

**VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, October 24, 2006, 7:30 P.M.
Approved 11/28/06**

PRESENT: Chris Savacool, Chairman
Russ Lucy
Dave Arthur
Larry Barnett
John McFall
Edward Rock

ALSO PRESENT: J. C. Engelbrecht, Village Attorney
Dan Faldzinski, Village Engineer
Susan LaQuay, Secretary

GUESTS: Mark Murphy, Syracuse Home Association
David Schlosser, Schopfer Architects, LLP on behalf of Syracuse Home Association
Debra Case, 27 Syracuse Street
Steve Sehnert, LS, on behalf of 2600 Ellsworth Road
Richard Benson, 2600 Ellsworth Road

REGULAR MEETING - 7:30 P.M.

APPROVAL OF MINUTES

Upon motion by J. McFall and second by D. Arthur that the minutes of the September 26, 2006 Planning Board meeting be approved as submitted. Motion passed.

OTHER BUSINESS

Copies of the Local Law Filing regarding the regulation of the siting of wireless telecommunications facilities was distributed. J. C. Engelbrecht explained that the Village had entered into a contract with a company that does the siting for cell towers and offers their services to municipalities in terms of where towers will and will not be located. He noted there are cell tower issues in the Village. He stated that part of the contract was that they provide the Village with the proposed local law. J. C. Engelbrecht and Claude Sykes have reviewed it in terms of conforming it to Village code and they feel one way to approach it is like an overlay district because it applies to the entire village and will provide the regulations and be the process used for the review of cell tower locations. Chairman Savacool asked the Board members to review this and it will be on the next agenda for comments and recommendations to go to the Village Board.

Syracuse Home Site Plan Review

Mr. Michael Murphy and Mr. David Schlosser are present on behalf of Syracuse Home. Mr. Schlosser noted that a new set of plans had been distributed, which address D. Faldzinski's recommended revisions.

D. Faldzinski reviewed engineering comments dated October 17, 2006 as follows:

Utilities

1. The alignment of the proposed water main extension should be revised to avoid crossing stormwater management areas. Also, the fire hydrant near the existing stormwater detention basin should be relocated from the proposed swale.

D. Faldzinski noted the revised drawings addressed both conditions. The basin was realigned to avoid the proposed water main on the eastern side of the parking lot. It was moved away from the edge of the proposed pavement.

2. An American Flow Control Waterous Pacer B-67 hydrant and Mueller or Kennedy gate valve should be used for each fire assembly. Also, gate valves along the proposed water main should be installed at an interval of at least one every 500 feet.

D. Faldzinski stated a note (Drawing P0.1) has been added to the plans and valves are shown every 500'.

3. Information regarding the sizing of the water line extension to adequately meet fire flow demands for the facility should be provided. It does not appear that the proposed 6-inch water line will provide adequate fire protection.

D. Faldzinski stated a change was made to the size of the water line from the point of where the existing water main is located. This was shown as an 8" and 6" extension and now is 10" and 8" extension. The Applicant also provided information regarding fire flow demands and calculations to show sufficient capacity of the line to serve the buildings' needs.

4. The extension of the existing water main is proposed to be dedicated to the Village of Baldwinsville. Approval of this extension will need to be obtained from the Onondaga County Department of Health. A record drawing based on as-built information along with a meets and bounds description of the proposed easement(s) will need to be provided to the Village Board of Trustees for approval prior to dedication.

D. Faldzinski stated this is just a note for the Applicant. Chairman Savacool noted this dedication is not necessary for approval but the Applicant wants to do this. D. Faldzinski stated this will prevent the Applicant from needing a backflow direction device for every hydrant on the property. Mr. Schlosser stated they based this decision on the recommendations of the fire marshal, building inspection, etc.

5. A detail of an inside-drop manhole has been provided; however, it is not clear where it is proposed to be used? The use of outside-drop manholes is preferred over the use of inside-drop manholes. A minimum elevation difference of 0.1 foot should be provided between the influent and effluent invert of each sanitary manhole. Also, flexible boot connections should be provided at each new invert within the sanitary manholes.

D. Faldzinski stated the new detail is provided on page P0.1 in the top right corner to show the outside drop manhole rather than the inside drop manhole.

Stormwater

1. Stormwater run-off from a 300' portion of the new access roadway is not being captured and conveyed into a stormwater management facility. The Applicant should make an effort to direct this stormwater into the new management facility.

D. Faldzinski stated the Applicant is substantially meeting the intent of the DEC regulations. A small portion is not captured, but this is relatively minimal. Mr. Schlosser stated that this is due largely to the existing parking lot and they attempted to mitigate this, but could not short of digging up the existing parking lot.

2. An adequate buffer area around the stormwater management facility should be provided especially in instances where building and pavement areas are directly adjacent. The buffer area should be fairly level and allow the passage of maintenance equipment.

D. Faldzinski noted that the grading has been revised on page L1.2 to provide buffer areas.

3. Snow storage areas should be shown on the plans. The use of buffer areas between pavement areas and the stormwater management facility may be ideal for snow storage. At no time should plowed snow be stored within stormwater management basins.

D. Faldzinski noted the revised plan does show snow storage areas.

4. The proposed discharge from the new stormwater management facility is directed to the east. However, the majority of stormwater run-off from the project area is currently directed toward the NYS Route 690 right-of-way in a southerly direction. The Applicant should demonstrate that there will be no significant increase in stormwater run-off rated from the property in the easterly direction. In the event that the discharge is ultimately directed toward the NYS Route 690 right-of-way, the stormwater management report will need to be reviewed and approved by the NYSDOT. The applicant should provide the Village with documentation of this approval.

D. Faldzinski stated he was provided with a topographical survey of the property that showed that the water that gets discharged ultimately to Route 690 and the swale that exists there enters the property further to the east. He stated this property is taking on water from the 690 roadway so there is no increase in the rate of stormwater discharge towards Canton Street. Therefore, they can discharge directly to the east because at a distance of about 500' to the east there is a pipe convergence where the swale from 690 meets where this flow would be directed. He noted page L1.2 shows a 12" pipe coming from an infiltration basin. The ultimate end destination is still Canton Street and Crooked Brook.

5. A NYSDEC State Pollutant Discharge Elimination System (SPDES) stormwater discharge permit for construction activity exceeding one acre of disturbance will be required for the proposed action. In addition, a stormwater Pollution Prevention Plan including erosion and sediment control components will be required.

D. Faldzinski stated he has reviewed this and it is sufficient.

Chairman Savacool and D. Faldzinski reviewed Part 2 of the SEQR, dated August 9, 2006, as follows:

(All answers not noted below are marked "No")

1. Yes. "Other Impacts" is checked. Mr. Schlosser stated this is because there will be a physical change in the property.
5. Yes. For discharge permit. Chairman Savacool stated they do have a DEC permit and D. Faldzinski agreed.
6. Yes. Small to moderate impact. D. Faldzinski agrees.
12. Yes. The 1st and 3rd bullet points are checked for small to moderate impact. D. Faldzinski disagreed and stated this should be changed to "NO" with no checked bullet points as this will not take place in a sensitive archeological site. Chairman Savacool changed this on the form and initialed the change.
19. Yes. Checked for "small to moderate impact" as this will create employment. D. Faldzinski agrees.

Chairman Savacool noted there are not many impacts and those that do exist are small to moderate. He stated it is not necessary to complete Part 3.

Upon motion J. McFall and second by L. Barnett, the Board authorized Chairman Savacool to sign the Full EAF for this project, the Syracuse Home Association Addition, in that there is no adverse impact.

Chairman Savacool asked for further comments. There were none. He noted that the Board had previously accepted the SOCPA resolution.

Upon motion by L. Barnett and second by E. Rock to approve the Site Plan for the Proposed Addition to Syracuse Home based on plans dated October 10, 2006 with another set of plans that are additions or modifications dated October 23, 2006 (4-page document revising L11, L12, P01, and P02, as well as the materials listed on Page 1 of the engineering comments dated October 17, 2006. Motion carried 6:0.

The Site Plan is approved.

NEW BUSINESS

Recommendations/Discussion regarding Zone Change Request – 27 Syracuse Street

Debra Case, the owner of 27 Syracuse Street, is present to address the Board.

Chairman Savacool stated that Ms. Case has recently approached the Village Board regarding a zone change request for this property. He noted the Planning Board cannot make a recommendation today, but will have Ms. Case address the Board and the Board will make a recommendation in December. He noted the application has been sent to SOCPA and will be available for that meeting. She will also be addressing the ZBA in early November and the Board of Trustees in early December.

Ms. Case stated she is looking for the support of the Planning Board to change the zoning designation of her property at 27 Syracuse Street from R1 to B1. She stated this is located next to Cottage Designs (25 Syracuse Street), which she is a co-owner of. The property at 29 Syracuse Street is owned by James Beck and is a four-family apartment. Next to Cottage Designs is Canal Walk Café (23 Syracuse Street) and the property is owned by Chris Porter. She stated she is surrounded by businesses and rental properties. There are two crosswalks in front of this property, located on a commercial state highway. Ms. Case stated she is hoping to get approval for this zone change to allow her to expand her business and add employees.

Chairman Savacool noted that the materials received by the Board include photographs, a survey, EAF forms, and a letter from the Chairman of the Board of Trustees for the Baldwinsville First Baptist Church, which is providing parking for her business Tuesdays through Saturdays.

Ms. Case noted that Tappan Street is primarily rental properties as well and, if parking is an issue, this will allow for on-street parking. Her goal is to have a small upscale deli on this site. If she cannot build out the kitchen to allow for this use, she would still plan to expand Cottage Designs. She noted that Baldwinsville will be losing several retail shops in 2007 and she would like to continue retail in the Village.

D. Faldzinski stated he believes there is a restaurant allowance as a permitted use in a B1 district. Chairman Savacool noted that her property is surrounded by B2 properties and across the street is zoned B1.

Ms. Case noted that she had created 6 additional parking spaces and there are now 15 parking spaces on her properties (25 and 27 Syracuse Street). She stated she does not feel that this will pose traffic issues as this is going to be small in scale.

D. Faldzinski stated that because there will be a change in use, the DOT will have jurisdiction over the review. He noted that he is concerned that there is only a 10' area between the building and the property line and cars entering and exiting may cause traffic problems on Syracuse Street. Ms. Case stated she is not viewing the driveway as part of the proposal. She stated the rear of 25 Syracuse Street and the common drive behind 23 Syracuse Street has been shared for ingress and egress. She noted this driveway is located on "Dr. Stu's" property. D. Faldzinski asked if she has any legal right-of-way to use this driveway and Ms. Case stated she does not. Chairman Savacool stated this should be addressed. D. Faldzinski stated she should obtain an access agreement with the owner and this would be

made part of the deed. Ms. Case asked if a letter from the owner is sufficient. J. C. Engelbrecht stated this would be beneficial, but she would need a legal agreement as well. He noted this has been structured in the past as a deed restriction so an individual can make a new deed to themselves putting in conditions regarding the use of the property and making the restrictions clear in the deed and enforceable by anyone within 1000' of the property. He stated this solves the problem of it being on record and others knowing about it if the property is sold. Ingress and egress elements will be in the abstracts of the property, possibly both properties. J. C. Engelbrecht stated he will review this. Chairman Savacool stated she will need an agreement that will survive ownership of the property. He stated it is somewhat complicated in that there are potentially three properties involved in the potential agreement. J. C. Engelbrecht noted there is a legal mechanism for this. Ms. Case asked if it is beneficial that she is also a co-owner of 25 Syracuse Street. J. C. Engelbrecht stated this is a benefit, but all owners must agree to and sign this agreement. He noted it is a permanent condition and it cannot be unilaterally changed.

Chairman Savacool asked what is necessary from this point. D. Faldzinski stated he will forward her application the NYS DOT with a description of the change and the potential development of a back parking area and an alternate access way from the rear of the property out to Meadow Street. He noted this will not be a formal submission, but just a way of providing them with the appropriate information. He noted that a one-way access going into the facility would be beneficial. J. C. Engelbrecht stated he will figure out a way to get this structured with the three properties and have D. Faldzinski send that information to the DOT as well.

D. Arthur asked if spot zoning is an issue regarding this request as this is a single lot between two different zones, R1 on one side and B2 on the other. This lot will potentially be a B1. J. C. Engelbrecht stated he feels this is wise to address now because they have had applications that have been spot zoning. He suggested she may wish to change to a B2 rather than B1. He noted B2 is more expansive in what it allows, but this could be addressed with deed covenants. D. Arthur asked if the property would have to be modified to conform to fire regulations in a B2 zone. Ms. Case stated she has been communicating with R. Beckhusen regarding this and has all the regulations in anticipation of the zone change. J. C. Engelbrecht stated she should check with R. Beckhusen to be sure.

J. C. Engelbrecht stated the Board should look at the issue of drawing lines regarding zone changes as this issue is likely to be before the Board more and more in the future. Chairman Savacool agreed and stated they ought to be looking at the big picture for that entire block. He suggested the Board Members go to this area and look around and get an idea about where they think the line should be drawn. He noted this area has a great potential for growth.

J. McFall stated this property is very small and he feels it is not conducive to a residence.

Ms. Case asked how the Board feels she should proceed with the DOT. D. Faldzinski stated he will formulate a map and sketch in what her intentions for the property are. He will send this to the DOT and make himself available to discuss this with him.

Chairman Savacool stated that Cottage Designs is in a B2 zone. Ms. Case stated she had filed for a zone change for 25 Syracuse Street in 2003 and this was changed from R1 to B1. D. Faldzinski stated he had looked this up and the County site shows this property is B1. Ms. Case stated 29 and 31 Syracuse Street are also designated B2 with multi-dwelling usage. Chairman Savacool stated these properties are shown as R1 on the map. He stated he will look into this discrepancy and address this at the next meeting.

J. C. Engelbrecht stated he would like to see some sort of sketch showing the three properties involved.

E. Rock asked if he could walk though the properties. Ms. Case granted permission for this.

Informal Presentation regarding 2600 Ellsworth Road/ Benson Subdivision (Durland Property)

Mr. Richard Benson and Mr. Steve Sehnert, LS were present to address the Board and distributed rough plans to get the Board Member's reaction. Mr. Sehnert stated they are looking at the possibility of creating lot 3 as a small lot around the house itself. Lot 4 would have access to Ellsworth Road with 60' of frontage. He stated there are wetlands to the west of the property. D. Faldzinski stated they would need a variance for lot 4 as code for an R1a

zone requires 80' of frontage. Mr. Sehnert asked if this 80' requirement is at the building line. D. Faldzinski stated it is measured where the offset from the road is.

Chairman Savacool asked what is on the adjacent properties. Mr. Sehnert stated the properties are not developed. He thinks there may be a house to the east, but he is uncertain.

D. Faldzinski stated his initial reaction is that they may have to narrow lots 1 and 2 to create lot 4. Mr. Benson stated this cannot be done because the sewer and water lines go up the left side of the house. D. Faldzinski suggesting just narrowing the frontage of lots 1 and 2 to provide more frontage for the lot with the existing house. Mr. Benson stated he is not quite sure where the boundary of the wetlands is and stated he is trying to adhere to the buffer. He asked Chairman Savacool to read the code regarding a subdivision. Chairman Savacool stated the code is that the minimum lot width at the front of a building line shall be 80'. Mr. Benson stated this should be at the established building line and he had the same argument in 2003 regarding this and won because the code does not say road, but says building line. D. Faldzinski stated he thinks there is a definition of building line in the code and he will look into this.

J. C. Engelbrecht stated if the applicant will be proposing a fourth lot, he should be aware that there may be issues.

Chairman Savacool asked if there are further comments. There were none. He stated the applicant will need to do survey work and establish the location of the wetlands. This will be brought back to the Planning Board in the future.

Upon motion by J. McFall and second by D. Arthur, the meeting was adjourned at 9:00 p.m. The next Planning Board meeting is scheduled for Tuesday, November 28, 2006.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary