

Members Present:

Matthew Griffo, Chair
Robert Freiburger
Susan Richardson
Dori Farthing

Other Village Representatives Present:

Code Enforcement Officer Ron Maxwell
MRB | group Engineer Scott DeHollander
Livingston County Planning Board Rep
Robert Yull

Public Present: None

Applicants Present:

Two Plus Four Management – Sue Kimmel, President
Two Plus Four Management – Phil Curriere, General Manager
United Refining/Kwik Fill – Eric Amerine,
Assistant Director of Petroleum Development

1. Meeting Opened:

Chair Griffo opened the meeting at 7:00 PM.

2. Meeting Minutes:

The June 25, 2008 meeting minutes were reviewed. S. Richardson moved to approve the minutes as presented. D. Farthing seconded the motion and the motion passed with ayes from M. Griffo, R. Freiburger, S. Richardson and D. Farthing.

3. Code Enforcement Report:

June 2008
Building Permits: 10
Zoning/Sign Permits: 0

CEO Maxwell stated that in June, in the Village, he issued the first new house building permit of the year. The house is being built on Groveland Road.

CEO Maxwell stated that GVTA has started work on Millennium Drive.

Chair Griffo noticed that some of the building permits for June were actually renewed permits. CEO Maxwell stated that this was correct, noting that a building permit is only good for one year and must then be renewed.

S. Richardson asked about the demolition permit that was issued in May for the drive-thru car wash on South Street. CEO Maxwell stated that he did issue the permit, but that he believes they are looking for a contractor to do the work.

Chair Griffo asked about the meeting CEO Maxwell had with DEC Representatives at Woodbine Park regarding the common area where a resident has built a berm which could possibly interfere with the stormwater management plan within the subdivision. CEO Maxwell stated that a letter has been sent to the Homeowner's Association and that it is not up to the Village to enforce or fix. Chair Griffo asked if the association's bylaws have been filed with the Village. CEO Maxwell stated that they do not need to be, but that a resident of Woodbine Park

came into his office with some concerns and stated to him that an election had taken place and the association now has official officers.

Chair Griffio asked how the Staples store is coming along in the Genesee Valley Shopping Plaza (Wegmans Plaza), which is located within the Town of Genesee. CEO Maxwell stated that the store is now not planning on opening until February 2009.

S. Richardson asked about the construction work being done on the sports store in the former Dollar Tree space in the Genesee Valley Shopping Plaza. CEO Maxwell stated that an addition has been put onto the back of that store.

R. Freiburger asked when Nexgen plans to start their building on Veteran Drive. CEO Maxwell stated that they are in the process of setting up a pre-construction meeting. Chair Griffio stated that he would like to be included in that meeting if possible. CEO Maxwell did not have a problem with this.

S. Richardson asked about the for sale/for lease sign which was recently placed between the bowling alley and hotel advertising six acres of land to be developed. CEO Maxwell was not aware of the sign or what parcel it was referring to, but stated that he would look into it and report back to the Board.

Chair Griffio stated that on the request of the Code Enforcement Office, he was asked to sign the building permit for the Church of Latter Day Saints and that the correspondences between NOYES and the Church had been submitted for the file.

CEO Maxwell stated that Village Attorney J. Thomas Reynolds has sent a letter to Mark VanEpps' Attorney Stephen M. Kruk, regarding the safety of the substantial dirt pile located in a vacant area of the Cedarwood Estates Subdivision.

4. Two Plus Four Management – Genesee Country Apartments – Country Lane:

Sue Kimmel, President of Two Plus Four Management appeared before the Board regarding the Genesee Country Apartments on Country Lane. Ms. Kimmel explained that the apartments are considered low-income housing and are not subsidized, where rents run in the high \$400's.

There wish is to construct an addition to Building 200, which will make their current handicap accessible apartments ADA compliant. The kitchens and bathrooms are not up to today's ADA standards. Adding bump outs to each of these apartments, one behind the other will allow for proper turning radiuses in the bathroom and kitchens. Ms. Kimmel also explained that each ADA apartment would have their own laundry facility, as the current laundry facility is across the parking lot and not ADA compliant.

Ms. Kimmel explained that along with the addition, they are planning on putting all new roofs on each building, each building will be vinyl sided, the fascia of each building will be wrapped to match the siding, sidewalks will be replaced, the parking lot will be resurfaced, security lighting will be upgraded and/or replaced, and vinyl dumpster enclosures will be brought in. Ms. Kimmel stated that once all of this outside work has been accomplished they hope to be able to do some interior work also.

Ms. Kimmel stated that the architectural drawings have to be reviewed by Rural Development and Federal Government Architects. Ms. Kimmel stated that they are working towards doing this same thing for the Upper South Street senior

apartment complex located to the northeast of Country Lane.

Chair Griffio asked for more specifics regarding lighting. Ms. Kimmel stated that their plan is to just replace or upgrade the existing pole lighting and add some security lighting within the walkways of the first building on the left as you enter the complex. She stated that the foot-candles would not be increased. Chair Griffio asked if these lights would be dark sky compliant. Ms. Kimmel stated that she was not familiar with dark sky compliant lights, but if this is what the Village is requiring, this is what will be installed.

Chair Griffio asked the Village's Engineer, Scott DeHollander from MRB | group to explain dark sky compliancy. Engineer DeHollander stated that dark sky compliancy could be achieved by

using cutoff fixtures so that the light does not spill off the property or into the sky. Ms. Kimmel stated that she would notify her contractors that this is the type of lighting the Village is looking for and will send the specifications to Engineer DeHollander for review.

Chair Griffo thanked Ms. Kimmel for her willingness to work with the Board. Chair Griffo asked what color or colors would be used for siding. Ms. Kimmel presented the Board with a pamphlet of siding choices and explained to them that she did not have a preference either way, but pointed out that some of the siding colors listed are more expensive than the others and she has to choose from the less expensive ones.

Ms. Kimmel explained that currently the buildings are painted a few different shades of brown. She would like to continue to use some alternating or similar colors. Chair Griffo asked the Board if they had any color preference.

S. Richardson suggested using the different shades of gray, which will give the complex a whole new look. Ms. Kimmel stated that she is amenable to this, as she also wants to give it a whole new look. S. Richardson however, noted that the new roofing color should match the siding color. S. Richardson also suggested using white trim with the gray siding, which Ms. Kimmel was also amenable to.

R. Freiburger did not have a preference, but thought that browns should not be used. The Board and representatives from Two Plus Four Management were in agreement to all of this.

Chair Griffo asked Engineer DeHollander if he had any comments regarding drainage. Engineer DeHollander stated that his comments would be very minor, but that he would need to review more detailed plans before giving those comments.

S. Richardson asked if the windows and doors would be replaced also.

Ms. Kimmel stated that there are no plans for that. S. Richardson wondered about the windows and doors in the two apartments, which will be enlarged. Ms. Kimmel stated that a couple windows would need to be removed, but new ones will be added, but only where needed, not throughout each apartment. S. Richardson asked about the general condition of the windows and doors. Phil Curriere, Two Plus Four's General Manager stated that they all have been maintained. Ms. Kimmel stated that all of the doors would be painted to match the siding.

CEO Maxwell stated that this complex is in need of some work as the existing wood siding is deteriorating. CEO Maxwell asked if the buildings would be wrapped with insulation prior to adding the siding. Ms. Kimmel stated that she was not sure, but that she would get back to CEO Maxwell on this.

S. Richardson asked if any new landscaping would be planted. Ms. Kimmel stated that some landscaping would have to be replaced during construction/renovation, but that they are not planning on adding any.

S. Richardson asked if there were any plans to renovate the playground.

Ms. Kimmel stated that she would like to upgrade the playground, but all the other things have to be done first. Ms. Kimmel noted that the mailboxes would have to be relocated as where they are currently is not handicap accessible.

Ms. Kimmel stated that she would like to start work as soon as possible. Chair Griffo stated that at this time, he does not feel as though the Board can make a final approval on the project without drainage and foot-candles being reviewed in detail by Engineer DeHollander. CEO Maxwell stated that all work can begin except the additions and roof as, the driveway work and sidewalk work and siding work does not need a building permit. CEO Maxwell stated that the new roofs do not need a permit, but that he would like an Engineer to inspect them with a report copy being sent to his office, which will clearly state that the trusses are okay.

Ms. Kimmel did not have a problem with this as long as some site work can begin.

With no further discussion, D. Farthing moved to grant conceptual and preliminary approval for additions to building #200 at the Genesee Country Apartments on Country Lane to bring them up

to ADA standards. R. Freiburger seconded the motion and the motion passed with ayes from M. Griffo, R. Freiburger, S. Richardson and D. Farthing.

CEO Maxwell noted that when the roofing and siding is done, the dryer vents that currently go no where will need to be vented to the outside of the building. He stated that he has had some complaints regarding this. Ms. Kimmel did not have a problem with this, thanked the Board and left the meeting.

5. United Refining – Kwik Fill – 4170 Lakeville Road:

Chair Griffo stated that the Code Enforcement Office contacted him regarding a remodel at the Kwik Fill on Lakeville Road. They would like to redo the blacktop, install new pumps, which would be “pay at the pump” units, and a new canopy with a fire protection system. As these items do not need Planning Board approval, Chair Griffo stated that he signed the building permit for the remodel. Eric Amerine, United Refining/Kwik Fill Assistant Director of Petroleum Development stated that they plan to start work on this phase of the project on Monday, July 28th.

Chair Griffo explained that Mr. Amerine is appearing before the Board tonight to discuss their proposal for a driveway entrance/exit out to Reservoir Road. Chair Griffo stated that he has received a couple concerns from the residential neighbors in the area. Chair Griffo stated that if possible, they would like to see the existing Route 20A driveway cut made smaller and an easement given to the Village for a future sidewalk.

Mr. Amerine stated if they make the existing Route 20A driveway cut smaller he believes it would make it difficult for vehicles to get in and out, especially the tanker trucks. Mr. Amerine stated that regarding the sidewalk easement, he does not think it is a problem, but would have to get back to the Board.

Chair Griffo corrected himself and stated that the Planning Board’s first wish would be for Kwik Fill to install a sidewalk along the front of their parcel and the second would be for the sidewalk easement. Mr. Amerine stated that at this time,

he believes that the budget for this project does not allow for a sidewalk to be installed.

Chair Griffo explained to the Board that when the application was received there was some question as to whether or not Reservoir Road, where the new driveway cut would be made was a Town road or Village road. After doing some research, the Code Enforcement Officers found out that the Village owns to the centerline of Reservoir Road, therefore making this a Village road cut.

CEO Maxwell stated that personally he believes that adding a driveway cut onto Reservoir Road for this parcel is a good idea. Chair Griffo agreed, explaining that it just makes sense for all of those businesses along Route 20A that back up to Reservoir Road to be allowed an entrance/exit as then the signal light at Route 20A and Reservoir Road could be utilized. Chair Griffo noted that there appears to be a poplar tree at the rear of the property that might be able to be left untouched. Mr. Amerine agreed.

Mr. Amerine continued by explaining that their ultimate goal would be to erect a convenient store on the property as early as next year. However, the store would need to be built in close proximity to the pumps. At this point, their existing building and bathroom is not handicap accessible. The plan at this time is to install a 5’ sidewalk around the existing building and put in a ramp for wheelchairs, but the existing building and bathroom will not be up to ADA compliancy.

CEO explained that when the Kwik Fill was built, public bathrooms were not required. Mr. Amerine stated that customers visiting a gas station want a bathroom; therefore their bathroom has been opened up to the public. Mr. Amerine continued by explaining that any new gas stations require bathrooms.

Some discussion took place on whether or not the new driveway would be two lanes. Chair Griffo and Engineer DeHollander agreed that it should be two lanes. CEO Maxwell also agreed and stated that one lane is between eleven and twelve feet wide, therefore the new driveway would need to

be approximately twenty-four feet in width. D. Farthing stated that the wider the driveway is the more it looks like a Village street. Chair Griffo stated that the Planning Board should stipulate that no entry/exit of tankers and other large vehicles would be allowed on Reservoir Road.

Engineer DeHollander asked if as part of the renovation would any work be done to the existing underground gasoline tanks. Mr. Amerine stated that the plan is to only cut into the existing lines for the new pumps. Engineer DeHollander asked if they anticipated any contaminated soil with this installation. Mr. Amerine stated that he does, as the station is very old. Engineer DeHollander asked where the contaminated soil would be stored. Mr. Amerine stated that they would lay plastic and treat it on site, then it would be removed off site.

CEO Maxwell stated that this was a matter for DEC. Mr. Amerine continued by explaining that it would be placed on site for testing, then be removed to a landfill for daily cover or sent to an asphalt plant to be made into blacktop. There was some concern that the stockpiles might remain on site for an extended period of time. Mr. Amerine did not anticipate this as he has had other sites where the dirt has been very "hot" and it has been removed off site in a timely manner and their wish is to have it removed as soon as possible. Chair Griffo asked if it was expensive to do this. Mr. Amerine stated that it was, but they do not like to keep it

on site. Mr. Amerine stated that in this case, the site is somewhat wet which would also be a concern if treating contaminated soil on site.

S. Richardson asked if storm drains would be installed along with the new driveway. Engineer DeHollander stated that grading plans would need to be submitted and reviewed, which also need to include lighting details, drainage details, site distance details and other miscellaneous technical items.

S. Richardson asked about lighting for the whole site. Chair Griffo asked if the lighting in the canopy would be recessed, which would automatically make it dark sky compliant. Mr. Amerine stated that it would be and that he would also like to replace the heads on the existing lights. Chair Griffo did not see a problem with this as long as they are dark sky compliant. S. Richardson suggested that any new lighting that is installed could be decorative similar to the ones installed on Ryan Drive when the Wal*Mart Supercenter was constructed. Mr. Amerine stated that he would look into this and submit a photometric plan to Engineer DeHollander for review.

Further discussion took place regarding a possible sidewalk at the front of the property. Mr. Amerine stated that the more he thought about it, if a sidewalk were installed, it would lead nowhere. The Board explained to Mr. Amerine that this was correct, but there is discussion about installing a sidewalk along this side of Route 20A. Chair Griffo wondered if United Refining/Kwik Fill would be interested in granting an easement for a sidewalk and giving money to the Village in lieu of installing a sidewalk. Mr. Amerine stated that he believed this would be an even harder sell than installing the sidewalk or granting an easement.

S. Richardson asked about the existing island as you enter/exit Kwik Fill. Mr. Amerine commented that it does need to be repaired and he is planning on having the curbs of it repainted red and perhaps move the existing freestanding sign. Secretary Mack stated that the sign did receive a variance and the Board might want to review the approvals given for that before proceeding as it could possibly have included placement of the sign. Mr. Amerine stated that he also hopes to have the artificial flowers removed and real flowers planted in the existing planters around the property.

Some discussion took place about the possibility of removing the island all together. Engineer DeHollander advised against this as the island may provide traffic calming, and if it is removed then there would be a 40' wide driveway cut on Route 20A. The Board agreed that it might not be a good idea to remove the island.

S. Richardson inquired about asking the applicant to provide a sidewalk easement at their rear property line on Reservoir Road. CEO Maxwell stated that the Town would never install a sidewalk along Reservoir Road, one of the reasons being that no Town Highway crew could keep up with

keeping all Town roads clear of snow, let alone a sidewalk. Chair Griffo agreed, stating that it is not likely to see a sidewalk along Reservoir Road in the future.

S. Richardson asked if curbing would be installed along the existing blacktop. Mr. Amerine stated that curbing is very expensive; therefore, there were no plans for it. S. Richardson asked about the existing bushes along the front of the parcel.

Mr. Amerine stated that they would not be removed.

Mr. Amerine stated that the work on the pumps and canopy will start on Monday, July 28th and will be a four to five week project, but truthfully he does not

see them ready, for a few months, perhaps even next year for the driveway cut. Some discussion took place regarding the renovations to the canopy. Mr. Amerine

assured the Board that the canopy is being brought up to today's standards, would be white with a yellow and green strip around it, but that there would be no "K" on it.

With no further discussion, R. Freiburger moved to grant conceptual and preliminary approval for a driveway cut onto Reservoir Road, with the understanding that a sidewalk or sidewalk easement will be required along the front property line. S. Richardson seconded the motion and the motion passed with ayes from M. Griffo, R. Freiburger, S. Richardson and D. Farthing.

6. New Business:

Corrin Strong – Tennis Club

CEO Maxwell stated that Corrin Strong would like to open a Tennis Club on his property, also his residence at the Hartford House off of Avon Road. CEO Maxwell stated that from what has been reviewed so far, there is the possibility that a Tennis Club might fit under Use Class #7 of the Village Code. (*Use Class 7, agricultural and open space uses: includes the production of agricultural, nursery and forest products and other customary agricultural operations, farm water conservancy ponds, fire protection ponds, golf courses, swimming pools and landscaped areas.*) However, CEO Maxwell stated that he would be asking the Zoning Board of Appeals for their interpretation on this.

Temple Hill Bed & Breakfast Sign:

Chair Griffo stated that the Temple Hill Bed & Breakfast appeared before the Zoning Board of Appeals for a sign variance for a freestanding sign, which is not allowed in the R-1A/Residential district. Chair Griffo stated that the Zoning Board of Appeals granted the sign variance with the recommendation that the applicant apply for a sign grant. However, sign grants are not considered for any residential district, therefore, they do not come under the Planning Board's jurisdiction.

7. Meeting Closed:

With no further discussion, D. Farthing moved to close at 8:22 PM.

R. Freiburger seconded the motion and the motion passed with ayes from M. Griffo, R. Freiburger, S. Richardson and D. Farthing.

Aprile S. Mack, Secretary