

**Town of Geneva
Planning Board
November 19, 2024
DRAFT**

Present: Eric Reuscher, Robert Gringeri, Kenneth Nardozzi, Gary Johnson

Staff: Floyd Kofahl, Code Enforcement Officer, Kyle Bunce, Amy Naegele, Clerk of the Board, Steve High, Town County Planning Board Representative, Shaun Logue, Town Engineer

Others Present: 8 members of the public

Chair Eric Reuscher called the meeting to order at 6:00 pm.

**Subdivision (Public Hearing)
The Lake Room LLC Subdivision – PB2024-006**

The applicant is applying for a 7-lot subdivision. Eric Reuscher noted that the Town Board has dissolved the PUD that was on the land. He also noted the Town Board approved changing the PUD minimum area requirement from 5 acres to 3 acres. Eric opened the public hearing for PB2024-006. Kathy Brown, of Bay View Terrace spoke. She asked about the driveways to the 4 residential lots to the west of the old clubhouse. Dave Hanley, surveyor for The Lake Room LLC, showed the plans to the members of the public. He confirmed that there would be one shared drive from Turk Road to service the 4 lots. He identified the Browns' lot on his map. The Browns explained that they were wondering about the traffic onto Turk and expressed concerns for the view from their home, which is currently blocked by the hedgerow and would be blocked by a two-story home. Eric confirmed that there were no other members of the public wishing to speak. Motion made by Eric Reuscher to close the public hearing. 2nd by Ken Nardozzi. All in favor, motion carried.

Eric asked the applicant to present. Dave Hanley presented the plans. He explained that the owners would be keeping the clubhouse and creating 4 parcels to the west of the clubhouse with a shared drive. He also explained that there would be 2 parcels created to the east of State Route 14, each with a section of lake frontage. He noted that the lake frontage would not be buildable but would allow for docks. Gary Johnson asked about sewer to lots 6 and 7. Floyd confirmed that sewer is available for lots 6 and 7, and that a decision has not been made for the lots on Turk Road. Gary also asked about the walking trail along the tracks and Dave confirmed that there is nothing there currently, but a potential trail would allow access to the lake portion of lots 6 and 7.

Eric asked Shaun Logue for any input from MRB. Shaun reviewed MRB's letter dated October 22, 2024, confirming that the comments are straightforward. He noted that this is a realty subdivision which makes it a Type 1 action, requiring a coordinated review. Other than that, a few minor cleanups are needed.

Floyd presented to the Board. He explained that they have been in discussion with the Town Attorney and Supervisor regarding if it was an unlisted action or a Type 1 action. He confirmed that he would be talking to the Town Attorney again. He explained that the applicant still needs to provide part 1 of the SEQR before the board can start the coordinated review. He

noted that the two back lots to the west on Turk Road have small sections of road frontage that make them flag lots. He also confirmed the shared driveway. He confirmed the lake frontage areas of lots 6 and 7 would be only recreational due to the size. He also noted that the pathway through the pie piece lot is for access for the owners of lots 6 and 7, not a public pathway. He confirmed that the comments on MRB's letter will need to be addressed.

The board discussed the options moving forward.

Motion made by Eric Reuscher to put the application on hold until Floyd hears back from the Town Attorney and until Part 1 of the SEQR is received. 2nd by Ken Nardozzi. All in favor, motion carried.

Site Plan Review (Presentation)

Dandy Mini-Mart – PB2024-002

The applicant is applying for site plan approval of a new convenience store and gasoline service station to replace an existing gas station convenience store and a demo an additional building. Brian Grose from Fagan Engineers presented to the Board. He noted Josh from Dandy Mini-Marts was also present. He noted changes that had been made since the last meeting. He explained that the shed and refuse area has been moved, the parking on the back and retaining wall have been updated. He went over the stormwater management plan, explaining it would be a bioretention area with a 2-to-2.5-foot depression. He confirmed that they are still looking to have a conversation with the sewer district about the possibility of extending the sewer from Pre-Emption Road to the south. He went over the updates regarding the Native American burial ground and SHPO. He noted that the University of Binghamton completed Phase 1A and has prepared suggestions for Phase 1B. These have been submitted to SHPO and they are awaiting a response. He also noted they are still working on the possibility of connecting the parking lot to the south and confirmed he had reviewed MRB's letter and that it seemed straightforward. Eric Reuscher asked about the charging stations and what type of chargers they would be using. There was a conversation with Brian and Josh. They confirmed that the charging stations would be something to come in the future but confirmed that they have typically been leaning toward superchargers. Ken Nardozzi asked about the retaining wall. Brian went over some of the options they would be looking at for the materials and confirmed that there would be a guardrail and some sort of barrier for cars. It was confirmed that there are requirements for any retaining wall greater than 3 feet. Gary asked if there would be new fuel tanks, and it was confirmed there would be. Eric confirmed with Floyd that the proposed signage meets code.

Eric asked Shaun for his input. Shaun went over MRB's letter dated November 12, 2024, noting that there are a lot of minor technicalities. He noted that the burial ground and coordination with SHPO is a top item. He also noted that the location of the existing and proposed septic in relation to the burial ground needs to be confirmed. He was asked about the effect that SHPO could have on such a project. He noted a recent situation in the Town of Fayette where SHPO was involved that ended up getting abandoned.

Floyd spoke to the Board. He reviewed the sewer concerns, noting the options the applicant has. He explained that if they can connect to the south, it would eliminate the need for a septic and the purchase of another parcel. He also discussed the impact SHPO could have on the septic options. He discussed the positive impact it would have on other businesses if they did run a 3400-foot connection to the south. The burial ground was discussed more. It was confirmed that it is not the original site and was moved from the opposite area of the intersection. It has been there for over 100 years. Floyd also confirmed that a demolition plan is not necessary at this

point in the process. Floyd also showed support for the use of phase 3 chargers for the EV stations, noting how it can be a marketing tool. He also noted that the buffers used will need to match town design standards. He explained that before the next Planning Board meeting, they will schedule a meeting with the applicants, MRB, and water/sewer to discuss the plans. Eric asked about the SHPO process and how it would affect the project once demolition starts. Floyd confirmed that once SHPO signs off, they do not need to come back once demolition and construction begins. There was a discussion between the board members, Brian, and Floyd about where holes have been dug and where more holes will need to be dug.

Eric asked Steve High for input from the County Planning Board. Steve went over the comments listed in the November 13, 2024, Ontario County Planning Board Minutes (on file in PB2024-002). He explained that there was a lot of discussion on the application. He highlighted comments from the May 2024 meeting including Ontario County Department of Public Works (OCDPW) commenting that they would like the County Road 6 entrance be moved 10 ft to the south, and the CRC comments regarding stormwater flowing to Castle Creek. He then went over the November 2024 comments. He noted that they also questioned if the EV chargers would be superchargers. The access for the stormwater management facility was questioned. Brian confirmed that it would be accessed from County Road 4. He went over the requests from OCDPW, including making the County Road 6 entrance right in and right out only and removing the sidewalk and trees in the county right-of-way. Steve also went over the CRC and CPB comments, noting questions regarding fencing on the retaining wall, if a 1,000-gallon septic would be sufficient, if the stormwater management plan met the updated 2024 manual, and if the proposed lighting would be dark sky compliant. The CPB also recommended that the OCDPW at least consider a left-in option on the County Road 6 entrance. Steve reported that the county elevated the referral to a class 2 and sent it back with a recommendation of approval with modifications, as listed in Ontario County Planning Board Minutes from November 13, 2024, referral 215-2024.

The board members discussed their options moving forward. They talked with the applicant regarding the Public Hearing and SEQR process and about SHPO and the septic/sewer decision. Motion made Eric Reuscher to table PB2024-002 until the applicant is ready to move forward with a public hearing and the SEQR process. 2nd by Gary Johnson. All in favor, motion carried.

Meeting Minutes of October 15, 2024

Motion made by Robert Gringeri to approve minutes. 2nd by Ken Nardozzi. All in favor, motion carried.

Other Business

Floyd confirmed that there have not been any major changes since last month.

There was a discussion regarding the application from Dandy and Eric thanked Steve for his input from the County.

There was a discussion regarding SHPO and the potential impacts on projects.

Motion made by Ken Nardozzi to adjourn the meeting. 2nd by Robert Gringeri. All in favor, motion carried at 7:13.