

**Members Present:**

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

**Other Village Representatives Present:**

Code Enforcement Officer, Ron Maxwell  
MRB Group Engineer, Kurt Rappazzo  
Village Attorney, J. Thomas Reynolds  
Livingston County Planning Board Representative,  
Stewart Leffler

**Applicants Present:**

Arlene Webb, Stage Coach Florist, 114 Main Street  
Brian Burri, Bergmann Associates, Goddard Development, Mavis Discount Tire, 4181 Lakeville Road  
Anna Kowalchuk, Administrator, Livingston County Historical Society, 30 Center Street  
Liz Porter, President, Livingston County Historical Society, 30 Center Street  
Bill Brummett, Vice President, Livingston County Historical Society, 30 Center Street  
Sterling Carroll, Pastor, The Light House Assembly of God, 2 Haley Avenue  
Jason Fox, Wal\*Mart Supercenter, 4235 Veteran Drive

**Public Present:**

Judith Waring  
Patricia Waring  
Mark Shepard  
Larry Kelley  
Dan Magill – Law Offices of Peter K. Skivington

**1. Meeting Opened:**

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

**2. Georgia's Clothes Horse II – 99 Main Street – Sign Permits:**

Code Enforcement Officer Ron Maxwell presented two sign permit applications to the Board on behalf of Georgia's Clothes Horse II now located in the renovated storefront at 99 Main Street. CEO Maxwell explained that a representative from the Clothes Horse was unable to attend. The building façade sign has already been placed on the building as they were unaware that a permit was needed. A perpendicular sign is also being requested and is allowed per the Zoning Code. They are not requesting a sign grant. After reviewing the sign permit applications which included colored renderings of the signs, M. Griffo moved to approve the signs as presented. D. Farthing seconded the motion and the motion passed with ayes from all.

**3. The Light House Assembly of God Church – 2 Haley Avenue – Sign Permits:**

Sterling Carroll, Pastor presented the Board with two sign permit applications for the Church located at 2 Haley Avenue. Pastor Carroll stated that they would like to relocate the freestanding sign to the north east corner of the parking lot, however what they are proposing is smaller than the existing sign and they plan to add landscaping around the base. The Board asked if the sign would be two-sided. Pastor Carroll stated that it would not be. The Board asked if they were worried about the sign being buried with snow during the winter months. Pastor Carroll said that they were not. The Board asked if the additional panel on the freestanding sign advertising other church services held in the building would be also placed on the freestanding sign. Pastor Carroll stated that the sign panel for that had come down a few months ago and that it would not be going back up. The Board asked what the distance was between the parking lot and where the freestanding sign would be placed.

Pastor Carroll stated that he was not sure, but that there was enough room separating the two as they hope to landscape around the entire parking lot in the future.

Pastor Carroll stated that they would also like to place a sign on the building façade in replacement of the sign lettering that has come off over the years. The sign would be mounted approximately ½” off the wall and hung on “j” hooks.

Pastor Carroll stated that they are also planning on painting the cylinder block part of the building to match the colors of the logo.

With no further discussion, C. Kruppner moved to approve the signs as presented.

S. Richardson seconded the motion and the motion passed with ayes from all.

#### **4. Stage Coach Florist – 114 Main Street –**

##### **Sign Permit Application and Sign Grant Application:**

Arlene Webb, owner of Stage Coach Florist appeared before the Board with a sign permit and sign grant application. Ms. Webb stated that the sign is a basic sign with gold lettering and a copper red background to match the trim of the building. Ms. Webb also stated that there is some square footage left and an area for a small logo type sign in the future. However, Ms. Webb inquired about a perpendicular sign in place of the logo sign on the façade of the building. CEO Maxwell stated that she could have a perpendicular sign also, but that it could not exceed the total square footage allowed for signage. With some further discussion, D. Farthing moved to approve the sign permit application for the wall mounted “Stage Coach Florist” sign with no logo as presented in the application.

M. Griffo seconded the motion and the motion passed with ayes from all.

The Board was somewhat concerned about the quoted price of the sign in relationship to the sign grant being requested. However, Ms. Webb explained that the quote included the logo sign. The Board wondered if Ms. Webb wanted to hold off on the sign grant application until the logo sign could be designed and approved by this Board. Ms. Webb stated that she would just like to proceed with the grant application as presented. The Board did not have a concern with this other than explaining to Ms. Webb that the invoice would have to be clarified to only include the wall mounted “Stage Coach Florist” sign. Ms. Webb did not have a problem with this. With no further discussion, C. Kruppner moved to recommend to the Village Board that they approve a sign grant to Stage Coach Florist. M. Griffo seconded the motion with the understanding that a revised invoice would need to be submitted prior to the Village Board meeting on September 9<sup>th</sup>. The motion passed with ayes from all.

#### **5. Livingston County Historical Society – 30 Center Street:**

Anna Kowalchuk, Museum Administrator appeared before the Board with conceptual plans for Museum renovations. Ms. Kowalchuk introduced herself along with Liz Porter, President and Bill Brummett, Vice President of the Historical Society. Ms. Kowalchuk explained that the museum now has a facilities master plan that addresses upgrades to environmental controls and facilities, handicapped accessibility, enhanced exhibit flow and appropriate storage and operating space. Ms. Kowalchuk stated that the plan has left nothing unturned.

The main reason they are appearing before the Board with this conceptual plan is because it includes an addition in the rear of the building which would require a variance. The existing Willard Hose House and the Big Tree Shelter stand less than 10’ from the rear lot line, however per Village Zoning Code a 30’ rear setback is required for the addition and they are hoping to be granted a 20’ variance to line the rear of the main building up to the rear of the Willard Hose House and Big Tree Shelter. Ms. Kowalchuk stated that the existing parking area would be relocated to the south west corner of the lot adjacent to the church parking lot.

**Chair Woods opened the Goddard Development, Mavis Discount Tire**

**Public Hearing at 5:02pm with the understanding that the developers and public would have a chance to speak in a few minutes.**

Ms. Kowalchuk continued by stating that moving the parking area to the south west corner would allow the green space allocated to the east of the structure to remain as is. The fence along the rear property line would be removed. The adjacent property owners have been supportive of the work or cleanup that has happened thus far.

The Board asked if the addition would be one story. Ms. Kowalchuk stated that it would be and explained that the roofline of the entire building would be affected by the addition as it would become one roof instead of several different ones, which will help with environmental controls. The Board also asked if the NYS Historic Preservation Office (SHPO) has been contacted. Ms. Kowalchuk stated that they are working very closely with SHPO. CEO Maxwell stated that he had also met with someone from SHPO in regards to this project. The Board asked about the Heating-Ventilation-Air Conditioning units in regards to where they would be placed. Ms. Kowalchuk stated that they would be placed close to the west side of the building approximately where there is current parking spots now.

Chair Woods asked if it was the consensus of the Planning Board that this proposal could be something they would give site plan approval to in the future as it is too early in the process to grant conceptual/sketch plat approval. The Board agreed that it would be with the understanding that the Zoning Board of Appeals would need to grant the variance for the rear addition.

With no further discussion, Ms. Kowalchuk thanked the Board and left the meeting.

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

At 5:16pm Chair Woods stated that the Public Hearing for the Goddard Development/Mavis Discount Tire site plan application had been opened at 5:02pm. He asked that Mr. Burri, from Bergmann Development representing Goddard Development/Mavis Discount Tire be given the opportunity to present to the Board and then the public would be given a chance to make comments or ask any questions.

Mr. Burri stated that since the July 24, 2013 meeting with the Board, some minor changes have been made to the plan based on the Board's and Engineer's comments. The handicap parking spaces have been moved to the west side of the building, lower lying landscaping has replaced landscaping that may be a line of site issue, an 8" water main will be installed along Route 20A from Millennium Drive which includes approximately 600' of pipe. It has been determined by the Code Enforcement Office that a sprinkler system will not be required for the building.

Mr. Burri presented samples of the materials to be used to the Board. The Board was pleased with the colors and materials being proposed. The Board especially liked the cultured stone material that is being proposed for the front of the building. However, the Board wondered if regular block would be used for the remainder of the building. Mr. Burri stated that it would be, but that it would be given a stucco finish.

The Board asked how wide the band across the front of the building is that the Mavis Discount Tire letters will be mounted on. Mr. Burri believed it was approximately 3' wide. The Board asked if the cultured stone material that will be used for the front of the building was the same material being used for the base of the free standing sign. Mr. Burri stated that it was. It was noted that different font is being used on the building then on the freestanding sign. The Board wondered why a freestanding sign was being proposed versus a plaza/directory sign, especially if another building is planned for the future. CEO Maxwell stated that since that other building is just hypothetical at this time, a freestanding sign would be allowed versus a plaza/directory sign. The Board asked if the freestanding sign would be internally lit. Mr. Burri stated that it would be. Discussion continued regarding the amount of light that the sign will give off, noting that it must be dark sky compliant and no bulbs are to be seen. The Board asked if any thought had been given to putting the street number

on the sign. Mr. Burri stated that per the Code that was not a requirement but that the street number would be mounted to the front of the building per Code requirement. CEO Maxwell agreed.

At this time, Chair Woods asked if any of the members of the public had any comments or questions. Dan Magill from the Law Office of Peter K. Skivington asked what the overall height of the proposed building is. Mr. Burri stated that it is approximately 36'10" high. Dan Magill also asked what the height of the second building is. Chair Woods stated that this public hearing was for the Mavis Discount Tire building only and that if and when a second building is proposed, it would need to come before the Planning Board for approval. Mr. Magill asked if any storage was proposed behind the building and where the dumpster would be located. Mr. Burri stated that there will be no outdoor storage and that the dumpster enclosure is proposed for the east side of the building. Mr. Magill asked if the only driveway servicing the parcel would be on Route 20A. The Board and Mr. Burri stated that that was correct.

Chair Woods asked if there were any other comments or questions. CEO Maxwell asked that no outdoor storage be addressed in site plan approval. The Board and Attorney Reynolds did not have a problem with this.

Chair Woods mentioned that there were outstanding engineering and attorney fees owed to the Village that would need to be paid prior to a certificate of occupancy being issued. Mr. Burri stated that he was aware of this.

M. Griffo stated that he would like to see the teal panel on the front of the building moved in a little which would be more harmonious with the Village and other approvals granted by the Planning Board. M. Griffo feels as though allowing the teal panel as big as it is will be setting a precedent. S. Richardson stated that the teal color has not been reduced even though the Board has asked it to be. D. Farthing stated that she considers the teal color "branding". Mr. Burri commented that the teal band around the other three sides of the building has been eliminated. M. Griffo argued that if it could be removed from the other three sides, why couldn't it be removed from the front. Mr. Burri stated that the building that is proposed is not a typical Mavis Discount Tire building. M. Griffo stated that in all fairness the building design as first proposed has come a long way, but if that is the case that could continue by removing the teal band on the front.

Chair Woods asked for any comments or questions from MRB Group Engineer Rappazzo. Engineer Rappazzo stated that there are still some items missing such as the details of the proposed water line, the island areas of the parking lot need to be curbed, striped and have landscaping, but he believes that these and all other outstanding engineering items can be worked out between himself and Mr. Burri.

Chair Woods asked if Attorney Reynolds had any concerns. Attorney Reynolds stated that as far as he was concerned the only items he would need to review would be the easement over the existing sidewalk for access purposes and the easement for the purpose of cross-access which should extend from the proposed entrance through the parking lot to the proposed cross-access point.

S. Richardson asked if it was unusual to have a building like this with no doors on the back. CEO Maxwell stated that fire code does not require doors on the back of the building, but that there is a door on the east side of the building.

Chair Woods asked if Mr. Burri could review the landscaping plan with the Board. Mr. Burri stated that the landscaping along the front are specific to bio-retention areas. Mr. Burri noted that along the rear property line there is also a storm water management area. As per Village Code, foundation plantings have been added at the south west point of the building.

The Board asked about Phase II in relationship to how the area would look once the Mavis Discount Tire building is completed. Mr. Burri stated that this area will be completely green except for a temporary sidewalk from the existing sidewalk on Route 20A to the Mavis building. CEO Maxwell asked if it was the plan of the developer to keep this area mowed. Mr. Burri stated that it would be seeded and maintained.

D. Farthing stated that one of Engineer Rappazzo's comments was related to turning radiuses and wondered if one of the parking spaces had been eliminated to allow for proper turning. Mr. Burri stated that they could probably eliminate a parking space, but that they would rather install a mountable island. S. Richardson wondered if the area could be striped instead of curbed. Chair Woods and Engineer Rappazzo stated that per Village Code it must be curbed.

CEO Maxwell asked if outdoor sales such as racks of tires would be allowed outside of the building. M. Griffo stated that they have agreed to no outdoor storage. S. Richardson asked if the Board wanted to put a restriction on overnight parking. CEO Maxwell and the rest of the Board agreed that this was nearly impossible considering it is a vehicle repair garage. Member Griffo stated that he did not want to see this parking lot become a place to park or stage vehicles that would be put on sale somewhere else. Mr. Burri stated that he did not believe that the parking lot was large enough for this type of thing.

Chair Woods stated that the Board was in receipt of the New York State Department of Environmental Conservations 2009 letter regarding the site being clean per State regulations. The Board asked if New York State Department of Transportation had granted approval to Mavis for any work to be done on Route 20A. Engineer Rappazzo stated that Bergmann Associates has been in contact with DOT and he does not see any concerns related to what is being proposed.

Chair Woods asked if there were any other comments or questions from the public. Hearing none, M. Griffo moved to close the public hearing at 5:52pm. S. Richardson seconded the motion and the motion passed with ayes from all.

With no further discussion, the State Environmental Quality Review (SEQR) Short Environmental Assessment Form was reviewed for this project. M. Griffo moved to grant this proposal a negative declaration based on the information and analysis obtained and any supporting documentation on file that the proposed action will not result in any significant adverse environmental impacts. C. Kruppner seconded the motion and the motion passed with ayes from all.

D. Farthing moved the following resolution which was seconded by M. Griffo:

**WHEREAS**, Bergmann Associates has submitted an application on behalf of Goddard Development Partners and preliminary and final site plan (the "Site Plan") to this Board evidencing its proposed development; and

**WHEREAS**, Bergmann Associates, on behalf of Goddard Development as part of its application has submitted an Environmental Assessment Form which identified the proposed action as an Unlisted Action pursuant to the regulations governing the New York State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, on August 28, 2013, the Planning Board held a public hearing, which was duly advertised, for the purpose of soliciting public comment on the potential environmental impacts of the proposed actions; and

**WHEREAS**, after soliciting information from all involved agencies and the public, the Planning Board on August 28, 2013 issued a Negative Declaration, finding that the action as proposed would not have a significant adverse impact on the environment pursuant to the requirements of SEQRA; and

**NOW THEREFORE, BE IT RESOLVED** that the Bergmann Associates application on behalf of Goddard Development Partners for site plan approval for the construction of a seven bay Mavis Discount Tire building, approximately 6,150 square foot in size which includes the proposal of a future approximately 8,000 square foot building on the site located at 4181 Lakeville Road in the Village of Geneseo, Tax Map #: 81.10-1-2 currently owned by Robert E. Waring is hereby GRANTED subject to the following conditions which are to be complied with and satisfied prior to issuance of local permits for building or site development:

1. An easement, in a form acceptable to Village Attorney J. Thomas Reynolds be provided to the Village over the existing sidewalk for access purposes.
2. An easement, in a form acceptable to Village Attorney J. Thomas Reynolds be provided to the Village for the purpose of cross-access. This easement shall extend from the proposed entrance through the parking lot to the proposed cross-access point.
3. The comments outlined in the August 27, 2013 from Village Engineer Kurt Rappazzo, MRB Group be satisfied.
4. The area considered Phase II of this project is to be seeded and maintained, including mowing.
5. There will be no outdoor storage.

Before taking the vote, Chair Woods asked if there was any further discussion. M. Griffo stated that the Planning Board has voiced their concerns regarding the teal band across the front of the building to Goddard Development/Bergmann Associates and at this time, does not feel as though the project should be approved. He stated that the teal band should be shrunk and moved in. D. Farthing, S. Richardson and C. Kruppner agreed.

Chair Woods asked for a vote and the vote was as follows: David O. Woods – Aye, Matthew W. Griffo – Nay, Susan B. Richardson – Nay, Dori Farthing – Nay and C. Kruppner – Nay. The resolution failed 4 to 1.

Further discussion followed and M. Griffo wondered if any consideration could be made tonight to decrease the size of the teal band across the front of the building. Mr. Burri stated that he was the representative of the developer and was not sure. The Board agreed that perhaps preliminary approval could be given tonight and then possibly final approval at the next meeting. Mr. Burri stated that he does not believe that the color being presented is any worse than the colors on the KFC/Taco Bell building. The Board stated that it was not so much the color but the amount of color being proposed. The Board wondered if Mr. Burri would agree to shorten the band, what would replace it. Mr. Burri stated that the clapboard would replace it. After much discussion, Mr. Burri agreed on behalf of Goddard Development and Mavis Discount Tire that the teal and white band across the front of the building would be shrunk and centered over the five western most bays.

Therefore, M. Griffo moved following resolution which was seconded by C. Kruppner:

**WHEREAS**, Bergmann Associates has submitted an application on behalf of Goddard Development Partners and preliminary and final site plan (the “Site Plan”) to this Board evidencing its proposed development; and

**WHEREAS**, Bergmann Associates, on behalf of Goddard Development as part of its application has submitted an Environmental Assessment Form which identified the proposed action as an Unlisted Action pursuant to the regulations governing the New York State Environmental Quality Review Act (“SEQRA”); and

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**WHEREAS**, after soliciting information from all involved agencies and the public, the Planning Board on August 28, 2013 issued a Negative Declaration, finding that the action as proposed would not have a significant adverse impact on the environment pursuant to the requirements of SEQRA; and

**NOW THEREFORE, BE IT RESOLVED** that the Bergmann Associates application on behalf of Goddard Development Partners for site plan approval for the construction of a seven bay Mavis Discount Tire building, approximately 6,150 square foot in size which includes the proposal of a future approximately 8,000 square foot building on the site located at 4181 Lakeville Road in the Village of Geneseo, Tax Map #: 81.10-1-2 currently owned by Robert E. Waring is hereby GRANTED subject to the following conditions which are to be complied with and satisfied prior to issuance of local permits for building or site development:

1. An easement, in a form acceptable to Village Attorney J. Thomas Reynolds be provided to the Village over the existing sidewalk for access purposes.
2. An easement, in a form acceptable to Village Attorney J. Thomas Reynolds be provided to the Village for the purpose of cross-access. This easement shall extend from the proposed entrance through the parking lot to the proposed cross-access point.
3. The comments outlined in the August 27, 2013 from Village Engineer Kurt Rappazzo, MRB Group be satisfied.
4. The area considered Phase II of this project is to be seeded and maintained, including mowing.
5. There will be no outdoor storage.
6. The teal and white band across the front of the building is to be limited to the western most five bays and be replaced with the "Hardie Board".

The resolution passed with ayes from all. Mr. Burri thanked the Board and left the meeting.

#### **7. Wal\*Mart Supercenter – Site Plan Modification – Storage Trailers:**

Jason Fox, Shift Manager, Wal\*Mart Supercenter appeared before the Board with a conceptual plan to solve the spring and fall requests for temporary storage trailers. Mr. Fox stated that he is aware that the Board has given Wal\*Mart several temporary site plan modifications for the use of storage trailers and that the Board is looking for a permanent solution. Mr. Fox stated that their storage issues are not going to go away, that there is no way to expand and the freight keeps coming. Mr. Fox stated that safety is also a concern and they do not want to be in violation of OSHA (Occupational Safety and Health Administration) regulations. Mr. Fox continued by stating that they are now proposing a permanent fence to be installed around a maximum of twelve storage trailers along the north west corner of the parcel across from the Tire Center.

S. Richardson wondered why many of the Wal\*Mart stores she has seen have storage trailers. Mr. Fox explained that when Wal\*Mart brought back layaway, they needed a place to store items for up to three months, there is also site to store packages to be stored along with same day pickup. Mr. Fox explained that the best way to store these items is in the backroom, which then does not leave room for the freight that comes in. S. Richardson wondered why Wal\*Mart is not addressing this issue as a corporation. Mr. Fox stated that other stores have warehouse facilities, but because there is not a large enough warehouse in the area, the storage trailers are the best option for this store.

Chair Woods stated that the Board had asked Wal\*Mart to come back with a permanent solution, but this is not what they had in mind. CEO Maxwell stated that he would rather see the storage outside the building instead of jam packed into the backroom of the building which could cause a safety/fire hazard. D. Farthing stated that she envisions something permanent but not trailers and nothing in the front of the store, noting that it was a surprise to see storage trailers placed in the garden center area in the front of the store over the winter. S. Richardson wondered if the

outside garden area on the west side of the building could be enclosed and made into a permanent storage area with an outside garden area only like Country Max. Mr. Fox stated that Wal\*Mart would not approve a proposal like this. S. Richardson wondered if the outside large empty areas along the front of the store could be utilized better. Mr. Fox stated that per regulations, concrete bollards have been installed along the front of the building, making it impossible for a truck to deliver or pick up a storage trailer in this area. The Board agreed that they did not want to see storage trailers along the front of the building. Mr. Fox stated that as discussed at a previous Planning Board meeting, a gate had been installed in the garden area and they still had problems getting trailers in and out of there.

Chair Woods asked for details on the proposed fence. Mr. Fox stated that at this time, they just wanted to see what the Planning Board thought of the idea before moving ahead with further details. The Board agreed that they did not want to see a chain-link fence. Mr. Fox stated that the type of material to be used would not be an issue. The Board asked how tall the fence would need to be to completely screen the containers. Mr. Fox stated that he thought the storage trailers were approximately 8' tall, therefore the fence would need to be approximately 8' to 10' tall.

M. Griffo wondered if the fenced in area could be made large enough to store the bales of cardboard that are stored along the rear property line. Mr. Fox stated that logistically he did not believe storing the bales in this fenced area would work. The Board asked how frequently the bales of cardboard are picked up. Mr. Fox stated that they are picked up once a week. The Board wondered if they could be picked up more often. Mr. Fox stated that he could look into getting them picked up more often.

The Board asked how many storage trailers they were proposing. Mr. Fox stated that they are proposing up to 12 trailers. Some trailers are 40' long and some are 20' long. It was noted by the Board that the trailers are not seen unless driving in the area where they are placed.

Some concern was brought up by the Board in regards to installing a fence along the west property line with an adjacent parcel which may be developed in the future. It was agreed by a majority of the Planning Board members that installing a fence was not an acceptable solution to the problem.

Code Enforcement Officer Maxwell stated that from his perspective as fire marshal, he does not have a problem with the storage trailers as they keep the merchandise out of the store which is a potential hazard. CEO Maxwell suggested that instead of fencing, some type of landscaping be added to this area so it is screened. The Board seemed to like this idea, but wondered what the procedure was once a storage trailer is emptied. Mr. Fox stated that once a trailer is empty, they call the company that provides them and they come within a week to haul them away.

Further discussion took place and it was agreed that the landscaping option was preferred over the fencing option, but the Board wanted to see a detailed landscaping plan. Mr. Fox stated that he did not have a problem with evergreen trees, but wanted to explain to the Board that more landscaping means more birds and bugs, which could potentially close a store down. The Board did agree that they wanted to see something that would not draw attention to the trailers especially if they are going to be permanent. Mr. Fox thanked the Board and left the meeting.

## **8. Review of Minutes:**

The July 24, 2013 meeting minutes were reviewed. M. Griffo moved to approve the minutes as presented. S. Richardson seconded the motion. The vote was as follows: D. Woods – aye, M. Griffo – aye, S. Richardson – aye and D. Farthing – aye. C. Kruppner abstained as he was not present at the July 24<sup>th</sup> meeting.

**9. Code Enforcement Office Report:**

**July 2013**

Building Permits	6
Sign Permits	15
Rental Housing	12
Fire Inspections	0
Avoidable False Alarm Violations	0
Violations	0
Temporary Structure/Tent	0

CEO Maxwell stated that all required renovations have been completed to turn 18 Wadsworth Street into a two-family home.

CEO Maxwell reported that his office has received many phone calls from upset parents in regards to the condition of their college student's rental. CEO Maxwell stated that he or CEO Dean O'Keefe complete an inspection of the rental if possible, otherwise they follow up with the landlord and/or renter/parent.

**10. McDonald's Rebuild – Site Plan Modification - 4162 Lakeville Road:**

As discussed at the July Planning Board meeting, now that the McDonald's rebuild has been begun it came 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. Engineer Rappazzo stated that he has spoken with McDonald's representatives and they are more than happy to remove this existing tree and replace with a new one. Engineer Rappazzo stated that they would like to replace it with a Cleveland Pear Tree. The Board did not have a problem with this, therefore, D. Farthing moved to approve site plan modification to allow the 10" "U" shaped Maple Tree along the eastern boundary line that has been hacked by the utility company to be removed and replaced with a Cleveland Pear Tree. The motion was seconded by S. Richardson and the motion passed with ayes from all.

**11. Town of Geneseo Planning Board Update – David Woods:**

David Woods reported that the Town Planning Board met on August 12<sup>th</sup>. Coast Professional was on the agenda for changes to the site plan for Phase III. Another item on the agenda involved discussion of fences along lake properties that may block the view of neighboring properties. D. Woods also stated that an official ground breaking ceremony will be held on September 18<sup>th</sup> for the Hammocks.

**12. Livingston County Planning Board Update – Stew Leffler:**

Stew Leffler reported that a County Planning Board meeting was not held in August.

**13. Other Business:**

Chair Woods reported that General Code Publishers will be holding a training session on Wednesday, September 18<sup>th</sup> at the Town Office regarding the online or E-Code. All are welcome to attend by confirming your reservation with the Town Clerk as soon as possible.

**14. Village Tavern – 137 Center Street:**

A member of the Planning Board reported that the Village Tavern is now hosting bands on the deck. The Planning Board agreed that this was not part of the special use permit approval and this is in direct violation of the Village Noise Ordinance. CEO Maxwell and Secretary Mack agreed that they would research the approvals given and forward that information to the Board.

**15. Meeting Closed:**

With no further discussion, C. Kruppner moved to close the meeting at 6:53pm. M. Griffo seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary