

Members Present:

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

Other Village Representatives Present:

Code Enforcement Officer Dean O’Keefe
Kurt Rappazzo, MRB Group

Applicant Present:

Mike McCarthy, Byrne Dairy

1. Meeting Opened:

Chair Woods opened the meeting at 4:30pm.

2. Review of Minutes:

The March 28, 2012 regular meeting minutes were reviewed. M. Griffo moved to approve the minutes as presented. D. Farthing seconded the motion and the motion passed with ayes from all.

3. Code Enforcement Office:

March 2012		April 2012	
Building Permits	4	Building Permits	5
Rental Housing	0	Rental Housing	1
Sign Permits	1	Sign Permits	0
Fire Inspections	0	Fire Inspections	0
Violations	4	Violations	10

4. Town Planning Board Update – David Woods:

D. Woods reported that the Town Planning Board meeting for Monday, May 21st had been cancelled as there were no agenda items. However, D. Woods did report that he would be attending the Town Board meeting on Thursday, May 24th to review the Request for Proposals for the comprehensive revision of the Town Zoning Code. The Town is looking to start the project in October as the project has been budgeted for the last quarter of 2012 and will be budgeted for all of 2013 and the first quarter of 2014.

5. Livingston County Planning Board Update – David Matthews:

Chair Woods reported that David Matthews, the Village’s Livingston County Planning Board Representative had sent an emailing stating that no referrals had come before them in regards to Geneseo, therefore there was nothing to report.

6. Byrne Dairy – 39 East South Street – Alteration to Gas Canopy Graphics:

Mike McCarthy, Real Estate Manager for Byrne Dairy appeared before the Board to propose a change to the canopy graphics. They are rebranding all of their stores and are proposing to go to a more natural green color canopy like the roof color from the stark white canopy color which would help the canopy blend in more. In December of 2009 the Zoning Board of Appeals granted an area variance for the Byrne Dairy logo (cow) and Byrne Dairy lettering for the east and west sides of the canopy only for a total of 16 square feet. At this time, Byrne Dairy is proposing to change the logo (cow) and lettering with the new square footage being 27.74 square feet. The lettering “DIESEL” was never approved but just showed up and at this time, they are proposing to remove that lettering and replace with the words: “Since 1933”.

The Board noted that this is a substantial modification and the lettering “Since 1933” must be included in the overall square footage requested along with the new proposed banner around the entire canopy that repeats the words “BYRNE DAIRY · SINCE 1933” over and over again. CEO O’Keefe noted that the Planning Board at this time is looking at the signage for aesthetics but Byrne Dairy would need to apply to the Zoning Board of Appeals for a modification to their original area variance.

M. Griffo stated that his major frustration with Byrne Dairy has been with the very large free standing sign with the LED lights which was approved by the Zoning Board of Appeals. M. Griffo also stated that since the store has opened some things that were originally approved by the Planning Board have changed or diminished. For example, some of the shrubbery has died and it should be replaced. M. Griffo also stated that he has heard complaints from the neighbors regarding the noise from the HVAC units in the rear of the building. M. Griffo hopes that an effort can be made to screen the HVAC units so that the noise is minimized. S. Richardson and D. Farthing agreed that the evergreens that were planted in the rear were not the ones that were originally approved, noting that they thought they would be larger in size. Mr. McCarthy stated that he would look into these items.

M. Griffo stated that he believes that a green canopy will be much more visible than the white one. Mr. McCarthy did not agree noting that this has not been their experience with other stores that have already changed over and because this will match the roof color it should blend in better. M. Griffo also stated that he also believes that the Planning Board was assured that no deliveries would be taking place during the day, but deliveries are being made during the day all the time. Mr. McCarthy stated that he thought that the Planning Board did not want deliveries taking place at night as they did not want to disturb the neighbors.

Chair Woods stated that he believes the Planning Board needs a revised application that reflects all the square footage as talked about previously. Mr. McCarthy stated that he believes that they could remove the banner along the bottom of the entire canopy that states: “BYRNE DAIRY · SINCE 1933”.

Chair Woods asked if there would be any change to the canopy lighting. Mr. McCarthy stated that there would not be. Chair Woods stated that at this time, the Planning Board is looking for a revised sign permit application with all square footage for each individual part of the sign listed along with a plan to address all of the items the Planning Board has concerns about. Mr. McCarthy thanked the Board and left the meeting.

7. Tim Horton’s – 1 Ryan Drive – Sign Replacements:

CEO O’Keefe explained that Tim Horton’s applied for an electric fireplace and at that time did talk about the possibility of replacing some signage. However, CEO O’Keefe stated that he at that time explained to them that a sign permit application would be required and that review by the Planning Board may be needed. CEO O’Keefe stated that on the morning of May 15th when he drove by Tim Horton’s a sign company was already installing new signage which happened to be the same day he did receive an email with the sign permit applications.

Therefore, CEO O’Keefe presented the sign permit applications to the Board, noting that the major change in the signage were the words “Coffee & Baked Goods” to “Café & Bake Shop”. Discussion took place regarding charging Tim Horton’s a work without permit fee. CEO O’Keefe stated that they would be charged this additional fee. The Board agreed that they did not have a problem with the new signage, but did wonder if the foot candles had changed with the free standing sign since the background in the panels are now whiter then they were. With no further discussion, M. Griffo moved to approve the signs as presented requesting that new foot candles be measured and submitted for the free standing sign. C. Kruppner seconded the motion and the motion passed with ayes from all.

8. Chapter 117 of the Village Code – Taxation

Section 117-39: Duties of the Planning Board

Chair Woods noted that Section 117-39 of the Village Code refers to real property tax exemptions and the duties of the Planning Board regarding them. This section mainly applies to the Main Street grants and Article VII Section 485-n of the NYS Real Property Tax Law. Chair Woods explained that after speaking with Mayor Hatheway, Julie Marshall and Pat Roundtree of the Livingston County Economic Development Office, the Planning Board does not have to do anything regarding this section of Code at this time.

9. Update: Main Street Grants:

Chair Woods stated that all grant applicants that were approved by the Main Street Grant Review Committee and need a Building Permit and/or Planning Board Approval have been contacted.

10. Meeting Closed:

With no further discussion, C. Kruppner moved to close at 5:40pm. S. Richardson seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary