

Village of Geneseo
Zoning Board of Appeals
Public Hearing for
ABVI-Goodwill
4119 Lakeville Road
Tax Id. # 81.14-1-6
December 07, 2010, 4:30 p.m.

Present:

Carolyn Meisel, Chair
Marlene Hamilton
Paul Schmied
Thomas Wilson

Code Enforcement Officer

Ronald Maxwell

Applicant:

ABVI-Goodwill Rep. Ralph Wehner

Absent:

Ronald Palmer

Secretary:

Debra Lund

Public:

Mary Kay Yanik
John M. Yanik
Sue Richardson
Dawn Aprile- Geneseo Hometown Development
Ryan Riehm
Kevin & Lise Feor
Diane Leffler
Charles Aprile

Chair C. Meisel opened the public hearing at 4:30 p.m. Members of the Board were introduced. It was noted proper notice had been published and nine certified mailings were sent with eight returned. The reason for the hearing was permission to apply two panels approximately twenty-four (24) square feet each to the existing plaza pylon sign and said panels would occupy an existing blank space but would exceed the total allowed square footage by forty-eight (48) square feet. ABVI-Goodwill representative Ralph Wehner, Director of Facilities, was asked to state his case.

R. Wehner introduced himself and stated ABVI-Goodwill was opening a new store here in Geneseo. The sign will advertise their presence in the community. There was discussion of the various store offerings including a community room open to the public for group use.

C. Meisel said a letter had been received from National Realty and Development Corporation, the plaza owners and they were have given permission for the sign panels (applicable portion of letter follows):

November 03, 2010

Dean O'Keefe, Code Enforcement Officer
Town of Geneseo
4630 Millennium Drive
Geneseo, New York 14454

Re: Goodwill- Proposed Pylon Sign Panel
Geneseo Town Plaza; 4119 Lakeville Road, Geneseo, NY

Dear Mr. O'Keefe:

Attached is a rendering of the proposed pylon sign panel for our new tenant, Goodwill. This rendering was prepared by the contractor, Sign & Lighting Services, LLC. Our lease agreement with Goodwill entitles them to the use of the second position on the pylon sign (below Bargain Outlet) and we take no exception to the proposed signage.

Landlord's consent is conditioned upon their obtaining the required local approvals (i.e. permit)...

Sincerely,
National Realty &
Development Corp.
Noel T. Mannion
Property Operations

C. Meisel asked CEO R. Maxwell if the Planning Board had reviewed the proposed sign. R. Maxwell responded Chair M. Griffo stated the Planning Board did not have any issues with the sign. It was noted a memo confirming this was received from Planning Board secretary A. Mack; the Planning Board approved the sign as presented.

C. Meisel asked if the pylon area to be occupied by the sign was a single panel slot. R. Wehner said as per the drawing, it is one long slot with one sign occupying one panel space on each side of the pylon. Color copies of the proposed sign were passed out. R. Maxwell said the code allows one linear foot of signage for each linear foot of store frontage up to one hundred (100) square feet and Goodwill exceeds the limit. T. Wilson asked if this amount included the building signs previously approved and R. Maxwell answered in the affirmative.

M. Hamilton commented she likes the signs on the building; they are very nice. C. Meisel asked if the audience or Board had further questions or comments. There were none and the questions were reviewed.

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance? Yes ___ No X.
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? Yes ___ No X

3. Is the requested variance substantial? Yes 3 No 1
It fits the pre-existing location but is twice the allowed size.
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Yes ___ No X
5. Is the alleged difficulty self-created? Yes X No ___

It was noted Livingston County Planning had sent back a letter with a determination of “No Significant Countywide Impact” and approval or disapproval is at the discretion of the local board. The SEQR Short Form was reviewed:

1. Does action exceed any type 1 threshold in 6 NYCRR, Part 617.4? No
2. Will action receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6? No
3. Could action result in any adverse effects associated with the following: (see form for complete listing) air quality, water quality, neighborhood character, vegetation, fish or wildlife, community’s plans or goals? No to all.
4. Did the project have an impact on the environmental characteristics that caused the establishment of a critical environmental area? No
5. Is there, or is there likely to be, controversy related to potential adverse environmental impacts? No.

It is noted this is an area variance and a type two action that does not require a SEQR. It is further noted that the proposed action has been considered under SEQR and has met the requirements for a Type II action: the proposed action is not environmentally significant.

P. Schmied moved that Chair C. Meisel sign the SEQR Type 2 action form and it be noted that a negative declaration has been made. T. Wilson seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; P. Schmied, aye; and T. Wilson, aye. The motion passed and Chair C. Meisel signed the form.

With no further discussion, M. Hamilton moved to grant ABVI-Goodwill permission to apply two panels approximately twenty-four (24) square feet each to the existing pylon sign and that said panels would occupy an existing blank space on the pylon located at 4097-4153 Lakeville Road, tax map ID # 81.14-1-6. T. Wilson seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; P. Schmied, aye; and T. Wilson, aye. The motion passed and R. Wehner thanked the Board.

The minutes of the November 09, 2010 Casey Public Hearing were reviewed. P. Schmied moved to approve the minutes as corrected. M. Hamilton seconded the motion. The vote was as follows: Chair C. Meisel, aye; M. Hamilton, aye; P. Schmied, aye; and T. Wilson, aye. The motion passed.

P. Schmied moved to close the public hearing at 4:50 p.m. M. Hamilton seconded the motion. All were in favor and the hearing closed.

Debra Lund
Secretary