

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, March 22, 2016 7:30 P.M.
Approved 4/26/2016

PRESENT: Carl Pelcher, Chairman
Terrie King
Mike Mazoway
Nicole Schlater

ABSENT: Dave Arthur
Mace Markham
Bob Scherfling

ALSO PRESENT: Jamie Sutphen, Village Attorney
Steve Darcangelo, Village Engineer
Gregg Humphrey, Codes Enforcement Officer
Susan LaQuay, Board Secretary

GUESTS: NONE

Minutes from January 26, 2016 were reviewed. Upon by **motion** by M. Markham and second by N. Schlater, the minutes dated January 26, 2016 are approved as submitted.

OLD BUSINESS

Discussion/action regarding 18 East Genesee Street - Proposed Site Plan Revisions

There is no Applicant or representative present this evening.

An extensive discussion was had regarding the requested site plan revisions. AT & T and the Dollar Tree are operating under temporary C of O. There is no known third tenant currently.

Chairman Pelcher asked J. Sutphen how long an applicant has to complete a site plan following approval. J. Sutphen noted timeframes can be dictated in the resolution to approve the site plan. She noted right now this applicant is constrained by the timeframes attached to the original approval. J. Sutphen stated the Village may want to consider putting timeframes in the Code.

J. Sutphen stated she spoke with the Applicant's attorney and was made aware that Mr. Muraco will not be attending the meeting tonight. She informed his attorney that the issue of him being in violation of the existing site plan and how to address this will be addressed through the Planning Board and not administratively.

Chairman Pelcher showed photos via a slide show indicating what items were outstanding from the approved site plan, including:

1. The approved site plan indicated there would be new sidewalk in front of AT & T. This has not been done.
2. The entrance to AT & T was not on the approved site plan. The entrance has been altered from what was approved.

3. The approved site plan indicated new sidewalk in several locations. However, the applicant is indicating he will be repairing the sidewalk instead of replacing them.
4. The approved site plan showed that the overhang on the south side would be replaced. The applicant is now stating it will be refurbished.
5. The dumpsters on the west side are not in the approved location with a fence. The proposed new location will be further from the trail and the Board considers it a better option.
6. The approved site plan does not show the concrete pad on the back of the building. The Applicant does not want to remove it.

After extensive discussion, the following Resolution was made to approve the Revised Site Plan with conditions:

This is a Resolution to approve the Revised Site Plan as presented by Dave Muraco, Applicant, and by Neal Zinsmeyer of Napierala Consulting Professional Engineer, P.C. – said Revised Site Plan dated January 6, 2016, which replaces in its entirety the Site Plan approved by the Village of Baldwinsville Planning Board on February 24, 2015 with the following findings/conditions:

1. The sidewalk and the ramp to accessible parking on the northeast corner of the building be made ADA compliant.
2. The door for Tenant B on the north side of the building is modified on the site plan to show a single door.
3. Any and all modifications to the Site Plan or the building exterior must come before the Planning Board of the Village of Baldwinsville for review.
4. If there is a tenant occupancy other than retail, the Applicant must appear before the Planning Board of the Village of Baldwinsville.
5. This Resolution to approve in full, supersedes the Resolution of February 24, 2015, with the following exceptions (the following conditions still apply):

Condition # 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.

Condition #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.

Condition #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.

Condition #8. This approval includes approval of a code conforming sign on the building. 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.

6. All Site Plan items must be completed by May 24, 2016.

Motion by Mike Mazoway, seconded by Nicole Schlater, to accept the within resolution. The motion carries with 4 members voting in favor and none against.

The meeting was adjourned at 8:55 p.m. The next meeting is scheduled for Tuesday, April 26, 2016.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary