

Village of Geneseo Planning Board Work Session 03/17/2010

Members Present:

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

Village Representatives Present:

Dean O'Keefe, Code Enforcement Officer
Scott DeHollander, Engineer, MRB Group

Applicants Present:

Corrin Strong

Public Present:

Amy Carpenter

1. Work Session Opened:

Chair Griffo opened the work session at 4:31PM.

2. Corrin Strong – Site Plan Review – Farm Stand:

Mr. Strong explained that at this time, his main priority is to gain approval for the farm stand and believes that the Planning Board could possibly waive some of the requirements in relationship to site plan approval for the farm stand and parking lot. He has learned that his parking lot does not have to be paved which is a great relief to him. CEO Dean O'Keefe stated that this was correct, but that it must withstand the weight of any type of emergency vehicle.

At this time, Mr. Strong proposes to add a 10' X 20' lean-to for a farm stand on the east side of the existing shed that is located on the gate house property along with a 25' X 36' parking lot. The farm stand will be a seasonal self-service stand. The plan is to store the produce in the shed during night hours. There are no set hours of operation for the farm stand at this time, but Mr. Strong foresees the stand being open on Saturday mornings.

The Board wondered if this section of the property is proposed to be subdivided. Mr. Strong stated that no, he does not plan to subdivide this area. He explained that the NYS DOT representative he spoke with explained that there was a better chance of receiving a road cut permit if the parking lot/driveway did not connect to the existing Hartford House main driveway.

The total budget for the farm stand project is approximately \$4500. Mr. Strong wondered if the Board would need something more than the prepared site plan on graph paper that has been distributed this evening. Chair Griffo explained that since it is a permitted use, and it's an accessory structure, without the Code Enforcement Office having any issues or MRB Group having any concerns, he personally does not think an engineered site plan is needed. Engineer DeHollander stated that because the entire project cost is below \$5000 he does not believe an engineered plan is required unless there will be some type of utility work in the NYS ROW. Chair Griffo wondered if there would be any concerns in relationship to stormwater runoff of the parking lot. Engineer DeHollander stated that it appears that it will be a permeable surface; therefore there

should be no issues in relationship to runoff. Mr. Strong stated that Route 39/Avon Road is raised slightly therefore, a culvert will be needed per NYS DOT.

The lean-to is proposed for the east side of the existing shed; approximately 25' from the fence line or presumed property line. Mr. Strong asked for clarification regarding the Bulk and Use Table for Zoning District R-1 in relationship to the setback ranges of 20' to 25'. CEO O'Keefe explained that the range is to allow for variation. The existing shed is at the same level as Route 39/Avon Road, but there is a slight decline around the building.

Chair Griffo asked about future site improvements, which would possibly include a dedicated road. Mr. Strong stated that a dedicated road is not planned at this time; the proposed driveway will not connect to the existing Hartford House driveway and will dead end at a large oak tree. D. Farthing asked why the proposed driveway is being extended past the proposed parking lot. Mr. Strong stated that he has extended it to be able to plow in the winter.

Mr. Strong explained that he is not expecting that many customers at one time and foresees a total of maybe four cars at one time in the proposed parking lot. C. Kruppner asked if Mr. Strong is proposing any lighting. Mr. Strong explained that he is not planning to be open at night, therefore, no lights are proposed, plus, there is no electric at the shed, but the shed is close enough to the gate house, that if electric was needed, he could get it from there.

D. Farthing asked what currently exists where the parking lot is proposed. Mr. Strong stated that the area is wooded with rotting trees, there are a few big oak trees, but not where the parking lot is proposed. D. Woods asked if Mr. Strong had been cleaning out the scrubs the other day. Mr. Strong stated that he has started that process.

Mr. Strong stated that he had requested a building permit for the lean-to, but was told one could not be issued until the Planning Board approved it knowing that the end use would be a farm stand with a parking lot.

D. Woods stated that he is comfortable with considering the farm market separate from the proposed subdivision. Mr. Strong's letter from March 3rd lists four points:

- Point #1 Mr. Strong suggests that a formal site plan review process may not be necessary as his proposal could be seen as the use of an existing accessory building for a permitted accessory use (agriculture).
- Point #2 The Code states that the Planning Board can grant waivers of certain site plan requirements.
- Point #3 Farm activities are exempt from the SEQRA process as they are designed as Type II actions, which do not require the preparation of an Environmental Assessment Form.
- Point #4 The Education Law states that any farm buildings, including barns, sheds, poultry houses and other buildings used directly and solely for agricultural purposes do not require a professional engineer or land surveyor.

D. Woods stated that of the four points, he agrees with all but Point #1 as in his mind, this is a sufficient enough proposal that should be reviewed under site plan. Mr. Strong stated that a full site plan review with a public hearing would cost money. Chair Griffo believed that the Board would be willing to wave the public hearing requirement. D. Woods stated that before approving, he would appreciate Engineer DeHollander's

comments. Engineer DeHollander was concerned about the 12' wide driveway, as he did not believe it was large enough for a vehicle to enter and exit at the same time.

Mr. Strong noted that NYS DOT requires a 20' wide reinforced shoulder that he thought would be sufficient. Engineer DeHollander stated that he would like to review a cross sectional diagram on how deep the gravel will be, and what the preparation is under the gravel to make sure that it was serviceable and if someone went off the driveway they would not get stuck. Chair Griffo wondered if this was something the Code Office could review and approve. CEO O'Keefe stated that he would prefer that Engineer DeHollander okay it. Engineer DeHollander stated that a contractor could even draw/type something up for him to review.

S. Richardson asked if there had been any thought given to making the iron fence a gate so that it can be closed when the farm stand is closed, especially because of its historical significance. Mr. Strong stated that he did not think that would be practical as the iron fence is very heavy. S. Richardson also asked how the proposed driveway would not be a short cut to the existing gatehouse driveway. Mr. Strong explained that the proposed driveway for the farm stand would not connect to the existing driveway and dead ends at a large oak tree. The Board wondered how Mr. Strong planned on getting his goods to the farm stand. Mr. Strong explained that he would be using a lawn tractor with a wagon that would easily fit through the thick trees/brush but a vehicle would not.

S. Richardson stated that she believes that the Agriculture and Markets Law states that one can only sell goods that they have grown and in order for this farm stand not to be considered a retail venture one can only sell what they grow. Mr. Strong stated that in order to have a constant supply of goods available, he might have to occasionally purchase from other farmers. D. Woods stated that he believes that the AG and Markets Law might allow Mr. Strong to purchase from other farmers, but probably not a retail establishment such as J&A Farm Market.

With no further discussion, S. Richardson moved to approve the site plan for the addition of a lean-to to the east of the existing shed for a farm stand along with a parking lot and driveway with the following conditions:

1. A description of the parking lot and driveway must meet the satisfaction of the Village Engineer and Code Enforcement Officer.
 2. The public is prohibited from going into the shed.
 3. A copy of the driveway permit from NYS DOT is submitted to the Village for the file.
- C. Kruppner seconded the motion and the motion passed with ayes from all.

Mr. Strong asked what he would need to do to allow the shed to be opened up to the customers in the future. CEO O'Keefe stated that he would need an engineer or architects report on the structural soundness of the shed. It was noted that this would be a significant change in one of the conditions of the site plan approval and Mr. Strong would need to apply to the Board for a site plan alteration. Therefore, with no further discussion, D. Woods moved to amend the previous motion to change condition #2 changing the prohibition of occupancy of the shed to be prohibited unless an engineer or architects report has been submitted to the Code Enforcement Office stating that the shed is structurally sound. D. Farthing seconded the motion and the motion passed with ayes from all.

3. Corrin Strong – 4 Lot Subdivision – Avon Road:

At this time, Mr. Strong is proposing a 4-Lot subdivision, which includes the original lot, the gatehouse, and two new building lots on Avon Road.

Mr. Strong stated that he has been told that NYS DOT will grant a curb cut to every deeded property as long as they are not all owned by the same person.

C. Kruppner stated that it appears that the two proposed building lots on Avon Road appear to share a driveway. Mr. Strong explained that two separate driveways with five feet between them are proposed. However, there will be a covenant in the purchase agreement stating that if a dedicated street is approved, those driveways would become the dedicated street at which point those lots would shrink, but even after that, the lots will be larger than zoning requires.

CEO O'Keefe suggested that the Board and Mr. Strong should keep in mind that if a dedicated street were approved there, the side setbacks would become front setbacks. Engineer DeHollander agreed noting that moving forward with this subdivision knowing what might happen in the future is a huge risk. C. Kruppner agreed with Engineer DeHollander.

There was some confusion as to what conceptual site plan approval is. Chair Griffo thought it meant whether or not the Board agreed with the concept with the understanding of the applicant that there would be a lot more information to provide prior to preliminary approval being granted. Mr. Strong stated that he understood this and plans on hiring an engineer once conceptual approval is granted. D. Woods stated that Section 130-99 of the Village Code refers to the subdivision stages as:

1. Sketch Plat (no conceptual)
2. Preliminary Plat
3. Final Plat

D. Woods continued by stating that this section of code is very specific in what is required for each stage and that the plan before us could be deemed a sketch plan, but that there is a huge step between sketch plat approval and preliminary plat approval.

With no further discussion, S. Richardson moved to approve sketch plat approval for a 4-Lot Subdivision as presented on the plans submitted on March 10, 2010.

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

4. Work Session Notes:

The February 10, 2010 work session notes were reviewed. C. Kruppner moved to approve the notes as revised. D. Farthing seconded the motion and the motion passed with ayes from M. Griffo, D. Farthing, D. Woods and C. Kruppner. S. Richardson abstained, as she was not present at that work session.

5. Work Session Closed:

C. Kruppner moved to close the work session at 6:02pm. S. Richardson seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary