

Members Present:

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

Other Village Representatives Present:

Code Enforcement Officer Ron Maxwell
MRB | group Engineer Scott DeHollander
Attorney J. Thomas Reynolds

Public Present: None

Applicants Present:

Tom Piascik, Latter Day Saints
Dennis Rex, Latter Day Saints
John Forseburg, Latter Day Saints (in place of Richard Hedburg) Project Manager
Amanda Collins, Harmony School Age Day Care
Roger Collins, Harmony School Age Day Care
Lisa Cottone, State Farm Insurance

1. Meeting Opened:

Chair Griffo opened the meeting at 7:03PM.

2. Meeting Minutes:

The May 28, 2008 meeting minutes were reviewed. R. Freiburger moved to approve the minutes as presented. S. Richardson seconded the motion. The motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt and S. Richardson. D. Farthing abstained, as she was not present at the May 28th meeting.

3. Code Enforcement Report:

June 2008

Building Permits: 9
Zoning/Sign Permits: 0

Code Enforcement Officer Ron Maxwell stated that he has issued a demolition permit for the former drive-thru car wash on East South Street. Chair Griffo asked if CEO Maxwell was aware of any environmental concerns regarding that parcel. CEO Maxwell stated that he believed that if there had been they would have been taken care of before closing.

CEO Maxwell stated that he would be issuing the Village's first single-family home building permit of the year. The new house will be located on the west side of Groveland Road.

CEO Maxwell stated that Staples plans to open in September in the Genesee Valley Shopping Plaza (Wegmans Plaza). Olympia Sports will also be opening in that plaza in the former Dollar Store space.

S. Richardson asked about the Budget rental trucks that are regularly seen parked near the new Sears Store located in the Town of Geneseo. CEO Maxwell stated that he believed that Sears and Budget are in business together and that it is an allowed use in that Zoning District.

CEO Maxwell updated the Board on the Geneseo Roof Project. It appears that the project is coming along nicely and as expected.

R. Freiburger asked about the Zoning Board of Appeals hearing that will be held on July 1st. CEO Maxwell stated that the Temple Hill Bed & Breakfast has requested a free standing sign that is not allowed within that zoning district, therefore, they have applied to the ZBA for a variance.

Chair Griffo asked about the building permit issued to Corrin Strong as listed on the Code Enforcement Office's monthly report. CEO Maxwell stated that the permit was issued to remodel the icehouse into a tennis club. Chair Griffo stated that he had received copies of some correspondences from Corrin to the Village Board and Village Attorney on this matter, but that at this time, it is a matter of zoning for the Village Board as there is

some question as to whether or not a tennis club is a permitted use within the current zoning district or included within the new proposed zoning. CEO Maxwell stated that he has also had some discussion with Corrin about this.

Chair Griffo and CEO Maxwell advised the Board that Secretary Mack had not yet received a copy of the signed site plan for GVTA on Millennium Drive. CEO Maxwell stated that he would hold off on issuing the building permit until a signed set as been delivered.

C. Nesbitt asked about the vacant lot on Second Street that is currently owned by Savard's. CEO Maxwell stated that it is his understanding that the lot has been sold and that the new owner's plan to build a small house on it; however, nothing has been applied for yet.

4. The Church of Latter Day Saints – 42 East South Street – Site Plan Review:

Engineer Piascik stated that at the last meeting with the Planning Board there were some storm drainage concerns. Engineer Piascik explained that the plan for stormwater had required an easement from NOYES, but that they have been in constant communication with NOYES and have not been given an answer or commitment from them regarding the storm drainage or cross access easement. Engineer Piascik explained that this has been going on for several months now and the Church needs to move forward with their plans with or without obtaining the easements from NOYES. Engineer Piascik continued by stating that he thought that they had a good plan proposed that would benefit both parties. Dennis Rex, Architect stated that the Church is very willing, but have gotten no response from NOYES.

Chair Griffo asked about the cross access easements. Engineer Piascik stated that the Church is willing to provide a cross access easement and two possible access points are marked on the site plan as Alternate #1 and Alternate #2. Chair Griffo stated that he understood this but asked how this would be finalized. Mr. Rex noted that they are not sure if NOYES wants to get onto the Church property but that the Church wants to get onto their property for that cross access. The Church is ready, willing and able to grant that cross access right now, but cannot do that without an agreement being in place with NOYES.

CEO Maxwell asked if the Church representatives have had correspondences between themselves and NOYES. If yes, then he would suggest that all copies of those correspondences be given to the Village for the official record noting that yes, the Church has tried but have not gotten a response from NOYES on the matter. Mr. Rex and Engineer Piascik did not have a problem with supplying this information to the Board.

Attorney Reynolds stated that it appears to him that the Church is very willing but that NOYES is not responding. Chair Griffo asked if the correspondences have been with the Board of Directors. Mr. Rex stated that they have not been calling Board Members but contacting specific people at the hospital. Chair Griffo stated that he just hopes that the Church has been talking with the correct representatives of NOYES. CEO Maxwell asked if they had been contacting Jim Gross. Mr. Rex stated that yes; Mr. Gross was one of their contacts at NOYES. CEO Maxwell stated that he believes that if they have been contacting Mr. Gross they have been contacting the correct person.

Mr. Rex stated that Village Engineer Scott DeHollander and Church Engineer Piascik have been discussing the stormwater management plan since the last Planning Board meeting. Engineer Piascik wanted to make the Board aware that if NOYES came in and was ready to proceed with the cross access easement it could possibly take one calendar year for the Church to be ready because they would need to appropriately budget for the project. Mr. Rex stated that if they know next month, they would be able to budget it for next spring, but if they did not find out until later this year or early next, it could not be until the following calendar year when they would be able to do the project. The Board did not see a problem with this.

Engineer Piascik stated that they have looked at several alternatives for the stormwater management plan since the last meeting. He continued by stating that upstream drainage will be accommodated on site, a storm pipe will be provided, a swale will be added, the bio retention area in the northeast corner will be eliminated and then one will be added, this will allow them to capture and treat the storm water coming off of the paved surface of the parking area in the front. A small amount of Route 20A storm drainage does flow onto the property, but it is minimal. The total area being developed is 3.4 acres. A bio retention area and dry basin will be located in the rear, which will not affect the current drainage patterns. The front yard drains to an existing catch basin now so that will not be disturbed.

Engineer Piascik explained to the Board that he analyzed six different scenarios for stormwater:

1. Entire Parcel 8.0 +/- acres
2. Area developing that goes to Red Jacket
3. Area Upstream and Front area
4. Southern 2/3
5. Existing flow
6. Flow that goes to the south

Engineer Piascik explained that all cases reduce flow off their property because stormwater management facilities are being installed on the lot.

Drainage discussion took place. It was agreed that the Church has mitigated the stormwater as much as possible on the site without disturbing the adjacent parcels in the rear or on the east side. The Board was in agreement that the Church has made every effort to contact NOYES and to get a response from them regarding the cross access easements and storm water management easements with no avail.

Engineer DeHollander stated that the previous proposal required the applicant to provide easements and allowed them some control over storm water management. With the new proposal, they will not have this control or permission. The discharge at the end of their pond will be concentrated. Engineer DeHollander stated that there is good rationale behind this as presented by Engineer Piascik tonight.

Chair Griffo was concerned about how this change would affect the drainage at the rear of the lot because of the concerns voiced by the neighbors. Mr. Piascik stated that this area would not be affected by the changes. Engineer DeHollander agreed, noting that these changes only affect the storm water, which was going towards the NOYES parcel. Chair Griffo wondered if another public hearing should be held because of the changes being made. Attorney Reynolds stated that he did not think it warranted another public hearing and after hearing how the Village Engineer feels about the changes, he does not see a need for another one. Engineer DeHollander stated that his only concern was with the owner's of NOYES. The Board agreed that every attempt has been made to contact NOYES with no response.

Chair Griffo asked when they would like to break ground. Mr. Rex stated that they hope to as soon as possible. CEO Maxwell suggested that they get the building plans to him as soon as possible as it will take him a little bit to review.

Chair Griffo asked about the height of the grass in the rear of the lot, as it needs to be bush hogged. Mr. Rex stated that Mr. Hedburg had spoken with someone and arrangements have been made.

Chair Griffo asked if the Board had any questions or concerns. S. Richardson asked about the status of the NYS DOT road permit. Engineer Piascik stated that they are working with them to get them all the required information. It was noted that this entrance/exit will be the only one and that it will be aligned with an existing driveway across the street.

With no further discussion, S. Richardson moved the following with second from R. Freiburger:

WHEREAS, The Church of Jesus Christ of Latter Day Saints ("The LDS Church") is the owner of certain real property identified as tax parcel 81.13-2-29.21, the "Land"; and

WHEREAS, The LDS Church proposes to construct a 12,868 square foot meeting house building for the purpose of conducting regular religious activities, on a portion of the Land of which it is the owner; and

WHEREAS, The LDS Church site has received an area variance for the construction of the 12,868 square foot building where only a 12,000 square foot building is permitted from the Village of Geneseo Zoning Board of Appeals at their regular August 7, 2007 meeting; and

WHEREAS, The LDS Church has submitted an application and final site plan (the "Site Plan") to this Board evidencing its proposed development; and

WHEREAS, The LDS Church as part of its application has submitted an Environmental Assessment Form which identified the proposed action as an Unlisted Action pursuant to the regulations governing the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on May 28, 2008 the Planning Board held a public informational meeting, which was duly advertised, for the purpose of soliciting public comment on the potential environmental impacts of the proposed actions; and

WHEREAS, after soliciting information from all involved agencies and the public, the Planning Board on May 28, 2008 issued a Negative Declaration, finding that the action as proposed would not have a significant adverse impact on the environment pursuant to the requirements of SEQRA; and

NOW THEREFORE, BE IT RESOLVED that The LDS Church’s application for Site Plan approval as shown on the drawings listed in the attached “List of Drawings” attached and made a part hereto is hereby GRANTED subject to the following conditions which are to be complied with and satisfied prior to issuance of local permits for building or site development:

1. That The LDS Church obtains all necessary approval from other involved state and federal agencies and file all required notices, if any.
2. That all technical issues and comments identified in written comments of the Village Engineer and remaining unresolved be resolved to Village Engineer’s satisfaction and that Village Engineer’s approval be indicated by their signature on the final site plans.
3. That a mandatory pre-construction meeting conducted by representatives of the Village be attended by representatives of the applicant, developers and constructors to identify and review compliance issues and procedures of particular interest to the Village prior to the commencement of any site development or construction.
4. The project is to be developed in conformance with the following drawings submitted to and reviewed by the Village Planning Board:

<u>Drawing Name</u>	<u>Drawing No.</u>	<u>Last Revised Date</u>
Notes and Legend	SE 1.0	4/28/08
Existing Conditions and Demolition Plan	SE 1.1	4/28/08
Overall Site Plan	SE 1.2	4/28/08
Site Plan	SE 1.3	4/28/08
Utility Plan	SE 1.4	4/28/08
Grading Plan	SE 1.5	4/28/08
Landscape Plan	SE 1.6	4/28/08
Storm Water Management Plan	SE 1.7	4/28/08
Storm Outfall Plan and Profile	SE 1.8	4/28/08
Storm Sewer Profiles	SE 1.9	4/28/08
Site Details	SE 5.0	4/28/08
Site Details	SE 5.1	4/28/08
Site Details	SE 5.2	4/28/08
Site Details	SE 5.3	4/28/08
Site Details	SE 5.4	4/28/08

The vote was as follows: Matthew Griffo – Aye, L. Robert Freiburger – Aye, Charles Nesbitt – Aye, Susan B. Richardson – Aye and Dori Farthing – Aye.

5. State Farm Insurance – Lisa Cottone – East South Street

Lisa Cottone introduced herself to the Board. She stated that she owns the property at East South Street and runs her State Farm Insurance business out of it. Since purchasing the property she has made several improvements to the parcel itself and the building. At this time she is before the Board asking for approval of an addition to the back of the building. The addition would be approximately 868 sq ft, which would double the size of the building.

D. Farthing stated that before Ms. Cottone goes any further she would like to make it known to the Board and for the record that she is a policyholder with Ms. Cottone and State Farm Insurance. Chair Griffo stated that

Secretary Mack and himself do not see this as a conflict of interest because Ms. Farthing does not hold an actual stake in the property, building or business.

Ms. Cottone continued by explaining that the addition will look exactly like the existing structure. The addition will have white siding exactly like the existing structure. Ms. Cottone stated that with the addition she is planning on adding parking in the rear for her employees. Currently employees and customers park in front of the structure on the existing blacktop surface. At this time it appears that a couple small walnut trees will need to be removed.

Chair Griffo asked how the existing hip roof would be extended for the addition. CEO Maxwell stated that it would just continue to the rear of the addition. C. Nesbitt asked if a new driveway would accompany the new parking area. Ms. Cottone explained that the existing driveway would be extended to the rear parking lot. D. Farthing asked if the new parking lot surface would be gravel versus blacktop like in the front. Ms. Cottone stated that at this time she is just planning a gravel surface mainly due to the cost of asphalt.

C. Nesbitt asked why this project was coming before the Board. CEO Maxwell explained that the building permit would be considered commercial, therefore would need the signature of the Planning Board Chair. Chair Griffo stated that normally he would notify the Board and sign the building permit, but because this is an addition and the size of the structure will be doubling, he thought it best that Ms. Cottone come before the Board.

Some discussion took place regarding the use of gravel versus blacktop for the new parking lot. Engineer DeHollander stated that he had not looked at the plans submitted to the Board, but that having a gravel surface versus a blacktopped surface is actually beneficial to the applicant as the stormwater runoff is much less. The Board asked about dust that might be created by the gravel surface. CEO Maxwell and Engineer DeHollander agree that not that much dust should be created by vehicles pulling in and out of there at the minimal speed they would be traveling. CEO Maxwell continued by stating that he does not see a problem with the project and does not have any concerns regarding the stormwater runoff. The lot is narrow but very long. If need be the new parking surface could be graded to the rear of the property where stormwater could be disbursed.

Chair Griffo asked if the Board needed a Short Environmental Quality Review for this project. CEO Maxwell stated that less than one acre is being disturbed, therefore it is not required. Chair Griffo wondered about notifying the neighbors. CEO Maxwell stated that the addition conforms to all zoning regulations therefore a public hearing was not needed therefore; no notification to the neighbors is necessary.

S. Richardson asked if more employees would be hired. Ms. Cottone stated that yes she does plan to hire more employees. S. Richardson asked if a dumpster would be needed. Ms. Cottone stated that they currently have a dumpster which will be relocated to the rear of the new parking area. S. Richardson stated that the proposed new zoning requires all dumpsters to be in an enclosure. CEO Maxwell stated that he understood this but that it is not a requirement right now. Ms. Cottone asked for clarification on what a dumpster enclosure is. CEO Maxwell stated that basically a stockade fence area is built and the dumpster is located in it. Ms. Cottone asked if this was for aesthetics. All agreed that it was but also allows the dumpster area to be locked so it does not get dumped in the dark of night. D. Farthing asked if the new parking area would be large enough for a garbage truck to get to the dumpster. Chair Griffo stated that it is his personal opinion that if the dumpster will not be visible from the road a dumpster enclosure would not be needed. CEO Maxwell stated that Ms. Cottone currently has a dumpster that is not enclosed and he has not had any complaints about it. Ms. Cottone stated that she is more than willing to have a dumpster enclosure constructed if required.

Chair Griffo asked if there were any further questions. There were not. Therefore, C. Nesbitt moved to approve the addition to the building and the addition of new parking in the rear of the building with the condition that the dumpster must be moved to the rear and not visible. R. Freiburger seconded the motion. With no further discussion, the motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt, S. Richardson and D. Farthing.

6. Harmony School Age Day Care Program:

Amanda Collins and her father Roger Collins of the Harmony School Age Day Care Program appeared before the Board for a request to temporarily relocate her day care program to the basement level of the Central Presbyterian Church on Center Street for the summer. The day care is normally housed in the Geneseo Central School but the school is under going some renovations and will not be able to be occupied for the summer.

Chair Griffo stated that he has spoken with CEO Maxwell and Attorney Reynolds on this matter. Attorney Reynolds stated that this use is actually the same type of use the church already has as a nursery school program is held in the church during the school year.

Ms. Collins stated that she has been working with the Office of Children and Family Services regarding fire codes and safety issues, including proper entrances and exits. She noted that there is a handicap accessible ramp to the area she will be occupying. Ms. Collins was pleased to note that when the State Day Care Registrar inspected the area, the inspection passed with flying colors. Ms. Collins stated that currently she only has fifteen children registered for the summer with no more than ten to twelve children there per day. The ratio of adult to child is one adult for every ten children, however, she stated that at all times she has at least two adults working, as she feels as though it is important to have another adult available for example if there is an emergency. She also stated that she follows the regulations very strictly.

S. Richardson asked how temporary this location would be. Ms. Collins explained that it is just for nine weeks this summer then will relocate back to the school. However, she did note that last summer she relocated to the Genesee Country Christian School, but that this summer it was not available and that there is a possibility that she might have to relocate out of the school next summer also. Ms. Collins stated that she does not have an official contract with the Church, as this is only temporary, however, for the record she has brought the Church minutes with her to present to the Board where it was discussed and approved by them.

Ms. Collins stated that she needs all necessary paperwork filed by this coming Monday as that is when the summer session will begin. She continued by stating that the State will not sign off until they receive a letter from either the Code Enforcement Office or Planning Board.

Chair Griffo stated that his main concern was the neighbors, but noted that no buses will be dropping off or picking up children. Secretary Mack advised the Board that Ecumenical Vacation Bible School is scheduled for the Presbyterian Church and other churches throughout the Village, Monday through Wednesday next week from 9am to 12 noon. She wondered how this would affect the day care program. Ms. Collins stated that they will have their space and we will have ours, as there is plenty of space.

Attorney Reynolds reiterated that this use is an appropriate use for this property. CEO Maxwell stated that he agrees and that as this is a different type of use than a nursery school, he wanted approval from the Planning Board.

With no further discussion, D. Farthing moved to approve temporary relocation of the Harmony School Age Day Care program to the Central Presbyterian Church on Center Street for approximately nine weeks. R. Freiburger seconded the motion and the motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt, S. Richardson and D. Farthing.

7. Other Business:

CEO Maxwell stated that he would be meeting with a Department of Environmental Conservation representative to inspect the common area within the Woodbine Park subdivision. CEO Maxwell stated that a resident has built a berm in the common area and that it could possibly interfere with the stormwater management plan within the subdivision. CEO Maxwell stated that some sheds have also been erected in this common area.

Attorney Reynolds briefly stated that a letter has been sent to the Cedarwood Estates Attorney regarding the large dirt pile within the undeveloped areas of the subdivision. The Village has received a number of complaints regarding this dirt pile and that the pile is becoming a liability issue.

On a brighter note, CEO Maxwell stated that there are plans to finally finish the uncompleted house within the subdivision.

8. Meeting Closed:

With no further discussion, C. Nesbitt moved to close the meeting at 8:23PM. D. Farthing seconded the motion. The motion passed with ayes from M. Griffo, R. Freiburger, C. Nesbitt, S. Richardson and D. Farthing.

Aprile S. Mack, Secretary