

Members Present:

David Woods, Chair
Dori Farthing
Matt Griffo
Susan Richardson

Other Village Representatives Present:

Code Enforcement Officer Dean O'Keefe
Kurt Rappazzo, MRB Group Engineer

Applicant Present:

Dennis Wilcox, Wilcox Brothers Sign Company
Fran Koch, Congressman Chris Collins Office
Brian Burri, Bergmann Associates, Goddard Development – Mavis Discount Tire
Randy Bebout, Project Manager - Site Group Manager, **TYLIN** INTERNATIONAL
McDonald's USA, LLC – McDonald's Geneseo – 4162 Lakeville Road

Public Present:

Joseph P. Ferrero & Betsy Ferrero
Joseph J. Ferrero

1. Meeting Opened:

Chair Woods opened the meeting at 4:31pm.

2. Review of Minutes:

S. Richardson moved to approve the January 23, 2013 meeting minutes as presented.
D. Farthing seconded the motion and the motion passed with ayes from all.

3. Town Planning Board Report – David Woods:

David Woods reported that he was not present at the February 11, 2013 Town Planning Board meeting but the Planning Board granted The Hammocks @ Geneseo final subdivision approval, final site plan approval and a special use permit. All final approvals were granted with conditions.

Coast Professional located on Volunteer Road appeared before the Town Planning Board for final expansion or Phase III. Concept and preliminary approval was granted for an addition.

4. 7-11 – 137 Main Street – Sign:

Dennis Wilcox, Wilcox Brothers Sign Company appeared before the Board on behalf of 7-11 opening at the former Sugarcreek at 137 Main Street. The Sugarcreek sign was 4' tall by 12' wide and the 7-11 sign is proposed at 2' tall by 22' long or 48 square feet. The sign is LED lit from the inside. The Board asked if the light is dark sky compliant per Code regulations. Mr. Wilcox stated that it was. The Board asked if there would be any other signs. Mr. Wilcox stated that he was not aware of any. Code Enforcement Officer Ron Maxwell had reviewed the application and signed it stating that it met all Code requirements. With no further discussion, M. Griffo moved to approve the 7-11 sign located at 137 Main Street as presented. S. Richardson seconded the motion and the motion passed with ayes from all.

5. Congressman Chris Collins Office – 75 Main Street, Suite 3 – Sign:

Fran Koch representing Congressman Chris Collins Office appeared before the Board for a sign at 75 Main Street, Suite 3. The sign is 1.5 feet tall by 4 feet wide. The Board asked if the sign was the same size as the GeneseoSun.com sign on the front of the building. Ms. Koch stated that she

believed this sign was a little larger. Code Enforcement Officer Ron Maxwell had reviewed the application and signed it stating that it met all Code requirements. With no further discussion, D. Farthing moved to approve the sign as presented. M. Griffo seconded the motion and the motion passed with ayes from all. Ms. Koch thanked that Board and stated that the Office would be staffed Monday-Friday, 9am – 6pm.

6. Goddard Development – Mavis Discount Tire – 4181 Lakeville Road:

Brian Burri with Bergmann Associates appeared before the Board on behalf of Goddard Development for a 6800 square foot building for a Mavis Discount Tire. Approximately 590 square feet of the building will be allocated to sales and the balance will be for service with 8 service bays. Additionally, an 8000 square foot building is also being proposed which will be for a separate retail use, for single or multiple tenants. There is one existing curb cut, but they are proposing to line their curb cut up to the Kwik Fill driveway across the street. The eight service bays are proposed facing Route 20A. Mavis Discount Tire locations are generally open six days a week selling and installing tires, but they also do oil changes, NYS inspections and brake work. All new and used tires will be stored inside the building along with used oil.

The perimeter will be landscaped and there will be curbed islands. The dumpster will be shared by both buildings and be located in the northwest corner of the property. Proposed lighting is not shown as dark sky compliant, but that will be changed on the next submission. Proposed signage including a pylon sign does not meet Code requirements, but will also be changed for the next submission. The Board asked about the building colors. Mr. Burri stated that the colors being presented are the standard building colors for Mavis Discount Tire.

Chair Woods stated that MRB Group Engineer Kurt Rappazzo had done a concept review of the plans and submitted an 11-point comment letter. Engineer Rappazzo stated that for the record he would like to mention Comment #2 which states: “Cross-access with the adjacent plaza should be proved. Shared parking should be considered.” Comment #3 states: “The Planning Board should discuss the possible alternatives of locating the proposed access connection opposite the proposed McDonald’s driveway or restricting access in-lieu of cross-access with the adjacent plaza.” Mr. Burri stated that as the site plan has been presented, cross-access with the adjacent plaza would not be feasible and he does not think that the topography of the area allows for this. The Board asked if Mr. Burri had contacted the owners of the plaza to propose this question. Mr. Burri stated that he had not. The Board agreed that it would make more sense for cross-access that connects to the signal light at Megan Drive rather than trying to turn left onto Route 20A especially at peak hours of the day.

The Board asked what the pros and cons were to lining the driveway up with Kwik Fill’s driveway or the new proposed McDonald’s driveway. Engineer Rappazzo stated that DOT might need to address this, but that Mr. Burri needs to address the Access Management Overlay District section of the Village Code. Engineer Rappazzo also stated that ideally you want to offset private driveways so there is not confusion on who has the right-of-way, however, if you cannot do this, the driveways should be lined up.

The Board asked about remediation of the site since the site was formally used as a service center. CEO O’Keefe stated that the Code Enforcement Office has a letter on file from 2009 stating that this site has been remediated as required by NYS DEC. CEO O’Keefe stated that he would forward a copy of this letter to Secretary Mack for the file, but from a Code Enforcement Office stand point as a result of the mediation, all footings and foundations need to be in virgin soil.

The Board asked if the Monroe Muffler location is located on a separate parcel from the plaza parcel. CEO O’Keefe stated that it is not.

The Board asked about truck access. Mr. Burri stated that this would be addressed in the next submission. The Board also asked why 8 bays are being proposed instead of a smaller number of bays. Mr. Burri stated that a market study was completed that indicated this area has a demand for

this type of service. The Board asked for a copy of this study if available. The Board also asked if there would be bay doors on the rear of the building. Mr. Burri stated that there would not be.

The Board asked if the building could be turned so that parking was in the rear along with the bay doors. Mr. Burri stated that his client prefers to have the bays face Route 20A and that the storm water facility will be located in the rear which would not allow for enough room for parking.

Chair Woods stated that this Board has been putting emphasis on aesthetics and landscaping as this area of the Village is a gateway into a Historic Village with a significant amount of historic architecture. The Board agreed that bay doors facing Route 20A are not attractive. Mr. Burri explained that the building would be set back from the road and that landscaping would be provided.

Mr. Burri asked about the dumpster enclosure. The Board stated that the enclosure should match the building(s) as harmoniously as possible. The Board stated that this parcel is unique in that there is a commercial building located directly behind it, therefore the rear aesthetics of both building(s) will also be looked at very closely, noting that Section 130-36 H. – Mixed Use District – 2 (MU-2) Designs Standards of the Village Zoning Code should be reviewed very closely along with Section 130-42 Access Management Overlay District (AM).

The Board was in agreement that they did not like the stark cement block design of the building with bay doors facing Route 20A. The Board explained that they are looking for earth tone colors and suggested that a peaked roof would be favored over a flat roof. The Board stated that if roof top HVAC (Heating-Ventilation-Air Conditioning) units are proposed for the roofs of these buildings, a flat roof would not hide them, but a peaked roof might, keeping in mind that when entering the Village from the East, the roofs of these buildings will be visible. It was noted by the Board that Mr. Burri may want to look at many of the buildings to the east of this property as they are not typical ones you see on a commercial strip.

The Board asked if there were any prospective tenants for the second building. Mr. Burri stated that there are not at this time and there are no plans to build this building. The Board asked for confirmation that this building would be used for retail use rather than a fast food restaurant. Mr. Burri stated that this was correct. The Board wondered if a concrete pad would be installed for the retail building when the Mavis Discount Tire was built. Mr. Burri stated that there would not be and that they would probably just make this a grassy area.

The number of parking spaces proposed versus the number of parking spaces required was briefly discussed per Section 130-81 of the Village Zoning Code. Mr. Burri asked if parking is allowed within the setbacks. CEO O'Keefe stated that he believes that it is, but that he would need to review the Code further.

The Board suggested that Mr. Burri may want to look into the cross-access easement to the plaza property and that this could be used as the only entrance/exit to the property. Mr. Burri stated that the property currently has a curb cut on Route 20 that they would not want to lose. The Board also suggested that the Mavis Discount Tire building and proposed retail building be flip-flopped on the site.

The Board asked if Goddard Development would own the property. Mr. Burri stated that it would and that the Mavis Discount Tire would be a franchise and that they are actively pursuing a franchisee. The Board agreed that they were not ready for sketch/conceptual approval at this time. The Board discussed that sign variances may be required along with a variance to the access management overlay district and possibly parking. The next Planning Board meeting is scheduled for March 27th. Chair Woods stated that MRB Group Engineer Rappazzo should receive the plans at least a week ahead of time with a copy being sent to Secretary Mack for the Planning Board file. Mr. Burri thanked the Board and left the meeting.

7. McDonald's Rebuild – Site Plan Review - 4162 Lakeville Road:

Randy, Bebout, McDonald's – Geneseo Project Manager - Site Group Manager,
TYLIN INTERNATIONAL representing McDonald's USA, LLC and McDonald's Geneseo appeared

before the Board. Chair Woods stated that the Board is aware that Mr. Bebout had submitted the most recent plans to MRB Group Engineer Rappazzo but the Board does not believe that those revised plans were submitted to Secretary Mack for the Planning Board file. Mr. Bebout apologized for this oversight. Chair Woods also stated that if the Board does not have any objections as this is not a public hearing, he would allow Joseph J. Ferrero, Betsy Ferrero's son to speak. The Board did not have any objections to this. Chair Woods asked that most of the discussion by the Planning Board be held until after Mr. Bebout and Mr. Ferrero are given a chance to speak.

Mr. Bebout stated that he had submitted plan to Engineer Rappazzo that he believed addressed most of Engineer Rappazzo's initial sixty some comment letter, noting that most of them were technical in nature. Mr. Bebout stated that since the January meeting the only item that has changed is the location of the driveways. Mr. Bebout stated that the NYS DOT did not like how the Route 20A driveway was perpendicular to Route 20A therefore, it has moved over some. Also, NYS DOT is requesting that the shoulder of the road along the front of the McDonald's property be rebuilt so there is an 8' wide shoulder. They are also requesting that a curb be added where the existing driveway is. There is an existing utility pole that needs to be relocated per NYS DOT; this has yet to be coordinated with the electric company.

Mr. Bebout stated that the plan submitted to MRB showed the rear driveway as discussed and hand sketched on the map at the last meeting. McDonald's did not prefer this location, but was agreeable to it.

The building rendering presented at the January Planning Board meeting seemed well received. Therefore, that is what is now planned, but Mr. Bebout wanted to make sure that the Board was aware that he might have mentioned cobblestone before for the front of the building and non-drive-thru side of the building, however, it is a stacked stone material as shown in the photos presented to the Board this evening. The Board did not have a problem with what was shown in the photos.

Mr. Bebout continued by stating that Mr. Joe Ferrino, owner/operator has some concerns about the roof cap element not being able to be lighted. He feels as though this will make the front of the restaurant look very dark at night. The Board agreed that lighting the roof cap element is a form of advertisement, which they did not think was necessary due to the free-standing sign at the street and the eternally lit "M's" that will be on the front of the building and non-drive-thru side of the building. The Board however did note that parapet lighting that is dark sky compliant could be added if necessary, but that would need Board approval also.

The Board asked about the gooseneck lights that were shown on the color elevation over the awning of the windows on the non-drive-thru side of the building. Mr. Bebout stated that he had noticed them but did not think that they would be needed as there would be light under the awning.

M. Griffo voiced his concern about the need for a monument sign. The Board wondered if the request of NYS DOT to move the driveway entrance/exit on Route 20A interfered with the placement of the monument sign. Mr. Bebout stated that it did not. It was noted that the monument sign was approved by the Zoning Board of Appeals on January 8, 2013.

At this time, Joseph J. Ferrero, son of Betsy Ferrero was given time to speak. Mr. Ferrero stated that what he illustrated in the documents emailed to the Board and Mr. Bebout is what often does not get seen. Mr. Ferrero continued by stating that the Ferrero's would like to see the existing western curb at the parking lot maintained and truck apron as used in roundabouts be added at the driveway and order area to deter vehicles from cutting into the drive-thru lanes. The Ferrero's feels that the way the driveway has been proposed presents a threat to the health, safety and welfare of the family.

The Ferrero family would like to see the driveway moved further to the west and feels as though they have presented a reasonable case to the developer and Board for this. Mr. Ferrero stated that the developer has offered to purchase blinds for the windows, but that is not the issue, it is the

safety of the family as there is an increased potential for car crashes when the family backs out of the driveway.

At this time, Chair Woods asked for comments or questions from Mr. Bebout and the Board. Mr. Bebout complimented Mr. Ferrero on the scenario's he has provided, but he can tell the Board that at their Amherst location, they installed raised curbing as used in roundabouts and they have still had problems with the under cages of vehicles be damaged, therefore they are in the process of removing those from the site. He also stated that roundabouts interfere with snow removal.

Mr. Bebout stated that McDonald's is willing to slide the whole site to the west approximately 10-12 feet but will aim for 12 feet, which would move the Reservoir Road driveway to the west which they believe eliminates the concern of the Ferrero's. Chair Woods asked if there was a downside to shifting the building to the west. MRB Engineer Rappazzo stated that he does not know if there is a downside, but this will not allow for as much green space on the west side as currently presented. The Board asked if the shift in the entire site would interfere with the Route 20A exit/entrance. Mr. Bebout did not think it would. D. Farthing asked if shifting the site would make the rear driveway steeper. Mr. Bebout stated that he did not believe so.

Chair Woods stated that there is still the outstanding matter of the 62-day approval requirement per State Law. McDonald's was on the agenda for SEQR Review, Preliminary Review/Approval and Final Review/Approval, but does not believe that the Board is ready to take any action on this project if the entire site will be shifted. The Board agreed. Therefore, Chair Woods asked if McDonald's would be willing to waive this requirement again noting that the next meeting is scheduled for March 27th. Mr. Bebout stated for the record that he agrees to waive the requirement.

M. Griffo stated that he would like to see a final rendering of the site from the road view which includes the monument sign, sidewalk and any other signage. Mr. Bebout stated that there is a huge cost involved with doing a rendering like this, that he does not think the applicant will agree to. M. Griffo and S. Richardson agreed that what is built always looks different than what is presented. M. Griffo also asked for lighting cut sheets that had not been presented. M. Griffo continued by stating that he is not looking for something digitally but that a sketch would be fine.

Mr. Ferrero asked if it would be appropriate for them to be carbon copied on all items that are submitted for final review to the Planning Board. Chair Woods did not have a problem with this and asked if Mr. Bebout would be willing to do this. Mr. Bebout stated that he would not mind.

Mr. Bebout noted for the record that when Chuck Peperak, McDonald's USA, LLC – Pittsburgh Region Construction Manager spoke with Mrs. Ferrero on the phone, he was not being sarcastic when he stated that they would be willing to purchase window blinds. Mrs. Ferrero stated that Mr. Peperak spoke with her for a long time, was very genuine and sincere, but that the blinds for the windows was not what they are concerned about. Mr. Bebout stated that McDonald's wants to be a good neighbor. Mrs. Ferrero stated that she suggested that Mr. Peperak come out and physically string off the area where they were proposing the driveway so they could physically see how it would affect her driveway. Mr. Bebout did not believe this would be needed now that they are shifting the entire site which will shift the driveway. He also stated that they are willing to install a school bus stop sign if needed.

Mr. Bebout stated that they hope to start demolition in April and is wondering if they could get building plans to the Code Enforcement Office now and if they would be able to start working on reviewing them without site plan approval. The Board and CEO O'Keefe did not have a problem with this. However, CEO O'Keefe did state that the Code Enforcement Office would not issue any permits without site plan approval. Mr. Bebout stated that he was aware of this. He then thanked the Board and left the meeting.

8. Code Enforcement Office Report:

January 2013

Building Permits	5
Sign Permits	3
Rental Housing	7
Fire Inspections	0
Avoidable False Alarm Violations	0
Violations	0
Temporary Structure/Tent	0

Code Enforcement Officer Dean O’Keefe stated that with the potential of The Hammocks @ Geneseo, McDonald’s Rebuild, Coast Professionals Phase III and other miscellaneous items, it appears that the Code Enforcement Office will be very busy this spring and summer. CEO O’Keefe stated that he has been trying to complete all required fire inspections and rental housing inspections with the help of Secretary Mack who has been scheduling the inspections.

CEO O’Keefe stated that the Alley Cat Purrfect Price located at 6 Center Street has installed a sign under one of the windows on the front of the building where the business is located. The sign is for “Discount Kidz – Clothing Boutique”. This means that the Alley Cat now has two signs; a perpendicular one and this one which they are allowed per Code, but the total square footage may not go over the linear square feet of the width of the business and a permit was not applied for or reviewed/approved by the Planning Board. CEO O’Keefe stated that the width of the store front is not known at this time and neither is the square footage of the sign. The Code does state that the sign may not be higher than 15 feet but does not say anything about how low it can be placed on the building. CEO O’Keefe stated that he would send a letter to the Alley Cat letting them know they are in violation and what the next steps are.

CEO O’Keefe stated that he had met with Rocco Dragani, property owner of 114 Main Street and 116 Main Street. The Planning Board had previously given Mr. Dragani site plan approval for a second story addition on 114 Main Street which included a common stairwell between 114 Main Street and 116 Main Street. At that time because of the common stairwell, the Code Office and Board suggested that the parcels be combined. However, Mr. Dragani has hired a new architect who has a different design that does not include a common stairwell between the two. CEO O’Keefe is wondering if Mr. Dragani needs to come back to the Planning Board for site plan modification. After a brief discussion, the Board agreed that as long as the new plan was staying within the approved footprint and the façade was not being altered, no site plan modification was required. CEO O’Keefe also stated that Mr. Dragani is now planning on a smaller apartment over 116 Main Street and eliminating the common stairwell might allow for an additional parking space or two. CEO O’Keefe also noted that Mr. Dragani will need to change the water supply to the buildings to allow for proper fire flow as a sprinkler system will still be required for the two buildings. CEO O’Keefe stated that at this time, Mr. Dragani plans to redo the façade of the building and build the addition which will just be a shell until time when Mr. Dragani can finish it.

9. Meeting Closed:

M. Griffo moved to close the meeting at 6:30pm. S. Richardson seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary