

**Members Present:**

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

**Other Village Representatives Present:**

Code Enforcement Officer Ron Maxwell  
Attorney J. Thomas Reynolds  
Livingston County Planning Board Representative,  
Stewart Leffler

**Applicant(s) Present:**

Dr. Jeremy Lee and Michelle Lee, Lee Chiropractic, 72 East South Street  
Alyssa Cope & Blake Burnette, Honey Girl Gourmet, 73 Main Street  
David Matthews, Design One Architecture, Vital Spot, 3 Bank Street

**Public Present:**

Matt Kreher, Boy Scout  
Tom Wilson

**1. Meeting Opened:**

Chair Woods opened the meeting at 4:30pm.

**2. Meeting Minutes:**

The February 25, 2015 meeting minutes were reviewed. M. Griffo moved to approve the minutes as presented. S. Richardson seconded the motion. The motion passed with ayes from all.

**3. Lee Chiropractic – Sign Permit Application – 72 East South Street:**

Dr. Jeremy Lee and Michelle Lee appeared before the Board with a sign permit application for their business at 72 East South Street. On March 3<sup>rd</sup> The Zoning Board of Appeals granted the requested variance for the erection of a sign that fails to meet Section 130-89 of the Village of Geneseo Zoning Code which does not allow a freestanding sign in the R-1 Zoning District and where the requirements for a freestanding sign per Section 130-90 B4 and granted a four (4') foot variance from the front property line for placement of the sign.

The Planning Board reviewed the sign permit application at their February 25<sup>th</sup> meeting and at that time saw no concerns. Therefore, without further discussion M. Griffo moved to approve the sign permit application as presented. D. Farthing seconded the motion and the motion passed with ayes from all.

**4. Honey Girl Gourmet – Sign Permit Applications – 73 Main Street:**

Alyssa Cope appeared before the Board with two sign permit applications for her new store – Honey Girl Gourmet which she is planning to open by the end of April at 73 Main Street. She will not be preparing any food on site; any food for sale will be already prepackaged. Ms. Cope stated that one sign will be affixed to the front of the building and the other will be projecting from the building and will be two-sided. Both signs will be carved high density urethane sandblasted with black background and 23K Gold Leaf. The Board asked if Ms. Cope plans to apply for a sign grant. Ms. Cope stated that she is aware of the sign grant but may apply for a façade grant through the County, therefore decided to hold off on applying for the Village's sign grant. With no further discussion, S. Richardson moved

to approve the sign permit applications as presented. J. Kernan seconded the motion and the motion passed with ayes from all.

Ms. Cope stated that after speaking with Code Enforcement Officer Dean O'Keefe, he advised that she may want to apply for a Special Use Permit. CEO O'Keefe's reasoning was for the future possibility of Ms. Cope requesting a sidewalk permit for tables and chairs. The Board agreed that a Special Use Permit application was a good idea but that at this time, they do not believe one is required as no food will be prepared on location.

Ms. Cope thanked the Board and left the meeting.

#### **4. Vital Spot – Exterior Patio – 3 Bank Street:**

Chair Woods updated the Board on the Vital Spot – Exterior Patio project. Chair Woods stated that the Village Board adopted the following at their January 26, 2015 meeting: *“The Board was impressed with the design and felt that use of the space would enhance Bank Street, as well as the business district. Trustee Gajewski moved approval of this design plan schematic conceptually subject to the Planning Board’s final review and approval. Trustee Wilcox seconded the motion and all were in favor.”* Chair Woods asked the Village Board if that motion gave the Planning Board the authorization to act on the sidewalk plans, but also asked if the Planning Board really had any legal jurisdiction over the sidewalk. Chair Woods continued by stating that he asked the Village Board if the Planning Board did not have that jurisdiction, there were a couple of items that need to be addressed. Assuming the Planning Board did not have jurisdiction, and if the Village Board wants them to have that jurisdiction under site plan review, a Zoning Code revision would be needed along with a local law for that purpose, noting that site plan review is laid out in great detail in State Law and in the Code.

Chair Woods continued by stating that the Village Board decided that the Planning Board could review under NYS Village Law, Section 7-718.14.a. which states: *“The village board of trustees may by resolution provide for the reference of any matter or class of matters, other than those referred to in subdivision ten of this section, to the planning board before final action is taken thereon by the village board of trustees or other office or officer of said village having final authority over said matter. The village board of trustees may further stipulate that final action thereon shall not be taken until the planning board has submitted its report thereon, or has had a reasonable time, to be fixed by the village board of trustees in said resolution, to submit the report.”* However, Chair Woods noted that this would not be a formal approval, and would not involve the site plan review process, but it would be the basis of the Planning Board reviewing the proposal for Bank Street and making a report back to the Board of Trustees.

David Matthews, Design One Architecture appeared before the Board with updated plans for the Vital Spot project. Sheet #PLBD 02 is a colored rendering of the building, which depicts the aesthetic changes to the façade including new entry doors, new awning and sign, new metal siding anodized color to match adjacent SUNY Geneseo buildings, existing brick will be painted, new windows will be added to allow more natural light to enter and the existing Vital Spot sign will be removed. Earth tone colors will be utilized. Mr. Matthews stated that Mr. DeVelder has a new business plan for a restaurant instead of a night club/bar. The business will be renamed and a sign permit application will be forthcoming. They will no longer be open until 2am. They will open for lunch, dinner and evening hours only.

The Board asked about the existing kitchen fans. Mr. Matthews stated that they belong to the business above the Vital Spot, they are being utilized and they will be masked to the best of his ability. The Board was not only concerned about the aesthetics of the fans, but grease dripping down onto the sidewalk and new exterior patio area.

Sheet #PLBD 01 depicts seasonal use with the exterior patio plan for mid May through September and winter use all other months of the year. A seasonal removable chain approximately 9'4" in length will be installed at the top of the exterior area and a seasonal removable chain with post and bases will be installed near the entrance of the business.

The Board asked if new lighting will be installed for the exterior patio. Mr. Matthews stated that there are street lights and the lighting from the Key Bank ATM; therefore, do not foresee adding any additional lighting unless decorative wall sconces that are dark sky compliant are added.

With no further discussion, M. Griffo moved to approve recommendation to the Village Board of the exterior patio design with the following taken into consideration:

- Encourage SUNY Geneseo to make this area more pedestrian friendly
- Line the area with planters
- The industrial aesthetic look is only appropriate for this area of the Village
- Prevent the new business from reverting back to what it was
- Promotion of the new restaurant not bar will be needed
- ADA Compliancy
- Overhead power lines moved underground if possible

S. Richardson seconded the motion and the motion passed with ayes from all. Mr. Matthews thanked the Board and left the meeting. Chair Woods will write a letter to the Village Board with these recommendations.

#### **5. Mavis Discount Tire Update – 4181 Lakeville Road:**

Attorney Reynolds reported that the Mylar for the Mavis Discount Tire project has been signed by MRB Group Engineer Kurt Rappazzo, Code Enforcement Officer Dean O'Keefe, Department of Works Superintendent Jason Frazier and Water/Sewer Department Foreman Dan Quinlan. Chair Woods still needs to sign but will not sign until all conditions are met as outlined in the August 28, 2013 approval. Attorney Reynolds stated that there is only one outstanding item as related to the cross access easement. Attorney Reynolds continued by stating that he has seen a rough draft of the easement, but has not yet seen the final draft or the TP584 NYS Department of Taxation and Finance form that must accompany it when filed with the County. Attorney Reynolds has been in touch with Bergmann Associates Engineer Brian Burri regarding this matter and he will contact Goddard Development.

Attorney Reynolds explained that the problem that arises is that the extended site plan approval expires on March 31, 2015. The Board was in agreement that they did not want to extend the approval any longer as they have already extended it twice. Attorney Reynolds will notify Mr. Burri of this and will keep the Board updated.

#### **6. Code Enforcement Office Report:**

February 2015

Building Permits	03
Sign Permits	01
Rental Housing	01

CEO Maxwell reported that the Allergy, Asthma, Immunology of Rochester (AAIR) Geneseo Office is relocating from the Geneseo Professional Center on Millennium Drive to 2 Ryan Drive, Suite 1. They will be submitting a sign permit application in the near future.

CEO Maxwell also reported that he has been working on Fire Inspections within the Town.

## **7. Town Planning Board Update:**

David Woods reported that the Town Planning Board met on March 9<sup>th</sup>; however, he was not in attendance. Agenda items included approval of a Special Use Permit for a Bed 'n' Breakfast at 4185 Roots Tavern Road and an update on the future of Long Point Park was presented by Town Councilperson Patti LaVigne.

Mr. Woods stated that the Town Zoning revision is continuing and that there are no provisions in the Town or Village Zoning to permit Solar Farms so he hopes a section of the revised Town Zoning Code will include provisions for Solar Farms. He hopes that the Village will adopt similar provisions.

## **8. Walkability Audit:**

Chair Woods reported that Mayor Hatheway was contacted by a representative from the Genesee Transportation Council asking the Village to name a point person for a walkability study. Mayor Hatheway thought that Trustee Gajewski and Planning Board Chair David Woods might want to represent the Village in this study and both have agreed to participate. The study will occur on April 23<sup>rd</sup> with a meeting and walk around the Village. The Wadsworth Library, Highland Park and Main Street will be included in the study.

## **9. Millennium Drive connection to Veteran Drive Update:**

Chair Woods reported that discussions are continuing at the County level with property owner Greg O'Connell to connect Millennium Drive to Veteran Drive. However, The Board of Supervisors has to introduce a local law for the authorization of the sale of land other than by open competitive bidding as a land and money swap will take place between Mr. O'Connell and Livingston County to allow for the connection. Subdivision of land will be required, in which the Planning Board will need to review and approve. Tentatively, the County has agreed to serve as Lead Agency for the environmental review. The application should be forthcoming in the next couple of months.

J. Kernan left the meeting at 5:45pm.

## **10. Livingston County Planning Board Update – Stew Leffler**

Stew Leffler reported that the Livingston County Planning Board met on March 12<sup>th</sup> with the following agenda item:

Zoning Referral from the Town of Avon for site plan review, special use permit and area variances for a research/development and manufacturing facility at the East Avon Plaza. Mr. Leffler also reported that the Board received training on the "Livingston County Mapping Tools & Website Resources" as newly launched on the County website.

## **11. Meeting Closed:**

With no further discussion, M. Griffo moved to close the meeting at 5:49pm. S. Richardson seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary