

Members Present:

David Woods, Chair
Matthew Griffo, Member
Susan Richardson, Member
Dori Farthing, Member
Jim Kernan, Member
Claren Kruppner, Alternate

Other Village Representatives Present:

Code Enforcement Officer Ron Maxwell
Livingston County Planning Board Representative,
Stewart Leffler

Applicant(s) Present:

Mario Dragani, 86 Court Street, The Statesmen
David Hoffmann, Attorney, 75 Main Street

Public Present:

Matt Leader, Livingston County News
Jenna Sabers, SUNY Geneseo student, Intro to Planning Geog 201
Kelliann Panara, SUNY Geneseo student, Intro to Planning Geog 201

1. Meeting Opened:

Chair Woods opened the meeting at 4:30pm.

2. Meeting Minutes:

The September 24, 2014 Meeting Minutes were reviewed. D. Farthing moved to approve the minutes as amended. J. Kernan seconded the motion and the motion passed with ayes from M. Griffo, S. Richardson, D. Farthing and J. Kernan. D. Woods abstained as he was not present at the September 24th meeting.

3. The Statesmen – 86 Court Street:

Mario Dragani appeared before the Board on behalf of his son Rocco Dragani for a deck to the west side of the Statesmen at 86 Court Street. Mr. Dragani explained that the deck would be used as a “smoke deck” with a security guard posted at the door so underage drinkers could not enter illegally. Mr. Dragani also explained that the deck rails would be tall enough so that people would not have easy access to the deck. Mr. Dragani stated that currently smokers have had to go out onto the street or sidewalk to smoke. The Board asked CEO Maxwell if this would be considered site plan modification. CEO Maxwell believed that it would be.

Discussion followed in regards to whether or not a full site plan review would be required including holding a public hearing. The Board was supportive of not holding a public hearing because the impact to the site would be minimal considering the size of the deck, there is an existing door where the deck will be built and that there is an existing parking lot in which the deck will be built. CEO Maxwell did state that noncombustible materials must be used for any landscaping that might be used around the deck. The Board also agreed that under the State Environmental Quality Review Act the deck would be considered a Type II action which is not subject to review. The Board asked about lighting. Mr. Dragani stated that if they needed to add lighting they would, but did not believe any was planned because there is an existing security lighting on the building and an existing street light near that area.

With no further discussion, M. Griffo moved to waive the public hearing requirement for site plan modification for the proposed deck at 86 Court Street per Section 130-106 of the Village Code.

S. Richardson seconded the motion. Further discussion revealed that because the property is located within 500' of a State property – SUNY Geneseo, it would need to be referred to the County Planning Board. The motion passed with ayes from all. Mr. Dragani thanked the Board and left the meeting.

**4. Attorney David Hoffmann – 75 Main Street, Suite C –
Sign Permit Application & Sign Grant Application:**

Attorney David Hoffmann appeared before the Board for a sign permit and sign grant application for a 2' x 4' x 1" carved high density urethane sign at 75 Main Street. The sign will be painted gloss black, dark gray, white and include 23k gold lettering.

M. Griffo moved to approve the sign permit application as presented. D. Farthing seconded the motion and the motion passed with ayes from all.

With no further discussion, S. Richardson moved to recommend to the Village Board that they approve a sign grant to Attorney David Hoffmann. J. Kernan seconded the motion and the motion passed with ayes from all.

5. Batavia Automotive – 29 East South Street – Free Standing Sign Panel and Building Façade Replacement Panel Sign Permit Applications:

The Board reviewed two sign permit applications from Batavia Automotive.

The Board agreed that the design for the free standing sign replacement panels are not exactly what is preferred for the Village, but does meet all zoning requirements. With no further discussion, M. Griffo moved to approve the free standing sign replacement panels as presented. D. Farthing seconded the motion and the motion passed with ayes from all.

The Board was concerned that the sign permit application for the replacement panel for the sign on the front of the building was incomplete because the rendering submitted appeared to be a copy and the application was not checked on whether or not the sign would be illuminated, internally lit, or externally lit. Therefore, D. Farthing moved to take no action at this time and ask that Code Enforcement Officer Dean O'Keefe relay the message to Batavia Automotive as to why the Board decided to take no action. J. Kernan seconded the motion and the motion passed with ayes from all.

6. Wal*Mart Supercenter – Storage Trailers – 4235 Veteran Drive:

Chair Woods stated that the Board received a letter from Wal*Mart Supercenter store Manager Sam Fichera on October 20, 2014 which stated: *"I would like to be added to the November Planning Board meeting to discuss future plans for trailer storage for seasonal merchandise on our lot. I have brought the idea of possibly purchasing adjacent land and expanding our building for extra internal storage to my superiors and I will be bringing my Market Manager for this area, Don Quinn, with me to further explain our options. I look forward to meeting with the Board again and resolve this issue permanently."*

The Board agreed that they have been very accommodating by granting Wal*Mart the use of temporary storage trailers over the past few years while requesting a permanent solution to the matter. The Board is also concerned about the storage of recycled material on wooden pallets behind the building. It was noted that the Code Enforcement Office could issue Wal*Mart violations for these offenses, but agrees that a permanent solution is needed. The Board hopes that the permanent solution does not involve the use of temporary storage trailers. The Board agreed that they would like to see adjustments made to the Zoning Code which would address temporary storage trailers.

7. Old Business/ New Business:

Church of Jesus Christ of Latter Day – 42 East South Street – Update:

The Board asked CEO Maxwell if the storm water management concerns have been taken care of at the Church of Jesus Christ of Latter Day Saints. CEO Maxwell stated that he

and Village Engineer Kurt Rappazzo, MRB Group had visited the site and is in the process of obtaining as built plans. The Board has not seen any ponding water since the site work was completed this summer. CEO Maxwell and Engineer Rappazzo will keep the Board up to date.

Goddard Development/Mavis Discount Tire – 4181 Lakeville Road – Update:

The Board asked CEO Maxwell for an update on the site plan for Mavis Discount Tire. CEO Maxwell stated that he has no update. It was noted that their three month site plan approval extension is due to expire on November 28th.

University Cardiovascular Associates (UCVA) – 38 East South Street:

It was noted that the gravel parking lot at UCVA has been paved. The Board was concerned that drainage might have been affected by the improvement. CEO Maxwell explained that drainage should not have been affected as the surface drains exactly the same way it did before.

Pizza Hut – 71 East South Street:

It was noted that there has been a change in paint color of the exterior of Pizza Hut. The building was built in the 1970's at which time there were no regulations in place regarding paint color. The Board agreed that the tan color was darker than they are used to.

8. Code Enforcement Office Report:

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| Building Permits | 04 |
| Sign Permits | 01 |

CEO Maxwell reported that the Fire Department had responded to a carbon monoxide detector alarm at 14 Wadsworth Street on Sunday, October 19th. Residents were evacuated and it was found that the furnace had previously been tagged by RG&E a year ago but never repaired. Code Enforcement Officer Dean O'Keefe responded to house as soon as he was notified Monday morning October 20th. He tagged the house not to be occupied until the furnace was repaired. CEO Maxwell stated that CEO O'Keefe has been at the property several times since tagging it on Monday morning. It was noted that the house is occupied by a sorority but is not considered a sorority house. It is listed as a two-family home which has been properly registered and inspected under the Rental Housing law. The carbon monoxide detectors in the house were working properly which was a major contributor to saving the lives of the occupants.

J. Kernan left the meeting at 5:30pm.

CEO Maxwell reported that all of the foundations are in the ground for Phase I of the Hammocks project off of Volunteer Road and they would like to start on Phase II of the project as soon as possible. They have changed their policy to allow small pets.

CEO Maxwell also reported that Coast Professionals on Volunteer Road has purchased land from the Aprile family in which they plan to build an addition which will be larger then what is currently there. The addition will be attached to the existing building by a covered walkway because of fire regulations.

CEO Maxwell and CEO O'Keefe attended the Town/Gown meeting held at the Letchworth dining hall on campus on October 15th. This meeting is held once in the spring and once in the fall for Village and SUNY officials to have a roundtable discussion. One of the items discussed at the meeting included the stadium lights for the new stadium on campus located at the end of Park Street and Route 63. It was noted that the lights are very tall and not dark sky compliant. It was also noted that

the rationale behind the light spillage would be that the light would spill onto campus property only, not onto any residential properties in the Village. The stadium lighting as installed will be utilized by the entire stadium area, not necessarily just the main field. The Board wondered why under SEQRA the Village would not be considered an involved and/or interested agency. CEO Maxwell explained the college is considered a part of the State Education system, in which municipal boards have no say. The Board hoped that the NYS DOT – New York State Department of Transportation was considered as involved and/or interested agency.

CEO Maxwell reported that the Inn Between bar located at 88 Main Street has closed its doors and plans to remodel into residential apartments. The property is located in the MU-1, Mixed Use Zoning district in which apartments are allowed, however the property fails to meet the side yard set back of ten (10') feet per 130-133 of the Village Zoning Bulk & Use Tables. A six and one-half (6 ½') foot variance is being sought. If the area variance is granted by the Zoning Board on November 5th, there will be exterior changes made to the outside of the building which will require Planning Board approval.

CEO Maxwell also reported that AB Cole Real Estate on behalf of Doris Bailor has applied for a use variance for the property located at 72 East South Street. The property is located in the R-1 Residential zoning district and is currently listed as and used as a residential home. AB Cole Real Estate has not been able to sell the property as a residential property and has had only offers for the property to be used as office space; therefore they are seeking a use variance per Bulk & Use Table 130-130 of the Zoning Code. CEO Maxwell stated that the property was formerly located in the RPSO – Residential/Professional Services/Office Zoning District prior to the Zoning update. CEO Maxwell continued by stating that if the variance is granted any site or architectural changes will require Planning Board approval.

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

David Woods reported that the Town Planning Board met on October 6th.

Conceptual and Preliminary subdivision and site plan approval was granted to Coast Professionals as earlier discussed under the Code Enforcement Office report with a November 10th Public Hearing for final approval scheduled.

Final approval was granted to Henry Minor for a two lot subdivision at 4222 Roots Tavern Road.

Revisions to the Town Zoning Code are moving ahead along with the Agricultural Farmland Protection plan.

10. Livingston County Planning Board Update – Stew Leffler:

Stew Leffler reported that the County Planning Board met on October 9th with the following agenda items:

- Town of Geneseo Planning Board referral
Subdivision and Site Plan Review

- Addition - Coast Professionals – Volunteer Road

- Village of Mount Morris Planning Board referral
Site Plan Review

- Car and Pet Wash – North Main Street – Route 36

- This will be a new building which will be located across the street from the Genesee River Hotel Reception Center.

- The idea is that people visiting Letchworth State Park will be able to utilize the services of the pet wash after their hike in the park.

- Town of Conesus Town Board referral

Comprehensive Plan update

Mr. Leffler stated that the next County Planning Board meeting is scheduled for November 13th and he distributed “Living in the Country – What to Expect from Your Farm Neighbors” brochure.

11. Meeting Closed:

With no further discussion, D. Farthing moved to close the meeting at 5:58pm. M. Griffo seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary