

Members Present:

Matthew Griffo, Chair
Dori Farthing
Claren Kruppner
Sue Richardson
David Woods

Other Village Representatives Present:

Code Enforcement Officer Ron Maxwell
MRB | group Engineer Scott DeHollander
Deputy Mayor Sandra Brennan
Livingston County Planning Board Representative
Robert Yull

Applicants Present:

Larry Scoville, 42 Court Street Apartment Building
George Pancio II, MD, 38 East South Street, UCVA Addition
Adam Fishel, APD Engineering representing Shopper's World
Bill Pomnitz, Crown Court, LLC representing Shopper's World
Marty Estruch, Managing Principal, Mart Inn, Inc./Hampton Inn
Nicholas Parisi, H&R Block Franchisee

1. Meeting Opened:

Acting Chair Richardson opened the meeting at 4:06PM.

2. April 2009 Meeting Minutes:

The April 22, 2009 meeting minutes were reviewed. C. Kruppner moved to approve the minutes as amended with second from D. Farthing. The motion passed with ayes from D. Farthing, C. Kruppner and D. Woods. S. Richardson abstained, as she was not present at the April meeting.

3. Code Enforcement Office Report:

May 2009

Building Permits	8
Sign Permits	0
Rental Housing Registrations	44

CEO Maxwell stated that many rental housing registration forms have been turned in and he and CEO O'Keefe are working on completing the inspections of those rental properties.

The Code Office has received a few complaints about overgrown grass at vacated properties within the Village. Those property owners have been sent property maintenance code violations letters. C. Kruppner inquired about the vacant lots on Heritage Drive that have not been maintained this spring. CEO Maxwell stated that he believes most of those empty parcels are in foreclosure but believes that if there is no structure on the lot, it does not need to be maintained. He will however look into the matter further.

CEO Maxwell stated that the Church of Latter Day Saints issues regarding fill has been somewhat resolved. Any organic material (brush) has been removed and clean fill is being brought in from the Coast Professional site on Volunteer Road.

CEO Maxwell stated that he has received a new home building permit application for Phase I of the Cedarwood Estates Subdivision by Brickwood Homes. The parcel is actually located on a section of new street that has not yet been named.

4. Town of Geneseo Planning Board Update – David Woods:

David Woods as a member of the Town and Village Planning Boards has been asked by Village Planning Board Chair Griffo to report on Town Planning Board happenings at each Village Planning Board meeting.

The Town Planning Board recently reviewed a site plan application for ESL (Eastman Savings and Loan) for within the Geneseo Towne Center (Lowe's project). This is in place of Walgreens. D. Woods stated that discussion revolved around the cars stacking within the ATM/Drive Up Window lanes. Conceptual approval was given as this is apart of the Town's Planned Development District, therefore will also need Town Board approval and D. Woods believes that a couple public hearings will need to be held on the project.

At 4:20PM Chair Griffo entered the meeting apologized for his tardiness. Acting Chair Richardson turned the meeting over to Chair Griffo at this time.

The Town Planning Board strategized on the future of Dawn Aprile's land on Volunteer Road regarding SEQRA. The Town Planning Board suggested that a generic environmental impact be done not only on the undeveloped Aprile property within the Town, but also the property within the Village that abuts up to it, therefore, it would be a joint SEQRA review by the Town and Village Planning Board's, but believes that in this case, the Town would be the lead agency. D. Woods stated that most of the actual SEQRA work has already been completed to obtain the shovel ready status, so this would just be a matter of determination etc... It was noted that as it would be considered "generic" the max of what reasonably could go there, including traffic, employees, ground water and storm water management worse case scenario's would be considered and as long as when there is an actual application, if it does not go above and beyond that threshold, no further SEQRA would need to be completed. But if it does go above and beyond that threshold, a supplemental SEQRA would need to be completed and acted upon.

5. May 2009 Meeting Minutes:

The May 27, 2009 meeting minutes were reviewed. S. Richardson moved to approve the minutes as presented with second from C. Kruppner. The motion passed with ayes from M. Griffo, C. Kruppner and S. Richardson. D. Farthing and D. Woods abstained as they were not present at the May meeting.

6. 42 Court Street LLC, Two-Story Four-Unit Apartment Building, 42 Court Street Larry Scoville:

Larry Scoville stated that they had received the comment letter from MRB Group dated June 4, 2009. That letter was forwarded to their engineer, Tom Frazier. Tom Frazier recently informed Mr. Scoville that they were not able to respond to all of the comments of MRB's letter and he would need to hire a civil engineer. Mr. Scoville explained that in the past Mr. Frazier's office has been able to handle all of his needs and he is not sure what has happened that he is no longer able to do that. CEO Maxwell believed that in the past Mr. Frazier had a civil engineer on staff, and at this time does not. Chair Griffo asked if any of the comments in the MRB letter stood out. Mr. Scoville stated that he did not understand all of it and wished to meet with CEO Maxwell prior to hiring a civil engineer.

MRB Group Engineer DeHollander stated that comment number nine: “If the application is to disturb more than 1 acre of land, full conformance with NYSDEC Phase II Storm Water Regulations and the SPDES General permit would be required” needs to be clarified and certified by a civil engineer before proceeding as he believes they are near or over the threshold. Engineer DeHollander suggested that Mr. Scoville obtain a copy of the Village’s Land Development and Public Works requirements if the civil engineer he hires does not already have them. Mr. Scoville thanked the Board and left the meeting.

7. UCVA – University Cardiovascular Associates – 38 East South Street Addition

George Pancio II, MD:

Dr. Pancio thanked Engineer DeHollander for getting his comment letter to him so quickly. At this time, the comment letter from MRB Group dated June 4, 2009 was reviewed.

1. The applicant should coordinate with a Design Professional for future submissions to the Planning Board. Submission of plans which have been modified after being sealed by a Design Professional is a violation of the New York State Education Law. This requirement has been met.

2. Access to the emergency door will require the elimination of a parking spot. This requirement has been taken into consideration and the parking spot has been eliminated.

3. Is a re-subdivision prudent or required to combine Lot 442 D33 with Lot 358 D 34?

Engineer DeHollander noted that the submittal in May showed two lots and this submittal only shows one. Secretary Mack noted that only one tax bill is sent out for this property, therefore it was believed that if there were two lots at one time, it is now one. A certified surveyors approval map will be needed that confirms this.

4. Is a driveway interconnection to the adjacent properties feasible to enhance cross access?

Dr. Pancio stated that after the meeting in May he did notice that a big swale has been left in front of the new church to allow for future access to the NOYES site but does not understand what the Board is asking for. Chair Griffio explained that an easement would need to be listed on the site plan for this parcel all the way to the churches line. Dr. Pancio was amenable to this, understanding that this was only an agreement and the actual work did not need to be completed.

5. The proposed handicap parking spaces should be depicted on the plans and meet the ADA requirements for this application.

This has been noted on the new plans.

6. The location of all existing and proposed utilities (i.e. water, sanitary, storm, electric, etc...) should be depicted on the plans. The utilities should be identified by material, size and length.

This item has not yet been satisfied.

7. A detailed construction sequence outlining the individual steps taken during construction shall be provided on the plans to ensure that erosion and sediment control measures will be provided prior to construction.

The Land Development Regulations and Public Works Requirements explains this in detail and can be obtained in the Village Clerk's office.

8. A grading plan depicting existing and proposed contour elevations at vertical intervals of 1-2' as determined from a topographic survey map of the US Geological Survey should be provided on the plans to assist in the our review of any potential drainage conflicts.

Some discussion took place regarding this comment. Dr. Pancio believes this is a minor improvement to the property and does not understand why this would be needed especially considering the small size of the existing structure and proposed addition, along with the parcel being very flat. Chair Griffo asked if this is readily available? MRB Group Engineer DeHollander stated that he was not sure and asked if this requirement has been waved in the past. CEO Maxwell stated that it has been and sited the State Farm Insurance, Lisa Cottone addition on East South Street east of this project.

9. A note stating that all roof runoff will be directed away from neighboring properties and building foundations is to be added to the plans. If roof leaders and/or foundation drains are proposed, the locations should be depicted on the plans.

This will be added in the next submittal.

10. The total anticipated area of disturbance should be labeled on the plans. If the application is to disturb more than 1 acre of land, full conformance with NYSDEC Phase II Storm Water Regulations and the SPDES General Permit will be required. Also a Stormwater Pollution Prevention Plan and a copy of the completed NOI will be required to be forwarded to the Village of Geneseo for their files.

It was noted that the area would not be disturbing more than an acre and a note to this will be added to the next submittal.

11. All proposed building mounted lighting and parking lot lighting improvements are to be depicted on the plans. Lighting photo metrics should also be provided.

Chair Griffo noted that any lighting should be dark sky compliant, facing down and not shine off the property.

D. Farthing asked if there was an existing sidewalk and suggested that if there was not one, an easement should be given for a possible future one. The Board agreed that since there is not an existing sidewalk an easement should be given. Dr. Pancio was somewhat concerned as he had hoped to expedite this process and it appears that he will now not be able to start building until late July or early August.

Further discussion followed regarding the requirement of a topographical map.

S. Richardson moved to wave the requirement for a topographical map based on this being an addition to an existing building and not a new build. D. Farthing seconded the motion and it passed with ayes from M. Griffo, D. Farthing, C. Kruppner and

S. Richardson. D. Woods abstained.

The Board asked if a SEQRA document had been submitted. Secretary Mack noted that it had not been. The Board discussed whether or not a SEQRA was needed and it was agreed that this project is not subject to SEQRA based on the addition being less than 4,000 square feet and there is no change in zoning.

With no further discussion, C. Kruppner moved to grant preliminary approval for an addition approximately 917 square foot in size to the rear of the building located at 38 East South Street, owned and operated by UCVA – University Cardiovascular Associates. D. Farthing seconded the motion and the motion passed with ayes from all.

8. Crown Court LLC representing Shopper's World (former Nexgen project):

Adam Fishel, APD Engineering explained that Crown Court LLC has purchased the property and building plans from Nexgen. Crown Court LLC represents Shopper's World who owns and runs the Shoe Dept. store that is proposed to be one tenant in the building, which will be located on Veteran Drive. The other tenant will be a clothing store (Maurices).

Significant changes that have been made to the site plan include switching the dumpster from the south side to the north side, the building location has moved to the south some to align it with the walmart building. The amount of green space has not changed and the landscaping plan has remained the same. The number of parking spots also remains the same. MRB Group Engineer DeHollander stated that moving the building somewhat on the lot does not change the stormwater management plan.

On the previous plan, a box on the side of the building provided an enclosure for the electric/gas meters, now they are proposing to screen these with the same type of screening which will be used to screen the HVAC units in the rear of the building. APD Engineer Fishel confirmed that all utilities would be underground as previously proposed and approved.

D. Farthing asked about the building height restriction as previously discussed last year. Mr. Pomnitz stated that this restriction was worked out prior to purchasing the property and APD Engineer Fishel stated that the height of the building has not changed from the previous approval.

The façade will have two entrances for the two tenants, and the façade will be full glass, down spouts will be internal in the building to the storm sewer. The colors previously approved are also being proposed for this plan.

The Board wondered if the font style proposed is set in stone. Mr. Pomnitz stated that the font being proposed is actually apart of their logo, so believes that what is being proposed is what they would definitely want. The Board wondered if the white font was acceptable. Mr. Pomnitz believed that it was as long as they could keep their font.

The Board asked about possible ice build up on the roof and what could be used to prevent this. APD Engineer Fishel stated that cuffers would be used on the back of the building that will help prevent this. The Board was concerned that since the roof of this building would be 100% visible and if the cuffers failed could some other method be used. APD Engineer Fishel stated that he would speak with the architect and get back to the Board.

The Board wondered if the two awnings protruding out would require supports. Mr. Pomnitz stated that they are attached to the façade and would not require supports. The Board reminded APD Engineer Fishel about the previously approved request for any items that might protrude out of the roof, that they would need to be painted the same color as the roof. APD Engineer Fishel understood this.

The Board noted that the revised plan does not have windows on the sides of the building and wondered if it was for cost savings or aesthetics. Mr. Pomnitz stated that each tenant has requested more wall space; therefore those windows had been eliminated. The Board wondered if the bottom part of the glass on the façade would be blacked out. Mr. Pomnitz stated that they would not be blacked out.

The Board reminded the applicant that they had previously requested that no benches or picnic tables be placed around the building for employee breaks and that they have the same request with this

modification. Mr. Pomnitz did not have a problem with this. Wall pack lights were shown on the rear of the building and the Board asked what these were for. APD Engineer Fishel stated that the lights are for security as the rear doors serve as emergency exits, he also noted that they are dark sky compliant.

The Board wondered how the merchandise would be received. Mr. Pomnitz stated that all merchandise would have to enter through the main front doors. The Board asked if the proposed parking lot lights are similar to the ones Wal*Mart has used. APD Engineer Fishel stated that they are the same type of fixture as Wal*Mart and will also be dark sky compliant. It was noted that the driving lanes of the parking lot would be constructed using heavy duty concrete, which has a thicker base.

With no further discussion D. Woods moved to grant site plan modification approval to Crown Court, LLC representing Shopper's World based on the original modified site plan approval given to Nexgen on May 28, 2008 as attached. S. Richardson seconded the motion and the motion passed with ayes from all. APD Engineer Fishel asked if a grading permit could be issued prior to the building permit being issued so site work could begin. The Board did not have a problem with this. Mr. Pomnitz noted that the Shoe Dept. and Maurices hoped to be open by Thanksgiving.

9. Mart Inn, Inc./Hampton Inn by Marty Estruch, Lakeville Road:

Marty Estruch appeared before the Board to discuss his proposal to purchase the bowling alley property, which is approximately 7 acres, which he will subdivide into two parcels, one of which will be the bowling alley parcel and he is proposing a sixty-five-room, three-story Hampton Inn for the other parcel. It is believed that the green space requirement of 20% has been met. At this point, no variances are being requested and Mr. Estruch would like to start the SEQRA process as soon as possible.

It was noted that the parcel has a right-of-way to Reservoir Road and the Board wondered if an entrance/exit drive was planned for that. Mr. Estruch said that he was not planning that. The existing former Abbott's Ice Cream building will be demolished.

Mr. Estruch will connect the new parking lot to the existing Quality Inn parking lot also owned by him. Mr. Estruch stated that he has plans to enhance the bowling alley building.

The Board wondered if there was a buffer to the neighbors that backed up to the parcel on Reservoir Road. Mr. Estruch stated that there is and that he had no plans to disturb that area of the lot. It was noted that this project will disturb approximately 2.5 acres, therefore will need to be in full compliance with NYSDEC Phase II Storm Water Regulations, a SPDES General Permit will be required and a storm water management plan will need to be submitted.

The Board asked if a new access point to 20A is being proposed. Mr. Estruch stated that he hopes to move the existing westerly driveway of the bowling alley parcel to line up with the existing Ryan Drive intersection and has recently learned that when the Wal*Mart Supercenter was constructed, infrastructure was put in place for a signal light but is not sure if his project will warrant a signal light. The Board asked if Mr. Estruch would consider eliminating one of the entrances/exits if a signal was warranted. He stated that he would like to keep it, but that would depend on several different things and it was too early to decide.

The Board wondered if a traffic study would be needed for this project. CEO Maxwell stated that he believed there was a need. The Board wondered if NYS DOT would approve a signal at that intersection if the traffic study stated that one would be needed. C. Kruppner stated that he believed that several different factors would be considered before DOT would allow one.

The Board wondered if a sidewalk easement would be appropriate for this project. Mr. Estruch did not have a problem with this. Mr. Estruch inquired about the site plan review process as he hopes to be open by the spring of 2010, which means a shovel in the ground should be in the ground in September.

The Board wondered what part of the building would be visible traveling west on Route 20A, noting that an elevation plan would need to be submitted. Mr. Estruch stated that the bowling alley part of the bowling alley building is well over two stories, and the property where the hotel will be going is somewhat lower than that property therefore, he does not believe it will be that visible.

D. Woods moved to grant conceptual approval for a three-story sixty-five-room Hampton Inn on Lakeville Road between the existing Livingston Lanes bowling alley and existing Quality Inn. C. Kruppner seconded the motion.

Further discussion followed, Mr. Estruch wondered when the SEQRA process could begin. The Board believed a full environmental assessment would need to be completed and the SEQRA process could possibly begin at the next meeting.

With no further discussion the motion passed with ayes from all.

CEO Maxwell stated that it would be a good idea for the current owner of the property to submit a letter stating that Mr. Estruch at this point is acting on behalf of them. Mr. Estruch did not have a problem with this.

The Board wondered about the ongoing disagreement between Mr. Estruch/Quality Inn and Denny's regarding the parking lot. Mr. Estruch explained that currently there is no legal access to the Denny's property from Route 20A therefore, Denny's customers and employees have to use the Quality Inn entrance/exit. He continued by stating that the Denny's section of the parking lot was repaved when the Quality Inn parking lot was at a price of approximately \$20,000. Mr. Estruch stated that he had a verbal agreement with the owner's of Denny's to reimburse him, which they did not follow through on.

At this time, Mr. Estruch stated that he has hired a landscaper who will be constructing planters to section off the Quality Inn parking lot from the Denny's parking lot, which will be aesthetically pleasing compared to the orange and white construction barrels. The Board wondered about emergency vehicle access. Mr. Estruch stated that he had met with CEO Maxwell and CEO O'Keefe and they did not have any issues with what is being planned. The project is going to cost approximately \$30,000 to \$35,000.

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

10. Zoning/Sign Permit Applications:

Per the new Zoning Code approved in January, the Planning Board must review all zoning/sign permits.

H&R Block – 2 Ryan Drive:

Nicholas Parisi representing, H&R Block appeared before the Board for a sign at 2 Ryan Drive. The H&R Block office that was located in the Genesee Valley Shopping Plaza (Wegmans Plaza) has relocated to 131 Main Street on a temporary basis and will be moving to a permanent location in the east part of the building at 2 Ryan Drive once the Church of Latter Day Saints vacates it. The sign is approximately 16' X 18' in size and will be backlit. The signature H&R block is green and approximately 24" X 24" in size. The sign will be placed within the triangle piece of the façade above the entrance.

The Board agreed that the proposed sign is a significant change to the building especially since there are no existing signs on the building currently and there has not been in several years. The Board wondered if any other considerations have been looked at. Mr. Parisi explained that this is a franchise office owned and operated by him, but that this is the type of sign H&R Block has offered to them and he would like to place the sign on the building as soon as possible. The Board wondered if the sign could be placed next to the door.

Mr. Parisi stated that this was not an option. The Board stated that they would like to see a carved dimensional sign with gold leaf lettering, which they believed could accommodate the logo and

perhaps some gooseneck lighting could be used similar to those used on the Enterprise Rent-a-Car, UPS, Subway building. The Board wondered if a monument sign would be appropriate.

With no further discussion, the Board asked Mr. Parisi to investigate other possibilities for a sign. He thanked the Board and left the meeting.

ProLube – 29 East South Street:

The Board reviewed a sign application for a replacement sign for ProLube at 29 East South Street. The sign would replace the existing wall sign on the building, would be the same size and it would not be illuminated. The sign is approximately 3' X 5' in size. The freestanding sign previously granted by a variance will remain as is. With no further discussion, D. Farthing moved to approve a replacement wall sign approximately 3' X 5' and not illuminated.

C. Kruppner seconded the motion and the motion passed with ayes from all.

11. Miscellaneous:

Chair Griffo stated that his name had appeared in the Livingston County News regarding the Art Stroll flags being placed in the fountain. It appeared that he was speaking on behalf of the Planning Board. This was not the case; he stated that he was speaking as a Village resident only.

The Board briefly discussed whether or not they should appoint someone as acting Chair if and when the Chair is not available. It was agreed that this did not need to be a formal action by the Board and as in previous years, the senior member of the Board present would be the most likely candidate for that spot. The Board agreed.

12. Meeting Closed:

With no further discussion, C. Kruppner moved to close the meeting at 6:45PM.

D. Farthing seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary

Attachment

May 28, 2008 Site Plan Modification Approval for Nexgen

C. Nesbitt moved to approve the final site plan modification request for NEXGEN Properties with the following conditions, which are to be complied with and satisfied prior to issuance of local permits for building or site development:

1. That Nexgen 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. That any roof or wall penetrating equipment matches the color of the adjacent building element.
5. Nexgen agrees that internally illuminated signs will not be allowed on the exterior of the building.
6. Nexgen agrees that there will be no request for any other signage then what will be allowed on the exterior of the building.
7. The project is to be developed in conformance with the following drawings submitted to and reviewed by the Village Planning Board:

<u>Drawing</u>	<u>Drawing</u>	<u>Drawing</u>
<u>Name</u>	<u>No.</u>	<u>Date</u>
Overall Site Plan	C1	07/11/07
Site Plan	C2	07/11/07
Grading & Drainage Plan	C3	07/11/07
Utility Plan	C4	07/11/07
Landscape Plan	C5	07/11/07
Lighting Plan	C6	07/11/07
Detail Sheet (1 of 2)	D1	07/11/07
Detail Sheet (2 of 2)	D2	07/11/07
Exterior Elevations	A2	Received 05/14/2008

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

I certify that this attachment is a true and correct copy of the original record as recorded in the Village of Geneseo, County of Livingston, State of New York.

07/14/2009

Aprile S. Mack, Deputy Registrar/Deputy Clerk