

MINUTES
Town of Geneseo
Planning Board Regular Meeting and Public Hearings
December 11, 2023
7:00 PM

Members Present:

Robert Harris, Chair
Jennifer O'Shea
Philip Betette
Robert Irwin
Mark Shepard
Charles Maxwell
Floyd Streeter, Alternate

Absent: Patricia Ford

Others in Attendance:

Jared Radesi, Code Enforcement Officer
Veronica Devries, Town Attorney
Don Mills, Executive Director Morgan Estates
Eric Bentley, Contractor Morgan Estates
Stephen Scofield, Three Puffins LLC/Docherty
Susan Docherty, Three Puffins LLC/Docherty
Ryan McCune, Jaycox Creek Solar 2/Nexamp
Fred Ball, Jaycox Creek Solar 2/Nexamp
Matt Lester, Millstone Development
Eric Drazkowski, Excel Engineering Millstone
Anthony Gizzie, Millstone Development
Debbie Streeter, Deputy Clerk Secretary

1. CALL TO ORDER and ATTENDANCE.

Robert Harris, Chair called the December meeting to order at 7:06 PM. The Chair announced Floyd Streeter as a voting member in Patricia Fords absence.

2. CODE OFFICER REPORT.

Jared Radesi, Code Enforcement Officer, distributed the monthly report dated 11/13/2023 - 12/11/2023. CEO Radesi has started issuing Short Term Rental Permits.

3. COUNTY PLANNING BOARD REPORT.

CEO Radesi reported that there has not been a meeting. Meeting is scheduled for December 14, 2023.

4. REVIEW OF THE November 13, 2023, PLANNING BOARD MINUTES.

Chair Harris requested that members review and vote on the above minutes. There were no corrections or amendments.

Jennifer O'Shea made a motion to accept the November 13, 2023, Planning Board Minutes as presented.

Charles Maxwell seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Philip Betette, Floyd Streeter, Robert Irwin, and Charles Maxwell.

Opposed: None

Abstained: Mark Shepard

MOTION CARRIED

5. PUBLIC HEARING SPECIAL USE PERMIT: BROCKEL, PETER, 4577

Morgan View Rd., tax map #81.-1-29.61.

Chair Harris opened the public meeting at 7:15 PM. Don Mills, Executive Director came forward and introduced this project. The building used to be Lattimore Physical Therapy. The building is across from Morgan Estates. It is a 4000 sq. ft. building with required work primarily on the interior. The building will be converted into five (5) units with kitchenettes for congregate living.

Jennifer O'Shea would like to see native plants on site plan.

At 7:19 PM Chair Harris asked for public comments, he repeated the request for public comments. There were none from the floor; he asked for a motion to close the hearing.

Jennifer O'Shea made a motion to close the public hearing at 7:20 PM.

Robert Irwin seconded the motion.

Ayes in favor: Robert Harris, Jennifer O'Shea, Philip Betette, Floyd Streeter, Robert Irwin, Charles Maxwell, and Mark Shepard

Opposed: None

Abstained: None

MOTION CARRIED

Chair Harris next did the Short Form SEQR with members. All answers by Planning Board members were "No or small impact." A negative declaration was indicated.

Robert Irwin made the SEQR motion for this project. Based upon information and analysis, and supporting documentation, the proposed action will not result in any potentially large or significant adverse impacts.

Mark Shepard seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Philip Betette, Floyd Streeter, Robert Irwin, Charles Maxwell, and Mark Shepard

Opposed: None.

Abstained: None.

MOTION CARRIED.

Jennifer O'Shea made the motion for a resolution to approve a Special Use Permit for PETER BROCKEL, 4577 Morgan View Rd., tax map #81.-1-29.61.

Mark Shepard seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

Opposed: None.

Abstained: None.

MOTION CARRIED.

Those presenting for Peter Bruckel departed at 7:35 PM.

6. **TWO-LOT SUBDIVISION: DOCHERTY, SUSAN, 4275 LIMA Rd., tax map #72.-1-42.211.**
Stephen Scofield came forward to describe what they are planning on doing. Two (2) acre parcel and house to be sold and Susan Docherty will retain the rest of the original parcel for farmland. The house is in the process of being sold. The paper map presented to Planning Board members showed the land before the pending subdivision and the land after pending action.

Chair Harris asked if the new drawing generated any additional questions. Jennifer O'Shea questioned why the barn is still on the drawings. Barn was demolished in October and when the survey was out there is fiscally still existed.

Chair Harris called for a motion.

Jennifer O'Shea made the motion to grant PRELIMINARY APPROVAL for the two-lot Docherty subdivision.

Charles Maxwell seconded the motion.

AYES in FAVOR Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

Opposed: None.

Abstained: None.

MOTION CARRIED.

Chair Harris said the Public Hearing will be at 7:15 PM on January 8, 2024. The Secretary will do the required publication and notifications.

Those presenting for Susan Docherty departed at 7:43 PM.

At 7:45 Chair Harris passed the meeting over to Deputy Chair Jennifer O'Shea to continue the meeting as Chair of the Planning Board. Chair Harris wished to conserve his energy since he had undergone outpatient surgery in the week prior to the meeting.

7. **SITE PLAN FINAL APPROVAL, SPECIAL USE PERMIT, and SEQR for JAYCOX CREEK SOLAR 2,**

tax map #72.-1-25.124, (south of Lakeville Rd., 0.52 miles NE of Country Club Rd.).

Ryan McCune and Fred Ball came forward to give a status update. Ryan McCune stated there were no substantial changes.

Materials submitted for review to MRB have been satisfactorily addressed.

- Project Narrative
- Operations and Maintenance Manual
- Decommissioning Plan

All documents are in order, and it is worth noting we have entered into an agreement with Genesee Valley Conservancy.

Chair O'Shea asked for comments, with no comments moved on with long form SEQR Part 2.

Chair O'Shea next did SEQR with members. All answers by Planning Board members were "No or small impact." A negative declaration was indicated.

Philip Betette made the SEQR motion for this project. Based upon information and analysis, and supporting documentation, the proposed action will not result in any potentially large or significant adverse impacts.

Charles Maxwell seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

Opposed: None.

Abstained: None.

MOTION CARRIED.

FINAL SITE PLAN APPROVAL for Jaycox Creek Solar 2

Attorney Veronica Devries asked about the pilot agreement. Ryan McCune stated the pilot agreement will be with the IDA and not the Town. IDA stance is not to engaged until SEQR is done.

Site Plan approval should be conditioned on:

- Pilot Agreement
- Decommissioning agreement
- Host Community Agreement

Robert Irwin asked why the pilot agreement is with the IDA. Ryan McCune stated it has been at the Town's request. IDA negotiates the pilot agreement and the Host Community Agreement as one blanket. The reason is it reduces the Pilot amount and increases the Host Community gets larger part of taxes.

Chair O'Shea called for a motion to give final Site Plan Approval for Jaycox Creek Solar 2.

Robert Irwin made a motion for Final Site Plan Approval for Jaycox Creek Solar 2 with the following three (3) conditions.

- **Pilot Agreement**
- **Decommissioning Agreement that Town Attorney will need to review and approve the decommissioning proposal prior to Town approval.**
- **Host Community Agreement**

Charles Maxwell seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

Opposed: None.

Abstained: None.

MOTION CARRIED.

SPECIAL USE PERMIT for Jaycox Creek Solar 2

Chair O'Shea asked if there is any discussion.
With no discussion Chair O'Shea called for a motion.

Charles Maxwell made a motion for approval of Special Use Permit for Jaycox Creek Solar 2.

Mark Shepard seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

Opposed: None.

Abstained: None.

MOTION CARRIED.

Robert Irwin wishes to amend the FINAL SITE PLAN APPROVAL for Jaycox Creek Solar 2 to add Electrical Interconnection with pad mounted equipment and One (1) riser pole.

Charles Maxwell seconded the amendment.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

Opposed: None.

Abstained: None.

MOTION CARRIED.

Those presenting for Jaycox Creek Solar 2/Nexamp departed at 8:08 PM

8. FINAL SITE PLAN/SUBDIVISION, SPECIAL USE PERMITS, AND SEQR for Millstone Development, Gateway Dr., tax map #81.-1-29.125 and #81.-1-29.126.

Chair O'Shea called for the Architectural review report.

Robert Irwin presented the Architecture Review Board recommendations.

Discussions took place on the following items:

1. Rooftop screening. The ARB doesn't want to see rooftop units when driving by on Route 20A. Eric Drazkowski argued that the code states that units should not be visible at 150ft from the property line at grade. Matt Lester stated that he is not opposed to screening, but he recommends that the code be changed because that's what they went by with the design. Jennifer O'Shea referred to the intent and interpretation of the code. Matt Lester replied that the interpretation of the code always seems to "kick us in the teeth."
2. Dumpster enclosures. The drawings depict only the larger dumpster enclosure. The drawing should have a note that says typical dumpster enclosure.
3. Glazing coverage. It's not clear on the drawing as to what the plan is. The concern is what will be viewable from the outside through clear glass. Matt Lester stated that shades will be used on the inside of some of the windows. After much discussion on walls, windows, shades and glazing, Chair O'Shea stated that it seems as if the plan had not been thought through. Matt Lester stated that typically spandrel glass would be used in some areas. Bob Irwin said that

these need to be noted on the drawing. Matt Lester stated that they were told not to come back with spandrel glass, or Millstone would be sent back to the ZBA. Chair O'Shea said that this was not true.

4. Label elevations do not match up on the drawings.
5. Lighting details on the eastern building are not on the drawings. CEO Jared Radesi stated that lighting has to be downward facing. After discussion, the lighting specifications were found on drawing C3.1, but they were difficult to read.
6. Monument sign. The final drawing must note exactly what the ZBA agreed to.

Robert Harris thanked Millstone for the parking lot drawing presented at the last meeting. He handed out an exhibit that could be considered utilizing information from that drawing (attached as Exhibit A). The drawing that Robert Harris presented attempts to address the number of parking stalls and unsafe conditions of pedestrians. The site design drawings submitted by the design engineer encouraged patrons to cross the Starbuck's drive-thru lane. The exhibit eliminated 15 parking stalls in the west area and added 8 parking stalls in the east area. He also stated that it would be difficult to allow 82 parking spaces when the code allows just 55. He asked if the developer wanted to request that the project be tabled to allow the design engineer time to look at this option and potentially modify the parking lot design. Millstone would have to make this request so that the board would not be forced to render a decision within the 62-day interval after the public hearing.

Matt Lester initially stated that he thought the potential parking lot redesign was a great idea and that Millstone could possibly add square footage to the building. In the end though, he respectfully requested that the Planning Board proceed with motions for final approval based on the site plan drawings submitted by the developer's site engineer prior to the meeting. He stated that the colored parking lot presented at last month's meeting is based on tenants needs.

Chair O'Shea pointed out the original drawings in February had 78 parking stalls. Matt Lester stated that Millstone will not be able to get the tenants comfortable with less parking.

Chair O'Shea had comments on the parking lot lights. The lights that are paired should result in the same level as adjacent lights. There are a few hot spots. She also stated that lights should be on a timer so that they are not on all night long.

Robert Harris stated that the project drawings should note that the monument sign granted by the ZBA would be the only monument sign on the entire 26-acre property.

Chair O'Shea also stated that clarifications are needed on trees and plants. The plan states that trees will consist of two (2") inch in diameter trees. Eric Draskowski explained that they have warranties on the trees.

Chair O'Shea asked for an explanation of how people will maneuver vehicles into Chipotle. Matt Lester explained the several ways to get into the drive-thru. Chair O'Shea noted that it seems like the median near the drive-thru entrance will act as a block to entry.

Chair O'Shea asked about the railing at end of Starbucks. Eric Drazkowski states it will be free standing to enclose the patio. Matt Lester stated that the railing will only be in front of Starbucks.

Chair O'Shea expressed the concern that plants along the driveway in from of the east building would be able to survive based on the plan on the drawing. She believes this should be reworked.

Chair O'Shea asked if there any more comments, with no comments moved on with long form SEQR2

Chair O'Shea next did the Long Form form SEQR with members. All answers by Planning Board members were "No or small impact." A negative declaration was indicated.

Charles Maxwell made the SEQR motion for this project. Based upon information and analysis, and supporting documentation, the proposed action will not result in any potentially large or significant adverse impacts.

Robert Irwin seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

Opposed: None.

Abstained: None.

MOTION CARRIED.

SUBDIVISION for Millstone Development

Chair O'Shea asked if there any more comments with no comments she called for a motion.

Mark Shepard made a motion to approve a subdivision change from two (2) lots to one (1) lot for Millstone Development on condition of site plan approval and special use permits.

Robert Irwin seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

Opposed: None.

Abstained: None.

MOTION CARRIED.

SITE PLAN for Millstone Development

Charles Maxwell made a motion to approve site plan for Millstone Development with the following conditions:

- **Roof screening**
- **Dumpster enclosure design on drawings.**
- **Spandrel (opaque) glazing at Jersey Mike's.**
- **Lighting, dark sky compliant.**

- **Monument sign, built to variance approvals and the only monument sign for these 26 acres.**
- **Building lights on timer, go off one hour after closing.**
- **Foot candles are uniform with Rochester Regional site.**
- **Patio plants, rework to allow enough room to grow.**
- **Zoning Board of Appeals requirements.**

Robert Irwin seconded the motion.

AYES in FAVOR: Robert Irwin, Mark Shepard, and Philip Betette.

OPPOSED: Robert Harris, Jennifer O'Shea, Floyd Streeter, and Charles Maxwell.

ABSTAINED: None

MOTION DENIED

Those presenting for Millstone Development departed at 9:25pm.

Matt Lester's parting comments were as follows:

Sorry, you guys will never see Starbucks in your lifetime.

Or Chipotle.

I'm, sorry, you do a disservice to your community.

Mark Shepard made a motion to adjourn the meeting at 9:35

Charles Maxwell seconded the motion.

AYES in FAVOR: Robert Harris, Jennifer O'Shea, Charles Maxwell, Mark Shepard, Robert Irwin, Philip Betette, and Floyd Streeter.

OPPOSED: None

ABSTAINED: None

MOTION CARRIED

Respectfully submitted,

Debbie Streeter, Deputy Clerk

ZBA Secretary

ds enclosures

Code Officer Report

Architecture Review Board Recommendations

Robert Harris exhibit and drawing

2024 Meeting Schedule

Town of Geneseo Code Enforcement Office

Building Permits by Issued Date: 11/01/2023 -12/11/2023

Permit# Applicant Name	Issued	Final	Property Owner & Location	Tax Map# Lot#	Fee	Project Cost	Description
23-0125 B.E.H.L. REALTY, LLC	11/04/23		B.E.H.L. REALTY, LLC 5315 NORTH POINT DRIVE	91.28-1-9	75.00	700.00	Small addition to West side of deck
23-0126 Jeanne Bowman	11/04/23		Jeanne Bowman 4505 LONG POINT ROAD	81.-2-50	50.00	6,000.00	Backup Power Generator
23-0128 Greg Mancine	11/20/23		Greg Mancine 4355 WEST LAKE ROAD	82.52-1-10	75.00		Privacy fence on the north side of the property not to extend past the property marker into the State Right-Of-Way
23-0129 MANCINE GREGORY	11/20/23		MANCINE GREGORY 4351 WEST LAKE ROAD	82.52-1-9	75.00		Privacy fence on the south side of the property not to extend past the property marker into the State Right-Of-Way
23-0130 MANCINE GREGORY	11/20/23		MANCINE GREGORY 4351 WEST LAKE ROAD	82.52-1-9	75.00		Remove existing window and replace with an exterior door to existing deck. May require new header, to be determined after window removal.
23-0132 HOME POWER SYSTEMS LLC	11/28/23		LEAST BEVERLY E 4437 LIMA ROAD	72.-1-7.1	50.00	9,600.00	Install a 10kw Residential Standby Generator
23-0133 Timothy Schunk	11/30/23		Timothy Schunk 5007 WEST LAKE ROAD	91.60-1-3	75.00	5,000.00	Complete bathroom renovation including demolition, plumbing, electric
23-0134 Kirk Olsen	12/02/23		RW Geneseo 11, LLC. Volunteer Road	81.-1-2.815	324.00	40,000.00	4306 Courtney Drive, Basement build-out for finished space.
23-0135 Denise M. Thompson-Banker	12/02/23		Denise M. Thompson-Banker 4900 TRIPHAMMER ROAD	64.-1-9	100.00	40,000.00	Build a 600+ square foot deck on South West of home
23-0136 Kirk Olsen	12/02/23		RW Geneseo II, LLC. Volunteer Road	81.-1-2.815	235.00	18,000.00	4300 Courtney Drive, Basement build-out for finished space
23-0137 Wisser Properties, LLC.	12/08/23		Wisser Properties, LLC. 3889 North Road	73.-1-47.2	1068.00	500,000.00	First floor renovation. Full second story addition. To be built to The Town of Geneseo Zoning & NYS Building Standards and Codes.
Total Count:		11		Total:	\$2,202.00	\$619,300.00	

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Other Permit Summary by Application Date Range: 11/01/2023 -12/11/2023

Permit# Applicant Name	Date	Property Owner & Location	Tax Map# OBA	Fee	Type Description	Notes
23-0127 GENESEE COUNTRY CHRISTIAN	11/13/23	GENESEE COUNTRY CHRISTIAN 4120 LONG POINT ROAD	90.-1-4.2	100.00	Fire Safety and Property Maintenance Inspections 0	Fire extinguishers were inspected!
23-0131 AmitChitre	11/16/23	Amit Chitre 5017 WEST LAKE ROAD	91.60-1-7	100.00	Short-Term Rental Permit # of Bedrooms 3, # of Guests 8, # of Parking Spaces 4, Contact: Finger Lakes Premier Properties (888)414-5253 ext.9	
23-0138 Doug McCord	12/08/23	Doug McCord 5029 WEST LAKE ROAD	91.60-1-11.1	100.00	Short-Term Rental Permit # of Bedrooms 5, # of Guests 10, # of Parking Spaces 6, Contact: Shawn Hayes (585) 261-0526 or (585) 469-2613	
Total Count:		3	Total:	\$300.00		

Millstone Architectural Review

Single Building:

- Roof screening?
- Dumpster enclosure specifications?

Three Unit Building:

- Roof screening?
- Might want to simplify the design of the dumpster enclosures.
- Glazing coverage? (specifically on the North side if interior layout is true)
- No lighting specifications (need to be downward facing, drawings show up/down)



- Elevations are mislabeled.

Signage:

- Monument specifications put into construction drawings.
- Accurate depiction in all final elevations to include specifications in construction drawings.

All final decisions need to be on the construction drawings before the building permit will be granted!

POTENTIAL MODIFICATIONS TO SITE PLAN
PROPOSED GENESEO MIXED USE DEVELOPMENT

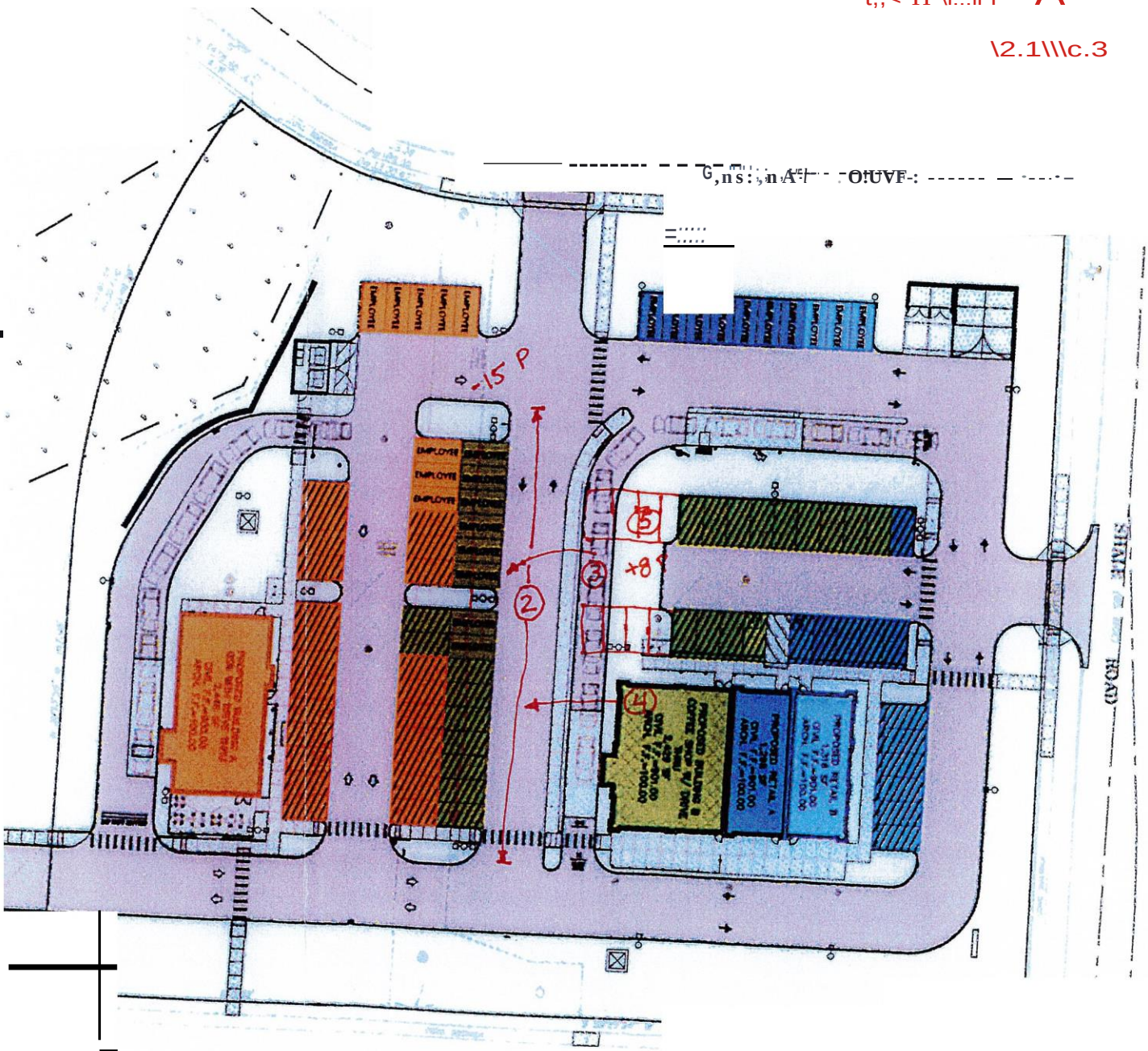
12/11/2023

1. Eliminate 15 parking spaces between Proposed Building A and Proposed Building B.
2. Eliminate 24-foot wide section of driveway between Proposed Building A and Proposed Building B.
3. Move drive through lane on southwest side of Proposed Building B to the southwest utilizing the space created from Items 1 and 2.
4. Move Proposed Building B, Proposed Retail A and Proposed Retail B to the southwest to match up with the relocated drive through lane.
5. Add 8 parking spaces northwest of Proposed Building B abutting the existing parking spaces in that area.
6. Supplement landscaping where possible in small open areas created by the above-listed modifications.

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TOWN OF GENESEO PLANNING BOARD
2024 MEETING SCHEDULE

Regular Monthly Meeting Date	Tentative Work Meeting Date	Agenda Deadline for Submission (NOON)
January 8, 2024	---	December 29, 2023
	January 22, 2024	
February 12, 2024	---	February 2, 2024
March 11, 2024	---	March 1, 2024
April 8, 2024	---	March 28, 2024
	April 22, 2024	
May 13, 2024	---	May 3, 2024
June 10, 2024	---	May 31, 2024
	June 24, 2024	
July 8, 2024	---	June 28, 2024
August 12, 2024	---	August 2, 2024
September 9, 2024	---	August 30, 2024
	September 23, 2024	
October 7, 2024	---	September 27, 2024
November 4, 2024	---	October 25, 2024
December 9, 2024	---	November 27, 2024