

Village of Geneseo
Zoning Board of Appeals
Applicant: Livingston County Historical Museum Society
Address: 30 Center Street
Tax Map #: 80.16-2-4
July 07, 2015; 04:30 p.m.

Present:

Carolyn Meisel, Chair
Marlene Hamilton
Robert Meyers
Paul Schmied
Thomas Wilson

Code Enforcement Officer:

Ronald Maxwell

Secretary:

Debra Lund

Public Present:

Judy & Aurelio Mendoza
William Brummett
Mark Grovanz, Livingston County Health
David Paoletta, Livingston County Planning

Applicant:

Anna Kowalchuk, Museum Director
Virginia Searle, Bero Architecture PLLC

Chair C. Meisel opened the meeting and public hearing at 4:30 p.m. Board members were introduced. Proper notices were published and legal notices sent return receipt requested to property owners within one-hundred (100') feet of the property line; fourteen letters were sent and fourteen green cards were returned. It was noted the Zoning Board had received a copy of a letter sent to the Village Planning Board by the Historical Society regarding the request for review of the project by the New York State Office of Parks, Recreation and Historic Preservation. At this time, the museum is awaiting a response. Signs were not placed on the property per the Code Enforcement officer due to the July 4th holiday. The reason for the public hearing was a request for permission to: 1) erect a building addition that fails to meet the thirty (30') feet rear yard setback per Section 130-131: Bulk & Use Table R-2 Residential District, a nineteen (19') foot variance is requested & 2) relief from Section 130-76 A: parking area setbacks from lot lines & streets- no parking area other than driveways for ingress and egress, shall be located closer to a street or lot line than the minimum setback required for a principal building in the relevant district per the Code of the Village of Geneseo, a twenty-four (24') foot variance is requested. Chair C. Meisel asked the applicants to state their case.

V. Searle stated she is the representative for Bero Architecture PLLC and said her firm has designed a master plan for the Historical Society for the whole project. However, the work will be done in phases and the time line depends on available funding. The first phase is to make the museum handicap accessible. As shown on the site plan, property boundary setbacks would be necessary to accomplish handicap parking and building access along the building's west side. There is a 15'5/8" intrusion on the east side of the addition where the rear setback must be 30' feet per the Village Code. The west corner of the addition intrudes into the rear setback by 18' 7/8". The front and east side of the building are within code. The current building is pre-existing non-compliant at 14' 2" from the south lot line and the proposed

increase would be 3' ½" to 4' into the rear yard setback.

A. Kowalchuk said the addition would extend the non-conforming building line along the south property line. The Big Tree shed and the Willard Hose shed are also out of compliance and will be demolished. The Big Tree is decaying and not currently housed in a preservation environment. There is a small green space behind the Big Tree Shed that could be kept as green space. The current parking area does not extend back to the Big Tree shed.

V. Searle said one scope of the project was to restore the site to a small extent with the historic lawn maintained out front. In order to accomplish this and give handicap access to the building and restrooms, a side entrance was designed with the driveway extended toward the south property line to accommodate the required handicap accessible parking space. Five regular parking spaces and a rear turn around would be added and the current parking pavement would return to lawn.

T. Wilson asked how close the turn about would be to the lot line. The turn around would be 1' 2" from the south lot line and 2' from the west lot line. C. E. O. R. Maxwell noted a driveway turn around does not need to meet set backs and does not need a variance.

C. Meisel asked what type of surface would be used for the driveway, had a pervious type of material been considered. V. Searle said they have looked at various types of pervious pavement to keep the historic aspect of the building. She noted the pervious concrete pavers inset with greenery do not do well in our climate during dry spells and can be difficult for snow removal. Perhaps a gravel drive might be installed. C.E.O. R. Maxwell stated handicap parking spaces must a solid surface –either pavement or concrete. A. Mendoza asked what the building setbacks were. R. Maxwell replied ten (10') feet for a side yard setback and thirty (30') feet for a rear yard setback but driveways can go right up to the line.

A. Mendoza, a neighbor, asked the dimensions for the south boundary line, his north line, be re-explained as he was not clear on the dimensions given. He asked for a better understanding of the project as a whole. A. Searle was happy to comply. He asked if there was a drawing of the addition back side. A. Searle replied she did not have one with her but it is single story with false windows. There is a proposed exhibition area and storage space. The future phase for the exhibition area may have windows but minimizing natural light damage to historic pieces would be a consideration. There will be a building footer and the profile will match the existing building; the roofline will match the existing building. It will not project above the museum roof. There is an underground rain water storage system proposed and gutters would run to it.

J. Mendoza was concerned they would lose the green buffer zone currently in place as happened when the church next door extended their parking area right up to the lot line. She is concerned about their potential loss of privacy. A. Kowalchuk said green area or landscaping would be left between the parking area and the back lot line. She noted a neighbor on Elm Street facing the proposed addition is pleased with the step back appearance being designed for the addition.

A. Kowalchuk noted the south border currently has a chain link fence with brush along it. The idea is to bury the electric lines and make the area look more historic. As previously stated, if granted the variance, the current parking area would be torn out and replaced with lawn. She had spoken with neighbors and it was understood a small green area or landscaped area would remain along the property line at the end of the driveway and turn around. C.

Meisel noted that could be added to the variance if granted if it would ease the Mendoza's minds.

A. Kowalchuk said the design would improve traffic flow. Currently tour buses must park on Center Street to unload and then move as Center Street does not allow on-street parking. The plan is to get the buses off Center Street and give them a way to turn around to re-load. She is currently starting to look at donors and grants for more funding and has talked with Christ Community Church about the future possibility of connecting the two property parking lots so there could be directional traffic in one drive and out the other. It is at the very preliminary talking stage at this point. Neither organization wishes to lose parking spaces.

One issue is the poor drainage in the area. The museum has a small swale area and poor ventilation under the building. Containing the runoff from the parking is required and of concern to the Church. A. Kowalchuk would like to see a feasibility study done in the future. One other goal is to get the community involved and excited about the renovations and additions to the museum. She is looking into possible funding through the New York State Office of Parks, Recreation and Historic Preservation.

V. Searle said the addition was designed on a step backed pattern from the original building to preserve the character of the building and it's setting within the community. The roof line will not be visible from the front street view and the HVAC system will not be on the roof, also in keeping with the character of the building. Phase 1 has nothing to do with the addition but deals with the handicap accessibility issues including universal entry to the building and restrooms and the parking addition on the west side. This maintains the historic period look of the original building and is important to the preservation aspect of the project.

P. Schmied asked if the addition was far enough off the lot line to meet fire code. R. Maxwell answered the building only needs to be 5' from the property line and the Mendoza's home is a distance from the property line as well in that area. Chair C. Meisel asked where the Mendoza home was located and it was noted their house is on Second Street with a strip of land running along the south museum border out to Elm Street. A. Mendoza stated the lot is "L" shaped and wraps around behind the church property as well.

T. Wilson asked if the Mendozas were opposed to the project. A. Mendoza stated they were not now that they had a better understanding of the proposed project and how everything would be laid out.

Chair C. Meisel asked the other public present, W. Brummett, if he would like to speak and he replied he was in support of the project.

With no further discussion, the questions were reviewed:

1. Will and undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance? Yes ___ No X
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? Yes _____ No X
3. Is the requested variance substantial? Yes _____ No X
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Yes ___ No X
5. Is the alleged difficulty self-created Yes X No _____

It was noted this is an area variance and a type two action that does not require a SEQR. It was so noted that the proposed action has been considered under SEQR;

per regulation #12, granting of individual setback and lot line variances; and has met the requirements for a Type II action: the proposed action is not environmentally significant.

T. Wilson moved to approve the erection of a building addition that fails to meet the thirty (30') foot rear yard set back per Section 130-131: bulk & Use Table R-2 Residential District – a nineteen (19') foot variance is granted. R. Meyers seconded the motion. The vote was as follows: Chair C. Meisel – aye; M. Hamilton – aye; R. Meyers – aye; P. Schmied, aye and T. Wilson, aye. The motion carried.

R. Meyer moved to approve relief from Section 130-76A: parking area set backs from lot lines and streets – no parking area other than driveways for ingress and egress, shall be located closer to a street or lot line than the minimum setback required for a principal building in the relevant district per the Code of the Village of Geneseo; a twenty-four (24') foot variance is granted with the caveat the remaining area to the lot lines be green or landscaped. M. Hamilton seconded the motion. The vote was as follows: Chair C. Meisel – aye; M. Hamilton – aye; R. Meyers – aye; P. Schmied, aye and T. Wilson, aye. The motion carried.

A. Kowalchuk and V. Searle thanked the Board and exited the meeting with J. and A. Mendoza and W. Brummett.

P. Schmied moved to close the public hearing at 5:07 p.m. with a second from M. Hamilton. The vote was as follows: Chair C. Meisel – aye; M. Hamilton – aye; R. Meyers – aye; P. Schmied, aye and T. Wilson, aye. The motion carried. The public hearing closed.

Debra Lund, Secretary