

Village of Caledonia Planning Board
Meeting Minutes for January 21, 2025

Members Present: Rhett Clark, Jay Barefoot, Christopher Frank, Marge Landowski, James Kemnitz, Charles Martelle

Also Present:

Kevin O'Donoghue, Land Surveyor, re: Schultz Subdivision 3133 Lehigh Street
Jonah Ribbeck, Upstate Bottle Return, 3235 State Street
Laith Nagi and Sameer Alfaqih, Caledonia Exotic Smoke & Snacks, 3229 State Street
Mike Burnside, Code Enforcement Official

The meeting was called to order at 6:30 pm with the Pledge of Allegiance.

December 2024 Minutes

Motion by Marge Landowski, seconded by Jay Barefoot, to approve the December Minutes.

Aye: Rhett Clark, Jay Barefoot, Christopher Frank, Marge Landowski, James Kemnitz,
Charles Martelle

Nay: None

Abstention: None

Resolution to Approve Solar Project at Upstate Breaker (1 Technology Place)

A resolution was drafted by the Village Attorney's office. Liz Dietrich will sign the resolution and submit it to the Village Clerk.

Motion by James Kemnitz, seconded by Jay Barefoot, to approve the resolution as written.

Aye: Rhett Clark, Jay Barefoot, Christopher Frank, Marge Landowski, James Kemnitz,
Charles Martelle

Nay: None

Abstention: None

Schultz Subdivision, 3133 Lehigh Street

(Note: maps for the parcels are attached at the end of the minutes)

Kevin O'Donoghue, land surveyor, attended the meeting on Mrs. Schultz' behalf. Mrs. Schultz would like to subdivide the parcel of land where her home is located; there were 3 parcels at one point, and they have since combined into 1. She would like to sell the portion of the (proposed) subdivided property on North Street and keep her home on its own parcel.

There is an easement for Parcel 1, but it is unused. This easement will need to get cleared up by an attorney for whoever purchases the property.

The property line is 1' from an existing garage/outbuilding. The septic is located there. It is pre-existing, non-conforming.

Motion by Rhett Clark, seconded by James Kemnitz, to deny the request as submitted, and refer to the Zoning Board of Appeals.

Referral to the ZBA will be to seek an interpretation of and/or variance of codes for the following items, as they apply to Parcel 1 on the enclosed map:

- 1: Setback of accessory building from property line
- 2: Lot Size
- 3: Lot width
- 4: Front setback (approved setback should be consistent with DeMarco's at 191 North Street)

Aye: Rhett Clark, Jay Barefoot, Christopher Frank, Marge Landowski, James Kemnitz, Charles Martelle

Nay: None

Abstention: None

Rhett Clark will discuss with Livingston County before sending a referral.

Laith Nagi and Sameer Alfaqih, Caledonia Exotic Smoke & Snacks (3229 State Street)

Mr. Nagi and Mr. Alfaqih are proposing a new business at 3229 State Street and would like to open in early February 2025. It will be a convenience/grocery/international snack store and also offer smoking accessories. They have other retail locations in Hilton and Buffalo.

Per 215-27, this is a business that is appropriate for conditional uses in that zone, B2. It is a similar use to Caledonia Express/A+ on North Street and meets general retail guidelines.

- Parking: needs to be outlined on Site Plan; needs to adhere to 215-83, indoor retail business
- Entrance: will use door to the left side of the front of building
- Will not use the location as a residence
- County Referral: Rhett will refer this to Livingston County; Site Plan should be sent to Liz Dietrich by Friday, 1/31
- Needs to be provided by applicants and submitted no later than 1/31/2025:
 - o Parking plan, to define employee parking, customer parking, and handicap parking
 - o Site Plan
- Plan to attend February 18 meeting
- Working in the space is ok prior to approval: they will clean and set up; nothing structural will be done

Jonah Ribbeck, Franchise Owner of Upstate Bottle (3235 State Street)

Mr. Ribbeck is seeking a way to allow outdoor storage at his business.

In November/December 2024, Mayor DiLiberto was in contact with him regarding neighbors' concerns about outdoor storage of recyclable bottles and cans. A 2013 decision by the Planning Board originally did not allow outdoor storage at this location. Mr. Ribbeck's hope is to remove the restriction on outdoor storage and not have a limit, within reason, to the number of rolling storage bins kept behind his building (there are usually 5-8). There is a shipping container on-site now, and it is used to hold overflow product as well as non-deposit aluminum. Regarding pests/insects, he stated that seasonal insects are the only pests he has seen, that rodents and an excess of bugs have not been a problem.

Mr. Ribbeck acknowledged the concerns:

- There had/has been a buildup of product stored outdoors due to pickup schedule by recycling company (Tomra)
- He knows that it's not visually appealing, but does keep the storage organized and neat
- During the spring/summer 2024, he tried a different pickup method, where a trailer was left for his business to fill, and it would get picked up by the recycling company; this method did not work
- There have been no complaints made in 2+ years of him owning this business
- Of note, Mike Burnside, Code Enforcement Official, has not received any formal complaints about this business. To further clarify, a complaint does not indicate a code violation.

Discussion by the Board:

- Possibility of adding portable fence panels
- More frequent pickups by recycling company
- Use of shipping container to hold bins
- Sections 144-1 and 144-4 of Village Code

Motion by James Kemnitz, seconded by Marge Landowski, to modify the conditions established in 2013 to allow use and storage of items incidental to the business, and specifically find that 144-4 does not apply. Storage is not to extend beyond the front corner of the building and the area is to be kept tidy. Additionally, the transfer of products is incidental to the business' function and is not considered to be storage.

Aye: Rhett Clark, Jay Barefoot, Christopher Frank, Marge Landowski, James Kemnitz, Charles Martelle

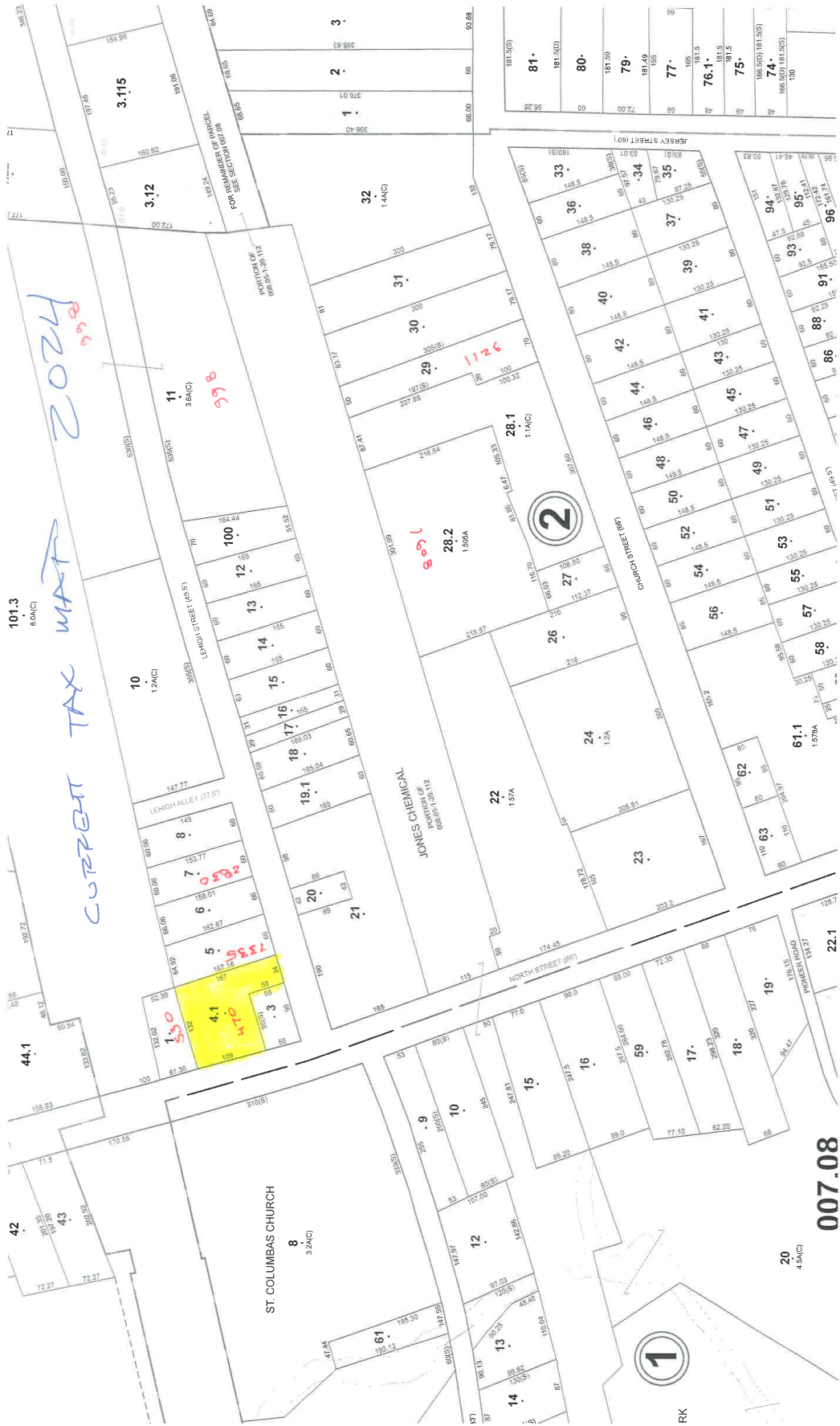
Nay: None

Abstention: None

Motion by Rhett Clark, seconded by James Kemnitz, to adjourn the meeting at 7:50 pm.
Aye: Rhett Clark, Jay Barefoot, Christopher Frank, Marge Landowski, James Kemnitz, Charles Martelle
Nay: None
Abstention: None

Elizabeth Dietrich
Secretary, Village of Caledonia Planning Board

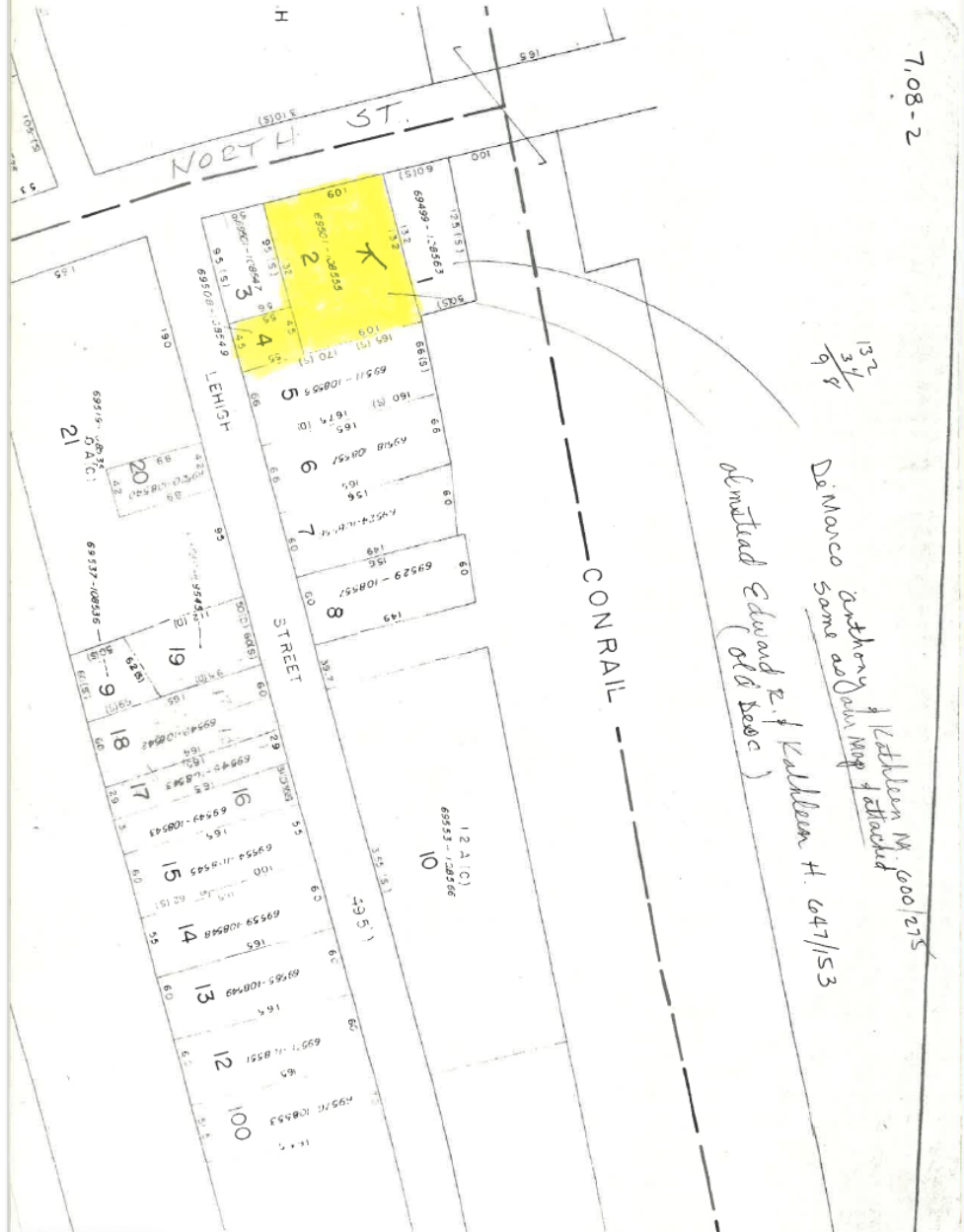
SEE SIZE W TAX GRID SOIS
WITH GOOD WORKSHEET

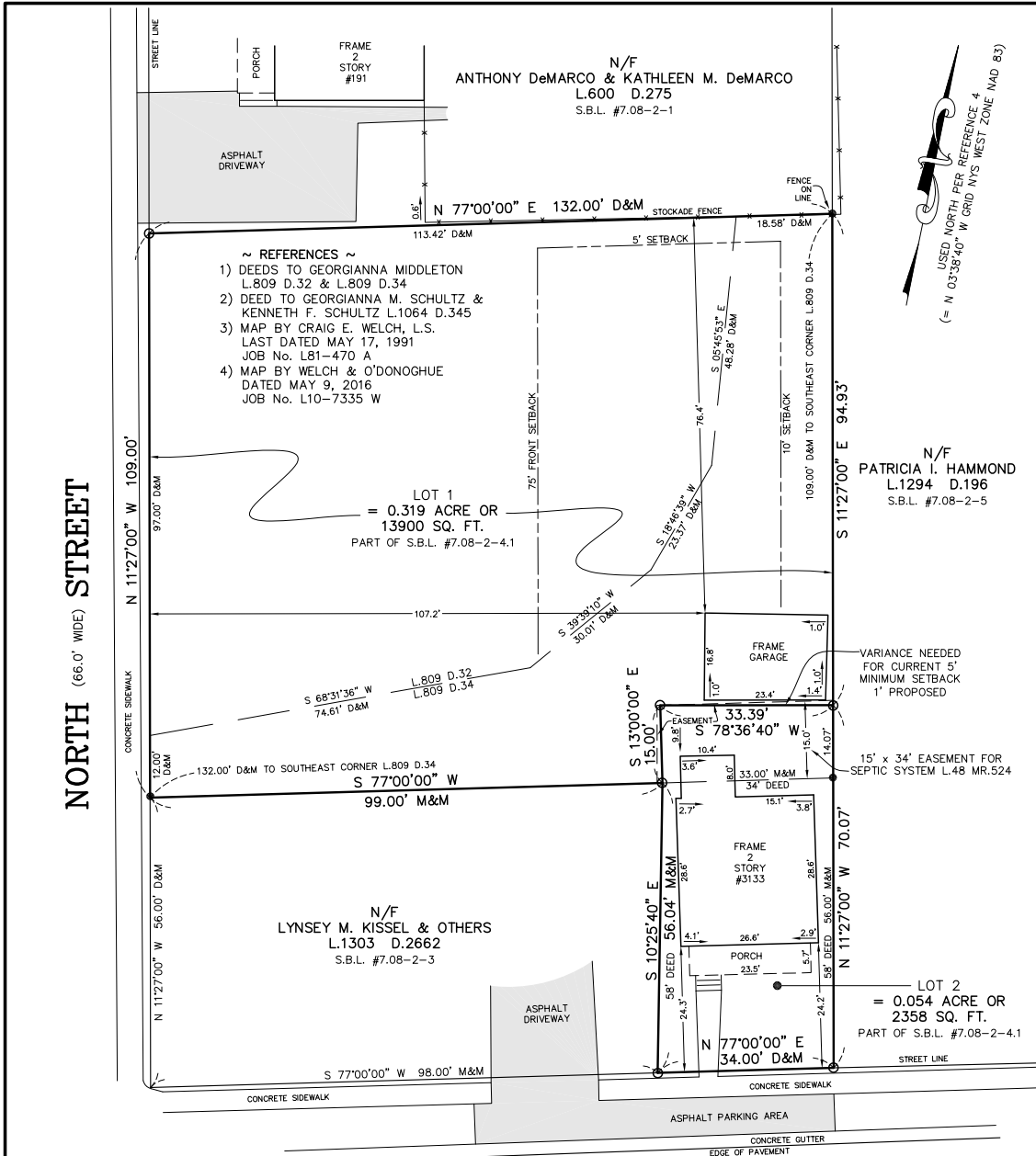


007.08

RK

TAX MAP CIRCA 1980





N/F
 ANTHONY DeMARCO & KATHLEEN M. DeMARCO
 L.600 D.275
 S.B.L. #7.08-2-1

USED NORTH PER REFERENCE 4
 (= N 03°38'40\"/>

- ~ REFERENCES ~
- 1) DEEDS TO GEORGIANNA MIDDLETON L.809 D.32 & L.809 D.34
 - 2) DEED TO GEORGIANNA M. SCHULTZ & KENNETH F. SCHULTZ L.1064 D.345
 - 3) MAP BY CRAIG E. WELCH, L.S. LAST DATED MAY 17, 1991 JOB No. L81-470 A
 - 4) MAP BY WELCH & O'DONOGHUE DATED MAY 9, 2016 JOB No. L10-7335 W

N/F
 PATRICIA I. HAMMOND
 L.1294 D.196
 S.B.L. #7.08-2-5

N/F
 LYNSEY M. KISSEL & OTHERS
 L.1303 D.2662
 S.B.L. #7.08-2-3

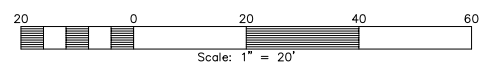
LOT 2
 = 0.054 ACRE OR
 2358 SQ. FT.
 PART OF S.B.L. #7.08-2-4.1

LEHIGH (49.5' WIDE) STREET

APPROVED BY THE PLANNING BOARD OF THE VILLAGE OF CALEDONIA

(SIGNED) CHAIRPERSON OF THE PLANNING BOARD FOR THE VILLAGE OF CALEDONIA _____ DATE _____

(PRINT) CHAIRPERSON OF THE PLANNING BOARD FOR THE VILLAGE OF CALEDONIA _____ DATE _____



- = IRON PIN SET
- = IRON PIN/PIPE FOUND
- ∅ = UTILITY POLE
- D&M = DEED & MEASURED
- M&M = MAP & MEASURED

I HEREBY CERTIFY THAT THIS MAP WAS MADE JANUARY 9, 2025 FROM NOTES OF A SURVEY COMPLETED DECEMBER 13, 2024.

Kevin M. O'Donoghue
 KEVIN M. O'DONOGHUE, L.S. No. 49514



- ~ GENERAL NOTES ~
- 1) ALL ON SITE SANITATION AND WATER FACILITIES SHALL BE DESIGNED TO MEET THE MINIMUM SPECIFICATIONS OF THE STATE HEALTH DEPARTMENT.
 - 2) PRESENT ZONING FOR LOTS 1 & 2 ARE R-2 (RESIDENCE).
 - 3) THE SURVEYED PARCELS ARE NOT LOCATED WITHIN THE 500 YEAR FLOODPLAIN.
 - 4) OWNER & SUBDIVIDER
 GEORGIANNA SCHULTZ
 3133 LEHIGH STREET
 CALEDONIA, N.Y. 14423

**SCHULTZ SUBDIVISION
 SITUATE IN THE
 VILLAGE & TOWN OF CALEDONIA,
 LIVINGSTON COUNTY, NEW YORK**

NOTES:
 1) UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.
 2) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACT THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

WELCH & O'DONOGHUE
 LAND SURVEYORS, P.C.
 P.O. BOX 297
 2077 LAKEVILLE ROAD
 AVON, NEW YORK 14414
 PH. (585) 226-2990
 wosurvey@yahoo.com

JOB No. L24-470W

12/12/2024

V-CALEDONIA 7.08 - 2-

1) DEMARCO, ATHOY : KATHLEEN M 600/275

3) KISSEL, LYNSEY M. F. 1303/2062
RESTIVO, SEBASTIAN LOUIE, LIFE USE

K 4.1) SHULTZ, GEORGIANNA M. F. KENNETH F. 1064/345
C 809/32
C 809/34

5) HAMMANN PATRICIA I 1294/196

101.3) NORFOLK SOUTHERN RAILWAY 996/111
COMPANY (NAME CHANGE 11/12/99)