

**Town of Geneva
Planning Board
July 20, 2021
DRAFT**

Present: Mary Ann Bell, Robert Gringeri, Kenneth Nardozzi, Gary Johnson, Jeff Trickler

Absent: Eric Reuscher

Staff: Floyd Kofahl, Code Enforcement Officer, Amy Naegele, Clerk of the Board, Pat Nicoletta, Town Engineer

Others Present: 26 members of the public

Chair Mary Ann Bell called to order at 7:00 pm.

**Public Hearing - Big Alice Brewery PB2021-008
Site Plan Review**

The applicant is applying for site plan approval for the addition of a porch, deck, barn, and bandstand to the existing plans. Kyle Hurst reviewed their request with the Board. He handed out a site plan to the board members and then showed a large color display. He pointed out the patio seating in the front, the small deck on the south side, 2 pergolas on the north side, the hop trellis on the south side and the barn on the west side.

Mary Ann Bell asked for comments from the public. Donald Guard, of 4198 State Route 14, spoke to the Board. He explained that his major concern was the current speed limit and the traffic issues in the area. He expressed the need for the state to lower the speed limit and spoke about concerns with traffic in both directions. James Hennessy, of 4177 State Route 14, also spoke to the Board expressing the same concern and expressed the need for a change of the speed limit. David DeMarco, owner of White Springs Winery, spoke to the Board. He stated that he did not have any problems with the plans but thought that whatever is approved should meet the zoning and spoke about the precedent an approval could set. Board member Gary Johnson asked him to clarify, and he talked about in the past when other applicants had been denied the ability to have any outdoor music. He talked about how there had been zoning changes since then and commented that if approved for Big Alice, it would be something White Springs Winery would be considering in the future. Mary Ann Bell confirmed there were no other members of the public wishing to speak.

Motion made by Robert Gringeri to close the Public Hearing with a 2nd by Kenneth Nardozzi. All in favor, motion carried.

Mary Ann confirmed with Pat Nicoletta that MRB did not review this application. She then asked Floyd for his comments. Floyd explained that this would also be in front of the Zoning Board next week to address the changes to the Special Use Permit and for an Area Variance to build the pergola in front of the building. He reminded the Board that they could provide comments to the Zoning Board if they wish. He also spoke about the changes that the owners have made to the parking and how it is now possible for buses and emergency vehicles to turn around. Steve High, the Town Representative for the Ontario County Planning Board was absent, but the Board received copies of the County's comments.

Board discussion began. Ken Nardozzi commented on the speed limit concerns and how it had been something they had worked on in the past. Floyd explained that the Planning Board could send a recommendation to the Town Board to revisit this concern again, especially with the new developments going in or planning to go in. Robert Gringeri shared a brief history of past attempts to lower the speed limit and expressed his support for it being changed. He also asked the applicant about a privacy fence or landscaping. Kyle Hurst explained that they had plans for additional landscaping. He mentioned various trees they were thinking about and confirmed they would be working with a landscape architect.

Motion made by Gary Johnson to approve the site plan as submitted. 2nd by Robert Gringeri.

Roll Call Vote:

Robert Gringeri: Yes

Mary Ann Bell: Yes

Kenneth Nardozzi: Yes

Gary Johnson: Yes

Jeff Trickler: Yes

Motion carried.

Floyd confirmed with the Board that they did not have any comments for the Zoning Board. Floyd confirmed with the Board that they would like to make a recommendation to the Town Board to revisit lowering the speed limit.

Public Hearing - Geneva Solar Village PB2021-009 Subdivision/Site Plan Modification

The applicant is applying for site plan modifications of the site plan approved as PB2020-003. Ryan Wallace presented to the Board. He reviewed revisions to the plans, which include consolidating the multi-family units to 3 buildings and moving them to the previous stormwater retention area, which has been moved south. He went over the reasons for the revisions, including issues with onsite wastewater management that they have been working through, material costs increasingly dramatically, and their plans for expanding their factory in the City of Geneva and how it would affect this build. He explained that there would be less units, that they would be preserving the forest buffering Rosewood and that they would still be taking down the woods due west of the solar farm. He also explained that they will be before the Zoning Board next week for a variance request for the height of the buildings.

Mary Ann asked for comments from the public. Ed McGuigan, of 554 Rosewood, spoke to the board. He explained that he had heard many rumors and went over the concerns he had. He expressed concerns about the right-of-way from Rosewood to the Wallace Property being used for firetrucks, concerns regarding the odor that the use of leach lines would cause, and concerns over the possibility of low-income housing in the area. Mark Champlin, of 553 Rosewood, also spoke to the Board. He also expressed concerns over the possibility of an access road off Rosewood and the effect it would have on the families living on Rosewood. In addition, he had concerns over water. He also talked about the effect that multi-family units would have on the neighborhood, and how the neighborhood could no longer be quiet, and the effect it could have on their property values. Pat Riley, of 204 Carter, also spoke to the Board. He explained that he had looked at what was previously approved and questioned how much of the woods to the west of the solar panels could be left. He also spoke about the sanitary/sewer connections and the stormwater detention ponds. He expressed that the additions of the ponds could help his water situation. He also questioned whether the right-of-way from Rosewood was going to be developed and commented on this being an access for emergency vehicles. He also commented

on the solar panels being good neighbors thus far, except for the glare, which was remedied by the planting of trees. Gary Shultz, of 546 Rosewood, also spoke to the Board. He stated that he expressed the same concerns as the others and questioned that if this is Phase 1, how many apartments will there be in the end.

Mary Ann Bell confirmed there were no other members of the public wishing to speak.

Motion made by Gary Johnson to close the Public Hearing. 2nd by Kenneth Nardozzi. All in favor, motion carried.

The applicant was given the opportunity to respond to public comments. He explained that the leach field was an alternative option that had been created as a response to an issue with the City of Geneva and connecting to the City sanitary system. This is being resolved and the leach field will not be needed. Ken Nardozzi asked if this 100% resolved. Ryan explained that money-wise it had been worked out and that they have 3 comments to address from the DEC letter for the main line. There was further discussion regarding what had been approved. Ryan confirmed that they had received a signed form from the city but were still waiting for the forms from DEC. The plan would be that they will not be able to connect the 3 apartment buildings to the system until the station pump is upgraded. They will be able to connect to sanitary for the 1 12-unit building and 7 single-family homes. He also explained that the access off Rosewood would be emergency fire access only and this would be in the event that the main entrance road was blocked. There will be a metal vehicle gate at the access drive and improvements will be made to the road, which will be seeded and mowed. Ken Nardozzi also commented on the need for this emergency access. Ryan explained that the access road would not be used for construction purposes and the plan is to continue using the main driveway. He also explained that the funding for the project is dependent on rents ranging from \$1,120 to \$2,500 per month and will not be low income. He explained that the stormwater management plan will, as required, address any issues the project creates, but will also help reduce the current issues in the area. There was a comment from a resident that they were originally told another development in the area would not be low income, but it is now subsidized housing. Ryan confirmed that they do not have a low-income subsidy and went over the funding and stated that the houses will be market rate at \$300,000 to \$500,000.

Mary Ann Bell asked Pat Nicoletta for MRB's comments. Pat went over MRB's letter and comments. He confirmed he had received new plans tonight, which may address some of these comments.

Floyd presented his comments to the Board. He highlighted that there had been some confusion over the number of units and submitted forms not having matching numbers. He confirmed he had received a new EAF tonight which should clarify. He commented that in the area of the 3-story buildings a fire hydrant needed to be added and confirmed that due to the size of the project the second fire access easement is actually required by the state. He also explained that the construction of this access road and the landscaping. Robert Gringeri confirmed with Floyd that this would need to be plowed/kept clear in the winter. Floyd also confirmed that all lighting would need to be dark-sky compliant, and that the community center would need to be added to the plans. He also stated that there had been a meeting regarding the main road, and it is the Town's position that it should be dedicated. He also explained that the applicant would be before the Zoning Board next week for a variance for the building height of the apartment buildings.

Mary Ann asked Floyd about comments from the County. He explained that they had received comments from the County, and that the new plans that were received tonight addressed these comments and would be reviewed.

The Board discussion was opened. Robert Gringeri asked for confirmation on the number of units. Ryan confirmed that there would be 75 units in the apartment buildings, 12 apartment homes, and 7 single-family homes. He explained that there would also be a center building that would be a mailroom and community space. The plans given tonight reflect this. There was discussion on the main road, and it was confirmed that the Town would like it to be dedicated to the Town. There was further discussion on the issues with the septic. Floyd explained the issue with the City Pump Station and the upgrade that will be made. Ryan confirmed that the plans before the Board is the complete build out of the project and explained that they will be able to run the sanitary for the entire project now but will not be able to connect or occupy the 3 apartment buildings until the pumps are upgraded. Robert Gringeri questioned if they could connect the 12-unit building now. Ryan explained that they were waiting on the letter from DEC for approval to connect the 12-unit and the 7 single-family homes. They are expecting that this week. It was questioned if there would be an HOA, which Ryan confirmed there would not be.

Mary Ann asked the Board if they were ready to move on to Part 2 of the EAF. Ken Nardozzi expressed his concerns with moving forward. There was discussion among the board members regarding the amount of new information they received and the concerns from Pat and Floyd.

Motion made by Kenneth Nardozzi to continue PB2021-009 until the next scheduled Planning Board meeting in August. 2nd by Gary Johnson. All in favor, motion carried.

Public Hearing – Classy Chassy PB2021-010 Site Plan Review

The Applicant is applying for site plan approval to remodel the site from the existing restaurant to a single tunnel wash, manned carwash facility. Jeff Arnold presented the request to the Board. He explained that he has been in the carwash business for over 20 years with locations from Buffalo to Binghamton. He spoke about the negative view carwashes get and how they are trying to improve the view people have of them. He gave some background of the company and explained what they were looking to do. He went over the plans with the Board, explaining that although they had originally planned on using the existing building, had decided that it would be best to build on an angle. This will also help the neighbor and they are planning on a 6 ft. fence to help alleviate light and noise. He discussed the noise associated with the carwash, explaining that the most noise is at the exit where the blowers are and that is why the exit is toward the road. He talked about the noise of the vacuum system and explained that this is the best, quietest system that has been created. He pointed out the three lanes for incoming cars and explained that employee parking would be in the back of the facility. They are not planning on using the existing sign, but rather having a monument sign, which will look better. He also pointed out that the vacuums would be set up so that you would go through the carwash and then to the vacuums. He gave a handout to the board members with information on the vacuum system and the noise levels. He explained that normal hours of operation would be 8am to 8pm. Ken Nardozzi asked if the vacuums would be accessible after hours. Jeff confirmed that they would not be, and that the site would be closed. Robert Gringeri asked how many employees would be onsite at any given time, which the applicant confirmed would be 2-4. Gary Johnson confirmed with the applicant that this would be a new building and questioned the time it would take to go through the wash.

Jeff explained that it would take 1 minute to go through the wash, the goal being constant movement of cars. Robert Gringeri asked about the 3 feeder lines and Jeff explained that this would prevent traffic getting backed up and would keep the line through the carwash moving constantly. Mary Ann questioned the need for so many vacuums and Jeff explained the reasoning behind the number. Ken Nardozzi asked about approval from the City of Geneva for the sewer. Floyd confirmed that he has a copy of the written approval form from the City.

Mary Ann Bell opened the floor to the Public. Pat Knifley, of 795 West Washington Street, spoke to the Board. She stated that the building sounded beautiful but questioned why they wanted that location when other land is available and they are going to remove the building. Mark McDonald, of 870 Pre-Emption Road, also spoke to the Board. He stated that although it sounds good, he did have some concerns. He does not know how these plans fit into the grand scheme for the town and pointed out the close locations of other carwashes. He expressed concerns with noise from people vacuuming their cars out, pointing out that people will blast music in their car while vacuuming. He also stated that he would like to see the fence built to as high as the code will allow. It was confirmed there were no other members of the public wishing to speak.

Motion made by Robert Gringeri to close the public hearing. 2nd by Kenneth Nardozzi. All in favor, motion carried.

Jeff Arnold was given time to respond. He explained that the location was good for a carwash, as they need a high-volume location to offset the high building costs. He addressed concerns about noise and explained that because this will be a manned site, this should help cut back on noise from people while vacuuming out their cars. There was a discussion among the applicant and the board members regarding the hours of operation. Jeff spoke of peak days where they may open an hour early or stay an hour late and they also discussed the amount of traffic usually seen in the first and last hour of the day. He also addressed the fence height and explained the reasoning for wanting a 6 ft. fence rather than something higher. He also explained that he had met with the neighbor directly to the North and discussed the plans. Robert Gringeri confirmed with the applicant that the vacuum noise level would be the same whether one vacuum was being used or 20. Jeff reiterated how quiet the vacuums would be and Gary Johnson pointed out the decibel levels in relation to dishwasher decibel levels.

Mary Ann Bell asked Pat Nicoletta for his comments. Floyd pointed out that MRB had not received the updated plans with the demolition of the building and would have to review the new plans as well. Pat clarified a few items with the applicant.

Floyd also explained to the Board that although Ontario County Planning Board received the application, it would also be sent back to them for review with the new plans. Floyd gave his comments to the Board. He explained that another restaurant had previously looked at the location but had not made an offer and that a carwash is an allowed use. The new application was reviewed by the fire department and they are asking for a new hydrant. He also commented that the noise level being proposed would be below the town requirement for equipment and any lighting would be dark sky compliant.

Motion made by Robert Gringeri to continue PB2021-010 until the next scheduled Planning Board meeting in August. 2nd by Gary Johnson. All in favor, motion carried.

Meeting Minutes from June 15, 2021

Motion made by Robert Gringeri to approve the minutes. 2nd by Kenneth Nardozzi. All in favor. Motion carried.

Other Business

Floyd updated the Board on upcoming projects. Real Eats is working on moving into the old Cheribundi building. They are expanding out of the City of Geneva.

The new owners of the old Alison's building are working on new plans. The hope is something similar to what has been approved at the old BJ's location, with mini storage and a building out front.

The old BJ's is under construction, being converted into a 2-story thermal controlled storage.

Floyd has met with Greg Missick on the Bay Heights Phase III project. The plans have been modified to meet the current codes and requirements. He expects to see the plans in September. There are 4 buildings under construction that are not part of Phase III. The proposed buildings in Phase III will be around \$250,000 – 300,000. There will be a secondary road off Turk.

Iverson will be coming back for Orchard Park Phase 4. It has already been approved for 42 units and he is looking to modify it to be 48 units. These will still be single-family homes.

The Woodlands will be coming in for Phase 2. This will be for another 64 units.

There was a discussion between Floyd and the Board regarding design standards and landscaping conditions for Planning Board approvals.

Motion made by Kenneth Nardozzi to adjourn the meeting. 2nd by Mary Ann Bell. All in favor, motion carried at 9:08.