

Members Present:

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

Other Village Representatives Present:

Code Enforcement Officer Ron Maxwell
Code Enforcement Officer Dean O'Keefe
MRB | group Engineer Kurt Rappazzo
Attorney J. Thomas Reynolds

Applicants Present:

Marty Estruch, Hampton Inn
Jim Olverd, Kircher Construction – Hampton Inn
Attorney Jim Coniglio, Underberg & Kessler – Hampton Inn
Robert Recotta, Livingston Lanes – Hampton Inn
David Young, Larson Design Group – Hampton Inn
Corrin Strong, Strong Subdivision
Dennis Willey, Willey Land Surveying – Strong Subdivision
Joe Burkart, NPV – ESL Federal Credit Union
Dawn Aprile, Aprile Associates – ESL Federal Credit Union
Bob Bringley, Marathon Engineering – ESL Federal Credit Union
Gidget Hopf, President/CEO – ABVI Goodwill
Rosemarie Becker – ABVI Goodwill
Tim Giarrusso – ABVI Goodwill
Brian Donovan, HDL Property Group – ABVI Goodwill
Mike Sorensen, Bergmann Associates – ABVI Goodwill
Kim Thompson, Bergmann Associates – ABVI Goodwill

Public Present:

Linda Poste, 4222 Lakeville Road
Amy Carpenter, 17 Avon Road
Jerry & Charlotte Barber, Reservoir Road
Ralph Roach, 4297 Reservoir Road
Lars Mazzola, 4285 Reservoir Road
Jane Fowler Morse, 4285 Reservoir Road

1. Meeting Opened:

Acting Chair S. Richardson opened the meeting at 4:02PM.

2. Meeting Minutes:

The December 21, 2009 minutes were reviewed. C. Kruppner moved to approve the minutes as amended. D. Farthing seconded the motion and the motion passed with ayes from all.

3. Code Enforcement Office:

CEO Maxwell reported that reminder rental housing letters are being sent out to those property owners that have not yet registered their property as such.

The Code Office received the building plans for Byrne Dairy this afternoon.

CEO O'Keefe noted that a LED sign was installed at the Mobil Station on Main Street with no permit. However, CEO O'Keefe noticed it right away and advised them that the sign would need a permit and in this case a variance because LED signs are not allowed in the Village. Therefore, the sign has been left in place but not yet turned on.

4. Town Planning Board Update – David Woods:

D. Woods reported that the Town Planning Board meeting was held on Monday, January 25th with the following items on the agenda:

1. Public Hearing for Final Approval
Gary Benedict Two-Lot Subdivision
5446 Booher Hill Road
2. Site Plan Final Approval
Geneseo Mini Storage Rentals (three new buildings)
4550 Genesee Street (Genesee Riverfront Properties)
3. Site Plan and Special Use Permit
Morgan Estates Phase II
4. Conceptual Site Plan Review
Lakeville Estates Phase II

D. Woods stated that final approval was given to Mr. Benedict and Geneseo Mini Storage. Morgan Estates did not receive final approval, as there is a question in regards to the storm water management plan for the project. Lakeville Estates did not receive final approval as there are still issues relating to the walking trails, however, the Town Zoning Board of Appeals did grant them a variance for sub-sized lots.

5. Hampton Inn:

David Young, Larson Group, Engineer for the Hampton Inn project reported that they had met in the field with NYS DOT to discuss the traffic study that had been completed for this project. Their analysis along with Larson Design Group's indicated that this project will have very little impact on Route 20A, therefore a traffic signal was not warranted at this time and the property owner will be able to retain the two existing road cuts. However, as a condition of approval, the owner will be required to remove the westerly drive in the event that a traffic signal is installed at Ryan Drive at the easterly driveway. NYS DOT also strongly recommends that placing the Hampton Inn sign on the easterly side of the property.

Attorney Coniglio, Underberg & Kessler, Attorney for Mr. Estruch reported that the Rochester Museum and Science archeological testing indicated that no Native American artifacts were recovered from any of the 117 shovel test pits therefore; no Native American site was identified. Attorney Coniglio also stated that the comment letter from MRB Group just seen by him today seem to be mostly engineering details that will be put on the final site plan and building plan. Mr. Young stated that he had received MRB Group's comment letter but has not yet had a chance to comment back. MRB Group Engineer Kurt Rappazzo filling in for MRB Group Engineer Scott DeHollander stated that many of the comments are technical in nature however he wanted to mention comment #23 that states *The NYS DEC classifies this unnamed tributary as a Class C waterway. Disturbance of the bed and banks as a result of the installation of the two (2) culverts may require review and approval of the NYS DEC and US Army Corps of Engineers. If they have not done so already, the design engineer should submit plans to both agencies to verify if permits are required. All correspondences shall be provided to the Village and*

our files. Mr. Young stated that they are simply planning to cross the stream with a culvert and DEC should not have any issues with that. It was agreed that the Village needed something in writing from DEC stating this. D. Woods stated the Stormwater Pollution Plan is 99.9% done but wonders if it needs to be resubmitted to DEC.

D. Woods asked for clarification on the 25' forever wild buffer area located on Sheet C-1 of the latest plans. If DOT is suggesting that the existing right-of-way to Reservoir Road could be used as a secondary access how can that existing right-of-way be labeled as forever wild? D. Young stated that the latest plan was drawn up prior to receiving the letter from DOT and a note can be added to the plan to reflect the possibility of that right-of-way being opened up as a secondary access. Attorney Reynolds noted that the reality of the right-of-way actually being used as a secondary access is contingent upon a signal light being installed at Ryan Drive. Also, the applicant would have to apply to the Board for site plan modification.

Chair Griffo arrived at 4:26PM.

D. Woods asked if it was correct that the Genesee Valley Conservancy had no interest in taking over the forever-wild buffer area. Attorney Coniglio stated that was correct.

D. Woods noted that at least two members of the Planning Board, Code Enforcement Officers and MRB Group plan to hold a work meeting to start the SEQRA process for the Hampton Inn.

S. Richardson asked if any changes had been made to the external look of the building. Mr. Young stated that no changes had been made to the hotel. S. Richardson also asked what the major changes were in the updated plan. Mr. Young explained that the latest plan addresses the DOT's concerns regarding placement of the sign and some other technical items.

Chair Griffo asked if the Board felt comfortable to make a motion to approve preliminary subdivision and site plan approval as it was determined that the SEQRA review could take place after preliminary approval but prior to final.

D. Woods stated that he thought it was important to refresh the Planning Board's memory about the access management overlay requirement as outlined in Section 130-42 of the Zoning Code specifically how the site plan as proposed does not meet minimum lot frontage. However, if this property is served through an internal road system, which is proposed at the rear of the Hampton Inn parcel to connect to the Quality Inn parcel the code as been met if the Board found it acceptable. Chair Griffo and D. Farthing felt like it had. D. Woods stated that he would have felt better if it was going east to bowling alley and Hampton Inn due to topography. S. Richardson stated that she believes this requirement could have been addressed with an "s" shaped driveway in the front of the lot at the entrance. Mr. Young stated that this had been discussed previously and if done that way, would have had an 8'-9' drop and would have come out very close to the northeast corner of the Quality Inn building which would not have been conducive to traffic flow. It was noted that MRB Group did not issue any comment regarding the proposed internal road.

With no further discussion, D. Woods moved to approve preliminary subdivision and site plan approval for Mart Inn Incorporated for a two-lot subdivision and Hampton Inn. C. Kruppner seconded the motion and the motion passed with ayes from all.

Mr. Estruch asked if he would be receiving another comment letter from MRB Group prior to next month's meeting. Chair Griffio believes that MRB Group will not be issuing another letter as long as all the comments in this letter have been satisfied.

Lars Mazzola asked for point of clarification regarding the recent letter submitted by the Reservoir Road coalition. Chair Griffio stated that the letter has been taken under advisement.

6. Corrin Strong – Subdivision Phase II:

Corrin Strong appeared before the Board with his surveyor Dennis Willey from Willey Land Surveying. Mr. Strong stated that he was very concerned about the comment letter he had received from MRB Group Engineer Scott DeHollander regarding his proposed 9-lot subdivision and at this time distributed a revised map, which included a 13-lot subdivision broken into two phases.

Phase I includes four wider lots on Avon Road, with a sixty-foot wide road cut at the south and a smaller one to the north. A cul-de-sac is proposed for Phase II, which is proposed with six building lots.

A nature conserve is proposed for the rear lots of lots 1-4, which border Avon Road. A sidewalk will be proposed for the east side of the dedicated road fronting lots 1-4. There is a creek that runs between lots 1 and 2. Lots 1-4 do not meet code, as they are only 75 'X 125' in size. Chair Griffio asked if Mr. Strong would be requesting a variance for the sub-sized lots. Mr. Strong stated that he hopes the Board would consider this a clustered subdivision, which is allowed under Section 130-31 H (1) of the Village Zoning Code.

CEO Maxwell noted that if the internal road were not dedicated to the Village, there would need to be a Homeowner's Association and the road would need to be dedicated to the Village prior to any building permits being issued.

D. Woods inquired about the existing wooded area along Avon Road and the iron fence. Mr. Strong stated that a 25' setback will be required along Avon Road and bordering the County property for all structures and it must remain wooded. Mr. Strong also stated that the iron fence would remain in place except at the two proposed curb cuts.

Chair Griffio reminded Mr. Strong that all utilities would need to be underground. Attorney Reynolds also noted that if the road were to be dedicated a letter of credit would need to be issued.

D. Woods stated that he would prefer to see the road dedicated. He also stated that Phase II utilities should be incorporated into the plan when constructing Phase I. Thirdly he noted that Mr. Strong should be prepared to answer historic preservation concerns as this property is considered to be in a Historic part of the Village. D. Woods suggested that Mr. Strong contact SHIPPO as soon as possible regarding his proposal.

It was suggested that Mr. Strong invite Street Superintendent Jason Frazier and Water/Sewer Superintendent Steve McTarnaghan out to the site to review water and sewer utilities and a possible dedicated road.

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

7. ESL Federal Credit Union – Ryan Drive:

Bob Bringley, Marathon Engineering, Joe Burkart, NPV and Dawn Aprile, Aprile Associates appeared before the Board proposing a 5800 square foot ESL Federal Credit Union just south of Veteran Drive on the east side of Ryan Drive. Mr. Bringley stated

that all code requirements have been met. A subdivision is part of this application, however, Secretary Mack noted that a subdivision application had not been submitted. This lot was considered under the original Wal*Mart Supercenter Subdivision and Site Plan approval, therefore storm water has been addressed through a regional storm water management facility. However, the Board requested an updated traffic study.

The main building is being proposed for the north side of the parcel facing Ryan Drive with its own entrance/exit. At the south side of the parcel a four-lane configuration is proposed for two ATM's and two drive-up tellers. The south side of the parcel will also have an entrance/exit. At this time Mr. Bringley stated that they are just looking for conceptual approval and opinions/concerns of the Board. Chair Griffo noted that MRB Group had submitted a comment letter and asked Mr. Bringley if anything in that letter stood out to him.

Chair Griffo wondered if the driveway for the southern portion of this lot that is to be subdivided off could be a shared access with the ESL parcel. Ms. Aprile stated that she is also concerned about access and the option of a shared driveway needs to be reviewed further.

D. Woods asked if ESL has totally given up building in the Town of Geneseo. Mr. Burkart stated that they had.

S. Richardson wondered if any thought had been given to placing the drive thru lanes on the north side of the parcel and the building on the south side of the parcel. Mr. Burkart stated that they had thought about this, but believes traffic flow works better the way it has been proposed.

With no further discussion, S. Richardson moved to approve conceptual site plan review for an ESL Federal Credit Union on Ryan Drive. C. Kruppner seconded the motion and the motion passed with ayes from all.

8. ABVI Goodwill – Livingston Plaza:

Gidget Hopf, President and CEO of ABVI Goodwill appeared before the Board with a plan for ABVI Goodwill in the Livingston Plaza between Grossman's Bargain Outlet and the former Tractor Supply. Mrs. Hopf stated that ABVI Goodwill would like to bring their mission services and store to Geneseo. This ABVI Goodwill will include a community room, which can be used by other non-for-profit agencies in the area. ABVI Goodwill will be celebrating their 100th year. ABVI Goodwill creates a fertile environment where individuals who are blind or visually impaired gain self-sufficiency through training and rehabilitation programs, jobs and services. This store will be ABVI Goodwill's 9th store. Their stores look more like a Target than a traditional thrift store.

Kim Thompson, Bergmann Associates stated that ABVI Goodwill plans to occupy 26,000 square feet of the Livingston Plaza. In addition to the 26,000 square feet within the existing building they are proposing a 406 square foot addition to the rear of the building for an enclosed loading dock.

The plan calls for an architectural façade treatment, which will actually extend to the left and right of their section of the plaza. A vital component of the ABVI Goodwill store is a drop-off location with a canopy, which is proposed for the façade. The driving aisle is rather large; therefore extending a canopy out into it some will not disrupt the traffic flow. A drop off location is not being planned for the rear of the building.

It was noted that Grossman's Bargain Outlet outside display area has encroached past their actual section of the plaza into the area, which will now be occupied by ABVI Goodwill. It was agreed that Grossman's would need to go back to the boundaries of their storefront.

With no further discussion D. Farthing moved to grant ABVI Goodwill conceptual site plan approval with second from C. Kruppner. The motion passed with ayes from all. It was agreed that the Planning Board would not need to hold a public hearing on this proposal.

9. Miscellaneous:

CEO O'Keefe presented a sign permit application to the Board from Geneseo Computers, which has moved into the former Canal Town Country store space on Main Street. CEO O'Keefe stated that at this time, they are not requesting a sign grant.

It was noted that some members of the Board would be out of town the week of February 14th and there would not be a quorum for the scheduled Wednesday, February 17th Work Session. Therefore, the work schedule was rescheduled for Wednesday, February 10th at 4:30pm.

10. Mark Scoville – 137 Center Street, Special Use Permit proposal:

Chair Griffo asked if everyone had seen the email regarding the Scoville Special Use Permit request. It has come to Chair Griffo's attention that any lending institution will not lend money to an individual/corporation with a time limit on the special use permit and the ABC Board will not issue a liquor license. Chair Griffo continued by stating that Attorney Reynolds has advised that the Village's Nuisance Law takes care of many of the issues relating to why a time limit was put on the special use permit approval. Attorney Reynolds also noted that the Liquor Authority requires an applicant for a liquor license to send a letter to the Village Board stating that they are applying for or requesting a renewal of their liquor license. At that time, the Village Board would contact the Police Department and Code Enforcement Offices to see if they had any concerns.

With no further discussion, D. Woods moved to amend the January 20, 2010 Planning Board's action granting a special use permit for a bar/tavern/restaurant at 137 Center Street, eliminating the expiration date of June 1, 2013. C. Kruppner seconded the motion and the motion passed with ayes from all.

11. Meeting Closed:

With no further discussion, S. Richardson moved to close the meeting at 6:10PM with second from C. Kruppner. The motion passed with ayes from all.

Aprile S. Mack, Secretary