan approval has been given the Planning Board must look very closely at modifying it but that the applicant does have every right to ask for modification. He also stated that the Planning Board must give it a due diligence review.

S. Richardson and the Board agreed that this is a significant enough change that it would trigger another public hearing. Chair Griffo also stated that Engineer DeHollander should review the changes in the stormwater runoff of the proposed design compared to what had been approved.

In order for the Planning Board to review this modification further, the following items will need to be reviewed:

- Is the retaining wall needed or can the parcel be sloped.
This needs to be reviewed by the Village's Engineer.
- The Board would like the applicant to revise the style of the building using the same type of roof that was originally approved but staying within the deed restriction.

Mr. Fishel confirmed with the Board what they were looking for.

S. Richardson noted that the approved design had symmetry this one does not. Chair Griffo also noted that in the approved design there were some walls between the glass windows/doors, now all that is visible is glass. Chair Griffo reiterated that these are significant changes to what was approved and that the Planning Board must carefully review what is being proposed before any type of decision can be made.

Mr. Fishel and Mr. Sharma thanked the Board and left the meeting.

5. Sign Grant Requests:

The Geneseo Store and Royaltees Screenprinting

Chair Griffo stated that Secretary Mack has spoke with Attorney Reynolds and Grantsmen Stu Brown who both advised that these are two separate applications, as they are two different businesses, even if they are located in the same building and have the same owner/operator.

The Geneseo Store

The Board agreed the colors of the signs were bright, but fitting and similar to the color theme the college uses. The Board also agreed that the signs matched the color of the building.

With no further discussion, S. Richardson moved to approve the sign grant application from The Geneseo Store, 90 Main Street. The sign is one sided, 10' X 21", sandblasted high-density urethane with the following colors: Ronan Royal Blue, Dark

Blue, White and 23k Gold Leaf. The sign has been estimated at \$1890.00. As per sign grant guidelines, they are asking for 1/2 the cost of the sign up to \$1000.00 from the Village Board of Trustees. D. Farthing seconded the motion and with no further discussion the motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt, S. Richardson and D. Farthing.

Royaltees

The Board agreed that this sign is very similar to the Geneseo Store sign and that both signs will be going on the front of 90 Main Street.

With no further discussion, C. Nesbitt moved to approve the sign grant application from Royaltees, 90 Main Street. The sign is one sided, 7' X 21", sandblasted high-density urethane with the following colors: Ronan Royal Blue, Dark Blue, White and 23k Gold Leaf. The sign has been estimated at \$1296.00. As per sign grant guidelines, they are asking for 1/2 the cost of the sign up to \$1000.00 from the Village Board of Trustees. R. Freiburger seconded the motion and with no further discussion the motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt, S. Richardson and D. Farthing.

6. Nexgen Properties continued discussion:

R. Freiburger stated that he is concerned that one of the reasons that Nexgen wants to change the design is because they are going to sell the property/building to Shoppers World, therefore wanting to save money in the construction costs. The Board agreed that they can appreciate the rising costs in construction.

D. Farthing agreed. She stated that it definitely sounded as though Shopper's World is driving the revised design.

Chair Griffo stated that the deed restriction is a valid point, but believes that this deed restriction was known about from day one. The Board agreed as some remembered that the Aprile's had the same type of deed restriction when they came through the site plan approval process for their parcel on the west side of Ryan Drive. D. Farthing questioned the deed restriction, as the highest part of the façade is 25'9" on the proposed modification plan. The Board agreed that this should be brought to the attention of the engineer.

C. Nesbitt commented that he never did get an answer to whether or not they were willing to send one of their architects down to meet with the Board.

D. Farthing commented that not being apart or seeing the approved site plan/building and seeing it for the first time tonight, there is definitely a significant change. S. Richardson noted that what is being presented is similar to what has been done at the new Tractor Supply Store, Peebles and Dollar Tree in the former Wal*Mart site, but that was retrofitted. S. Richardson sited the covered walkway that is no longer present.

D. Farthing asked if deliveries would be made at the back of the building. The Board explained that all deliveries will be made at the front of the building and that the doors at the back of the building are fire exits only and the fences are there to hide the HVAC units.

7. New Business:

Secretary Mack asked if anyone was interested in attending the Genesee Finger Lakes Regional Planning Council's Spring 2008 workshop at the Burgundy Basin Inn on Friday May 9th or the

Southern Tier West Conference on May 7th at Houghton College. Chair Griffo stated that he would like to attend the one on May 9th. Secretary A. Mack stated that the Village would pay for this training and reimburse for mileage.

R. Freiburger stated that he had another brief discussion with Village Board Trustee Brad Hill regarding Little League's request for lights on one of the fields at Highland Park. Trustee Hill stated that at this time the Village Board is satisfied with what the Planning Board has given them.

8. Sign Grant Request:

Robert Mulvihill introduced himself as the Allstate agent who is in the process of setting up an office at 131 Main Street in the vacated dry cleaners storefront in the Randy Cofield/Team Cheer/Athletica building. Mr. Mulvihill stated that the sign is sandcarved high-density urethane with a blue border, blue numbers for the phone number with a white background and white letters with a blue background for the word Allstate. Mr. Mulvihill stated that he is planning on externally lighting the sign with gooseneck type lighting.

C. Nesbitt asked if the blue being used was considered Allstate blue. Mr. Mulvihill stated that it was. C. Nesbitt was concerned that this sign would stick out against a brown building and roof.

R. Freiburger wondered what was going to happen to the independent Allstate agents within Geneseo. Mr. Mulvihill stated that they would remain as they are.

Chair Griffo noted that the estimate for this sign included door lettering also, which would not be apart of the grant application, therefore it would need to be broken out in the estimate/invoice.

D. Farthing wondered if it was typical to have the phone number as the second line. Mr. Mulvihill stated that he has seen them vary. Mr. Mulvihill explained that most Allstate signs are internally lit and not wood carved as this one is.

S. Richardson wondered if there were any other signs on the building. Chair Griffo stated that currently there is only one sign on the building on the actual façade of the building, but in the past there have been signs all along the top. Chair Griffo asked if the blue could be toned down some.

C. Nesbitt wondered if the Board was getting away from what the sign grant was originally intended for. C. Nesbitt commented that there is more white on the sign then blue and believes that the sign will stand out. Chair Griffo wondered if any consideration had been given to leaving the phone number off the sign and perhaps adding the word insurance. S. Richardson asked if there would be lettering on the window also advertising the business. Mr. Mulvihill stated that there would be. Chair Griffo wondered if any thought had been given to placing the sign on the façade of the building like the Team Cheer/Athletica sign.

Mr. Mulvihill stated that there is also a possibility of putting a sign on the freestanding sign at the Main Street entrance to the parking lot. He noted that the Bank of Castile would not allow him to put a sign on their freestanding sign at the South Street entrance to the parking lot.

Mr. Mulvihill stated that he would speak with his sign representative at Allstate and get back to the Planning Board. Chair Griffo reminded Mr. Mulvihill that he could put up any type of sign he would like as long as it is within the zoning/sign regulations, but that if there is a grant being applied for, it must meet sign grant guidelines. Mr. Mulvihill understood this and stated that he would take the information back to his representative at Allstate.

9. Other Business:

Robert Yull, the Village's Livingston County Planning Board representative stated that the Livingston County Planning Department Direct David Woods is retiring after several years and there will be a reception in his honor at the government center on Wednesday, April 9th from 3pm-5pm. Secretary Mack noted that all Planning Board members had been invited.

10. Meeting Close:

With no further discussion, R. Freiburger moved to close the meeting at 8:15PM. C. Nesbitt seconded the motion and the motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt, S. Richardson and D. Farthing.

Aprile S. Mack, Secretary