

**Planning Board
Regular Meeting/Public Hearing
Thursday, April 27, 2023**

Members Present:

Rob Deming, Chair
Mary Kummer, Member
Jeff Crane, Member
Alison Levey, Member
Dori Farthing, Member

Other Village Representatives Present:

Shawn Forrester, Deputy Clerk/Treasurer
Craig Wadsworth, Code Enforcement Officer
Jeff Boorsma, Village Engineer
Mary Kay Yanik, Village Attorney

Applicants Present:

Andrew Vieira, 112 Riverside Dr
Noah French, Temple Hill Cemetery
Gary Kone, 112 Riverside Dr
Craig Chiara, The Tavern
Paul Deagle, 11 Livingston St
Scott Fiske, Pardi Architects
John Lehmann, 5 Chestnut St
Mike Lehmann, 5 Chestnut St
Marshall Morehouse, Scheid Architectural
Alex Kone, 112 Riverside Dr

Dana Carsen, Livingstone Lanes
Jim Olverd, Livingston Lanes
Edmee Lopez, La Familia Restaurant
Bill Brummett, Temple Hill Cemetery
Joel Chenaille, Tompkins Bank
Andrew Follman, 112 Riverside Dr

Public Present:

Emma Belica, SUNY Geneseo
Jody Nellis, Northview Dr
Julie Meyers, Main St
Gretchen Crane, Second St
Colleen Venturino, Oak St
Deena Beaudet, Second St
Ashley Ames, SUNY Geneseo

Kathy Carr, Livingston St
Tim Rainis, SUNY Geneseo
Corina Tulevech, SUNY Geneseo
Drew Varrichio, SUNY Geneseo
Samantha Crowe, SUNY Geneseo
Charlotte Sutphin, SUNY Geneseo
Brendon Fuhr, SUNY Geneseo

1. Open Meeting:

Chair Deming called the meeting to order at 4:30PM.

2. Minutes:

The minutes from the March 23, 2023, meeting were reviewed. A. Levey moved to approve the minutes as presented. J. Crane seconded with no further discussion, corrections, or additions, the minutes were approved with ayes from Chair Deming, M. Kummer, D. Farthing, J. Crane, and A. Levey.

3. Site Plan – Temple Hill Cemetery – Noah French:

Members Jeff Crane and Mary Kummer recuse themselves.

Boy Scout Noah French, of Troop 70, appeared to present his plan to erect a kiosk in Temple Hill Cemetery as part of his Eagle Project. He explained that the kiosk would be informational only and similar to the kiosk placed at the Museum (without the benches). It would have a roof but no lighting. D. Farthing moved to waive the public hearing for the application. A. Levey seconded. The public hearing was waived with ayes from Chair Deming, D. Farthing, M. Kummer, and A. Levey. J. Crane abstained. A. Levey moved that based on the information and analysis, and any supporting documentation, the proposed action will not result in any significant adverse environmental impacts, therefore granting a negative declaration for the application. M. Kummer seconded. With no further discussion the motion passed with ayes from Chair Deming, D. Farthing, M. Kummer, and A. Levey. J. Crane abstained. D. Farthing moved to approve the Site Plan Application for Temple Hill Cemetery. M. Kummer seconded. With no further discussion the motion passed with ayes from Chair Deming, D. Farthing, M. Kummer, and A. Levey. J. Crane abstained.

4. Sign Permit – Craig Chiara – The Village Tavern:

Craig Chiara appeared to explain his proposed sign for 137 Center Street, The Village Tavern. He stated that the sign would be installed on the wall of his building facing 20A. There were questions regarding lighting and the existing sign on the lawn. Mr. Chiara explained that the sign would not be lit, but he would be using existing lighting on the building. He continued with the old sign is dilapidated and the logo of the previous owner. Discussion continued with the removal of the lawn sign and the logo change. A. Levey moved to approve the sign permit for 137 Center Street. D. Farthing seconded. The motion passed with ayes from Chair Deming, D. Farthing, M. Kummer, J. Crane and A. Levey.

5. Sign Permit – Malik Taher – La Familia Restaurant & Bakery:

Edmee Lopez appeared representing 105 Main Street, La Familia Restaurant, as her brother, Malik Taher, was unable to be present. CEO Wadsworth explained the sign request, he stated that the size, type, and placement were within code. There is discussion about the sign, including the color scheme, material, and size. D. Farthing moved to approve the sign permit for 105 Main Street. A. Levey seconded. The motion passed with ayes from Chair Deming, D. Farthing, M. Kummer, J. Crane and A. Levey.

6. Initial Review – 5 Chestnut Street:

Scott Fiske of Pardi Architects appeared to explain that his client had recently purchased 5 Chestnut Street and wanted the Boards opinion on what to do with the building. He explained that it needed to be gutted and there was the possibility of making it into apartments or maybe apartments on the second floor and retail on the first floor. There is much discussion regarding parking. The discussion continues with the possibility of the space being used for a microbrewery and tap room. The discussion continued with what Main Street needs, grants, and the Boards appreciation that the building will be repaired and no longer vacant. The conversation continued with the fact that there are a lot of rentals in the village and many for rent signs, a business might be a better option. It is noted that the building is in the R-3 District which is mixed use. The building will need to be brought up to Code and the fact that it is located within the historic district and historic guidelines would have to be followed.

7. Initial Site Plan Review – 4260 Lakeville Road – Livingston Lanes:

Jim Olverd appeared representing Livingston Lanes, he explained their plan to have an ice cream trailer to the East of the parking lot and install a gravel pad that then might be used for snow storage in the winter months. There is discussion regarding water and sewer hook ups as well as lighting. The conversation continued with the Firework sale in July. Mr. Olverd stated that it will not impede the firework tent in any way. Engineer Boorsma requested more in-depth plans. It was noted that the County Planning Department had reviewed this application and determined that it has no significant Countywide or intermunicipal impact in regard to existing county plans, programs, and activities. Therefore, approval or disapproval of this application is a matter of local option. It is further noted that the Board could waive the Public Hearing for the Site Plan. It was the Board's consensus that the hearing should be waived. D. Farthing moved to waive the Public Hearing for Livingston Lanes. M. Kummer seconded. With no further discussion the motion passed with ayes from Chair Deming, D. Farthing, M. Kummer, J. Crane and A. Levey.

Chair Deming noted that the SEQR had been received. A. Levey moved that based on the information and analysis, and any supporting documentation, the proposed action will not result in any significant adverse environmental impacts, therefore granting a negative declaration for the application. D. Farthing seconded. With no further discussion the motion passed with ayes from Chair Deming, D. Farthing, M. Kummer, J. Crane and A. Levey.

D. Farthing moved to grant the Site Plan Application for Livingston Lanes with the following condition, that new plans be received containing:

- 1) All legal data (owners of record of adjacent property, zoning data, boundary lines, setback lines, any deed restrictions/easements)
- 2) All existing and proposed buildings and utilities
- 3) Any proposed landscaping and screening
- 4) Photometrics if there are to be any changes to site lighting (all site lighting must be Dark Sky compliant)
- 5) Proposed traffic flow patterns for the drive-through and how pedestrian safety will be addressed.

M. Kummer seconded. With no further discussion the motion passed with ayes from Chair Deming, D. Farthing, M. Kummer, J. Crane and A. Levey.

8. Special Use Permit/Review – 112 Riverside Drive – Self Storage Facility:

Andrew Viera and Andrew Follman appeared to explain their plan to convert the existing light industrial building located at 112 Riverside Drive into a climate-controlled storage facility. It would contain 360 units and only require minor modifications to the building. Discussion continued with the number of entrances including loading docks, as well as lighting. It is decided that a Site Plan is necessary. Discussion continued regarding whether the concept would be light industry or warehouse or retail.

9. Special Use Permit/Public Hearing – 11 Livingston Street – FFL Permit/home business:

Chair Deming opened the Public Hearing at 5:42PM and explained the rules for public hearings. Paul Deagle appeared to explain his application. He stated that he would like to apply to the Federal Government for a Federal Firearms License (FFL). He continued with that his desire was to make small batch ammunition and the FFL was required to do so, he continued that he would also be able to process ammunition transfers. There would be no signage or lighting involved with the business. Kathy Carr wondered if people would be picking up merchandise.

There was discussion regarding how ammunition transfers were processed, as well as operating times. Mr. Deagle explained that all transfer would be to individuals that have a permit, and most of his business would be done by appointment or delivery. He continued with if the business “took off” he would move or discontinue the business.

Brendon Fuhr asked if any hazardous materials would be stored on site? Mr. Deagle explained that it was not allowed by Federal or NYS law.

Jody Nellis asked if the business would sell just ammunition or guns as well. Mr. Deagle explained that the FFL would give him the ability to sell firearms, but he is only interested in ammunition.

Discussion continued with concerns over parking.

Drew Varrichio and Samantha Crowe both expressed concern over school shootings and availability for students to get guns.

Discussion continues with security concerns, advertising, and time frame for FFL. Mr. Deagle explained that all his guns are locked up in appropriate gun safes and ammunition is kept separate, as required by law. He continued with the fact that his house has a security system and only legal buyers would be allowed to purchase anything.

Drew Varrichio again expressed his concerns over college students getting guns. Perhaps with a fake ID.

Brendon Fuhr asked if non-NYS residents would be able to purchase.

Samantha Crowe wondered about mental health requirements.

It is noted that NYS and the Federal Government have many regulations regarding the sale and purchase of firearms and ammunition.

Jody Nellis expressed concern over having guns in a residential area.

Kathy Carr wondered about crime with this type of business.

Emma Belica wondered if the Special Use Permit could be revoked.

Discussion continued with a possible time limit, parking, and traffic.

D. Farthing moved to close the public hearing. M. Kummer seconded. With no further discussion the meeting closed at 6:13PM with ayes from Chair Deming, D. Farthing, M. Kummer, J. Crane and A. Levey

The Board then discussed a time frame for the special use permit. A. Levey moved to approve the Special Use Permit for a home-based business at 11 Livingston Street for a period of three years set to expire on May 01, 2026. J. Crane seconded. With no further discussion the motion passed with ayes from Chair Deming, D. Farthing, J. Crane, A. Levey, and an abstention from M. Kummer.

10. Site Plan/Public Hearing – 11 South Street – Tompkins Bank:

Chair Deming opened the public hearing at 6:23PM. Marshall Moorehouse appeared to explain the project for Tompkins Bank parking lot. He continued with the Department of Transportation has expressed approval for the removal of the center entrance to the parking lot. This should allow for better traffic flow and encourage people to turn around within the property.

Gretchen Crane and Julie Meyers had questions regarding parking and egress. Discussion continued with pedestrian and bicyclist safety. As well as the Boards concern and sadness of the removal of the drive-up postal box.

Julie Meyers expressed concern over mail trucks and parking.

Engineer Boorsma stated that all MRB’s concerns/comments had be addressed, contingent on DOT’s formal approval.

A. Levey moved to close the public hearing. M. Kummer seconded. With no further discussion the meeting closed at 6:38PM with ayes from Chair Deming, D. Farthing, M. Kummer, J. Crane and A. Levey.

D. Farthing moved to approve the Site Plan Application for 11 South Street, Tompkins Bank contingent on DOT’s approval. With no further discussion the motion passed with ayes from Chair Deming,

D. Farthing, M. Kummer, J. Crane and A. Levey.

11. Code Enforcement Update:

Building Permits Issued – 12
Inspections in conjunction with open permits – 31
Building Permits closed – 13
Other Permits issued – 24
Violations processed –1
Complaints – 1
Commercial building plans submitted – 0
Residential building plans submitted – 0
FOIL Requests - 1

12. New Business/Old Business:

13. Close Meeting:

A. Levey moved to close the meeting. M. Kummer seconded. With no further discussion the meeting closed at 6:41PM with ayes from Chair Deming, D. Farthing, M. Kummer, J. Crane and A. Levey.

*Shawn Forrester
Deputy Clerk/Treasurer*