

MINUTES
Town of Geneseo
Planning Board Regular Monthly Meeting
February 13, 2023
7:00 PM – 9:43 PM

Members Present:

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

Others in Attendance:

Jared Radesi, Code Officer
James Oberst, Engineer
Debbie Streeter, Town Code Clerk
Eric Drazkowski, Excel Engineering (Millstone Dev.)
Anthony Gizzie, Caliber Brokerage (Millstone Dev.)
Eric Hrbac, National Grid/Galbraith Subdivision
Rob Deming, Town Board
Matt Lester, Caliber Brokerage (Millstone Development)
Kathleen Bennett, Esq., National Grid/Galbraith

1. CALL TO ORDER and ATTENDANCE.

Robert Harris, Chair, called the February meeting to order at 7:00 PM. There was a quorum; all members including the alternate, were present.

2. SPECIAL PERMITS and SHORT-TERM RENTALS.

Rob Deming from the Town Board spoke to Planning Board members as the Town Board is preparing to act on the above. Input from the Planning Board is requested. By way of background, R. Deming had checked Town records. Of the 388 properties on the lake, 222 are non-primary residences and probably rented for short periods. No taxes are collected. He distributed a handout that he had prepared on **Regulating Short-Term Rentals**. Planning Board members that live on the lake said there are some consecutive residences in a row where each is rented to a different party for various short periods. It is felt that situation destroys a community. Discussions and suggestions dealing with actual time frame allowed, an application process, and fees. The code officer must also be involved for inspections. The Town Board hopes to develop a policy by summer.

3. CODE OFFICE REPORT.

Jared Radesi, Code Officer, distributed the monthly reports dated 11/01/2022 – 02/13/2023. He reported lots of lake activity. There is also quite a bit of sub-standard construction and inferior builds that have occurred.

4. COUNTY PLANNING BOARD REPORT.

Jared Radesi reported that there had not been an October 2022 meeting. Regarding the recent February 9, 2023 meeting, quite a bit of solar activity was discussed. Mt. Morris and Avon are actually working on a solar moratorium prohibiting type 2 solar installations. The Town of Ossian wants to add regulations and language for "cabins" to their zoning. Permits will be required to reduce the amount of renting occurring.

There was an application for a solar development near Letchworth Park on River Road at the January 12 meeting. Staff and board comments were sent back.

Of interest is the county's concern about land just north of the Dansville schools. The County is advocating for economic development. There could eventually be a factory there.

5. REVIEW OF THE NOVEMBER 14, 2022 PLANNING BOARD MINUTES.

Chair Harris requested that members review and vote on the above minutes.

Code Officer Radesi wished to comment on his report on County Planning at the November meeting. The Secretary read aloud the actual November 10, 2022, minutes from the county website; they dealt with the Dansville solar facility. J. Radesi said that the meeting minutes are posted at the county website and suggested reading them for correct actions.

Chair Harris had corrections for page 3, second paragraph under MILLSTONE DEVELOPMENT. "Lot" should be "parcel" and the final sentence regarding the pond in that paragraph was deleted.

Charles Maxwell made the motion to accept the November 14, 2022, Planning Board Minutes as amended.

Mark Shepard seconded the motion.

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

Opposed: None.

Abstained: Patricia Ford.

MOTION CARRIED.

6. **TWO-LOT RE-SUBDIVISION: BRIAN and KELLIE GALBRAITH, 3370 West Lake Rd., tax map #62.-2-40.12. Parcel to be sold to Niagara Mohawk Power Corp. (doing business as National Grid), 3398 West Lake Rd., tax map #64.-2-39.**

Attorney Kathleen Bennett and Eric Hrbac from National Grid were both present for the meeting. National Grid is under contract with the Galbraiths to purchase the acreage that is part of the pending subdivision application. Attorney Bennett said that the large paper maps presented to Planning Board members showed the land before the pending subdivision. Electronic maps were also emailed and these showed the land after pending action.

The Galbraiths will retain a part of the original parcel. National Grid intends to return to the Planning Board in the future with another application. Eric Hrbac spoke and said the purpose is to expand the existing utility substation and eventually retire the Lakeville one. This will allow for future growth.

Chair Harris and Code Officer Radesi commented on the 143-foot frontage that will remain on the parcel after subdivision. It cannot be further subdivided; only a single-family home can be built.

Chair Harris asked if there was a motion.

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

Charles Maxwell seconded the motion.

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

Opposed: None.

Abstained: None.

MOTION CARRIED.

Chair Harris said the Public Hearing will be at 7:10 PM on March 13, 2023. The Secretary will do the required publication and notifications.

7. **SITE PLAN FOR MILLSTONE DEVELOPMENT, submitted by EXCEL Engineering, to be located on NYS Route 20A, tax maps #81.-1-29.125 and #81.-1-29.126.**

Eric Drazkowski, from Excel Engineering spoke about the site plan that had been presented. He noted that the drive-thru for "Chipotle's" had been extended." There will be secondary emergency access. The traffic study showed the result will not impede that. There will be a turning lane for trucks to access the trash enclosures. Volunteer Road parking will be restriped for 44 parking stalls. Tenants will require more parking than the Town Code allows. This will require variances. He continued to speak about drainage, grease traps and lighting planned. Chair Harris noted that coffee shops usually do not have grease.

There was quite a bit of discussion about sidewalks – both what is needed and the appearances. Code Officer Radesi distributed his notes on the project. (See attachment.) These primarily dealt with variances requested.

Matt Lester also came forth to speak to the Planning Board. He is a Millstone partner. It was noted that the developers tried to match the *Regional Medical Building* with its landscaping. However, they were unable to place the number of trees required due to the water main location. J. O'Shea suggested they find other locations for the required trees and also note what species would be planted. James Oberst, Town Engineer, said that he and Larry Levy (Highway Superintendent) were both concerned with snow removal for the coffee shop, possibly a cell service, Chipotle and a sandwich shop. The truck lanes and bike racks, etc. appeared appropriate. Chair Harris verified that all lights would be downcast.

Matt Lester received the comments that this was completely different from their Conceptual Plan presented back in November 2022. He pointed out planters that can be moved for snow and trash removal. J. O'Shea spoke to say the appearance proposed does not seem terribly different from the other retail stores in town. Their appearance is not unique. Chair Harris thought it appeared rather "vanilla." Code Officer Radesi suggested stucco which can be patched and painted. He also asked that air conditioning, etc. be screened to be hidden on the roof.

Mark Shepard asked what other developments had been completed in the area. There was Starbucks in Irondequoit and Winton Road in the city, also the cannery in Fairport and the Regional Health building right in Geneseo. M. Lester also offered to send photos of other projects they had developed and completed. However, he next remark that costs have recently doubled. It is difficult to make a profit now. When questioned about GoodWill, he answered that they had sold that property to them.

M. Lester continued with the conversation and said he will go back and attempt to dress appearances up a bit. His wish was for a completely different conceptual plan. (Code Officer Radesi noted it does not meet code.) M. Lester said tenants like to "dress up" windows with graphics. There were several planning members with whom the "George Washington" displays occupying Five Below windows were less than popular. Code Officer Radesi spoke and said that had occurred before he was Code Officer; he would consider the new tenant graphics in advance.

Chair Harris next commented on the various thirteen variances to be brought before the Zoning Board of Appeals. He has never been confronted with that high a number required for a development. It should not be assumed that the ZBA will approve them. There are now so many variances; the fact the cost is now at least one-third higher than originally planned tends to be considered a "self-imposed hardship."

M. Lester said the Town Code was very restrictive. He said the Town Code had been written by Steinmetz. J. O'Shea said Steinmetz had since been bought out. It was not strictly a product of the Town Planning or Zoning Board. The fact that all new projects in the mixed-use zoning district need 60% lot coverage was also reiterated as important.

Next signage was discussed by Code Officer Radesi. The ZBA is very firm about not allowing too many signs. Code Officer Radesi said three Chipolte signs are not necessary. Maybe one in the front and one in the back despite the fact that Excel feels their businesses will be competing with other sites in Geneseo. One on a building and one on a pedestal near Regional at the corner of 20A and Volunteer Road should suffice, said J. Radesi. He said that one parcel, rather than keeping the two together, would also make the Planning Board process easier.

Chair Harris asked what Excel plans next. He had remembers suggesting at the first meeting that they re-subdivide the two parcels into one. "What will the developer do now?" he asked. M. Lester inquired whether combining into one parcel would make the process smoother. He was told "yes." He next asked how to proceed. Chair Harris said a subdivision application needs to be submitted. The ZBA also needs to deal with considering some of their proposed variances. EXCEL could then return to the Planning Board with a revised Site Plan and re-subdivision application.

Those presenting from Millstone then departed at 9:40 PM.

8. NEW BUSINESS/UPDATES/ANNOUNCEMENTS:

Staff training to be completed last year (2022) has been updated once more before the meeting and distributed. Chair Harris suggested that any differences in numbers should be taken up with the Secretary. He also asked for a motion to approve the Planning Board Meeting Schedule.

Jennifer O'Shea MOTIONED that the meeting schedule circulated be officially accepted and approved for 2023.

Mark Shepard seconded the motion.

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

Opposed: None.

Abstained: None.

MOTION CARRIED.

9. ADJOURNMENT.

There being no additional business or announcements, Chair Harris requested adjournment.

Charles Maxwell made the motion to adjourn the meeting at 9:49 PM.

Jennifer O'Shea seconded the motion.

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

Opposed: None.

Abstained: None.

MOTION CARRIED.

Submitted by,

Diane McMullan, Secretary
Town Planning Board

dmm

Attachment: 1. February Code Report, and
2. J. Radesi's Notes on Millstone ZBA Variances

Proposed Sign at intersection of Volunteer and 20A

- 1) This is not a one owner situation?

Lot #2

- 1) Lot coverage ?
- 2) 31 Parking spaces
 - a) Min ? Max ?
- 3) Eliminate landscape buffer on East side
 - a) Code 10' buffer
- 4) Eliminate landscape buffer on East side
 - a) Code tree 40' shrub 10'
- 5) No trees North between sidewalk and curb
 - a) Code must have one no more than 50' in slow speed no more 100' in fast speed
- 6) No tree
 - a) Code must have 1 tree for every 30' of structure
- 7) 4'-5' landscape area in parking area
 - a) Code 8' min
- 8) 2 Signs on single business building
 - a) Code 1 wall sign & 1 pedestal (How do I treat this situation? No plaza sign)
- 9) Building Façade offsets less than 4'
 - a) Code min 4' offsets every 50'
- 10) Parking location, massing, and orientation 39%
 - a) Code 30% ?

Lot #3

- 1) Driveway 122' from Rt 20A
 - a) Code 150'
- 2) Lot coverage 69%
 - a) Code 60%
- 3) 39 Parking spaces
 - a) Min ? Max ?
- 4) Eliminate landscape buffer on West side
 - a) Code 10' buffer
- 5) Eliminate landscape buffer on West side
 - a) Code tree 40' shrub 10'
- 6) No trees North between sidewalk and curb
 - a) Code must have one no more than 50' in slow speed no more 100' in fast speed
- 7) No trees East between sidewalk and curb
 - a) Code must have one no more than 50' in slow speed no more 100' in fast speed
- 8) No tree
 - a) Code must have 1 tree for every 30' of structure
- 9) 4'-5' landscape area in parking area
 - a) Code 8' min
- 10) 3 Signs on West end coffee shop alone, part of 3 unit building
 - a) Code 1 wall sign & 1 pedestal (How do I treat this situation? No plaza sign)
- 11) 2 Signs on East end retail shop alone, part of 3 unit building
 - a) Code 1 wall sign & 1 pedestal (How do I treat this situation? No plaza sign)
- 12) Sign pedestal south east corner (Shale & 20A)
- 13) Building Façade offsets less than 4'
 - a) Code min 4' offsets every 50'
- 14) Parking location, massing, and orientation 39%
 - a) Code 30% ?

Town of Geneseo Code Enforcement Office

Building Permits by Issued Date: 11/01/2022 - 02/13/2023

Permit#	Applicant Name	Issued	Final	Property Owner & Location	Tax Map# Lot#	Fee	Project Cost	Description
22-0149	THOMAS MCGORY	11/02/22		THOMAS MCGORY 3722 LAKEVILLE GROVELAND	73.-1-15	50.00	7,000.00	Replace wood burning fireplace insert w/ gas burning insert
22-0150	HAWLEY, ALLEN	11/02/22	02/01/23	HAWLEY, ALLEN 4182 RESERVOIR ROAD	81.-2-23	50.00	29,928.37	Installation of new LG Heat Pump 146JMU480KHN
22-0154	John Treadhart	11/06/22	12/09/22	Terry Deery 4583 WEST LAKE ROAD	82.88-1-5	150.00	40,000.00	Basement Remodel - 2 Bed - 1 Bath
22-0151	Woodford Bros., Inc.	11/11/22	01/11/23	Michael J. Kusnier 5153 WEST LAKE ROAD	91.79-1-8	100.00	13,825.95	Foundation Wall Repair on Garage
22-0153	Mark Calzagno	11/11/22		MILLER DANIEL 4915 WEST LAKE ROAD	91.44-1-11	555.50	500,000.00	New Construction of 3022 sq. ft. - 2 Story - Single Family Residence
22-0156	American Tower, Inc.	11/16/22		BAILOR DORIS 4563 RESERVOIR ROAD	81.-1-1.111	200.00	75,000.00	Colocation of T-Mobile Equipment on Existing Telecommunication Tower
22-0157	William R. Green	11/21/22	01/07/23	William R. Green 4276 LIMA ROAD	72.-1-38.2	75.00	9,000.00	12' X 20' Accessory Building
22-0159	BONDY CHRISTOPHER	11/29/22		BONDY CHRISTOPHER 4857 WEST LAKE ROAD	82.84-1-16	550.00	150,000.00	New Garage Build 36' X 30' Two Story
22-0161	Jerry Feathers	12/12/22		Matthew Morgan 3838 LAKEVILLE GROVELAND	73.-1-19.2	300.00	45,000.00	Add 9 antennas, 6 RPT's 1 OVP and 2 Hybrid cables to existing tower. Also 2 cabinets inside this existing compound.
22-0162	Alternative Carbon Energy Syst	12/15/22		Rafferty Sweeney 4801 RESERVOIR ROAD	82.-1-56.1	200.00	35,000.00	Installation of Geothermal system to heat and cool the home including horizontally trenching ground heat exchanger and 5-ton water-to-water
22-0163	William Vanneman	12/19/22		William Vanneman 4048 NORTH ROAD	73.-1-47.852	50.00	7,262.86	Install Manufacturer Spec. Wood Stone
22-0164	David Schutz	01/09/23		Dennis P. Anthony 5375 WEST LAKE ROAD	100.43-1-12	617.50	315,000.00	New Construction Single Family Home Foundation walls set to zoning setbacks by surveyor
22-0165	YULL CAMDEN M	01/11/23		YULL CAMDEN M 4761 TRIPHAMMER RD	83.-1-21.11	320.00	34,500.00	40' X 40' Pole Barn, Accessory Building

Permit#	Applicant Name	Issued	Final	Property Owner & Location	Tax Map# Lot#	Fee	Project Cost	Description
22-0166	Eric C. Howe	01/18/23		Eric C. Howe 3204 NORTH ROAD	64-1-44.4	240.00		20' addition to the South end of existing pole barn, 16' addition to West side of existing pole barn
23-0004	Joshua Farley	01/28/23		Dosis Prol 5419 WEST LAKE ROAD	100.51-1-7	220.00		Maintenance to Existing Accessory Building Remodel existing summer use bathroom Replace existing 2nd floor opening covers w/ windows
23-0005	THOMPSON GARY	01/28/23		THOMPSON GARY 4375 RESERVOIR ROAD	81-1-30.12	75.00	15,000.00	2nd Layer Roof Over
23-0006	LEAST TARRYN M	01/28/23		LEAST TARRYN M 4414 LIMA ROAD	72-1-7.21	100.00	200,000.00	Single Family Home Permit renewal due to expiration
23-0009	Stonewall Homes Inc	02/10/23		Stonewall Homes Inc 4941 GROVELAND ROAD	90-1-4.11	136.00	20,000.00	Remove old accessory building Build a new 24' X 28' accessory building
23-0010	Doug McDaniels	02/10/23		Timothy Schunk 5007 WEST LAKE ROAD	91.60-1-3	120.00	5,000.00	Remove deteriorating deck, Construct a new deck structure in the exact footprint.
Total:						\$4,409.00	\$1,501,515.20	
Total Count:		19						

Town of Geneseo Code Enforcement Office

Other Permit Summary by Application Date Range: 11/01/2022 - 02/13/2023

Notes

Permit#	Date	Property Owner & Location	Tax Map#	Fee	Type	Description	Notes
22-0038	11/01/22	Mark Brozost	82.52-1-4.1	50.00	EROSION CONTROL PERMIT	Property Grading	
Mark Brozost		4337 WEST LAKE ROAD					
22-0039	11/12/22	Michael J. Kusmierz	91.76-1-5	50.00	EROSION CONTROL PERMIT	Foundation Wall Repair on Garage	
Woodford Briso., Inc.		5153 WEST LAKE ROAD					
22-0040	12/06/22	GENESEE COUNTRY CHRISTIAN	90.-1-4.2	0.00	Fire Safety and Property Maintenance	PASS	
GENESEE COUNTRY CHRISTIAN		4120 LONG POINT ROAD					
22-0041	12/12/22	KINGSTON FARMS	90.-1-34	50.00	SIGN	No Internal Illumination	
Carroll Teitworth		5052 GROVELAND ROAD					
22-0042	01/14/23	HOR GEN MANAGEMENT, LLC	81.-1-29.122 4287	75.00	Operating Permit - Public Assembly 100 or more 1 occupant per 60 sq. ft. of floor space in store, 1 occupant per 300 sq. ft. of storage and cold storage	Temporary Balloon for Advertisement Purposes, 11 Inflatons, 4 Hours Each, No Internal Illumination	Occupant Load: 1 occupant per 60 sq. ft. of floor space, 1 occupant per 300 sq. ft. of storage and cold storage space
WEGMANS FOOD MARKETS		4287 GENESEE VALLEY PLAZA					
22-0043	01/14/23	HOR GEN MANAGEMENT, LLC	81.-1-29.122 4287	75.00	Fire Safety and Property Maintenance		Occupant Load: 1 occupant per 60 sq. ft. of floor space, 1 occupant per 300 sq. ft. of storage and cold storage space
WEGMANS FOOD MARKETS		4287 GENESEE VALLEY PLAZA					
22-0044	01/17/23	HOR GEN MANAGEMENT, LLC	81.-1-29.122 4287	25.00	Fire Safety and Property Maintenance		WEGMANS COFFEE SHOP
WEGMANS FOOD MARKETS		4287 GENESEE VALLEY PLAZA					
22-0045	01/17/23	HOR GEN MANAGEMENT, LLC	81.-1-29.122 4287	25.00	Fire Safety and Property Maintenance		WEGMANS SUB SHOP
WEGMANS FOOD MARKETS		4287 GENESEE VALLEY PLAZA					
22-0046	01/17/23	HOR GEN MANAGEMENT, LLC	81.-1-29.122 4287	25.00	Fire Safety and Property Maintenance		WEGMANS DINING AREA
WEGMANS FOOD MARKETS		4287 GENESEE VALLEY PLAZA					
22-0047	01/21/23	Dynamic Elite Athletics	81.-1-29.47-	5	Fire Safety and Property Maintenance		
Dynamic Elite Athletics		4320 Pondsides Plaza					
22-0048	01/21/23	Dynamic Elite Athletics	81.-1-29.47-	25.00	Fire Safety and Property Maintenance		
Dynamic Elite Athletics		4320 Pondsides Plaza					
S23-0007	01/28/23	GENESEE UNITED METHODIST	80.-1-3	200.00	SIGN		Sign to conform with parameters set by the Town of Geneseo Zoning Board
GENESEE UNITED METHODIST		4520 GENESEE STREET					

Permit#	Date	Property Owner & Location	Tax Map# DBA	Fee	Type Description	Notes
E23-0011	02/10/23	Timothy Schunk 5007 WEST LAKE ROAD	91.60-1-3	50.00	EROSION CONTROL PERMIT Dig post holes along the elevated lake shore for deck construction. Use silt fence for erosion control.	Use silt fence for erosion control
Total Count: 13				Total: \$730.00		