

Village of Geneseo
Planning Board

January 28, 2015
Regular Meeting

Members Present:

David Woods, Chair
Susan Richardson, Member
Dori Farthing, Member
Jim Kernan, Member

Other Village Representatives Present:

Code Enforcement Officer Dean O’Keefe
MRB Group Engineer Kurt Rappazzo
Livingston County Planning Board Representative,
Stewart Leffler

Applicant(s) Present:

Krystyna Skrzypek, Euro Café - Real Food & Deli, 116 Main Street, Special Use Permit
Tim Brinduse, T.A.B. Design Architect, Lee Chiropractic, 72 East South Street
Dr. Jeremy Lee and Michelle Lee, Lee Chiropractic, 72 East South Street
Teri Thielges, Three Unit Apartment Building, 3 South Street
Joe O’Donnell, O’Donnell & Associates Inc, Three Unit Apartment Building, 3 South Street
Corrin Strong, Genesee Graphics, 61 Main Street

Public Present:

Matt Leader, Livingston County News

1. Meeting Opened:

Chair Woods opened the meeting at 4:30pm.

2. Meeting Minutes:

The December 17, 2014 regular meeting minutes were reviewed. D. Farthing moved to approve the minutes as presented. J. Kernan seconded the motion and the motion passed with ayes from all.

The January 7, 2015 special meeting/public hearing meeting minutes were reviewed. S. Richardson moved to approve the minutes as presented. J. Kernan seconded the motion and the motion passed with ayes from D. Woods, S. Richardson and J. Kernan. D. Farthing abstained as she was not present at the January 7, 2015 meeting.

3. Special Use Permits:

Chair Woods explained that he has advised Secretary Mack to schedule a public hearing for a special use permit as soon as the application is received. This should eliminate the need for two Planning Board meetings when two meetings may not be necessary. Secretary Mack noted that this may not be possible due to publication dates and notification to all the property owners within 100’ of all property lines certified return receipt at least ten days prior to the public hearing date but no more than twenty days prior to the public hearing date.

4. Euro Café - Real Food & Deli – 116 Main Street – Special Use Permit Renewal:

Krystyna Skrzypek, co-owner of the Euro Café appeared before the Board for the special use permit application issued January 22, 2014 by the Planning Board which expires on February 1, 2015. Ms. Skrzypek stated that they opened on March 1, 2014 and have had happy customers and wonderful reviews. Chair Woods asked Code Enforcement Officer Dean O’Keefe if his office has had any complaints or concerns. CEO O’Keefe stated that he was not aware of any.

With no further discussion, S. Richardson moved to schedule a public hearing for review of the special use permit application for Wednesday, February 25, 2015 at 4:35pm. D. Farthing seconded the motion and the motion passed with ayes from all.

5. Lee Chiropractic – 72 East South Street – Site Plan Review:

Tim Brinduse, T.A.B. Design Architect along with his clients Dr. Jeremy Lee and Michelle Lee appeared before the Board for site plan review for the property located 72 East South Street. Mr. Brinduse explained that Dr. Lee and his wife are in the process of purchasing the property which is scheduled to close tomorrow Thursday, January 29th. The current property owner, Doris Bailor was granted a use variance from the Zoning Board of Appeals for the property on November 5, 2014 to allow for office use which is not an allowed use in the R-1 Residential Zoning District.

Mr. Brinduse continued by stating that he is in receipt of MRB Group Engineer Kurt Rappazzo's comment letter dated January 25, 2015. He stated that at this time, his clients are proposing to add a handicap ramp to the front of the building and a graveled parking lot area to the west of the building. Mr. Brinduse stated that per Village Code 2.5 or 3 parking spaces are required and they have provided for 5 spaces, which should be plenty for two staff members and three exam rooms. The property is located adjacent to Jaycox Creek but the overall improvements to the property will not affect the creek and is not within the flood zone. Mr. Brinduse stated that the parking area is planned for the west side of the property as in the future Dr. Lee may want to add a few rooms to the building which would only be feasible on the south side of the building.

The Board asked about ingress/egress concerns in relationship to Route 20A (East South Street). Mr. Brinduse stated that there are limitations in relationship to where the driveway and parking lot can be placed because of the existing utility pole and fire hydrant located near the road in the northeast corner of the property. The Board asked if any consideration had been made to cross access between the church property located at 2 Haley Avenue and this property. Mr. Brinduse stated that at this time there has not been any communication with the church. However, if Dr. Lee does decide to expand in the future, parking will be an issue and church hours would be different then office hours, an agreement could be worked out with the church for parking at that time.

Mr. Brinduse continued by stating that a NYSDOT Highway Permit will be required and plans to meet with them as soon as possible. The Board wondered if the church or Village owns to the edge of Route 20A. It was believed that the church did with a large right-of-way. The Board was concerned about patients making a left hand turn onto Route 20A heading west. The Board was also concerned with patients leaving the practice and any vehicles obeying the sign near the property that states that vehicles should not block Haley Avenue.

The Board asked about the current driveway and proposed driveway in relationship to the Pizza Hut entrance/exit. Mr. Brinduse stated that currently the driveways are offset from one another and he does not plan to line them up, the only plan at this time is to widen the existing driveway to the proper width of 24'. The Board asked if it would be possible to move the driveway to the west. Mr. Brinduse stated that he does not feel this is feasible as relocating the driveway cut would mean relocating a utility pole which is very expensive. It was noted that the proposed office use is not a heavy traffic load onto Route 20A compared to others along that route.

Chair Woods asked Engineer Rappazzo to summarize his letter of January 25th.

1. A more detailed site plan is required.

Mr. Brinduse stated that this would be forthcoming

2. Use variance for small office has been granted by the ZBA and provided to the PB.
3. As the property is located in the R-1 residential zoning district, it is not required to meet the standards of the Access Management Overlay District, however, the Board should take into consideration whether or not certain components of the Access Management Overlay District should be applied such as sidewalks and landscaping.
4. As previously discussed, NYSDOT will be contacted regarding the driveway cut.
5. Line of sight from the driveway should be reviewed.

6. As previously discussed, the driveway at 17' wide is too narrow for two-way traffic
7. As previously discussed, the driveway is to be a minimum of 24' wide.
8. The parking area on the west side should remain parallel to NYS Route 20A, as opposed to angling towards it.
9. The 12-foot wide turnaround at the end of the parking aisle, if not widened to the full driveway width, should be located on the opposite side of the drive aisle.
10. Wheel stops should be provided preventing vehicles from encroaching up the sidewalk.
11. It does not appear that the sidewalk has been extended from the building to the parking area on the west side of the building.
12. The Planning Board should be satisfied with the number of parking spaces provided.
13. The project may impact the FEMA regulated flood plain associated with Jaycox Creek. Existing and proposed grades and contours should be provided.
14. Runoff mitigation should be provided since the project will result in an increase in stormwater runoff and discharges directly to Jaycox Creek.
15. Erosion and sediment control practices in accordance with the NYS Standards and Specifications for Erosion and Sediment Control, shall be provided during construction and a plan shall be provided showing their implementation.
16. The existing underground utilities and any modifications to should be depicted on the site plan.
17. Existing trees, including those to be removed, and proposed landscaping shall be depicted on the plan.
18. Proposed site lighting and signage shall be depicted on the plan.
19. Snow storage areas shall be depicted on the plan.
20. The Planning Board should review the building architecture and any modifications thereof, including the proposed access ramp.

Mr. Brinduse stated that regarding comment #8 which states “the parking area on the west side should remain parallel to NYS Route 20A, as opposed to angling towards it” they are resistant to make that change due to future expansion of the building and need for additional parking spots.

The Board asked about the need for a sidewalk or sidewalk easement along the front of the property. Dr. Lee stated that there is a sidewalk on the other side of Route 20A and asked what the need for one would be along this side of Route 20A. The Board noted that the Village’s goal is to have sidewalks on both sides of Route 20A. Mr. Brinduse stated that he does not see the advantage of having a sidewalk along the front of this parcel. Engineer Rappazzo suggested that Mr. Brinduse discuss the idea with DOT. Mr. Brinduse commented that if a sidewalk or sidewalk easement is required, this project becomes infeasible and Dr. Lee stated that it would become a rental property.

Dr. Lee asked if there was anything else at this time. The Board asked what the plans were for signage. Mr. Brinduse and Dr. Lee stated that that would be forthcoming.

With no further discussion, S. Richardson moved to schedule a public hearing for Wednesday, February 25, 2015 at 4:45pm. D. Farthing seconded the motion and the motion passed with ayes from all.

Mr. Brinduse, Dr. and Mrs. Lee thanked the Board and left the meeting.

6. Three-Unit Apartment Building – 3 South Street – Site Plan Review:

Joe O’Donnell, O’Donnell & Associates Inc appeared before the Board with his client Teri Thielges who owns the property at 3 South Street. Ms. Thielges wishes to construct a three unit

apartment building at the rear of the property where the storage units currently sit. The storage units will be demolished.

On January 6, 2015, the Zoning Board of Appeals approved the request for permission to erect a three unit apartment building that fails to meet both side yard (ten feet) setbacks; rear yard (thirty feet) setback; and the property fails to meet the seventy-five (75') foot minimum lot width, in an MU-1 mixed use district per 130-133 Bulk & Use Table of the Code of the Village of Geneseo. A four foot, two inch (4'2") side yard setback for each side and a nineteen foot (19') rear yard setback variance was granted; and ten (10') feet relief from the lot width was also granted. The variances were granted contingent on Livingston County Planning Board recommendations as the Livingston County Planning Board met on January 8th.

Mr. O'Donnell stated that at least two more variances are being requested at this time to comply with each multifamily dwelling development providing a recreation area or areas furnished with suitable equipment at a standard of 100 square feet for each dwelling unit, with a minimum of 1,600 square feet per area, relief from the 1,600 square feet per area is sought as the plans include a standard 100 square feet for each dwelling unit and to comply with the parking area having a 10' side yard set back, a 4'2" variance is being requested.

Mr. O'Donnell continued by stating that these units will be upscale housing units each with one parking space per unit per Code requirement. The parking spaces will be situated between the existing building and the new three unit apartment building. The building will have a row house aesthetical look with earth tone colors. Sample materials to be used will be submitted at the next Planning Board meeting.

The Board asked about how the residents would deal with waste. Mr. O'Donnell stated that this still needs to be addressed, but Ms. Thielges stated that she currently takes care of the trash for the store and apartment above the store on her own by taking to the Town of Geneseo Transfer Station. Therefore, totes will be provided to the tenants for garbage and recycling and placed at the end of each parking spot. The totes will not be brought out to the front side of the existing building until Friday night and then taken to the Transfer Station on Saturday morning.

Regarding green space the Board wondered if any green space could be provided for along the front or front west side of the parcel to allow for more parking along the back for the apartment units. Ms. Thielges stated that all of the existing parking spaces along the front west side of the building are utilized by the store and one of the spots has a decorative wall that separates the convenient store/gas station parcel from her parcel.

The Board was concerned about keeping the grass green on the sides and in the rear of the apartment building. Ms. Thielges stated that she plans to utilize some type of ground covering instead of grass. Mr. O'Donnell stated that a landscaping plan will be submitted at a later date.

The patios in the rear of the unit will be more of a brick or stone instead of a concrete slab. The Board asked if the patios would be separated by a privacy wall. Mr. O'Donnell stated that they would be.

Mr. O'Donnell showed the Board his only colored sketch of what the building may look like. The Board appreciated that earth tone colors were being utilized along with a historic looking design. It was noted that bay windows would not be used as depicted. The kitchens will be located to the front of the building with a great room to the rear on the main level with a half bath. Two bedrooms and a full bath are planned for the second floor.

The Zoning Board of Appeals does not meet until March 3, 2015 the Planning Board agreed to hold a site plan public hearing for Wednesday, February 25th at 5:00pm with the understanding that final approval could not be granted until at least March 25th.

Chair Woods asked if Engineer Rappazzo had any comments or questions at this time. Engineer Rappazzo stated that per the Livingston County Planning Board's comment letter dated

January 9, 2015 #2 per SEQR regulations 617.4 (b) (9), the proposed is considered a Type I action because it involves an Unlisted Action on property listed on the National Register of Historic Places. Engineer Rappazzo also stated that a detailed site plan should be submitted for his review as soon as possible.

With no further discussion, S. Richardson moved to approve sketch plat approval for a three unit apartment building on the property located at 3 South Street. J. Kernan seconded the motion and the motion passed with ayes from all.

7. Genesee Graphics – Corrin Strong – Sign – 61 Main Street:

Corrin Strong appeared before the Board for a temporary sign at 61 Main Street. Mr. Strong stated that he has temporarily moved into the vacant storefront at 61 Main Street (former Frugal Fashionista). He plans to be there for approximately three weeks and then move into a small office within the Palace Office building. The sign is an existing sign that he had when we had a store on Main Street. The sign does meet size requirements.

CEO O’Keefe stated that because the sign is consistent in construction with a permanent sign, instead of a banner, Mr. Strong was directed to the Planning Board for approval. Mr. Strong stated that he has no plans to remain in 61 Main Street. The space is too big and too expensive for what his needs are. The Frugal Fashionista sign will be removed and this sign will be screwed into place.

With no further discussion, J. Kernan moved to approve the sign permit application as presented to expire on March 31, 2015. D. Farthing seconded the motion and the motion passed with ayes from all.

8. Vital Spot – Exterior/Sidewalk Patio - 3 Bank Street:

Chair Woods updated the Board on the plans to proceed with the exterior/sidewalk patio at the Vital Spot at 3 Bank Street. The Village Board has been looking at possible Code amendments to allow for consumption of alcohol on a Village owned sidewalk along with the changes which will need to be made to the sidewalk to allow for a terraced area. The Planning Board will review for design of the patio at a later date.

9. Code Enforcement Office Report:

	November 2014	December 2014
Building Permits	04	02
Sign Permits	02	02
Avoidable Alarm Violations	01	00

CEO O’Keefe reported that the Shang Hai Chinese restaurant in the Livingston Plaza has closed and the sign will be coming down shortly as Code requires.

The smoking deck at the Statesmen as previously approved by the Planning Board needs better supports and cross bracing prior to being utilized. A set of stairs is also required as the door on that side of the building is considered an emergency exit, therefore, the deck must be accessible and currently is not.

There was a fire at the Hammocks due to a faulty space heater which was being used because the sprinkler system pipes had frozen. This building was built different then the others with the sprinkler system looping through the garages. Three apartments were damaged.

CEO O’Keefe also reported that the Town has signed an inter-municipal agreement with the County for CEO Maxwell to assistant John Driscoll, the County’s new Supervisor for Central Services, Building, Grounds and Parks. Mr. Driscoll is in the process of obtaining all of his Code classes, therefore CEO Maxwell and the Town agreed to help the County until Mr. Driscoll is certified.

10. Town Planning Board Update – David Woods:

D. Woods reported that the Town Planning Board last met on January 12th. Agenda items included:

1. Special Use Permit Renewal Request for Staley Storage, 5139 Lakeville Road
2. Special Use Permit Renewal Request for Massage in Motion, 3166 Elm Road

Public hearings will be held on both applications at the February Town Planning Board meeting.

11. Millennium Drive Extension:

Chair Woods stated that Livingston County and Greg O’Connell are working with the Village to devise a plan to connect Millennium Drive, Veteran Drive, Ryan Drive and Volunteer Road. There are three options that are currently being looked at with one possible option requiring a subdivision application. Chair Woods stated that a Livingston County representative may be at an upcoming Planning Board meeting to present the options.

12. Livingston County Planning Board Update – Stew Leffler:

Stew Leffler stated that the Livingston County Planning Board last met on January 8th with the following agenda items:

Town of Avon Moratorium on and Prohibition of Natural Gas and Petroleum Exploration and Extraction Activities, Underground Storage of Natural Gas, and Disposal or Treatment of Natural Gas or Petroleum Extraction, Exploration and Production Wastes.

Village of Geneseo Referral from Teri Thielges – 3 South Street for Site Plan Review and Area Variance requests for a three unit apartment building.

Mr. Leffler stated that some items that came up in discussion included:

- Emergency Vehicle Access
- Impact on Village parking with only 1 parking spot required per unit
- Historic Impact
- Dark Sky Compliant Lighting
- Refuse

13. Meeting Closed:

With no further discussion, D. Farthing moved to close the meeting at 5:50pm. J. Kernan seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary