

Members Present:

Matthew Griffo, Chair
Dori Farthing (Arrived at 4:05PM)
Sue Richardson
David Woods
Claren Kruppner

Other Village Representatives Present:

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

Applicants Present:

Corrin Strong, 4-Lot Subdivision, Avon Road
Laurie Martinez, Shear Fx, 127 Main Street

Public Present:

Amy Carpenter, 17 Avon Road
Karen Longfellow, 55 Avon Road
Mark Schuster, Town of Sparta Supervisor
Ashley Dennis, Livonia High School – Mr. Ward’s Government Class
Justin Vaughan, Livonia High School – Mr. Ward’s Government Class
Scott Jeffers, Livonia High School – Mr. Ward’s Government Class
Ted Maier, Livonia High School – Mr. Ward’s Government Class

1. Meeting Opened:

Chair Griffo opened the regular meeting at 4:00PM.

2. Minutes:

The April 21, 2010 work session minutes were reviewed. S. Richardson moved to approve the minutes as presented. C. Kruppner seconded the motion and the motion passed with ayes from all.

The April 28, 2010 regular meeting minutes were reviewed. C. Kruppner moved to approve the minutes as presented. S. Richardson seconded the motion and the motion passed with ayes from all.

3. Code Enforcement Office Report:

April 2010

Building Permits	6
Fire/Maintenance Inspections	5
Rental Housing Inspection	1
Zoning/Sign Permits	2

CEO Maxwell stated that the ESL Federal Credit Union has broken ground and a pre-construction meeting will be held after Memorial Day.

Byrne Dairy opened on May 12, 2010. Discussion continued regarding their freestanding LED sign. The Board wondered if it could be toned down

some, and it was noted that it probably could not be, but that perhaps a shield of some sort could be installed on it, which would help tone it down. Chair Griffo noted that parking has been an issue, along with deliveries that have been taking place during the day instead of during the night like Mr. Burnelle, Vice President of Store Development had assured us they would. Chair Griffo asked if the temporary signs could be removed. CEO Maxwell stated that he had just noticed the temporary signs and would be stopping by to ask them to be removed, as the A-Frame ones are too big. Chair Griffo stated that he had some concerns in relationship to the fence surrounding the HVAC units, but he believes after talking with CEO Maxwell and CEO O'Keefe, the concern has been resolved.

CEO Maxwell met with Marty Estruch regarding the bowling alley. He has now taken ownership of the bowling alley property and building and he would like to put an addition on the bowling alley to square off the building. CEO Maxwell explained to him that he would need to come before the Planning Board for a full site plan review as he did for the Hampton Inn project.

CEO Maxwell believes that Mr. Estruch hopes to break ground on the Hampton Inn sometime in July as they do not want to open in January/February (a slow time of year) as they would rather wait until almost May to be in operation for SUNY Geneseo graduation (a busy time of year).

D. Woods asked if they had applied for their requested sign variances. CEO Maxwell stated that they had not, but has plenty of time to do so.

S. Richardson wondered if the for sale sign could come down if the property has transferred hands. CEO Maxwell stated that he would contact Mr. Estruch regarding that.

In other Code Enforcement Office news, the Livingston County ARC will be breaking ground in the Town of Groveland on their Head Start/Day Care building soon. The building will be located across from the Livingston County Hampton Corners property on Route 63.

S. Richardson asked about the area variance the Zoning Board of Appeals had denied for a deck on the rear of the home at 4 Dorchester Drive. CEO Maxwell stated that the house is too close to the property line, but has an existing sliding glass door, but the neighbors to the east opposed of the request, therefore the Viele's were denied. CEO Maxwell noted that Mr. Viele has Parkinson's disease and will soon be confined to a wheel chair, therefore they will either be appealing the decision or applying for a new variance. Chair Griffo wondered if the house had been moved back on the lot and if this was the reason for the variance request. CEO Maxwell stated that it had not.

S. Richardson wondered if they could do a patio. CEO Maxwell stated that was a possibility, but believed it would be easier for them to have a deck constructed.

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

The Town Planning Board will be re-reviewing the Morgan Estates Phase II project for some changes they are proposing to the approved plan.

On June 14th, the Town Planning Board will be holding two public hearings for two minor subdivisions:

1. Randy Cofield – 2 Lot Subdivision – 4565 West Lake Road
2. Myron Brady – 2 Lot Subdivision – Reservoir Road

5. Sign Applications and Grant Requests:

Designs By Bradley James – 128 Main Street

The Flower Cart is relocating to 128 Main Street and changing their name to Designs By Bradley James. The sign that is proposed is the same size and shape of the previous sign that was up there for Nothnagle. Some discussion took place in regards to the color of the clip art used for the actual “flower cart.” Some thought that the red was fire red compared to a toned down earth tone red color. The Board decided that they should wait to discuss the design and grant application with Brad Copeland, owner prior to making a decision. D. Farthing asked if the Board should request Pantone Measuring System colors compared to the colors that have been presented. The Board agreed that was a good idea and Secretary Mack will contact Mr. Copeland regarding the Board’s comments.

It was noted that the draft sign regulations that the Planning Board had passed onto the Village Board was received well by them and they should be forwarding a letter back to the Planning Board regarding their thoughts.

Shear Fx – 127 Main Street

Laurie Martinez appeared before the Board with a sign grant application for a new sign for Shear Fx located at 127 Main Street. It was noted that the zoning/sign permit had been paid for a few years ago and had already been installed on the building.

The Board wondered what the statute of limitations of were on such items because of the time frame of the actual permit and grant application as Secretary Mack stated that there was no sign permit application to review. The Board agreed that if the sign permit had been issued a few years ago, but the actual sign itself was not installed until recently, the Board should review it for design also.

It was noted that the sign was not dimensional and had no gold leaf lettering but was an earth tone green color. With no further discussion, D. Farthing moved to approve the design of the Shear Fx sign with second from D. Woods. The motion passed with ayes from all.

With no further discussion, C. Kruppner moved to approve the grant application as presented with second from D. Woods. D. Farthing was concerned that the sign was not dimensional. Chair Griffo noted that the Board has in the past approved a grant application without the sign being a

dimensional one. With no further discussion, the vote was as follows: Chair Griffo – Aye, D. Woods – Aye, C. Kruppner – Aye, S. Richardson – Nay, D. Farthing – Nay. The motion passed.

6. Corrin Strong – 4 Lot Subdivision – Phase II:

Chair Griffo opened the Corrin Strong 4-Lot Subdivision Public Hearing at 4:34pm and reviewed the letter Mr. Strong received from SHPO (New York State Office of Parks, Recreation and Historic Preservation) dated May 25, 2010.

The SHPO letter included comments from the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near the project. Such impacts must be considered as part of the environmental review. *“Based upon the review, it is the Field Services Bureau staff opinion that the project will have No Adverse Impact upon cultural resources in or eligible for inclusion in the State and National Registers of Historic Places with the following conditions:*

- 1. The historic iron fence will be maintained and*
- 2. The landscape surrounding the new homes is retained and maintained with sufficient trees, deciduous and evergreen, to filter or block the view of the new homes from the road and from the Hampton house.”*

CEO Maxwell stated that he is concerned with the comment SHPO made in relationship to landscaping as normally the Planning Board does not get involved with landscaping for single-family homes. Attorney Reynolds believes that it can be handled through a deed restriction in this case, therefore leaving the Planning Board and Code Enforcement Office out of it. Mr. Strong stated that per the proposed deed restrictions, each owner of each lot would be responsible for their own landscaping and he plans to keep sections of the iron fence as they are removed in case other sections of the fence need repair. As there is concern from SHPO regarding landscaping, Engineer DeHollander suggested that the applicant forward his final plans to SHPO for their additional comments including a copy of the proposed deed restrictions. Engineer DeHollander stated that when reviewing the EAF SEQRA there would be an opportunity for the Board to add their comments in regards to landscaping.

Chair Griffo stated that a long environmental assessment form (EAF) SEQRA (State Environmental Quality Review Act) has been received and is on file, but no lead agency letters have been sent out; therefore, the Planning Board will have to delay approval for at least thirty days from the date of those letters.

Chair Griffo asked Engineer DeHollander if there were any items he was still looking for. Engineer DeHollander stated that since the EAF was just submitted today, he would need to take it back to his office to review.

Mr. Strong asked for clarification in regards to the subdivision map and the need to add all of the proposed deed restrictions to it considering the proposed restrictions cover three typed pages. Attorney Reynolds stated that as long as there is information included on the map relating to the deed restrictions and they are filed prior to the subdivision, they could be listed as deed reference numbers on the subdivision map. CEO Maxwell wanted to make it clear that the Code Enforcement Office does not oversee/enforce any deed restrictions.

Chair Griffo asked if there were any comments from the public. Karen Longfellow stated that she resides at 55 Avon Road in the stucco house once owned by Corrin Strong. She is not within 100' of the proposed subdivision, but wonders how many more houses will be built within the Strong property. Chair Griffo explained that at this time, the Board is only looking at a four-lot subdivision, which includes two new building lots, noting that the Board has had some discussion with Mr. Strong regarding a future phase, but that is not on the table at this time. Mr. Strong assured the Board and Mrs. Longfellow that nothing further north will be built because of the conservation easement. Mrs. Longfellow asked if the property that is currently being farmed could be subdivided for future homes. Mr. Strong stated that it could not. Chair Griffo asked if Mr. Strong could swap lands with the current conservation easement. Mr. Strong stated that he might be able to clear up a boundary line by using the conservation easement, but that was it.

Chair Griffo asked Mr. Strong what he thought the possible negative impacts would be on the Longfellow's? Mr. Strong stated he could not think of any. D. Woods asked if a Phase III was proposed would there be a possibility of any houses being located any closer to the Longfellow's. Mr. Strong stated that he did not think so.

Mrs. Longfellow asked about the possibility of a driveway to the existing tennis court. Mr. Strong stated that he was not allowed to put driveway to the tennis court as it would need to be located within the conservation easement, which is not allowed.

Chair Griffo asked if there were any other questions. Mrs. Longfellow asked if users of the tennis court entering on Avon Road into the main Hartford house driveway would be allowed to exit out the newly installed road cut just to the north of her property on Susan Kelley's (Mr. Strong's sister) property. Mr. Strong did not think his sister would be happy if this was occurring, but did not think he could help if users of the tennis court exited out that driveway, especially if they were friends of his sisters. Mr. Strong stated that he has heard that his sister might install an electric gate at that driveway cut as she is concerned that her horses might escape.

With no further discussion, D. Woods moved to close the public hearing at 5:05pm. C. Kruppner seconded the motion and the motion passed with ayes from all.

CEO Maxwell wondered if when the Board makes their final approval, would they be able to incorporate the fact that the Village cannot enforce those

comments that SHPO made. Chair Griffo wondered if the Board could do that. Attorney Reynolds did not think that the Board would need to. CEO Maxwell contested that he would like it included. D. Woods thought that the deed restrictions covered SHPO's comments, and that during the SEQRA process, and review of this proposed subdivision, the Planning Board will have taken their reasonable effort to comply with SHPO.

The Board wondered if they were ready to proceed with preliminary approval. While reviewing the zoning requirements for preliminary subdivision approval, Engineer DeHollander stated that he did not believe his April 22, 2010 comment letter had been adhered to as he has not yet received an updated map. Mr. Strong stated that he would produce another map that would include the deed restrictions and Engineer DeHollander's comments.

With no further discussion, D. Farthing moved to approve preliminary subdivision approval for a four-lot subdivision at 13 Avon Road, Tax Map #: 80.12-3-69. D. Farthing seconded the motion and the motion passed with ayes from all.

Mr. Strong asked if after his variance hearing on June 1, 2010 for the farm stand sign would he need to appear before the Board. Chair Griffo stated that the Zoning Board of Appeals was reviewing the sign for size, not design as that is a function of this Board. CEO Maxwell did not believe that was the case, but Chair Griffo stated that if the Board met in a work session on June 16th, Mr. Strong was more than welcome to appear before them with the design of the sign.

7. Meeting Closed:

With no further discussion, D. Woods moved to close the meeting at 5:30pm with second from C. Kruppner. The motion passed with ayes from all.

Aprile S. Mack, Secretary