

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, January 27, 2009 at 7:30 P.M.
Approved 2/24/09

PRESENT: Chris Savacool, Chairman
Larry Barnett
Carl Pelcher
Ed Rock
Don Cronk
John McFall

ABSENT: Dave Arthur

ALSO PRESENT:
Tim Baker, Village Engineer
Ron Carr, Village Attorney
Mayor Joseph Saraceni
Marie Giannone, Secretary

GUESTS: Laura & Jim Orlando
Mike Chemotti
Larry & Wendy VanDerBogart
John Harwood

Minutes from the January 13, 2009 meeting were approved.

Chairman Savacool said that he received a call from Dave Arthur and, if at all possible, he would try to make the meeting.

Four Planning Board Members, Chris Savacool, Dave Arthur, Carl Pelcher and Don Cronk attended training that is part of the 2009 requirements.

Chairman Savacool said Mayor Saraceni had invited the guests listed above to come to this meeting to be brought up to date on the EDR project. Chairman Savacool said since the planning board has been meeting for the past couple of months on this project, it would be difficult to try to explain in detail what has taken place. Chairman Savacool said he would give them the key components of this plan as follows:

- ✓ Taken a section of the East Genesee Street Corridor roughly from Key Bank Building down to Dunkin Donuts Building, then back toward the river and identified its character.
- ✓ Wanted to codify what was an EDR vision which would give developers an opportunity to invest in this area.
- ✓ Wanted the owners in this area to give the planning board some feedback.
- ✓ There are two fronts: East Genesee Street and river front.
- ✓ On the East Genesee Street front, pull the buildings up to the build to line and reduce curb cuts.
- ✓ River front – infill along the river and encourage possible development now and in the future where it could exist.
- ✓ To be able to get through that area would be Denio Street tying into the park. (Chairman Savacool shows how Denio Street could be developed at the map).
- ✓ Post Office is a major problem because of its location.
- ✓ Micro parking could be developed allowing for pedestrian access.
- ✓ Parking can be a challenge.
- ✓ Trying to discourage parking on the river without some kind of buffer.

Chairman Savacool ended his presentation and opened it up for discussion.

Mayor Saraceni said the biggest access is the waterfront and EDR tried to envision Baldwinsville as a pedestrian friendly walking village that invites people to walk through the downtown, walking trails that have been completed and increase density downtown along the waterfront. Mayor Saraceni said he thought the plan goes a long way in accomplishing that and the biggest challenge is to take that vision and convert it into something that can go forward. The Mayor said the EDR plan does not match up very well with our codes. The overlay district will marry the concept of the code together and allow us to move forward with this vision. Mayor Saraceni said the planning board has done a great job and met twice as often for the last couple of months in coming up with these concepts and now we are at a point where we want to hear from the stakeholders.

Chairman Savacool said he did not want this plan to be terribly prescriptive in a sense that the board wanted to hear ideas, but at the same time wanted to keep uniformity as to building height along the river. Chairman Savacool said they wanted to get away from that “up down up down” look and try to keep it more uniformed. The idea would be that a building would be within one story height of another. Chairman Savacool said there are opportunities along the river to build higher. Mixed usage will be encourage such as retail on first level, possibly condos/residential on upper levels.

Wendy VanDerBogart asked about pulling people into a centralized parking location and having people filter out of there on foot to their business. If Denio Street went through, this could hurt the businesses as traffic could use this as a “cut through”.

Chairman Savacool said they have had discussion about Denio Street and one idea would be that Denio Street would only be one way toward Lock Street. Wendy VanDerBogart said if you start getting another vehicular route through there, there would be pedestrian

conflict if the route goes straight though. Jim Orlando said to make it inconvenient for Denio Street to be used as a bypass. This can be done because there will be parking lots there and it would be difficult to just drive through.

Carl Pelcher said Denio Street would curve around and not be just a bypass which could take care of traffic using this as a “drive through”.

Mayor Saraceni said EDR mentioned the street along the water because EDR thought a certain amount of vehicular traffic brought energy to the area. The Mayor said this would be similar to what has been done with River Street where it is a one way, and there is parking on one side with sidewalks. This also cuts down on the speed on the street.

The Mayor said he also appreciated the easement that was given to the village by John Harwood and the VanDerBogarts for the walking trails along the river. The Town of Lysander was awarded a grant to connect their water trail system to the Village of Baldwinsville. The Mayor said all the developments along Rt. 370 can access the trails coming into the village via the water front trails. Chairman Savacool said ultimately these trails lead to Onondaga Lake Park.

Chairman Savacool said mechanical and trash systems would be screened.

Jim Orlando asked about rewriting parking requirements. Chairman Savacool said this would be handled on a case by case basis.

Chairman Savacool the reduction of curb cuts will be addressed and he said if we can get businesses to give up their curb cuts and use parking in central lots that also will be encouraged.

Chairman Savacool the planning board also talked about the view of the river, encouraging visual gaps through East Genesee Street. He said that you would not want to get into a situation where everything was so dense you could not see the river. He said that when you are driving through East Genesee Street you want to be able to see the river so that you knew you were in a river front community. This is the asset of Baldwinsville.

Chairman Savacool said lighting will be used on all sides, again because of pedestrian access. He also said that owners of long properties (East Genesee Street and along the river) could subdivide their property if they wanted to utilize both sides. This would allow for multiple buildings on one property.

John Harwood said in general their perspective has been pretty positive of the willingness of the village to look into this. Mr. Harwood said he felt that their building (Rite Aid) and their property is a valuable asset to them and a valuable component of the village though right now it is not meeting its potential, but it has been economically significant to them. Mr. Harwood said in general they are open to discussions for what is possible, but not to “chopping off 20 feet of the front of the building”.

Chairman Savacool said one of the things the board wanted to encourage was the involvement of the stakeholders, but he said obviously practicality plays a major role. He said this is a long range plan and will not happen overnight, but pieces of this plan can be developed, such as parking and building the park.

John Harwood asked if presently there are any mix uses of buildings in the village? There are buildings on Oswego Street that have retail on the first level and residential on the upper levels. Mayor Saraceni said Lock Street is looking at higher density.

Mayor Saraceni said this year a redevelopment fund was established for the downtown area. There is \$136,000 in the fund from the Paper Mill Island project. \$50,000 was put in the fund from the village budget. There is a \$90,000 commitment from Community Development for 2010. The park should be completed in 2010.

Jim Orlando said it was important to have a master plan laid out and would like to see a concept/detail plan to go forward. Mayor Saraceni said this has been challenging to do because we do not have defined boundaries and we are not laying down a paper street. A lot will depend on ideas from the stakeholders as their properties are in the project. The Mayor encouraged them to come to the board with their ideas and concepts. The Mayor reiterated that Denio Street does not have a set path right now; it is a vision that would allow a certain amount of traffic through there.

Discussion continued on Denio Street and how will trucks such as “semis” get in there for deliveries. Objection came from B’ville Diner as they need these trucks for daily deliveries. Mike Chemotti said B’ville Diner has been there since 1934. This is something that has to be worked on and is a major concern. Jim Orlando said he has 57 employees and he also lives in the village. Wendy VanDerBogart said this has to be functional and it all can’t look pretty. Tim Baker said this is only a concept and parking is an issue. Jim Orlando said he is all for this and to get the details going on it.

Chairman Savacool said the planning board is waiting for input from the Architectural Review Board (ARB). John Harwood asked about signage. Mr. Harwood said if your business is hidden what kind of signage can be used. Chairman Savacool said the ARB is working on this.

Larry VanDerBogart asked about dockage on the river front. John McFall said it is too shallow to bring boats in.

Jim Orlando asked about Water Street. Chairman Savacool said they are working on one area and then will move to another area, but also working on a case by case basis. Chairman Savacool said if someone comes before the planning board, their plans would be looked at. Chairman Savacool said they are working on draft language for the overlay district hoping to have it finalized in a couple of months.

Wendy VanDerBogart asked what the overlay district will do. Chairman Savacool said essentially it will provide a set of standards that already is addressed in the code and

overlay it. Examples if this would be parking and build to line. Some of this information will be coming from the Architectural Review Board when they complete their input on this overlay district.

Next item on the agenda - Temporary Storage.

Chairman Savacool asked Ron Carr to discuss the temporary storage. Mr. Carr explains the purpose of **Chapter 71 Temporary Storage.**

71-3. Definitions.

1. "Short Term Temporary Storage" shall mean the storage of goods, materials inventory or supplies in a trailer, truck body, POD or temporary structure for a period not exceeding forty-eight (48) hours.
2. "Temporary Structure" shall mean any box, tent or other enclosure located outside of a permanent structure having a roof or building.

71-4 Exceptions. This Chapter shall not apply to:

1. Short-term temporary storage as defined in this Chapter.
2. Storage in trailers used as construction sites provided such storage is incidental to the use of the trailer and the Code Enforcement Officer authorizes such use.

71-5. Permit Required. No person shall use, permit or suffer the use of a trailer, truck body, POD or any temporary structure for the purpose of storage other than temporary storage as defined herein on any property owned or occupied by said person without a permit from the Code Enforcement Officer.

Mr. Carr said this prohibits any storage of materials that would exceed forty-eight (48) hours without permits.

71-6. Permits; Issuance, Term; Fee

- A. The Code Enforcement Officer shall issue a permit not to exceed thirty (30) days which permit may allow storage in trailers, truck bodies, POD's or temporary structures, provided that an emergency exists. The need for additional storage space in and of itself shall not constitute an emergency.

Discussion whether this pertained to dumpsters. No. This would be storage of goods, materials, etc.

- B. The Planning Board, upon review of the matter as a temporary site plan, may authorize for a period not to exceed ninety (90) days in any calendar year, the

storage in trailers, truck bodies, POD's or temporary structures of seasonal goods in conjunction with a preexisting commercial or industrial enterprise. Upon approval of the Planning board, the Code Enforcement Office shall issue a permit.

C. A fee of Ten Dollars (\$10.00) shall be paid for each permit.

Discussion: This was put in to basically disallow the permanent stored use of these entities as a permanent storage for materials and goods, but to permit temporary storage per permit and oversight by the planning board. Mr. Rock asked why this is a problem now? Chairman Savacool said the board is looking at "what if" situations. This is the result of previous discussions on outdoor retail sales, storage of product outside of businesses. Mr. Cronk asked if we dictate where the temporary storage unit can be placed on the property. Mr. Carr said this is regulated by our codes and our Code Enforcement Officer would handle any violations.

Discussion on the \$10.00 fee. This fee can be adjusted.

Discussion on the use of PODs – Mr. Cronk said as it is written, a person would have to come before the planning board to get a permit for the temporary storage of a POD because it would be on his property for more than 48 hours. Mr. Cronk said after he gets the permit, he then can have the POD delivered. Mr. Carr said basically yes that is how it would work. Mr. Cronk asked why would you even have to come before the planning board? Mr. Barnett said because there is only a provision for forty eight (48) hours without a permit. Mr. Cronk said the use of a POD is for moving and the intent is that you could take your time to load the POD. Mr. Cronk said if you only had forty eight (48) hours to move, you would get a moving van and not use a POD. Mr. Carr said in drafting this Chapter 71 Temporary Storage, it was not intended for residential. Chairman Savacool said it was important to also address residential as the board did not want temporary storage such as PODs being left on residential property for a long period of time without any regulations. Mr. Rock said if there are any violations, people will come to the Codes Office to file a complaint.

Question was asked what would happen in 71-6 A. if thirty (30) days was omitted? Mr. Carr said then the definition of short term temporary storage would change because it would then be inconsistent with the forty eight (48) hours. Mr. Carr said the thirty (30) days was meant to address was the issuance of the permit not to exceed thirty (30) days in the event some emergency existed. Questions asked what constituted an emergency? Example: fire, flooding, etc. Question asked if you changed definition of short term temporary storage to thirty (30) days instead of forty eight (48) hours. Chairman Savacool said that would work for residential but not for commercial structures. Mr. Carr said maybe forty eight (48) hours is too restrictive and could be changed to a week.

Chairman Savacool said he did want to see residential addressed at some point, but did not want residential to have to come to get a permit for a POD. Mr. Cronk said he would like to see something written where the resident does not have to have a permit for temporary storage for thirty days (30) but if it went beyond that time, a permit would

have to be obtained from the code office. Mr. Carr said he could see a problem for the code enforcement officer as to how this would be timed, i.e. when was the POD actually placed on the property. When did the thirty days start. This would be an issue if there was a complaint by a neighbor which then the code enforcement officer would have to investigate to get the time line.

Mr. Carr asked if this was normally a problem for residents. Chairman Savacool asked with our current codes, do we have any recourse if there is a problem with temporary storage.

Chairman Savacool asked if the board should strike the entire Chapter 71 to read commercial property – temporary storage. Mr. Cronk asked if we should restrict the container to size. Examples of containers – PODs and A. Verdi. Tim Baker pointed out that the purpose of a POD is to move items into storage from one location to another. The POD is not used for temporary storage on site, but normally it is used for moving to another site. Example of this: resident selling their home, having to move out and put furniture into storage until the new location is ready. Mr. Baker said PODs are rented, where A. Verdi is a purchased container. Correction made that A. Verdi is a rented container. Mr. Baker said we should differentiate between a temporary storage box and a shipping container. Mr. Barnett said you differentiate by storage time; is it 48 hours or 7 days. Mr. Carr said it should be defined by 48 hours without permit. But Mr. Carr said it could be redefined.

Chairman Savacool asked if anyone had comments as to the length of time for a permit to be issued taking the homeowner out of it. Consensus was that 48 hours was too short of time. Chairman Savacool said by keeping a temporary storage past seven days would require a permit.

Chairman Savacool asked Mr. Carr to make the change showing seven (7) days for temporary storage. This will be addressed at the next planning board meeting with the changes noted.

Chairman Savacool asked where the board wants to go with Accessory Retail Outdoor Sales. Chairman Savacool said it was discussed to scrap the whole idea. He said we could use the current code to deal with certain situations. Discussion by the board on this:

- Difficulty in justifying why the board is writing more codes
- Maybe less is better

The board was in agreement to scrap the Accessory Retail Outdoor Sales, but thanked Mr. Carr for all his work on the write-ups.

On the Temporary Outdoors Sales Event, Mr. Carr said he drafted this as total independent entities having a basic one-time special event and wanted to sell outdoors. Mr. Carr said it was not directed to events put on by retail or commercial stores. Mr.

Carr said Mr. Arthur and the board's mindset wanted to have a special outdoors sales event permitted for the commercial businesses on their lots.

Mr. Carr said under:

CONDITIONS: In addition to all other concerns that may be considered in the review of the site plan and issuance of a permit, any Temporary Outdoor Sales Event shall be subject to the following conditions:

- (i) A temporary outdoors sales event shall be permitted only within Business B-2, Commercial and Industrial Districts of the Village.
- (ii) The event shall not be located so as to encumber any more than 10% of any otherwise required on-site parking for the property upon which the event is to be conducted.
- (iii) The event shall not be located so as to impede pedestrian access or interfere with the established flow of vehicular traffic on the property.
- (iv) No temporary outdoors sales event shall be permitted on any lot upon which there already exists any otherwise permitted "Accessory Retail Outdoor Sales".
- (v) No more than one temporary outdoor sales event shall be permitted to be conducted on any property per calendar year.

Chairman Savacool said the section should be redrafted to be able to give business owners the opportunity to have these sales events, either from other organizations that they give them space, or the business itself (ex. hardware store). Chairman Savacool said a permit would be needed because of parking requirements.

Ed Rock questioned the time of sixty (60) continuous days and it being subject to site plan approval. John McFall said his experience of this type of sale is short lived. Sales are usually tent sales and weekend events. Mr. Barnett also questioned why 60 days. Mr. Carr said he used 60 days because of the annual selling of Christmas trees. Chairman Savacool asked if the decision for a special events sale be made on a case by case basis. Mr. Carr said yes but some type of standards upon which the judgment is made has to be in place. Mr. Carr said it cannot be an ad hoc decision.

Chairman Savacool asked the board if this is an issue and should be regulated. Discussion followed. The board decided to scrap the "temporary outdoors sales event" write up.

Tim Baker brought up to the board property for sale on East Oneida Street. Mr. Baker said the person owns both sides of the paper street. Chairman Savacool showed the board the location of the property. He said that nothing is developed. Mr. Baker said Mr. Jack Baker owns both sides and wanted to see if the board wanted to part with the property. Discussion followed about an access point. John McFall said nothing can go in there because of the lay of the land and said it is all gullies. Chairman Savacool asked the board if they should recommend to the village to sell this property. No decision was made by the board. This item was tabled for further discussion at the next planning board meeting.

Motion to close meeting at 9:45 p.m. was made and carried.

The next regular planning board meeting is scheduled for February 24, 2009 at 7:30 p.m.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary