

Members Present:

David Woods, Chair
Dori Farthing
Matt Griffo
Susan Richardson

Other Village Representatives Present:

Code Enforcement Officer, Dean O'Keefe
MRB Group Engineer, Kurt Rappazzo
Village Attorney, J. Thomas Reynolds
Livingston County Planning Board Representative,
Stewart Leffler

Applicants Present:

Adrian Goddard, Goddard Development, Mavis Discount Tire, 4181 Lakeville Road
Brian Burri, Bergmann Associates, Goddard Development, Mavis Discount Tire, 4181 Lakeville Road

Public Present:

Judith Waring
Patricia Waring

1. Meeting Opened:

Chair David Woods opened the meeting at 4:30pm.

2. Review of Minutes:

The June 26, 2013 minutes were reviewed. D. Farthing 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:

June 2013

Building Permits	15
Sign Permits	1
Rental Housing	0
Fire Inspections	0
Avoidable False Alarm Violations	0
Violations	0
Temporary Structure/Tent	0

Code Enforcement Officer Dean O'Keefe stated that the Code Enforcement Office has issued a few new house permits within the Village, including one on Cavalry Road, one on Second Street and a couple on Heritage Drive.

CEO O'Keefe stated that McDonald's is moving along nicely and he or Code Enforcement Officer Maxwell is on site at least daily to check on their progress.

CEO O'Keefe mentioned that he is working on getting all of the Rental Housing Inspections completed before the students return in late August.

4. McDonald's Geneseo – 4162 Lakeville Road:

Now that the McDonald's building has been demolished and the new one started it has come to the attention of a couple Planning Board Members that the 10" Maple Tree along the eastern property line that has been hacked by the utility companies making the tree "U" shaped could be removed. Chair Woods stated that this would require an amendment to the approved site plan. It was suggested that this tree could be removed but replaced with something that would not grow as high as the utility wires so it would not need to be trimmed by the utility company. It was noted that deciding

to remove the tree now might be a cost burden. MRB Group Engineer Kurt Rappazzo stated that at the time the site was visited and the existing trees were cataloged, McDonald's representatives were not opposed to removing the tree, but agreed to keep it as the Planning Board so wished. Chair Woods asked for Attorney Reynolds legal opinion on this. Attorney Reynolds agreed that removing this tree would be an amendment to the site plan but that the McDonald's reps should make the request to the Board. The Board was in agreement but did not want to wait until next months meeting if it was something the Board could do now, especially with the equipment currently on site.

With no further discussion, S. Richardson moved to approve that the site plan for the McDonald's rebuild on Lakeville Road/Route 20A could be modified to allow for the removal of the 10" Maple Tree located midway along the eastern property line that has been excessively trimmed by the utility companies. If it is replaced, it should be replaced with something from the approved list of trees in the Village Code that will not grow as tall as the utility wires. The Planning Board also gives the Code Enforcement Office and the Village Engineer to notify the McDonald's engineer/representatives. D. Farthing seconded the motion and the motion passed with ayes from all.

The Board did ask if the shed on the McDonald's property was going to remain. CEO O'Keefe stated that it is to be removed and the contractors would like it moved as soon as possible.

5. Wal*Mart Supercenter – Storage Trailers:

D. Farthing asked about the temporary storage trailers at Wal*Mart as there appears to be more there than what the Planning Board had originally approved for seasonal and construction use. CEO O'Keefe stated that he believes the temporary construction trailers have been removed but he has not driven through the property recently to check but will do so in the next few days.

6. Town of Geneseo Planning Board Update – David Woods:

David Woods reported that the Town Planning Board meeting scheduled for July 8th had been cancelled due to lack of any business. However, the public community workshop on the Town's Zoning revisions was held on Tuesday, July 9th. D. Woods stated that the community workshop was well attended.

7. The Hammocks @ Geneseo – Project Update:

D. Woods asked if CEO O'Keefe could give the Board an update on the Hammocks project. CEO O'Keefe stated that there are still some outstanding easement issues, but the developers would like to get started as soon as possible and the Town Highway Department would like them to trench across the road as soon as possible as there are plans to seal Volunteer Road this season.

8. Livingston County Planning Board Update – Stew Leffler:

Stew Leffler stated that the County Planning Board met on July 11th. Agenda items included a zoning Referral for a subdivision/site plan review in the Town of West Sparta, site plan review for a CVS Pharmacy in the Village of Dansville, site plan review for a raw milk separation facility in the Town of York and the site plan review of the Mavis Discount Tire site in the Village of Geneseo. Mr. Leffler stated that the Mavis Discount Tire site plan was approved by the County Planning Board with three advisory comments. Chair Woods stated that the Planning Board and applicant are in receipt of those comments.

9. Pizza Hut – 71 East South Street – New Sign:

CEO O'Keefe presented the Board with a sign permit application for Pizza Hut located at 71 East South Street. The new sign was brought to the attention of the Board and Code Enforcement Office by M. Griffo. Upon further investigation of the Code Enforcement Office, the new sign had been installed a couple years ago. The sign is approximately 15.5' long and stands approximately 3' tall. CEO O'Keefe stated that the new sign is actually smaller than the previous one.

M. Griffo asked if the sign was internally lit. CEO O'Keefe stated that it was, but that it was an allowed use in the MU-2 Zoning District. M. Griffo thought that the original site plan for Pizza Hut specifically stated that the sign would not be internally lit and wondered if the original site plan should be revisited. Attorney Reynolds stated that he did not see any point in revisiting the site plan if this was an allowed use in this district. Chair Woods believed that if the Board did not want to see internally lit signs in this Zoning district a recommendation should be made to the Village Board requesting a change to the Code.

Discussion followed regarding whether or not this parcel/building was originally in the Town of Geneseo and then annexed into the Village. The members and Village representatives present were not sure. Chair Woods asked if the sign as presented violates the Village Code. CEO O'Keefe stated that it did not.

With no further discussion, S. Richardson moved to approve the internally lit Pizza Hut sign as presented noting that the sign is smaller than the previous one. D. Farthing seconded the motion. Chair Woods asked if there was any further discussion. M. Griffo stated that he is very discouraged to see internally lit signs in the MU-2 Zoning district. The vote was as follows: D. Woods – Aye, M. Griffo – Nay, S. Richardson – Aye and D. Farthing – Aye. The motion passed.

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

For the record, Chair Woods stated that members of the Waring Family were present. Their father Robert Waring currently owns the property at 4181 Lakeville Road.

At this time, Brian Burri, Bergmann Associates on behalf of Goddard Development presented the Mavis Discount Tire revised site plan to the Board. Mr. Burri stated that the dumpster enclosure has been relocated from the west side of the property to the east side of the property to allow for a future cross access to the property to the west. The dumpster enclosure will be a masonry enclosure per code requirements.

The building has been shrunk down to approximately 6,150 feet with seven service bays. The original proposal was for a 6,800 square foot building with eight service bays. No variance will be required for the number of parking spaces, noting that the parking requirements have been met for both the Mavis Discount Tire building and future building separated and combined.

Mr. Burri continued by stating that the driveway will be lined up across from the Kwik Fill driveway on the south side of the road. The New York State Department of Transportation has accepted this proposal but a permit has not been issued yet. Significant landscaping has been added to the site per Zoning Code regulations. Storm water management areas have been added along the front boundary line and rear boundary line.

Building changes include a peaked roof as shown to the Board at the May meeting. They were proposing a Mavis Discount Tire sign on the west side of the building, but that has been removed but a sign for the front of the building is being requesting along with a freestanding monument type sign.

Mr. Burri presented the Board with an outline of Phase I and Phase II of the site. Phase I consists of the Mavis Discount Tire building and all associated landscaping and parking along with the storm water management facilities, utilities, cross access and pedestrian access. The Board was somewhat concerned that the cross access area may end up being used to park vehicles. Mr. Burri stated that this area could be striped to indicate no parking. The Board asked if there was a need for seven service bays. Mr. Burri stated that they had reduced the services bays from eight to seven.

Regarding pedestrian access, Mr. Burri asked that since some of the pedestrian access is located in Phase II, instead of installing concrete that will be torn up during Phase II construction would a temporary walkway be sufficient. The Board did not seem to have a concern with this and Engineer Rappazzo stated that he believes the requirement is for pedestrian access but it does not state what type of material is required for this access. Engineer Rappazzo however did state that the pedestrian access and driveway/parking area should be separated some how. Mr. Burri stated that there would be a grassy area separating the two.

At this time, site landscaping was discussed. The Board showed some concern about a tree placed in an island within the parking area that might become a line of site issue. The Board suggested that the tree be replaced with some low shrubs. Mr. Burri was concerned that shrubbery may also be a line of site issue, but that they would research further what type of landscaping would be the best for this location.

Engineer Rappazzo's comment letter dated July 17, 2013 was reviewed. Engineer Rappazzo stated that many of his comments are technical in nature and can be worked out between Bergmann Associates and himself, but he did want to bring a couple of the comments to the Planning Board's attention.

Water supply is one of the biggest concerns. The building will need to be sprinkled per NYS Building Code regulations based on the amount of tire storage space provided; therefore a combined water service will be required, along with special high flow sprinkler heads. It was noted that the Wal*Mart Supercenter needed a similar system and had to install a tank to supplement the Village water supply. Some discussion took place between CEO O'Keefe, Mr. Burri and Engineer Rappazzo in regards to whether or not a sprinkler system of this nature was needed, but CEO O'Keefe and Engineer Rappazzo were in agreement that one was required. The Board asked if the entire building would need to be sprinkled or just the tire storage area. CEO O'Keefe stated that generally the entire building would be sprinkled if the tire storage area required it. Mr. Burri agreed that this needed to be discussed further and that the Village Water/Sewer Department and Department of Public Works needed to be contacted. If a tank is required, the size of the tank, the proper location and aesthetics of the tank need to be discussed with the Board.

Engineer Rappazzo suggested if one does not already exist, an easement, for the existing sidewalk along Route 20A should be provided. An easement should also be provided to the Village for the future cross access.

Other items of concern to Engineer Rappazzo include:

Phase II consists of a second building, all consideration should be made to what the possible uses of that building could be.

The stormwater management plan needs to be revised.

An end island is required near the southeast corner of the Mavis building.

All landscaping is subject to the requirements of the Village Zoning Code.

All architectural aspects of the building should be reviewed, including signage.

All lighting is to be dark sky compliant.

The Board was somewhat concerned about the way the island and a few parking spaces have been arranged to the west along the west side of the first row of parking spots. The Board wondered if the island and parking spots could be moved to the east side. Engineer Rappazzo stated that one of his comments includes that an island is required per Code at both ends of the parking row.

At this time, Mr. Burri distributed the truck flow plan to the Board and Engineer Rappazzo. The Board asked if this plan included emergency vehicles. Engineer Rappazzo stated that he has not had a chance to review this part of the plan but it will need to include emergency vehicles. Engineer Rappazzo after looking at the plan briefly was concerned about the size of truck/trailer used for the plan. Mr. Burri and Engineer Rappazzo will discuss this further once the plan has been thoroughly reviewed.

The Board brought up some concerns about the stormwater management facility in relationship to bugs if it would be wet all the time, weeds growing through the cobblestone facilities along the front of the parcel and trip hazard along the front facilities. Mr. Burri stated that a barrier would be put down to help with weed control and that bugs near wet facilities have not been a problem in the past that he is aware of. Mr. Burri also stated that he did not think that the storm water management facilities in the front would be an issue.

The Board asked about receiving documents from the communication Goddard Development/Bergmann Associates have had with National Realty regarding the cross access.

Attorney Reynolds stated that any type of documentation showing that National Realty was uncooperative when Goddard Development/Bergmann Associates contacted them would work.

The Board asked about signage and whether or not a variance or variances would be needed for signage. CEO O'Keefe stated that at this time, it does not appear that a sign variance will be needed but that a sign package should be submitted as soon as possible for the Code Enforcement Office to review. Mr. Burri stated that they will submit a sign package for the next meeting that will include a freestanding monument type sign and one building mounted sign.

The Board asked about the green stripe across the front of the building. CEO O'Keefe stated that the stripe is not considered as signage only the letters would be. The Board wondered if the stripe could be reduced. Mr. Goddard stated that the stripe is very important to Mavis and does not think that they will budge.

M. Griffo stated that the stripe is not conducive to the design or colors of the building, explaining that the Board is looking for earth tone colors that work harmoniously with the Village's Historic District. Mr. Burri commented that the color fits in with what is on the KFC/Taco Bell building. The Board noted that they worked extensively with KFC/Taco Bell to get to those colors. The Board wondered if Cole Muffler owned Mavis Discount Tire. Mr. Goddard stated that they did and wondered if the Cole Muffler colors would be more appropriate. The Board agreed that they would not be. The Board stated that they would like to see the stripe shrunk as much as possible. Mr. Goddard believed that this would look foolish. Mr. Burri commented that since this building does set back from the road and there will be trees and other landscaping along the front and in the parking lot area, the stripe would not stand out. The Board wondered why the stripe would even be needed if this was the case. Mr. Burri stated that it was apart of their corporate branding, therefore is requesting it.

The Board stated that they like the color combinations and materials used for the building design, but wanted to know if it was possible for them to bring in samples of exactly what would be used. Further discussion took place, but it was agreed that samples would be provided. The Board asked if consideration had been given to putting a canopy over the front entrance. Mr. Burri said that they hadn't and typically Mavis Discount Tire buildings do not have canopies over their main entrance.

Chair Woods asked if the Waring's had any questions or concerns. Ms. Judith Waring asked if what the Board is asking of the applicant is typical, for example requesting the samples. The Board stated that it was. She also wondered why when the Board first saw the colored rendering of this building they did not question the teal colored stripe across the front of the building. Chair Woods responded that it is usual for this Board to concern itself with building colors.

With no further discussion, M. Griffo moved to approve sketch plat/conceptual approval for the construction of a seven bay Mavis Discount Tire building approximately 6,150 square foot in size with the proposal of a future approximately 8,000 square foot building on site which will be considered by the Planning Board at a later date, on property located at 4181 Lakeville Road, Tax Map #: 81.10-1-2 currently owned by Robert E. Waring. S. Richardson seconded the motion and the motion passed with ayes from all.

Mr. Burri asked if preliminary and final approval could be given at the next meeting. Chair Woods stated that it would depend on the outcome of the public hearing and responses to Engineer Rappazzo's comments and he noted that there are still some items that have not been submitted that need to be reviewed by the Board.

With no further discussion, D. Farthing moved to set the Public Hearing for this project for Wednesday, August 28, 2013 at 5:00pm. M. Griffo seconded the motion and the motion passed with ayes from all.

Mr. Burri, Mr. Goddard and the Waring's thanked the Board and left the meeting.

11. Meeting Closed:

S. Richardson moved to close the meeting at 6:11pm. The motion was seconded by D. Farthing and passed with ayes from all.

Aprile S. Mack, Secretary