

Village of Geneseo
Planning Board

November 18, 2015
Regular Meeting and Public Hearing

Members Present:

David Woods, Chair
Matt Griffo, Member
Susan Richardson, Member
Jim Kernan, Member
Claren Kruppner, Alternate Member

Other Village Representatives Present:

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

Applicant(s)/Representative(s) Present:

Steve Burnette, Rebuild, 71-73 Main Street
Randel Fuller, Crosier Consultants, Professional Engineer, 71-73 Main Street
Stephen Kelley, Esquire, 131 Main Street

Public Present:

Brendan Cullen, SUNY Geneseo Student
Ehsay Paw, SUNY Geneseo Student
Steve Sessler, Sessler Law
Sarah Dieter, Kelly's Saloon
Philip Dieter, Dieter Construction
Thomas Gialio, York Resident
Beth Alaimo
Angello Alaimo
Lauren Corbelt
Don Barber
Terry Freese
Lucas Lehmicohl
Kelly Hainey, Kelly's Saloon
Karen Uhl, Wadsworth Grill
Aaron Parsons
Casey Parsons
Jeff Curry
Lynn Horn, Envy Salon Owner
Lam Biri
Tom Preston
Barry Caplan, 65 Main Street, Property Owner
Scott Hicks, Rector-Hicks Funeral Home, 111 Main Street
Don Livingston, Palace Properties of Geneseo
Ted Hershey, Representing Nancy Cleveland, 75 Main Street

Shanice Smellie, SUNY Geneseo Student
Anna Stepura, SUNY Geneseo Student
Katelyn DiDonato, SUNY Geneseo Student
Cocoa Lynch, SUNY Geneseo Student
Cameron Copeland, Turbo Taxi, Kelly's Saloon
John Kelsch, Envy employee
John Bender
Kathleen DePillo
Gnire Kone
Jan Barber
Jemye Scerinee
Anthony Giaccio
Emily Ashworth
Callie Tenestia, SUNY Geneseo Student
Vicki Parsons
Sandy Miller
Tim Bucci
Lucinda Amy
Roger D.
Jamie Johnston

1. Meeting Opened:

Chair Woods opened the meeting at 4:30pm, noting that the room was full with people sitting and standing and others standing in the breakroom and hallway. Town Court was in session; therefore, the meeting could not be moved to the Court Room.

2. Meeting Minutes:

The October 28, 2015 meeting minutes were reviewed. M. Griffo moved to approve the minutes as presented. J. Kernan seconded the motion and the motion passed with ayes from all.

3. Stephen Kelley, Esquire, 131 Main Street:

Attorney Stephen Kelley appeared before the Board for a singled sided carved high density urethane sign approximately 14" high by 22" wide for next to the office door on the south side of 131 Main Street (Porter Building). The outer border is black, the inner border is 23K gold leaf, the background is hunter green and the lettering is also 23K gold leaf. S. Richardson moved to approve the sign permit application as presented. C. Kruppner seconded the motion and the motion passed with ayes from all.

4. Steve Burnette – Rebuild after fire 71-73 Main Street:

Steve Burnette, property owner and Randy Fuller, Professional Engineer appeared before the Board for site plan approval for a mixed-use two story structure rebuild after fire on property located at 71-73 Main Street, Village of Geneseo, Tax Map #: 80.12-2-38. Mr. Burnette and Mr. Fuller updated the Board and all present on what has transpired since the October 28, 2015 Planning Board Meeting. Mr. Burnette stated that they have met with Louise Wadsworth, Livingston County Downtown Coordinator who made several recommendations that they have added to the site plan. Mr. Burnette also stated that he had attended the Livingston County Planning Board Meeting on Thursday, November 12, 2015.

It was noted that per the Livingston County Planning Board's November 17, 2015 letter to the Village, the County Planning Board recommended "Approval" of the plan with the following advisory comments:

1. The Village should take the property's location in the Village of Geneseo Main Street Historic District into consideration when reviewing development of this property.
2. The Village of Geneseo recently amended their Zoning Code with the intention to provide for a more thorough review by the Planning Board of architectural features of buildings and visual compatibility with surroundings and buildings located on adjoining properties in the MU-1 Zoning District. The Village should take the amendments into consideration when reviewing development of this property.

Mr. Fuller explained that after speaking with Mrs. Wadsworth, they changed the color scheme of the building, added different signage, moved the location of the door for the upstairs apartments and flattened the roof a little. Mr. Fuller stated and Mr. Burnette agreed that these were great suggestions from Mrs. Wadsworth. The overall site plan did not change that much.

Chair Woods opened the Public Hearing at 4:35pm.

Chair Woods thanked Mrs. Wadsworth for her expertise especially since this is the Planning Board's first experience with the new zoning code updates in place. Chair Woods explained that Mrs. Wadsworth assisted the Village with the Main Street Grant that was offered by the Village in 2010. Mrs. Wadsworth stated that Mr. Burnette and Mr. Fuller were very open to the suggestions she made and did incorporate some of those suggestions.

Per the guidelines, the plan presented does meet all of the Façade Renovation Guidelines. The stucco type façade including color is similar to the façade of 116 Main Street which had been awarded a Main Street Grant in 2010. The doors that are presented are wood or aluminum plat wood. The center door or first floor business door is all glass, which is appropriate and the residential door to the upstairs apartments is half glass which is also allowable and considered a secondary door.

Having half glass in the residential door is also considered a safety feature. The gooseneck lighting fixtures and raised letter signage is very similar to what was used on the building at 87-95 Main Street (Mama Mia's and Sweet Arts Bakery). Transoms (a transverse horizontal structural beam or bar, or a crosspiece separating a door from a window above it) are proposed for above both doors.

Mr. Fuller stated that the perpendicular sign proposed is the same perpendicular sign that was there at the time of the fire. Chair Woods asked CEO Maxwell if this meets Code. CEO Maxwell stated that as long as the building signage and perpendicular sign do not exceed the allowed square footage of approximately twenty-nine feet, it is allowable. S. Richardson asked if the doors will be recessed. Mr. Fuller stated that they will be recessed approximately four feet.

At this time Chair Woods stated the rules of the Public Hearing and because the room was full with standing room only, along with standing room only in the backroom and hallway, he stated that the Board will hear from the public in a clockwise direction. Chair Woods asked if there was anyone present that wished to voice their comments regarding this proposal, making sure everyone in the breakroom and hallway were included. No one present spoke up, therefore Chair Woods stated that he would leave the public hearing open a little longer and proceed.

C. Kruppner asked if a color had been chosen for the building and trim. Mr. Fuller stated that it had not but that they plan to stay with the color pallet as delivered to Secretary Mack on November 12th. CEO Maxwell stated that the pallet presented is Benjamin Moore colors. Mr. Fuller stated that they understand that if they switch to a different paint brand, they would need to first get the Planning Board's approval.

At this time, Chair Woods asked again if there was anyone present that wished to voice their comments regarding the proposal, making sure everyone in the breakroom and hallway were included. Hearing no one, Chair Woods continued with the discussion.

Chair Woods asked Kurt Rappazzo, the Village's Engineer from MRB Group if he had any comments or concerns. Engineer Rappazzo stated that there are very minor changes that are being made to the site from what was there prior to the fire, therefore, from his perspective, most of the issues related to the proposed is architectural in nature and not site related.

Mr. Burnette noted that a separate larger water line had been installed after the fire to the property line while the Village's Main Street was torn up for construction. Mr. Burnette also noted that Department of Public Works Superintendent of Streets Jason Frazier had submitted a letter on October 13th that states that storm water drainage for 71-73 Main Street may tie into the storm catch basin in the alley between #7 and #9 Center Street. The letter also stated that there have been no known problems with this catch basin and drain line to the street and that there are other businesses with their own private storm lines tied into it.

The Board thanked Mr. Burnette for the cooperativeness especially in helping preserve Main Street Geneseo, a Historic Landmark Village. At this time, Chair Woods asked again if there was anyone present that wished to voice their comments regarding the proposal, making sure everyone in the breakroom and hallway were included. Hearing no one, Chair Woods suggested that the Board review the Part 1 of the Short Environmental Assessment Form that Mr. Burnette had submitted.

Chair Woods continued by stating that this proposal is interesting in the fact that under the States Environmental Quality Review Act it could be considered a Type I Action that will likely have significant adverse environmental impacts as it is in the Village's Historic District. It could be a Type II Action having no significant adverse environmental impact because it is replacing what was there and damaged by fire. Lastly, it could be considered an Unlisted Action which is neither a Type I nor Type II Action. The vast majority of actions that come under SEQR are considered Unlisted.

Chair Woods explained that this proposal could be considered an Unlisted Action with no Part 2 review but since Mr. Burnette has taken the time to fill out the Short Environmental Assessment Form he would like for the Board to review it. M. Griffo asked if there would be any future ramifications if the Board took action now. Chair Woods believed that there would not be and Attorney Reynolds agreed.

Therefore, Part 2 of the Short Environmental Assessment Form was reviewed.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No**
2. Will the proposed action result in a change in the use or intensity of use of land? **No**
3. Will the proposed action impair the character or quality of the existing community?
No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **No**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonable available energy conservation or renewable energy opportunities? **No**
7. Will the proposed action impact existing:
 - a. public / private water supplies? **No**
 - b. public / private wastewater treatment utilities? **No**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?
No, because of the assistance of Mrs. Wadsworth
9. Will the proposed action result in an adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora and fauna)? **No**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No**
11. Will the proposed action create a hazard to environmental resources or human health? **No**

With no further discussion, C. Kruppner moved to grant a negative declaration based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. M. Griffo seconded the motion and the motion passed with ayes from all.

One more time, Chair Woods asked if there was anyone present that wished to voice their comments regarding the proposal, making sure everyone in the breakroom and hallway were included.

***Hearing none, J. Kernan moved to close the public hearing at 4:54pm.
S. Richardson seconded the motion and the motion passed with ayes from all.***

With no further discussion, M. Griffo offered the following resolution:

WHEREAS, Steve Burnette has submitted a site plan application for final site plan (the "Site Plan") to this Board evidencing its proposed development; and

WHEREAS, Steve Burnette has as part of the application 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 November 18, 2015 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 November 18, 2015 issued a Negative Declaration for a mixed-use two story structure rebuild after fire, 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 application for site plan approval for a mixed-use two story structure rebuild after fire at the property located at 71-73 Main Street, Village of Geneseo, Tax Map #: 80.12-2-38 is hereby GRANTED preliminary and final approval.

J. Kernan seconded the resolution and the resolution passed with ayes from all.

5. Town Planning Board Update – David Woods:

David Woods reported that the Town Planning Board met on November 9th with the following agenda items:

Public Hearing for Final Approval of Hammocks two lot subdivision (Section 2 & 3).
Final approval was granted.

Zoning and future plans for the property located at 4550 Genesee Street (Route 63).
This property was or is owned by Roger Christiano. Pat Cole and Mr. Shkavritko who requested agenda time regarding this matter did not attend; therefore not much discussion took place. However, D. Woods reported that about a year ago, there was some inquiry of the possibility of changing the zoning in that area to allow residential development.

6. Livingston County Planning Board Update – Stew Leffler:

Stew Leffler reported that the Livingston County Planning Board met on November 12th with the following agenda items:

Zoning Referral from the Town of Avon – Site Plan Review and Amending PDD to allow “truck stop” services such as additional truck fueling stations and overnight truck parking at 2781 Lakeville Road – Route 15. The property is owned by Peter Bruckel.

Zoning Referral from the Town of Leicester – Site Plan Review, Area Variance and Use Variance request for addition of a waste handling use at 4502 York Road. This would be a waste transfer station similar to the Town of Geneseo’s on Warner Road. There is not currently a transfer station in the Town of Leicester, so this facility would serve a need. York Road is Route 36 between Leicester and York. There is an existing scrap metal facility on the same site, which would continue in operation. Included in the proposal is a DEC regulated runoff tank. There were concerns about the proximity to the railroad tracks and the smells a facility like this would generate. There was a lot of conversation regarding the need for a facility like this versus hardship.

Mr. Leffler reported as discussed earlier that the proposal for 71–73 Main Street was also an agenda item.

Mr. Leffler also stated that the referral from this Board for site plan review at 4181 Lakeville Road for the construction of a 4,000 square foot building to include a Dunkin’ Donuts had been removed from the agenda as the Planning Department felt that there was not enough information available to review it.

Mr. Leffler announced that the County Planning Department will be holding a “Let’s Plan! Workshop” on the basics of SEQR on Monday, December 14th from 6:30pm – 8:30pm at the North Dansville Town Hall.

The next Livingston County Planning Board meeting is scheduled for December 10th with a submittal deadline of December 2nd.

7. Code Enforcement Office Report:

CEO Maxwell reported that a demolition permit has been issued for the storage units on the property located at 3 South Street (Thielges Duplex).

The Mavis building is moving along, but CEO Maxwell stated that he has had to keep a watchful eye on them making sure they are adhering to the approved/signed site plan. He commented that most recently the contractors asked him if a RPZ (backflow preventer device) was required even though it was on the approved/signed site plan. Regarding the Dunkin' Donuts submittal for the same site, CEO Maxwell has not heard back from Bergmann/Goddard Development. It is their responsibility to apply for a variance or submit a site plan that will meet code requirements.

CEO Maxwell reported that he has received a revised set of plans for the single family house on Highland Road that has been partially demolished after obtaining a building permit for a bathroom and kitchen remodel but finding out more was needed and tore off the second floor. The property owner is trying to get funding to proceed.

Giovanna's Pizza and Pasta hopes to open at their new location in the Livingston Plaza in time for New Year's Eve business.

8. New Business:

Secretary Mack stated that a gentleman that lives on Lima Road was in the office today inquiring about a home occupation or Special Use Permit to open a gun cleaning business in his home. Secretary Mack directed him to the Code Enforcement Office after giving him the Special Use Permit application and other pertinent information he may need. Secretary Mack asked the Board if she could schedule a public hearing for this proposed use if all documentation required was received in a timely manner to meet all deadlines. The Board agreed that if time allowed a public hearing should be scheduled for December.

9. Other Business:

Chair Woods asked the remaining SUNY Geneseo students who were attending the meeting as a requirement for a class if they had any questions. One student stated that it would be helpful if they could find out what qualifies each Board Member for their position on the Board. Each Member present including Attorney Reynolds, CEO Maxwell, Engineer Rappazzo, Livingston County Planning Board Representative Leffler and Secretary Mack briefly described their qualifications. Chair Woods explained the requirement of the four hours per year training that all Members are required to obtain. Discussion followed, the students thanked the Board and left the meeting.

10. Meeting Closed:

At 5:22pm C. Kruppner moved to close the meeting. J. Kernan seconded the motion and the motion passed with ayes from all.

Aprile S. Mack, Secretary