

**Members Present:**

Sue Richardson, Acting Chair  
Dori Farthing  
David Woods  
Claren Kruppner

**Other Village Representatives Present:**

Code Enforcement Officer Ron Maxwell

**Applicants Present:**

Corrin Strong, Farm Stand & Strong Phase II Four Lot Subdivision, Avon Road  
Brad Copeland, Designs By Bradley James, 128 Main Street  
Marcia Podhorecki, Not Dot Shop, 127 Main Street  
Bob Corwin, Stewart Title Insurance Company, 28 Main Street – Suite A

**Public Present:**

Amy Carpenter, 17 Avon Road

**1. Meeting Opened:**

Acting Chair Richardson opened the meeting at 4:00PM.

**2. Minutes:**

The May 26, 2010 meeting minutes were reviewed. D. Farthing moved to approve the minutes as presented. C. Kruppner seconded the motion and the motion passed with ayes from all.

**3. Code Enforcement Office Report:**

**May 2010**

Building Permits	8
Sign Permits	3
Rental Housing	2

CEO Maxwell stated that he is in the process of reviewing the Hampton Inn building permit plans, but it is taking him longer then he had thought. CEO Maxwell also stated that he had met with Water/Wastewater Superintendent Steve McTarnaghan regarding the letter of credit that needs to be put in place for the Hampton Inn, specifically in regards to relocating the 10” Village water line. MRB Group Engineer Scott DeHollander is working on the letter of credit with Larson design group. The Hampton Inn contractors hope to start work by the end of this month.

S. Richardson stated that in the Village Board’s May 17<sup>th</sup> meeting minutes, she read that the Board discussed “*whether or not to charge a developer up front for proposals that are submitted to the Planning Board that will be reviewed by the Village engineer (concept review, preliminary review, etc.) and incur costs that might not be recouped should the proposal not be pursued. In that case, the Village absorbs those fees. The Board will consider an application fee to be charged and will consult with the Code Office and the Planning Board to determine what that fee should amount to.*” CEO Maxwell stated that he has discussed this with the Mayor and has been seeking the input of Kevin Masterson, the Livonia Code Enforcement Officer. In Livonia, prior

to review by the Planning Board, the developer along with their Engineer and Livonia's Engineer meet to discuss the project and come up with a figure that they think the project will cost in relationship to the review by Livonia's engineer. Once that dollar amount is settled upon, that money is put into an escrow account that Livonia draws from. If there is not enough money in the escrow account, all review stops. If there is an overage in the escrow account at the end of the project, it is just refunded. CEO Maxwell stated that he is in the process of getting the exact wording from Livonia to share with the Mayor.

D. Farthing stated that she has heard that the remainder of the undeveloped land at the Cedarwood Estates Subdivision by Brickwood Homes (Mark VanEpps) is up for sale and the residents of the developed area are very concerned as to what might happen to that land. CEO Maxwell stated that the whole project was approved as a whole, but Phase II is still up in the air with no approvals given, so he believes whoever purchases the property will have to start from scratch. The Board agreed.

#### **4. Town of Geneseo Planning Board Update:**

David Woods updated the Board on what's happening at the Town Planning Board. Their next meeting is scheduled for Monday, June 28<sup>th</sup>. At that time, they will be holding three minor subdivision public hearings:

1. McClellan two lot subdivision – 5230 Reservoir Road
2. Town of Geneseo two lot subdivision – Warner Road
3. Tuchrello two lot subdivision – 4789 Lakeville Road

They will also be continuing discussion on Morgan Estates.

#### **5. Corrin Strong – The Little Green Market – Avon Road:**

Mr. Strong appeared before the Board with a sign for his farm stand on Avon Road. Mr. Strong stated that the variance he had applied for with the Zoning Board of Appeals for a one and one half foot by twelve-foot sign was denied. However, the sign before the Planning Board now is one foot wide and eight feet long, which is within Village Code. Mr. Strong stated that he plans to mount the sign on the front of the lean-to closer to the road so it is more visible. The sign has been hand painted by Mr. Strong's nephew with a green background and multi-colored letters.

With no further discussion, D. Woods moved to approve the design of the sign as presented before the Board. C. Kruppner seconded the motion.

Further discussion followed.

D. Farthing wondered if the Board should consider that the sign would be located in the Historical District on historical property. Mr. Strong did not think that was necessary considering the sign would be attached to a lean-to that is a farm stand.

D. Farthing was also concerned that the sign may become weather beaten. CEO Maxwell stated that he hoped that Mr. Strong would then take the sign down and repaint it.

With no further discussion the motion passed with ayes from all, however, it was agreed that Acting Chair Richardson would not sign the sign permit until two colored renderings were submitted for the file and in the future if any major changes are made to the sign, Mr. Strong must submit them to the Planning Board for review.

**6. Corrin Strong - Strong Phase II Four Lot Subdivision, Avon Road:**

Acting Chair Richardson stated that although not on the agenda, the Board plans to review the SEQRA for Mr. Strong's Phase II Four Lot Subdivision at the end of the meeting. Mr. Strong did not have a problem with this, but stated that he would not be staying for the review. Acting Chair Richardson reminded Mr. Strong that he has some outstanding engineering fees that are owed to the Village.

**7. Sign Grant Guidelines:**

Acting Chair Richardson stated that she had read in the June 7, 2010 Village Board minutes that Trustee Brennan stated that "*consideration of the sign grant program guidelines is on hold until the County comes forward with their recommendation in conjunction with the economic development program.*" Acting Chair Richardson stated that she was not sure what this meant exactly and was wondering whether or not the Planning Board should go ahead and review the sign grant applications before them tonight, therefore she contacted Trustee Brennan who explained that the Board could go ahead and review what they have before them at this time.

**8. Designs By Bradley James – Bradley Copeland - 128 Main Street:**

Bradley Copeland appeared before the Board for a sign and sign grant request. Mr. Copeland stated that he has relocated to the Chanler building across the street from his previous location and has changed the name of the business to Designs By Bradley James, which is what the business is known by in the Rochester area, instead of the Flower Cart. Mr. Copeland stated that the red color of the cart as previously presented to the Board has been changed to gold leaf. D. Farthing stated that she was glad to see that the phone number had been removed from the sign.

With no further discussion, D. Farthing moved to approve the design of the sign as presented to the Board this evening. D. Woods seconded the motion and the motion passed with ayes from all.

With no further discussion, D. Woods moved to recommend to the Village Board that they grant Mr. Copeland a sign grant. C. Kruppner seconded the motion and the motion passed with ayes from all.

**9. Not Dot Shop – Marcia Podhorecki – 127 Main Street:**

Marcia Podhorecki appeared before the Board for a sign and sign grant request. Mrs. Podhorecki stated that she owns 127 Main Street and will be opening a furniture and antique co-op in the space previously rented by the Flower Cart. At this time, she is not sure if she will be purchasing the cheaper flat sign or more expensive carved sign as it depends on whether or not she receives the grant. She explained that either way, the sign design would be exactly the same. D. Farthing stated that in regards to the grant, the Board tends to support the dimensional carved signs.

With no further discussion, D. Woods moved to approve the design of the sign as presented, in either a flat sign or carved sign. D. Farthing seconded the motion. The motion passed with ayes from all.

With no further discussion, D. Woods moved to recommend to the Village Board that they grant Mrs. Podhorecki a sign grant for the carved sign priced at \$1175.00. C. Kruppner seconded the motion and the motion passed with ayes from all.

**10. Stewart Title Insurance Company – Bob Corwin, Branch Manager –  
28 Main Street – Suite A:**

Mr. Corwin appeared before the Board for a sign. The sign is exactly the same size as the one it is replacing and will be white with black lettering. With no further discussion, D. Woods moved to approve the design of the sign as presented. C. Kruppner seconded the motion and the motion passed with ayes from all.

**11. Village Board Request:**

The Village Board has recently annexed some the Shepard property just east of Haley Ave and south of Reservoir Road. The next issue to be resolved is the zoning description. Since the current land use is both retail and rental residential, the Village Board has assumed throughout the annexation process that it should be considered Mixed Use (MU-2). That zoning would be consistent with contiguous properties to the north. However, before this step is taken, the Village Board needs to receive a recommendation from the Planning Board. The Village Zoning Code states, *“All such amendments shall be referred to the Planning Board for review and recommendation.”*

CEO Maxwell explained that this annexation includes the two-family rental house and old collision shop on Reservoir Road. D. Farthing as a resident of Haley Avenue stated that the thought of this area becoming zoned mixed use makes a lot of neighbors nervous. CEO Maxwell noted that if it was zoned residential it might be considered spot zoning, as it would only include one parcel.

D. Woods wondered what the legal status was of the annexation. CEO Maxwell stated that he believes the applicant agreed to annex the parcel as Mixed Use (MU-2). After some discussion, D. Woods moved to recommend to the Village Board that the Shepard Annexation be zoned Mixed Use (MU-2). C. Kruppner seconded the motion. The vote was as follows: S. Richardson-aye, C. Kruppner-aye, D. Woods-aye and D. Farthing-nay. The motion passed.

**12. Corrin Strong – Strong Phase II Four-Lot Subdivision – Avon Road – SEQRA:**

At this time, the SEQRA was reviewed for Mr. Strong’s four-lot subdivision.

**Page 1 of 21**

It was noted that the Determination of Significance would either be:

- A. The project will not will result in any large and important impact(s) and, therefore, is one, which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in Part 3 have been required, therefore, a CONDITIONED negative declaration will be prepared.
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment; therefore a positive declaration will be prepared.

**Part I Page 3 of 21**

Question #2 Total acreage of the project area is 7.7 acres. However, presently there are 6 acres forested and after completion 5 acres will be forested instead of 4. Also, there are no wetlands in this area.

Question #3 – What is the predominant soil type(s) of this project site?

Mr. Strong listed no soil types, when the soil is Cayuga silt loam and Ovid silt loam.

- a. Soil drainage: Mr. Strong had indicated that the entire parcel was moderately well drained, when 40% of the site is well drained and 60% of the site is poorly drained.

Question #4 – Are there bedrock outcroppings on the project site? No there are not. However, Mr. Strong did not list what the depth to the bedrock is and it has been determined that it is >80”.

Question #5 – Approximate percentage of proposed project site with slopes:

Mr. Strong had indicated that 90% of the site has 0-10% slopes, 5% of the site has 10-15% slopes and 5% of the site has 15% or greater slopes. When it has been determined that 90% of the site has 0-10% slopes and 10% of the site has 10-15% slopes.

Question #8 – What is the depth of the water table?

Mr. Strong had indicated the depth of the water table was 6’ when it has been determined that it is 6’-36” deep.

**Part I Page 4 of 21**

Question #16 – Lakes, ponds, wetland areas within or contiguous to project area:

Mr. Strong had indicated that there are seasonal streams, when it has been determined that the seasonal stream is located on Mr. Strong’s sister’s property to the north, not his.

**Part I Page 7 of 21**

Question #23 Total anticipated water usage per day was left blank by Mr. Strong when it has been determined that the total anticipated water usage per day would be 500 gallons/day.

**Part I Page 8 of 21**

Question #25 Approvals Required:

No Village Board approval required when Mr. Strong had indicated there was. The type of Village Planning Board approval is subdivision approval. Mr. Strong had left this blank.

**Part I Page 9 of 21**

Question #7 What are the predominant land use(s) and zoning classifications within 1/4 mile radius of proposed action? Mr. Strong had indicated that it was housing and woods. It has been determined that the Land Uses are: residential, governmental,

recreation and commercial and the zoning classifications are: R-1 Residential, R-2 Residential, and CR Community Resources.

**Part II – Impact on Land**

1. Will the proposed action result in a physical change to the project site?  
No.
2. Will there be an effect to any unique or unusual land forms found on the site?  
No.

**Part II – Impact on Water**

3. Will proposed action affect any water body designated as protected?  
No.
4. Will proposed action affect any non-protected existing or new body of water?  
No.
5. Will proposed action affect surface or groundwater quality or quantity?  
No.
6. Will proposed action alter drainage flow or patterns, or surface water runoff?  
No.

**Part II – Impact on Air**

7. Will proposed action affect air quality?  
No.

**Part II – Impact on Plants and Animals**

8. Will proposed action affect any threatened or endangered species?  
No.
9. Will proposed action substantially affect non-threatened or non-endangered species?  
No.

**Part II – Impact on Agricultural Land Resources**

10. Will proposed action affect agricultural land resources?  
No.

**Part II – Impact on Aesthetic Resources**

11. Will proposed action affect aesthetic resources?  
No.

**Part II – Impact on Historic and Archeological Resources**

12. Will proposed action impact any site or structure of historic, prehistoric or paleontological importance?

Yes. And the first example: Proposed action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places was checked to have a small to moderate impact, only if the deed restrictions match wording in SHPO's letter to Mr. Strong dated May 25, 2010.

**Part II – Impact on Open Space and Recreation**

13. Will proposed action affect the quantity or quality or future open spaces or recreational opportunities?  
No.

**Part II Impact on Critical Environmental Areas**

14. Will proposed action impact the exceptional or unity characteristics of a critical environmental area established pursuant to subdivision 6NYCRR 617.14(g)?  
No.

**Part II Impact on Transportation**

15. Will there be an effect to existing transportation systems?  
No.

**Part II Impact on Energy**

16. Will proposed action affect the community's sources of fuel or energy supply?  
No.

**Part II Noise and Odor Impact**

17. Will there be objectionable odors, noise, or vibration as a result of the proposed action?  
No.

**Part II Impact on Public Health**

18. Will proposed action affect public health and safety?  
No.

**Part II Impact on Growth and Character of Community or Neighborhood**

19. Will proposed action affect the character of the existing community?  
No.

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?

No.

With no further discussion, C. Kruppner moved that the Strong Phase II Four Lot Subdivision will not result in any large and important impact(s) and therefore, is one in which will not have a significant impact on the environment, therefore a Negative Declaration should be granted. D. Farthing seconded the motion and the motion passed with ayes from all.

**13. Meeting Closed:**

With no further discussion, D. Woods moved to close the meeting at 5:25PM with second from C. Kruppner. The motion passed with ayes from all.

Aprile S. Mack, Secretary