

**Joint Town/Village of Lima
Planning Board Meeting Minutes
September 4, 2013**

Present: George Gotcsik, Chairman; Colleen Allen, Brandon Armes, Doug Best, George Harvey, Amy Klausner, Paul Osborne, Rose Reynolds; Deb Shaughnessy, Secretary

Guests: John and Jamie Aggas, Claire Milburn, Robert Pilato, Rita and Gary Villa; Duane Fuller, ZBA Member; Andy Matthews, ZBA Member; Cathy Gardner, Town Liaison; John Correll, Village Liaison; Charlie Johnson, CEO

The Meeting of the Joint Town/Village Planning Board (The Board) was called to order at 7:00 p.m. on Wednesday, September 4, 2013.

Old Business:

- A. The minutes of the August 7 Planning Board meeting were reviewed. **A motion was made and passed to approve the amended minutes.**
- B. August CEO Reports were reviewed. **A Motion was made to approve the August CEO Reports. Motion carried.**

New Items

A. Jamie Aggas – 1923 Lake Avenue – Site Plan for Free Standing Sign

The applicant's business is the resale of slightly used clothing. After careful examination of this request, the Historical Preservation Committee recommended a color pattern compatible to other signs in the Village. The applicant chose not to follow the Historical Preservation Committee's recommendations. The sign will be two sided. No decision has been to-date of lighting around the sign. CEO noted that the sign is required to be a minimum 5' off the front property line.

A Motion was made to approve the signage proposal as submitted for 1923 Lake Avenue for a Free Standing Sign. The Vote was 5:Yes and 2:Opposed, Motion passes.

B. Gary and Rita Villa/dba Smidgens, Inc. – 7336 Community Drive – Site Plan for Addition

The applicants propose an addition to the original building that will connect the two existing buildings into a single building. Landscaping is proposed for the eastside of building. They also plan to present a free standing sign proposal to the Planning Board in 2014.

A Motion was made to approve the Site Plan as submitted on 7336 Community Drive. Vote was unanimous. So Moved.

C. Robert Pilato – 2850 McCoy Road – ZBA referral for Special Use Permit

The applicant has a proposal to start a nano-brewery on the property, which is in the Agricultural District. It will consist of offsite sales and will have a small hops garden for the brewing business. Brewing will be done in a room inside the existing pole barn. The owner has written documentation of support from neighbors

A Motion was made to give George Gotsik and Charlie Johnson authorization to pursue advice from the State to clarify state law and approve the business and to refer this request to the ZBA for a Special Use Permit. The applicant will need to come before the Planning Board for a new Site Plan approval. Seconded and Vote was unanimous. So Moved.

Open Items

A. **Jeffrey Clark – 7401 Ziegler Drive Re-Subdivision** The issue of a land locked parcel was tabled in August to give the CEO an opportunity to discuss this situation with the land owner. CEO reported that property owner (Goodyear) of the parcel being subdivided did not wish to merge the two parcels thereby eliminating the landlocked parcel. Chairman Gotsik asked for a motion to approve the Clark subdivision as submitted.

MOTION made to approve the subdivision as proposed at Ziegler Drive. The vote was seconded and unanimous. So Moved.

B. Mary McCabe/Dr. Ken Biddell – 2085 Lake Avenue – Site Plan Approval of Veterinary Office

The applicant was not present, however, the Board reviewed the following: a veterinarian office is not specifically listed as an allowable use. However, according to Zoning Code Section 185-26; office, medical office and retail are all allowed uses in the General Business District. All of these uses are aspects of a vet's office. In fact item #15 lists medical and other health services; therefore, a veterinarian office is an allowed use either as an "other health services" use or as the previously listed allowed uses.

Item #17 further states that "accessory uses and buildings customarily incidental to the above permitted uses" is an allowed use. The applicant has stated that the boarding of dogs is not their primary use and they only reluctantly provide this service as a convenience to their health service clients. Therefore, it was determined that the natural and logical conclusion is that the boarding of dogs is an allowed use only as an incidental use of a vet's office.

A concern was discussed about the potential for an expanding incidental use of animal boarding due to vets office success and how to control in the future. The applicant plans

to keep the animal boarding indoors. The Board will review this request at the next Planning Board meeting.

C. Claire Milburn/Bristol, Inc. - 1370 Rochester Road – Free Standing Sign Update

A proposal for adding a pole mounted light at entry drive to help night visibility was presented. Light proposal has 12'5" pole with downward directing light. No sign planned at this time. Claire plans to meet with the CEO to insure light complies with lighting code before installing.

D. Kistner Concrete Update

Charlie Johnson visited the site on 9-4. External improvements will be wrapped up in a few days. The temporary certificate of occupancy is near expiration. It can be renewed for another 30 days, but the Planning Board may ask for more; i.e., more trees. Charlie reminded Kistner that they need to meet with the Historical Preservation Committee regarding signs.

E. Topsoil Regulations Task Force

Mr. Gotcsik has spoken to Livonia and Conesus regarding their regulations. They are happy with what they have, but are waiting to see what Lima decides.

Livonia has a large document, George Harvey will speak to Livonia C of O to attempt to get a copy. Charlie Johnson will get information from Honeoye Falls.

F. 15A Vision Plan

The Planning Board and ZBA members in attendance discussed the 15A Vision Plan.

G. Training Opportunities

Nothing new.

A motion to adjourn the meeting was made and seconded. Motion carried and The Joint Town & Village Planning Board meeting was adjourned at 9:00 p.m.