

Village of Baldwinsville
Planning Board Meeting Minutes
Tuesday, February 24, 2015 7:30
Approved

PRESENT: Jim Schanzenbach, acting Chairman
Bob Scherfling
Terri King
Dave Arthur
Mike Mazoway
Joseph Saraceni

ALSO PRESENT: Jamie Sutphen, Planning Board Attorney
Stephen Darcangelo, Village Engineer
Gregg Humphrey, Code Enforcement Officer
Mary Augustus, Codes Clerk/ Planning Board Secretary

GUESTS: Mayor Dick Clarke
Jim Orlando, owner of B'ville Diner, LLC.
Mr. Dave Muraco, regarding 18 East Genesee St.
Mr. John Montagne, Dollar Tree, 18 East Genesee St.
Mr. James Trasher, PE, Clough, Harbour & Associates-regarding Lock St.
Jean Vergale, Dollar Tree

Upon **motion** by Mr. Arthur and second by Ms. King the Planning Board minutes for December 2, 2015 are approved as corrected. **Motion Carried**

Upon **motion** by Ms. King and second by Mr. Saraceni the Planning Board minutes for January 27, 2015 are approved as submitted. **Motion Carried.**

OLD BUSINESS

Discussion/ action regarding 18 East Genesee Street – Dave Muraco

Mr. Muraco was present to address the Board. He has submitted new plans for the site with many of the revisions suggested by the Board from the last meeting.

A proposed Resolution relating to the site plan was drafted and had been circulated among the Board prior to the meeting. This Resolution was discussed at a public work session prior to the meeting tonight and extensively discussed with the Applicant during the meeting.

There was a discussion regarding sidewalk on the East side of the B'ville Diner. Mr. Orlando addressed the Board stating he will install and pay for the new sidewalk. It will be a concrete sidewalk, 3 ft. in width with a curb with 2 ft. of landscaping for a total width of 5 ft. The landscaping will be next to the building. Mr. Orlando will need to submit a detailed site plan. He agreed to comply.

There was a brief discussion regarding installing fencing around the units on the roof owned by Mr. Muraco. It was agreed by the Board it was not necessary.

Mr. Schanzenbach asked Mr. Muraco about his decision regarding signage for said property. Mr. Muraco has decided to only place a sign on the building at 18 E. Genesee Street for the time being. If an additional pylon sign will be requested in the future, the matter would need to go to the ZBA for a new variance as the prior variance issued October 10, 1983 was a combination of the two signs with the total square footage of 168 square feet. Mr. Arthur was concerned about a "naked" pylon on the property should a variance not be obtained and an appropriate pylon sign not be erected. Mr. Muraco stated he will put up his Real Estate sign for now. Mr. Humphrey said that would be fine, a temporary Real Estate sign is acceptable per the Village code. It was agreed that a properly approved pylon sign would be erected or the pylon base would be removed by August 1, 2015.

Mr. Schanzenbach addressed the 15 foot ingress and egress easement on said property given to the Village by Mr. Muraco. Mr. Saraceni was concerned and would like it to be 24 feet. The site plan shows a 15 foot easement and Mr. Muraco stated he would only agree to the 15 feet. To increase the easement to 24 feet would take away from applicants' parking area. Discussion continued regarding the ingress and egress from East Genesee Street into property owned by Mr. Muraco. Mr. Darcangelo stated the sidewalk parallel to East Genesee Street was in need of repair as discussed in previous Planning Board meetings. S. Darcangelo has spoken to the DOT regarding this project and felt there would not be any resistance with the DOT on this matter. Mr. Muraco agreed that his Engineer would draw up a set of design plans but he would not pay for the installment or fees associated with this sidewalk and did not want to become involved with the DOT on this matter. Mr. Muraco clarified that the easement he was giving to the village is the tradeoff for work to be done and expenses to be covered by the Village for these improvements.

Mr. Schanzenbach stated that Mr. Scherfling will be the Planning Board Representative for this project.

Mr. Schanzenbach read through the SEQRA Short form EAF for all in attendance. The Short Environmental Assessment Form was completed by Mr. Muraco and upon review and discussion, each of the questions on Part 2 of the EAF were answered in the negative by the Board.

Upon **motion** by Mr. Schanzenbach and second by Mr. Saraceni the Board confirmed its lead agency status for SEQRA and declared the matter an unlisted action and after review of the Short Form EAF and discussion thereon, declared that there would be no significant negative environmental impacts from the project. The motion Carried unanimously. Mr. Schanzenbach executed the Part 2 and the EAF was made part of the record in this matter.

The Proposed Resolution to approve the plan presented by Thompson Park Apartments LLC, Owner and Empire Management, Mr. Muraco, Applicant was reviewed and discussed among the Board members.

Mr. Mazoway made a motion, second by Ms. King to adopt the Resolution dated February 19, 2015, attached hereto as Exhibit A. The motion carried with members voting in favor. Resolution (Schedule A) is on file with the Village Clerk.

Lock Street PDD

Mr. James Trasher, PE is present and addressed the Board. Revised plans were discussed. The dormers and gables will be removed as suggested in a previous meeting. There was a discussion regarding what would be considered a private road in this project as well as what area would have private utilities.

Mr. Darcangelo addressed the sidewalks down Wood Street, Margaret Street and Taber Street.

Mr. Saraceni asked if there were any recommendation for shore line materials. Mr. Darcangelo said suggested using the same materials that was used on the island. Redi-rock was also discussed as an option. J. Alberici & Sons, Inc. used redi-rock at the Lysander apartments on Aspen Spring Dr., which seemed to work well.

Mr. Trasher and Mr. Darcangelo agreed that there possibly would be two more meetings to “fine tune” details on this project. Mr. Darcangelo stated he would get together with the designers. There has not been a SEQR done on this project as yet. Village Board is lead agency and it was questioned if it was necessary to hold a Public Hearing. Ms. Sutphen will check with attorney Dave Jones regarding the legal aspect. Mr. Darcangelo suggested that there be a composed list of comments in question submitted to Mr. Thrasher by March 3, 2015. Mr. Thrasher would be able to address these items prior to the next meeting and have an updated site plan ready.

Ms. King asked if the buildings would all be the same color. Mr. Thrasher will bring samples for the paint, siding and roof to the next meeting.

Motion to adjourn by Mr. Mazoway, second by Mr. Saraceni

The meeting was adjourned at 9:17. The next meeting is scheduled for Tuesday March 31, 2015

Respectfully,

Mary E. Augustus

Mary E. Augustus, Secretary
Village of Baldwinsville Planning Board

Resolution:

This is a Resolution to approve the plan as presented by Thompson Park Apartments, LLC Owner and Empire Management c/o David Muraco, Applicant - said plan dated November 14, 2014 and last revised by Revision #5 dated February 20, 2015, with the following findings/conditions:

1. The resolution is made with a Negative SEQRA Declaration based upon the review of all of the criterion in Part 2 of the EIS as previously stated.
2. The Onondaga County Planning Agency made a resolution dated December 30, 2014 which this Board has reviewed and considered. The County Planning agency requested a modification relating to the right of way treatments, driveways and other matters relating to the State Right of Way, driveways and NYS Department of Transportation permit. This Board has addressed the requested modifications and also approves the plan notwithstanding any such modifications or other comments of the County Planning Agency.
3. The approval is conditioned upon the applicant/owner of the premises delivering to the attorney for the Planning Board an executed Easement Agreement as attached hereto as Exhibit A for a 15 foot ingress and egress easement from the property owned by the Village to Genesee Street, including an executed TP-584. The documents shall be delivered by March 6, 2015, but will not be recorded until the applicant/owner receives from the Village a temporary certificate of occupancy based upon the plans herein approved. The delivery of the executed Easement Agreement is critical to this approval as it allows for the best circulation of traffic in this area, both on and off the site.
4. The approval is made with the understanding that improvements at Genesee Street relating to the curb cuts, and any improvements in the Genesee Street right of way, as shown on the plan are not responsibility of the applicant/owner. It is understood that the Village has agreed to, but is not obligated to undertake such improvements and such work shall be done at their discretion and/or within time frames suitable to the Village. All such work shall in all events be subject to the approval and/or permitting process of the New York State Department of Transportation. In the event the NYSDOT requires closure of either of the curb cuts as set forth on the plan as a condition of work permits being issued for the right of way work contemplated, the Village will not pursue the work permits.
 - 4 (a) Notwithstanding number 4 above, the applicant/owner will prepare at their own cost and expense all professional drawings, plans and specifications in conformance with the approved plan, as are customary and necessary to make initial application for NYSDOT permit(s).
5. The approval is made with condition and understanding that, with respect to the proposed pedestrian right of way as shown on the plan on the westerly side of the property, the improvement will be completed and paid for by Baldwinsville Diner, LLC. In the event said work is not completed by Baldwinsville Diner, LLC, the applicant may return to the Planning Board for removal of the improvement from the plan.

6. The approval is made with the condition that the applicant may apply for a Temporary Certificate of Occupancy upon completion of all of the improvements being made pursuant to the plans except for: any improvements in, on and to the parking lot. Any improvements not completed upon the issuance of the Temporary Certificate of Occupancy shall be completed by the applicant/owner no later than August 1, 2015, after which a permanent Certificate of Occupancy may be applied for. In the event the improvements as set forth herein are not completed by August 1, 2015, the Temporary Certificate of Occupancy shall be revoked.

7. This plan is approved in consideration of the parking and other improvements necessary for retail use, as represented. Any change in tenancy from retail or addition of a non-retail tenant will require the owner to return to the planning board for site plan approval as required by the Village Code.

8. This approval includes approval of a code conforming sign on the building. There is no presentation for a pylon sign and none is approved. Because of the applicant choosing to proceed with the now, conforming building sign, which was not part of a prior variance, it may not avail itself of a prior approved variance (dated October 10, 1983) on the pylon sign. The prior variance was a package that included both signs of a total square footage of 168 square feet. Accordingly, any proposed pylon sign is no longer the subject of any existing variance. The applicant shall either apply for and receive approval of the pylon sign or remove the existing pylon sign prior to receiving a Permanent Certificate of Occupancy.

Motion by Jim Schanzenbach, seconded by Mike Mazoway, to accept the within resolution. The motion carries with 5 members voting in favor and none against.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Empire Management Company, Inc. c/o David C. Muraco Office 315-445-8990 Cell 315-420-0735 4306 East Genesee Street Dewitt, NY 13214			
Name of Action or Project: Renovation of 18 Genesee Street Baldwinsville, NY 13027			
Project Location (describe, and attach a location map): 18 Genesee Street One Store Commercial Block building containing 9,500 sq.ft.			
Brief Description of Proposed Action: Demise the building for (3) tenants. New facade. Exterior paint. Interior renovations.			
Name of Applicant or Sponsor: DAVID MURACO		Telephone: 315-420-0735	
		E-Mail: dcmuraco@twcny.rr.com	
Address: 4306 East Genesee Street			
City/PO: Dewitt	State: NY	Zip Code: 13027	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.62 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.62 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>David C. Muraco</u>	Date: <u>November 10, 2014</u>	
Signature: <u><i>David C. Muraco</i></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Village of Baldwinville Planning Board 2/24/15
Name of Lead Agency Date

James Schanzbach Acting Chairman
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

[Signature] _____
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)

PRINT