

Alfred Village Planning Board Regular Meeting
June 7, 2012
Alfred Village Hall

Members Present: Anne Wenslow (Chair), David DuBois, Sherman Clarke, Justin Grigg, Peter McClain, Peg Prisco, Charlotte Rice

Members Not Present: Liz Cronin

Others Present: Marc Agnello, Linda Belle, Charles Cagle, Alan Griffin, John Ninos Jr., Virginia Rasmussen, Sharon Smith

Chair Wenslow called the meeting to order at 7:32 p.m.

I. Approval of Minutes

The minutes of the May 3, 2012 regular meeting were reviewed. J. Grigg moved to accept the minutes as written. P. Prisco seconded. The motion to approve the minutes passed unanimously.

II. Applications

A. John Ninos Jr., 30 North Main Street, Letter from Alfred University

Following up on the pre-submission hearing held during the May meeting, John Ninos, Jr. presented a letter from Giovina Lloyd, Vice President of Business and Finance, Alfred University, regarding an easement from Alfred University through 34 North Main Street. The letter provides approval of the easement and a new door to be added through the side of Alfred University's property. The letter was read at the meeting and is to be entered in the minutes.

B. 2012-009, Alan Griffin, 61 South Main Street, Restoration and Interior Renovation

A. Griffin presented an application for a general permit for continued work on Klan Alpine and for home occupation at 61 South Main Street. A. Griffin commented that while there was a lot of language in the zoning law, it did not provide any flexibility for commercial use, but rather was focused on allowing one additional residential unit.

A. Griffin briefly described his plans for dividing the property into two units. The lower unit consists of all of the first floor and half of the second floor and will be an event space with a legal catering kitchen. An upper unit consists of half of the second floor and all of the third floor and will be fully residential.

Additional details of the commercial unit were presented and included: The catering kitchen at the house would be used during events, used by caterers to make food legally, or could be used by a caterer for reservation only dinners like those now offered at Paradise. There is limited parking at the property and the size of events would be limited by parking. The unit would be made available free of charge ten days per year for art exhibitions.

Additional details of the residential unit were presented and included: The upper residential unit would be rented out on a short-term basis to visiting artists and faculty. The length of stay would be under 30 days, or if in connection with an event in the lower unit, the stay might be longer.

There would be one person employed to manage the business, but that person would not reside at the property.

A. Griffin outlined the conflict with the current zoning law including no clients after 9:00 p.m., one employee, and no more than 30 percent non-residential.

The architect for the project has been speaking with C. Cagel to see if it needs to be ADA compliant. If it is not required, it will not be made ADA compliant. After five years, the house would likely be turned into two standard residential units.

A discussion took place regarding various aspects of the project including landscaping and the relationship of driveway to the property line as well as the intent of the current zoning law. A. Griffin expressed his hope that he could be granted a variance for five years, rather than the standard two years.

P. McLain moved that application 2012-009 be denied due to not meeting the requisite criteria of zoning law 302.00, Home Occupations. J. Grigg seconded the motion. The motion passed unanimously.

J. Grigg set forth a motion stating that the planning board strongly endorsed the concept behind application 2012-009. In their review of application 2012-009, we encourage the ZBA to discuss and record for the record whether the variance meets the four conditions listed in section 406.00C in the zoning law. The ZBA minutes should note why each of the four criteria were or were not met. S. Clarke seconded the motion. The motion passed unanimously.

C. 2012-008, Eric Cushing, Café Za, Porch on Elm Street Side

D. DuBois put forth a motion to table applications 2012-008 and 2011-014 due to a lack of information. P. Prisco seconded the motion. The motion passed unanimously.

D. 2011-014, Eric Cushing, Café Za, Roof Over Front Stairs

D. DuBois put forth a motion to table applications 2012-008 and 2011-014 due to a lack of information. P. Prisco seconded the motion. The motion passed unanimously.

III. Public Comments

There were no public comments at the designated time, however, Sharon Smith, village resident, commented later in the meeting following the CEO Report and those comments are recorded here. S. Smith spoke about congregate housing and her concern that the planning board and the mayor were just pushing the proposed change to the zoning law through without response to public opinion. She expressed concern regarding the condition of Main Street between Terrace Street and the post office and would like to see representation on the planning board from this specific area. Additionally, she urged the planning board to post the agenda for meetings online.

IV. Other Business

A. CEO Report

C. Cagel circulated a report on CEO activity in May electronically and answered questions during the meeting. Some members expressed concern about the condition of the photographs in the Inside Out Project. C. Cagel alerted the planning board that Dan Napolitano is aware that the outdoor photographs are damaged and he will address by either removing or repairing.

B. Trustees Report

In response to public comment from S. Smith earlier in the meeting, V. Rasmussen shared the practices of the village board and suggested that the planning board similarly post agendas and minutes online. P. McLain volunteered to post the agendas and minutes and all agreed this was a good idea.

V. Rasmussen provided a report on the recent work of the village trustees including:

- The village hired three additional employees for the summer. Two people will work on the streets crew and a third person will be working at the treatment plant.
- The village trustees did take up the issue of zoning as it relates to congregate housing with a hearing in March and discussion in April and May. However, the village board has not voted and it has been over 62 days since it was given to them. The planning board needs to submit as is or amended and there needs to be a new public hearing.
- V. Rasmussen added that the issue became somewhat clearer during the May meeting that the concern is rental properties and not so much fraternities and sororities. With fraternities and sororities there are tools to manage and they are self-policing to some degree. People are upset about rental properties and there is a plan to bring together all the players to see what they can do to revoke the privilege to live off campus. How can landlords strengthen leases and not just charge for damages, but evict for damage and nuisance behavior.
- Code enforcement and police are getting together to discuss raising the fines for noise, etc. from \$50 to a stiffer penalty. Chief O'Grady will propose that noise fines go up to \$100. The fine for violating the host law, when someone under age 18 is on the premises, will be \$250. Before they rent to a person, a landlord can get a waiver from the prospective renter and find out if they had an earlier arrest in the village.
- There will be a public forum on Tuesday, June 12 at 7:00 p.m. and campus representatives and landlords have been invited to attend.

D. DuBois asked why the Alfred Sun was the official paper of record of the village if they do not attend and record the official meetings?

V. Rasmussen suggested that the planning board look at the R1, R2, B1, and B2 zones and pointed out that, perhaps, there might be some ragged edges to the zones that could be examined. Chair Wenslow will contact the New York Planning Federation regarding available expertise in rezoning.

On June 1, a letter was mailed by the village to both campuses asking that they pay additional fees to the village to help cover the cost of one police officer and some operational costs. This was reduced somewhat due to an increase in the large-use water bills. No response had been received to date, but the response or lack of a response will be publicized either way.

C. Update on NYMS Grant Update

J. Grigg provided a brief update on the NYMS Grant. A letter was mailed to all grant recipients to update them about the timeline as the grant comes to an end. Recipients must submit receipts no later than July 31, 2012. The grant ends one month later. J. Grigg is meeting with property owners to check on the status of projects and communicate expectations regarding the end of the grant.

D. Congregate Housing, Continued Discussion

This discussion took place earlier in the meeting. Chair Wenslow put a hold on this discussion until the September meeting.

E. Other

Alfred University forwarded copies of the completed SEQR paperwork for the new Health and Fitness Center indicating a negative SEQR declaration.

V. Announcements and Concerns

A. AVPB Application Review Checklist

Chair Wenslow and P. Prisco have not yet met regarding the AVPB Application Review Checklist. An update will be given at a later meeting.

B. Prospective New Member

A prospective new member, Marc Agnello, was in attendance. S. Clarke, the current alternate, will replace outgoing member, Charlotte Rice. Thus, a new alternate is needed.

C. Other

There were no other announcements or concerns.

The next regular meeting of the Alfred Village Planning Board is scheduled for July 5, 2012 at 7:30 p.m.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Charlotte Rice, Acting Secretary