APPROVED

Village of Geneseo
Planning Board

April 23, 2008
Regular Meeting

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

Other Village Representatives Present:
Code Enforcement Officer Ron Maxwell
MRB | group Engineer Scott DeHollander

Public Present:
Christine Seuffezt, SUNY Geneseo student
Mike Feldman – SUNY Geneseo student
Christie Moore – SUNY Geneseo student
Mark Gillespie, Livingston County News

Applicants Present:
Richard Hedburg, Church of Latter Day Saints
Dennis Rex, Architect, Church of Latter Day Saints
Tom Piascik, Engineer, Piascik Engineering, Church of Latter Day Saints

1. Meeting Opened:

Chair Griffo opened the meeting at 7:00 PM.

2. Meeting Minutes:

The March 19, 2008 meeting minutes were reviewed. D. Farthing move to approve the minutes as amended. R. Freiburger 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:

March 2008

Building Permits:	4
Zoning/Sign Permits:	1

CEO Maxwell reported that he and Assistant CEO O'Keefe have been continuously doing the yearly fire Inspections and taking many phone calls regarding various things. CEO Maxwell stated that overall the Village is down on the number of building permits that have been issued compared to previous years.

C. Nesbitt asked about the former car wash and gas station parcels on East South Street. CEO Maxwell stated that they now have a contact, Mike Saunders, who will be working to the property cleaned up and mowed on a continuous basis. CEO Maxwell commented that it is nice to have a local contact for that property.

A brief discussion took place regarding the overgrowing of grass on parcels within the Village. CEO Maxwell stated that he couldn't send out a violation notice until there is at least 10" of grass.

S. Richardson asked about the three "junk" cars on Rorbach Lane. CEO Maxwell stated that he has received many complaints about these vehicles from residents of Rorbach Lane and because they are registered vehicles with plates on them, a violation notice cannot be sent out.

R. Freiburger stated that the "junk" car behind the fraternity house on the corner of Center Street and Prospect Street has been removed. The Board was glad to hear this.

4. Sign Grant Guidelines:

Chair Griffo explained that the Board would like to work to modify the Village's current sign grant guidelines. One thing that has been suggested was that the name of the business be in the gold leaf lettering similar to the Village of Geneseo signs, which are located at the entrances to the Village.

The Board would like to see a listing of what they will be looking for in a sign grant application added to the criteria and application, such as design element, including that the sign must be a dimensional one, and gold leaf lettering. Chair Griffo thought that the original intent of the sign grant was to use the gold leaf lettering. C. Nesbitt stated that this had been done by choice, not mandate.

C. Nesbitt stated that a recent sign grant was awarded to Quinlan's Medical Supply Store, which is a hand carved blue and white sign, and is a nice looking sign. However, C. Nesbitt did agree that the Planning Board can be subjective and that there is nothing wrong with the Allstate sign but that does not mean that the Board has to approve the grant.

The Board agreed that if a denied applicant for a sign grant came to them and said "but you allowed so and so," they would refer them to the Village Board as that would be a matter for them to discuss not the Planning Board.

Chair Griffo sated that he does not believe the Allstate sign meets the criteria. Chair Griffo stated that his personal observation is that if gold leaf lettering were used, it would give character to this sign and others.

It was noted that Allstate does not want to alter their sign, as their sign is apart of their logo. Other insurance agents signs were discussed. It was noted that the Chanler Agency does sell Allstate insurance, but that his sign is not blue and white. The Chanler Agency is an independent agent, therefore did not have to follow the color guidelines for Allstate. The State Farm insurance agent on East South Street has a white sign with red lettering. However, the Board was unsure if she had been given a grant for the sign.

Chair Griffo stated that at the work session, the Pantone Color Measuring System was discussed and it was suggested that this system be added to the criteria and perhaps the Village could purchase the system so that it can be used by the Planning Board not only for sign grants but for roof shingle colors, split-faced block colors etc…

The Board also agreed that the Allstate sign does seem somewhat more expensive compared to others that they have looked at.

5. Church of Latter Day Saints – Site Plan – 42 East South Street:

Engineer Tom Piascik, Engineer for the Church of Latter Day Saints project, presented the Board with color landscape renderings. The church building is proposed to be 12,868 square feet, which did receive a variance from the Zoning Board of Appeals as it is over the allowable 12,000 square feet.

Engineer Piascik, stated that storm drainage was a big concern for neighbors, but believed it had been resolved. The site itself drains to the east and the remainder drains to the south, which is Indian Meadows Subdivision. The storm water system will capture and improve the water quality of the first 1" of runoff from the site in compliance with the SPDES requirements. The stormwater system will direct flows toward Jaycox creek via a 30' easement to the Village. The proposed location of the easement, which will also cross the Livingston Health Services (NOYES) parcel, has been forwarded to them for review. A small portion of the site along Route 20A which currently flows toward the NOYES parcel will continue to flow in that direction toward a catch basin located in west side of the parking lot.

The proposed location of the cross access easement has been forwarded to NOYES and the Village's Engineer. Engineer Piascik noted that the bio retention pond currently proposed for the North East corner of the site could be moved to provide for cross access between the

church and NOYES property. The Church site is higher then the Health Services site and the cross access easement that is proposed is directly aligned with their first inset driveway. A second alternative would be to have the cross access to the rear of the Church building and align with the existing parking driveway in the back of their building.

The project site itself has a fair amount of green space, as the parcel is approximately 8.3 acres and approximately only 2.5 of those acres in the front will be developed. The majority of the land will be left undeveloped.

Chair Griffo asked if they had received any response from NOYES regarding the cross access easement proposals. Engineer Piascik stated that he had not and it had been approximately three weeks ago that the proposal was sent to them. Engineer Piascik noted that he did know that they had received the proposal.

Richard Hedburg, Church representative stated that the Church is okay with either proposal and that when they had spoke with NOYES officials approximately six months ago, they were not interested in a cross access easement of any kind.

Mr. Hedburg stated that from the Churches point of view, their congregation is small and one driveway is sufficient.

Mr. Hedburg stated that it is very possible that in approximately fifteen (15) years the Church would be asking for a variance to add onto the building and to add parking spaces. Chair Griffo stated that he would appreciate that the proposed changes come before the Planning Board prior to going to the Zoning Board of Appeals, noting that it is not required but very much appreciated. Mr. Hedburg did not see a problem with this.

A discussion followed regarding the stormwater management system at the site. The Village Engineer from MRB Group, noted that the stormwater systems discharge would be routed thru a culvert pipe as it crosses the NOYES property. Engineer DeHollander explained that the proposed alignment of the culvert matches the bottom of Jaycox creek and that could result in a surcharging effect of the pipe when Jaycox Creek is flowing. The culvert also has a flat grade and limited cover over it. These issues would be best addressed by consideration of an open swale in lieu of the piped configuration. C. Nesbitt asked how wide the open channel would be as there is concern of children in the area. Engineer DeHollander noted that using a combined open channel and buried pipe addresses the grade issue in the area and does not believe it will be dangerous to children in the area. Engineer DeHollander noted that is a very minor technical change in the site plan.

Chair Griffo asked about the legality of the drainage in the front of the parcel being drained to someone else's parcel. Engineer Piascik explained that this is a very small area and that the storm water must be directed off site towards the creek. Chair Griffo asked about regional storm water management, wondering if the existing pond on the NOYES parcel could be enlarged to accommodate runoff from the Churches site. Engineer Piascik stated that NOYES does not want water the Churches water on their site, noting that the water that will be on their site goes directly into a catch basin that is then channeled into the creek not the pond.

Engineer Piascik explained that the front pond is considered a bio retention pond with wetland type plants planted in it. Engineer Piascik pointed out that the large pond in the rear of the project site is considered a dry retention area. Engineer DeHollander stated that regionalized stormwater systems would require involvement of the Village Board and DPW Superintendent. In the past, regionalized stormwater systems, which would be maintained by the Village, have not been pursued. Chair Griffo asked what would happen if the ponds were not taken care of properly. Chair Griffo thought that it would help the Church by cooperating with NOYES for a regional storm water management plan and believes that this Board has an opportunity to request that as NOYES is asking for a subdivision of that parcel.

Mr. Hedburg stated that they have come so far on their own, they are used to taking care of these types of storm water management facilities that they request that the Board move forward with

the site plan request as presented. Chair Griffo stated that his concern is that yet another pond will be visible along Route 20A. Engineer Piascik stated that he does not believe that the dry pond will be visible from the road. Engineer DeHollander noted that this pond is similar to what the GVTA has planned on Millennium Drive. Engineer Piascik also noted that the NOYES storm water management facility only takes care of water quantity not quality as it was built prior to the new requirements, and the Church must take care of both.

Chair Griffo stated that he has noticed standing water along the front of the NOYES parcel. Engineer DeHollander explained that the standing water may be the result of a surcharge of the Jaycox creek culvert that goes under Route 20A near that location. Engineer Piascik explained that this type of pond treats water through ground infiltration and believes that there will not be any standing water in it unless it gets very dry and then rains a lot. Chair Griffo asked if the DEC would get involved if the ponds failed. Engineer Piascik and Engineer DeHollander confirmed they would.

CEO Maxwell asked what keeps roots from growing down into these storm water facilities. Engineer Piascik stated that there is approximately 3' or more from the finished grade to the pea gravel in the bottom and that most of the aquatic plants will be tap root trees that will not spread. S. Richardson asked about the amount of mulch that would be needed for these facilities. Engineer Piascik stated that they are planning approximately 6" of mulch. S. Richardson commented that she thought mulch could not be used due to the possibility of fires. CEO Maxwell stated that mulch cannot be used next to buildings but is fine for a storm water management facility.

S. Richardson asked about the proposed block retaining wall and what its purpose was. Engineer Piascik stated that this would help keep site drainage on the parcel. S. Richardson asked how this retaining wall would affect the proposed cross access easements and asked how high the wall would be. Engineer Piascik stated that the wall would be approximately four feet at its highest point and the blocks themselves would be landscaped block. The Board wondered what color the blocks would be. Mr. Rex stated that they would be brownish in color. S. Richardson asked about the chain link fence proposed for around the fence. Mr. Rex noted that if the wall was taller then thirty inches a fence around it was required. C. Nesbitt stated that he would like something more appealing to the eye then a chain link fence. Engineer Piascik wondered if the Board would like to see a vinyl fence. Engineer DeHollander wondered if the wall could be tapered so a fence would not be needed. Mr. Rex did not see a problem with this but stated that a landing would then be required. The Board wondered if the landing could be grass? Mr. Rex did not see a problem with this. S. Richardson stated that the Board would appreciate if they could do what ever they could aesthetically so that a fence would not be needed. The representatives from the Church agreed that they would taper the wall so that a fence would not be needed.

The Board was presented with a photograph of an existing church that would be exactly like the one they are planning to build here. Chair Griffo asked if there was a height restriction on the steeple. CEO Maxwell stated that because it is a church there was not. Chair Griffo explained that the Board would need to see actual color brick samples and actual color shingle samples. These samples should be available at the site plan public hearing.

D. Farthing asked about the dumpster enclosure next to the storage building, she wondered if the dumpster enclosure was attached to the building. Mr. Rex stated that it was not, but that the enclosure would be on a concrete pad with a chain link fence with vinyl slats. S. Richardson stated that normally board on board or the same material used to construct the building is used for the dumpster enclosure. C. Nesbitt stated that he would prefer brick and Chair Griffo agreed, but suggested that decorative vinyl fencing might be a solution. Mr. Rex explained that from experience slats placed in the chain link fence holds up the best. Mr. Rex also stated that they would prefer not to have a door on the enclosure. Engineer DeHollander suggested that landscaping be planted around the closure to buffer the chain link fence.

S. Richardson asked about the storage building. Mr. Hedburg stated that the storage building is approximately 10' X 20' and would have three small closets and one larger area. The larger area would store gardening tools and a snow blower. He noted that mowers are not kept on site, as the landscaping, mowing, and snowplowing were contracted out. Mr. Hedburg stated that various church groups would use the other smaller closets to store such items as tents.

S. Richardson asked what material the storage building would be made of.
Mr. Rex stated that they are proposing to use the same brick as the church building. The Board was concerned that the dumpster enclosure would not be aesthetically pleasing to the eye. Engineer DeHollander suggested that the storage building and the dumpster enclosure swap places on the site plan. The Board liked this idea and believed that it be would more pleasing to the eye to see a storage building like the one they are planning compared to a dumpster enclosure. Engineer Piascik stated that if they did this, it would not give the garbage truck enough room to get to the dumpster and that the trucks would be driving on the grass. Some discussion took place and it was agreed that they would place the storage building where the dumpster enclosure is located and vice versa as the paved area could be added to which would give the truck enough room to move without tearing up the grass.

Engineer Piascik stated that the lighting fixtures would be eighteen feet in height and be shadow box shaped. Engineer DeHollander stated that cut sheets would be needed on all the lighting fixtures and that a light detail would be needed with foot candle measurements for the entire site.

S. Richardson asked about the right-of-way for water existing on the property. Engineer DeHollander stated that it was the water line for the apartment complex on Country Lane. S. Richardson then wondered where the hospital got their water. Engineer Piascik pointed it out on the map.

Chair Griffo asked at what stage this project was at in terms of Planning Board approvals. It was noted that the SEQR form had been filled out by the applicant but that the Board still needed to act upon it. The Board agreed that some minor technical details needed to be worked out prior to acting on the SEQR, which could take place after the public hearing, but prior to final approval.

With no further discussion, S. Richardson moved to approve preliminary site plan approval for the Church of Latter Day Saints on their parcel located at 42 East South Street. R. Freiburger seconded the motion. There was no further discussion. The motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt,
S. Richardson and D. Farthing.

Engineer Piascik stated that they were still waiting for the hydrant flow test results as a sprinkler system is planned. However, no hood system will be required or grease trap, as the facility will only have a house-sized kitchen with house-sized appliances. Mr. Hedburg stated that other groups do not use their facilities, therefore, larger appliances were not needed and that if church members have functions with meals food will be brought in.

The Board agreed to hold a public hearing on this project for May 28th at 7PM.
The Church representatives thanked the Board and left the meeting.

6. NEXGEN Site Plan Modification Request:

Adam Fishel, APD Engineering representing NEXGEN Properties stated that they would like to modify the approved building architecture. Mr. Fishel presented the Board with approved drawings, the modification request from last month and a revised modification request. Mr. Fishel pointed out that the Board was not in favor of the first modification request. Therefore, he feels as though the following is a fair representation of what the Board is looking for with a hip roof, metal seem awnings, goose neck light fixtures, vertical brick, and enclosures for the HVAC units that will be placed on concrete slabs at the rear of the building. Mr. Fishel noted that they are not changing the dumpster enclosure.

The front of the building has been revised to all glass, instead of a half walls then glass, which allows for larger window displays. The false vestibule has been widened and placed in the center of the building. This did increase the building size by 70' square feet. There has been no change in the height of the building. Smooth faced block is being proposed instead of the split-faced block, but will be painted the same colors as originally approved.

Chair Griffo wondered if NEXGEN had been misinformed about the deed restrictions on the height of the building. Mr. Fishel stated that they are looking into that and it seems as though Wal*Mart is okay with it. The roof drains remain the same.

S. Richardson and the remainder of the Board were concerned with using standard cement blocks that would be painted on a building where the entire back would be visible. Chair Griffo stated that he thought the half walls in the front were nice architectural elements along with the split-faced block. S. Richardson stated that she could understand why they would want the windows the full length of the front. Chair Griffo stated that he couldn't see going backwards from an already approved site plan. C. Nesbitt agreed and believed that putting a building made of standard cement block next to a Wal*Mart with split faced block would not be appropriate.

Some discussion took place on whether or not the standard cement block being painted becomes a maintenance issue and what other types of paint could be used on the standard block to make it appear similar to the split-faced block. The Board agreed that standard smooth cement block would not be appropriate in this case. Mr. Fishel stated that the first proposed revision was within the price range of his client's but that they are trying to compromise. CEO Maxwell stated that if the sprinkler was pulled out, which at this point it has, that is a significant cost savings.

C. Nesbitt commented that it appeared that the sign had gotten at least three times bigger. Mr. Fishel noted that before there were seven to eight proposed tenants and now they are proposing only two to three tenants. CEO Maxwell noted that the frontage of each tenant would determine what size sign will be allowed.

Chair Griffo stated that if the Board regresses on the footwalls, he does not believe they could regress on the split-faced block. Chair Griffo asked for confirmation on the changes. Mr. Fishel stated that all items except the standard smooth faced cement block and full windows were apart of the final approval previously given.

S. Richardson asked about the retaining wall. Mr. Fishel stated that it was only about a three-foot wall, which would be about knee level. Mr. Fishel noted that it is proposed to be a standard segment wall made with standard landscaping bricks.

Chair Griffo asked if Mr. Fishel could take the idea of keeping the split-faced block and removing the half wall to allow full windows back to his clients. Chair Griffo stated he believed the Board could also agree to the enlarged vestibule area.
Mr. Fishel asked if he could get his client to agree to the split-faced block would they be able to go ahead with the project. The Board stated that this was correct.

Chair Griffo asked about the stucco type façade for the signs. Noting that if a tenant changed, how would that area be repaired. CEO Maxwell stated that the area is usually just patched and then repainted. Chair Griffo stated that he understood this, but that if it were a smooth surface it would not be as obvious.

Mr. Fishel asked if he would need to come back in front of the Board. Chair Griffo stated that the Board would need to see the revised plan as discussed tonight. Chair Griffo asked if Mr. Fishel could supply the Board with the actual color material samples. Mr. Fishel stated that he thought that he had already done this. The Board agreed that he had, but that the colors did not match the colored rendering, and this was considered an item, which needed to be resolved before or at the pre-construction meeting

With no further discussion, Mr. Fishel thanked the Board and left the meeting.

7. Allstate Sign Grant Application – 131 Main Street:

Bob Mulvihill presented the Board with a revised pricing sheet to go along with the proposal the Board had received in the mail on April 8, 2008. The Board noted that the price had changed from $2675.00 to $2775.55, which they thought was somewhat exorbitant compared to other sign grants that have been applied for.

Mr. Mulvihill explained that the blue presented on the colored rendering was actually darker blue then it appeared and that the white was considered an antique white. Chair Griffo stated that the Board had some concern about the colors that have been chosen, but also understand that there is a restriction on what colors can be used. Chair Griffo continued by explaining that the Board has been looking at this application for weeks now and thinks that the one thing the Board has taken into consideration is the color of the building and the color of the sign, noting that it is a dark contrast to what is there now.

C. Nesbitt stated that the Board has given grants to other blue and white signs such as Quinlan's and most recently Royaltees and the Geneseo Store.
C. Nesbitt stated that he does not believe that the Board should make this applicant follow the new guidelines the Planning Board would like to implement into the grant.

D. Farthing asked what the difference is in what is there now and what is being proposed through the sign grant. Mr. Mulvihill stated that currently he has a white banner with blue letters. Chair Griffo feels as though what has been presented does not match the criteria the Board should be using. D. Farthing read the following from the sign grant guidelines and procedures: *"Criteria used by the Planning Board will include esthetic appeal, appropriate color combinations and design in keeping with the Village historic and esthetic appearance."* Chair Griffo asked how much aesthetic appearance does this sign have. S. Richardson stated that this particular building does not allow for much color. C. Nesbitt wondered if the shingles could be repainted behind where the sign is going to be placed.

Chair Griffo reiterated that the Board is not telling Mr. Mulvihill that he cannot put the sign up but that he will not be able to get a grant for it.
S. Richardson asked if Allstate was telling Mr. Mulvihill what colors he could use. Mr. Mulvihill stated that that was correct. C. Nesbitt wondered if the font could be changed. Mr. Mulvihill stated that it could not.

Chair Griffo feels as though ultimately the Village Board would make the decision if this Board made a negative recommendation. S. Richardson stated that she feels as though the Board is "caught between a rock and hard place" and it is evident that we are saying we do not like it. D. Farthing stated that the sign does not fit within the criteria. Chair Griffo asked Mr. Mulvihill if he thought he could come up with a sign that met the criteria as the Board might be able to hold off on their decision. Mr. Mulvihill stated that he did not think that Allstate would budge on this.

With no further discussion, C. Nesbitt moved to approve a 72" X 24", high- density polyurethane sign with blue background and white letters for Allstate located at 131 Main Street. R. Freiburger seconded the motion. Further discussion followed regarding the price of the sign. The Board agreed that if the sign was approved, the Village Board should look at the price of the sign before acting upon it. S. Richardson stated that she does not feel as though this sign meets the criteria the Board is looking for. The vote was as follows: M. Griffo – Nay, R. Freiburger – Aye, C. Nesbitt – Aye, S. Richardson – Nay and D. Farthing – Nay. The motion failed.

Mr. Mulvihill asked what his next step was. The Board agreed that
Mr. Mulvihill could plead his case to the Village Board. Mr. Mulvihill stated that he would need some time to think about it and would contact Secretary Mack either way.

8. New Business:

S. Richardson pointed out that in a set of approved Town Planning Board minutes, there was a notation about the Geneseo Towne Center (Lowe's) project that stated there is a possibility of needing a traffic light at Route 20A and Center Street. S. Richardson stated that she thought that the Village Planning Board should be involved in any discussion at the Town level dealt with things within the Village.

S. Richardson stated that she believes collaboration is needed between the two Boards and wondered if Village Planning Board members should be attending Town Planning Board meetings and Town Planning Board members attending ours.

CEO Maxwell tried to explain that the Town Planning Board has Village residents on it; therefore the Village is being represented at the Town level. CEO Maxwell also stated that at this time, the Town Planning Board is not sure whether or not it can correct a traffic problem that far away from the project site.

S. Richardson understood this, but explained that her point is that the Town and Village need to collaborate. CEO Maxwell also noted that the Access Management Plan was a regional plan for the Town and Village, therefore, these types of items would fall under that plan.

S. Richardson asked if the Town Planning Board members are aware of what is going on at the Village Planning Board level? Secretary Mack noted that as a courtesy, the Village Planning Board agendas and approved minutes are sent to the Town Planning Board and vice versa.

Chair Griffo asked if S. Richardson had any suggestions to fix this concern.

S. Richardson stated that one thing that came out of the Town Planning Board survey from a few years ago was that collaboration was needed. She also noted that many people that she comes in contact with do not understand that Wegmans is in the Town. Chair Griffo stated that if S. Richardson felt as though open dialogue was needed between the two boards, there already is. Chair Griffo stated that there are many times that he speaks with Town Planning Board Chair Dwight Folts and vice versa.

S. Richardson suggested that the Village and Town Planning Board's meet together jointly once in a while. The Board did not see a problem with this.

CEO Maxwell wondered if the Board would be upset if he approached the Village Board about applicants paying a fee to submit a building permit, as with the NEXGEN, a building permit application was submitted with plans. The application and plans were fully reviewed, which took at least a half day or more and now the plans have completely changed, therefore, a full review is needed again. The Board did not have a concern with CEO Maxwell bringing this up to the Village Board.

Engineer DeHollander stated that he has spoken with Attorney Reynolds regarding the sunset clause for site plan approval as discussed at the work session on April 16th. Engineer DeHollander stated that he and Attorney Reynolds are still trying to figure out what constitutes the beginning of a project.

Chair Griffo explained that the issue of implementing a sunset clause was first brought to his attention when CEO Maxwell received a call from the new owners of The Meadows apartments off of Court Street. The new owners realized that the last two apartment buildings were never built but approved, therefore wanted to be able to start work on them. CEO Maxwell explained to them that it had been over twenty years since final site plan approval had been granted therefore they would need to start the site plan review process all over again for the two buildings.

Implementing a sunset clause will allow the Planning Board to limit the amount of time a site plan is good for. CEO Maxwell stated that there are time limits within the code for subdivisions, but that timeframes must be implemented for site plans.

The Board agreed that they would work on this and come up with a draft proposal that then can be forwarded to the Village Board to act on.

APPROVED

9. Meeting Closed:

With no further discussion, S. Richardson moved to close the meeting at 9:33PM. R. Freiburger 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