

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES

Tuesday, July 22, 2014 7:30 P.M.

Approved 9/23/2014

PRESENT: Carl Pelcher, Chairman
Dave Arthur
Terrie King
Mace Markham
Joseph Saraceni

ALSO PRESENT: Mayor Dick Clarke
Jamie Sutphen, Planning Board Attorney
Bob Baldwin, Planning Board Attorney
Stephen Darcangelo, Village Engineer
Gregg Humphrey, Code Enforcement Officer

GUESTS: Mr. James Monahan, regarding 36 Oswego Street
Mr. Steve Fudali, regarding Lock Street
Mr. Sal Lomedico, regarding Sal's Pizza and Restaurant
Mr. and Mrs. Mike and Paulette Lucas, regarding Lock Street

Chairman Pelcher noted that B. Scherfling and J. Schanzenbach were unable to attend tonight's meeting.

Chairman Pelcher stated minutes from June 24, 2014 were not received. These will be addressed at the meeting in July.

S. LaQuay, Board Secretary, is not present this evening.

OLD BUSINESS

Discussion/Action regarding 41 East Genesee Street – Sal's Pizza

Chairman Pelcher noted that the application for Sal's Pizza had been approved at last month's meeting. However, the Board had not received a referral from SOCPA at that time. Chairman Pelcher reviewed their suggestions, including reducing stormwater where possible, additional landscaping if possible, and encouraging the Applicant to improve the visual appearance of the property, which Mr. Lomedico is trying to do.

Upon **motion** by M. Markham and second by J. Saraceni to confirm the approval with the findings and conditions of the approval made on June 24, 2014 for Sal's Pizza, 41 East Genesee Street, Baldwinsville, NY after receiving the findings of the Syracuse Onondaga County Planning Agencies referral, which found no problems with the site plan. **Carried.**

D. Arthur was not present at the June meeting and abstained from voting on the above motion.

Discussion/Action regarding amendment to approved site plan for 136 East Genesee Street – Festa Fairway Business Parcel 2

A new plan showing the proposed change of eliminating curbing was submitted as requested.

Discussion/Action regarding 36 Owego Street Street – building renovation/addition

Chairman Pelcher stated no one is present on behalf of this application. This will be addressed at the next meeting. T. King noted that she had sent an email to the other Board Members regarding her thoughts about the parking regulations in regard to this project. She had not received a reply from anyone and asked what their thoughts were. Chairman Pelcher stated he will address parking when they discuss the Four Corners Overlay. He agrees with her regarding this issue.

J. Sutphen asked about the status of this application. B. Baldwin stated he assumed they would be here tonight as they have already done the SEQR. Chairman Pelcher stated he thought they would be in attendance as well. He will reach out to Mr. Monahan. He would like the Applicant present during discussions so this will be tabled.

OTHER BUSINESS

FOUR CORNERS OVERLAY

Chairman Pelcher stated he rewrote the overlay and provided a copy to the Board. The bolded italicized text is suggestions from J. Schanzenbach, which he had emailed to Chairman Pelcher as he knew he would not be present. Chairman Pelcher stated he feels they are good suggestions but wanted to discuss them as a Board before including them. He did have EDR look at this and they thought the verbiage is good. He asked them to include pictures and ended up doing it himself. T. King stated she reviewed it and agreed with J. Schanzenbach's comments. She thinks what Chairman Pelcher has done is really good and the illustrations are helpful and accurate.

Chairman Pelcher suggested reviewing it page by page. He stated he changed some grammar in the **PURPOSE AND INTENT**, but it is pretty much the same. On page 2, J. Schanzenbach commented regarding 3(b)1 that "The build-out requirement may be reduced by adding a public use sidewalk or alleyway up to 20 feet wide, ***but not greater than 25% of the lot.***" The Board agreed this should be added. Stephen Darcangelo asked that Chairman Pelcher clarify the 25% of the lot, noting that the Village already has parcels that are at 100% building. Chairman Pelcher explained that the Board prefers that; however, if an Applicant wants to put in a new building and wants to put in an alleyway to connect, that alleyway cannot be more than 25% of the lot. J. Sutphen suggested wording it differently. Chairman Pelcher suggested "as long as the alleyway or sidewalk does not exceed 25% of the frontage." T. King noted it pertains to item (1). Stephen Darcangelo stated he feels the term "build-out" is being used differently than it is in the Village Code and suggested it should be defined as it is somewhat contradictory to the Code. He noted in the Code "build-out" would refer to the maximum amount of structure that a lot can have (lot coverage), including all structures on the property. To have 100% build-out and then have a build-to line 3' back is somewhat contradictory because the term "build-out" in the Code means what portion of the parcel is occupied with structures or pavement. In the overlay they are trying to get to 100%. Chairman Pelcher stated the term "build-out" refers to how much area will be taken up between buildings up to the build-to line (referencing the street). The Board does not want spaces between buildings unless there is an alleyway or a sidewalk. Stephen Darcangelo stated he will look further into this to resolve any conflicts with the Code. B. Baldwin noted section 298-8 of the Village Code in which it states alleyways have a minimum width of 22 feet. He noted the overlay states the alleyway can only be 20 feet wide. He suggested at some point including a statement to the effect that if there is a conflict for properties within the overlay district, the rules of the overlay district will prevail. T. King stated she believes that is the case. B. Baldwin agreed, but stated it is important to state this in this document. Chairman Pelcher agreed. He asked where that should be included in the document. B. Baldwin suggested including it in section 2c after the first sentence. He suggested the wording, "whereas there is any conflict with the existing provisions or restrictions of the Code, the provisions of the Overlay District shall prevail." He stated that if he were to play Devil's Advocate he would argue that in order to supersede something specifically you would have to refer to the code section. Chairman Pelcher stated he will likely call him regarding this to be sure it is worded properly.

T. King stated page 3, item (e) is good after the Board had struggled with that verbiage for so long.

Chairman Pelcher referred to page 4, item (g) regarding facades. He noted he did not write in there 20' minimum, but it is shown in the illustration. He suggested looking at this again. He did measure the buildings at the 4 corners and most of

them did fall in this category. He got this recommendation from a NY State site that provides recommendations to older Villages.

Stephen Darcangelo noted page 1, section 2 **BOUNDARIES AND EFFECT**. He asked who is defining the extent of the overlay district. Chairman Pelcher stated Stephen Darcangelo will be defining this. The Board will tell him what boundaries they want, but D. Jones stated they will want tax lot numbers. T. King noted that the Planning Board had previously used verbal descriptions to define the boundaries.

Chairman Pelcher noted J. Schanzenbach's comments on page 5 item 4 (at the top of the page) where he suggested discussing how the transparency requirement "will work with today's more stringent energy codes." Stephen Darcangelo noted there are changes coming regarding energy codes. D. Arthur suggested, because the energy codes will always be dynamic, stating the energy codes supercede this document. Chairman Pelcher asked B. Baldwin and J. Sutphen about this. He noted that fenestration is important in the downtown area. J. Schanzenbach pointed out that some of the Village regulations may not meet energy code requirements. He asked how this can be addressed if the State makes rules that are too stringent to accommodate the overlay requirements as it may make it difficult to meet the code practically. J. Sutphen stated she will look into this. T. King will work on it as well. G. Humphrey pointed out the Village can be more strict than the State, but not more lenient.

D. Arthur asked for clarification of the meaning of page 5 item 6 where it states, "Overall vertical building proportions shall be expressed in the window proportions." Chairman Pelcher stated it means a big building cannot have tiny windows. The size of the window should be proportionate to the size of the building. Chairman Pelcher suggested including an illustration. B. Baldwin suggested using the wording "relatively expressed" to demonstrate a relationship. The wording will be changed to, "Overall vertical building proportions shall be relatively expressed in the window proportions." D. Arthur also noted that the illustration in item 6 shows that you can have a 2/2 paned window, but not a 6/6 or "paneless" window. D. Arthur asked if a 4/4 is allowed. Chairman Pelcher stated they will discuss this further. Stephen Darcangelo asked why windows have to be double-hung. Chairman Pelcher stated they should maybe allow for single-hung windows, but he does not want to see fixed windows. D. Arthur asked about casements. Chairman Pelcher stated they don't want to have casements either. D. Arthur stated that 36 Oswego Street is proposing aluminum-clad casement window units on the third floor. He is concerned the window portion of the overlay may be too vague. 36 Oswego Street also proposes a 10/10 window and D. Arthur asked if that is allowed. Chairman Pelcher stated they will need to look at it more and redo this section. T. King suggested moving the top 3 illustrations in item 6 up to item 5 as it fits that item better (regarding fitting the replacement window to the original opening). Chairman Pelcher agreed.

B. Baldwin suggested including photos of every existing building in the overlay. That would allow the Board to see exactly what they are dealing with today and allow the "what if" questions to be addressed. This would be good for historical purposes as well. The boundaries extend from the south side of Elizabeth Street down to the Baldwin canal bridge. Buildings past that will be included in the Marble Street overlay. The East/West boundaries are River Street to Tymeless Tattoo/Farrell, Martin, and Barnell, which is at the boundary of the East Genesee Street Overlay. Village Hall and the old post office are included. Chairman Pelcher stated they may want to revisit the boundary going down Oswego Street towards the river. They had discussed stopping at Multi-Med on the West side and Sheehan's on the East side of Oswego Street.

J. Sutphen noted page 5 item 7 and asked if there are any buildings in this overlay where the original construction is not what the Board would want. Chairman Pelcher stated there are not too many that do not fit with what the Board would want. There are a few buildings that have been redone but without the restrictions the overlay will include. G. Humphrey noted there are a few buildings that are original in their construction, but not historically "accurate" to this part of the Village. Chairman Pelcher noted the historic buildings have interesting ornamentation/materials and he would not want to see their removal justified with the argument that they will be replaced with something else that is historically accurate. There are some buildings the Board would like to see redone in the future in a style more appropriate to the area. T. King noted that the board would not want to see an entire façade being redone with, for example, Dryvit or Texture 111, etc. Chairman Pelcher stated they have added the phrase "when possible" to allow for flexibility. J. Sutphen asked if it is not really original materials that are required. T. King stated not necessarily original materials, but historically appropriate

materials. B. Baldwin suggested including guidelines regarding signage. T. King noted that the ARB guidelines are just guidelines, not requirements. B. Baldwin noted that the ARB is included in the code and ARB decisions are codified. T. King stated she will work on better wording for this section. G. Humphrey noted they want to have regulations that say what style of building is acceptable in this district in case a building burns down or is demolished so it could only be replaced with something that is historically fitting with the area. T. King noted this section deals with cosmetic improvements and facelifts not replacement. Chairman Pelcher suggested rereading item 7 and pointed out that it does not really talk about using actual original materials, but points out that they give special character and identity and prohibit facelifts from covering or obliterating them. If refurbishing a building, the owner would have to use something similar to match the character or the original. T. King suggested using the term “historically-appropriate” or “period-appropriate materials to the building.” G. Humphrey disagreed and thought they should stay away from referencing the building and instead reference the Village. If you reference the building, there’s a possibility someone could just redo it exactly like it. The Village doesn’t want buildings built back to its original standard, but to the Village’s historic standard. Stephen Darcangelo suggested having a separate section for new construction, stating, for example, that it shall be consistent with the historic nature or character of the Village. T. King noted it should still be appropriate to the age of the building.

Chairman Pelcher noted the last sentence of page 5 item 7 states, “Refurbishing such architectural details with similar materials is acceptable, upon approval of appropriate village board.” This should be changed to “...upon approval of Planning Board.” A new section about infill or replacement buildings will be included. M. Markham suggested this is covered by page 3 item e. J. Sutphen suggested adding materials as well. Chairman Pelcher agreed.

Regarding awnings on page 6 item (j), it was discussed that they may potentially interfere with snow removal. The last sentence states awnings should not “project more than 5 feet into the public right of way.” Stephen Darcangelo stated this term is ambiguous because the right of way is not always obvious. He suggested the overlay state awnings can project a maximum of 5’ off the building. Chairman Pelcher agreed.

Chairman Pelcher noted page 7 **SITE STANDARDS** should be discussed. There are no minimum parking requirements. T. King stated she supports that. This makes it the business owner’s responsibility to figure out where to park. Stephen Darcangelo had suggested that the DPW designate areas for overnight parking, which can be done independent of what the Planning Board is doing. Stephen Darcangelo stated the DPW has been working on this in conjunction of the police department because it eventually becomes an enforcement issue. He noted the latest changes the DPW has made have been driven by business owners. D. Arthur would like the section on utilities (C) to include that any additional piping should blend into the façade. T. King suggested using the term utility connections.

Stephen Darcangelo noted that terms the “front” or “rear” of the building are used frequently. However, it is unclear in some circumstances what is the front and what is the rear of a building. Chairman Pelcher agreed, specifically with the business located along Baldwin Square. Is the face of the building fronting the square the “front” or is the face fronting Oswego Street or Genesee Street the front? G. Humphrey stated that all the addresses are Oswego and Genesee Street addresses. However, the lots are considered to have two frontages. M. Markham stated he believes the legal frontage is the frontage that is the mailing address. D. Arthur asked about a corner property. G. Humphrey suggested stating, for example, that all parking lots should be located not on the street side. Chairman Pelcher agreed with M. Markham and suggested using the mailing address.

B. Baldwin noted that the more discretion the Planning Board has the better it is in the long run because sometimes this kind of thing can be so specific that it creates more problems than it resolves.

Chairman Pelcher will incorporate some of the comments/corrections from tonight and this will be discussed at the next meeting.

Lock Street PDD

Mr. James Trasher is present to address the Board. The architect for the project was unable to attend. S. Darcangelo addressed the plan for the rain garden that was originally planned for this area, which was intended to act as a stormwater reduction treatment mechanism consistent with the County’s goal to try to reduce stormwater discharge to the river and

was the objective of a grant the Village received. However, the Village has been unable to award the contract for the completion of that project because the bid price was substantially higher than what was anticipated and budgeted. The Village has, therefore, stepped back to address how they can design something that is consistent with the goal of the County to reduce stormwater discharges and at the same time do something that is affordable to construct. They have considered eliminating the divided roadway/boulevard with a center median that would act as a rain garden and instead have a two-way roadway similar to what is there now, but widened to provide parking on the eastbound lane (the south side of the street). One of the features of that parking lane may or may not be permeable asphalt so stormwater can be collected. In addition, catch basins would also collect stormwater in a conventional way, but not discharge them to the river but to an underground or subsurface leach field. This water would have the opportunity to perk into the ground and not act as a direct discharge to the river. There would be an overflow mechanism so in a heavy storm event the storm sewers would perform the way they do now, which is permitted with the County system. The Village now is in a final design phase with CHA. They do need to make a decision on the permeable pavement in the parking lane. The County also needs to review it and agrees that the manner in which the Village is proceeding is consistent with their program. Right now, S. Darchangelo's preference would be to go with just asphalt in the parking lane and collection and conventional storm basins, but would recommend permeable pavement if the County requires it. The road does not present any changes as to how the river frontage will be developed. There is still a curbed roadway on the south side and the opportunity for a sidewalk there. The new roadway plan may provide some increase in depth from the curbing to the water frontage, but nothing significant. Right now the project is going through final phase and they hope to have this from CHA next week. After review by the Public Works Committee they will advertise the job and still hope to construct in the fall.

Chairman Pelcher noted that there is parking planned only on the south side. He noted that the existing houses use the parking spaces on the opposite side of the road and if more houses are being constructed he is concerned parking will become an issue. S. Darchangelo noted that parking was a concern with the homeowners when the Village initially presented this project and the plan did not initially include parking on the north side. However, his understanding was that the homeowners concern with the parking initially was that they did not like the idea of the rain garden-depressed median between their homes and the parking, which would require them to cross the street in certain areas and not cross directly from their home. To address this, the Village had considered providing parking on both sides of the street. Parking exists on the north side today. There are about 27 parcels on Lock Street right now. The disadvantage to parking on the north side is the number of curb cuts for driveways, which limits the number of parking spaces. However, for a stretch of it on the west end where the apartments will be there will be limited access points to the complex and along that stretch they can get a lot of continuous parking. Further to the east where there will be townhouses or multi-units or individual owner-occupied homes there will be more curb cuts for driveway entrances. The Village is working on a way to consolidate those, for example having one curb cut that provides access to two garages. By moving the parking from the north side to the south side of the street, there will be substantially more parking than what exists there today. S. Darchangelo does not believe it is advisable to add parking to both sides of the street. Utility poles would need to be relocated, which is cost-prohibitive. He stated they could design the river frontage in a way that will provide ample parking for the facility within the property. He noted that on street parking right now on Lock Street is really for overflow. Every home has a driveway with the exception of one, although some are very narrow.

M. Markham asked if it would make sense turn the street into an odd-even parking situation. S. Darchangelo noted this may not work as there are a different number of parking spots on the north and south sides of the road. He stated they could try to maximize parking with lines and have designated parking spots along the north side, which provides the opportunity to center line the street.

D. Arthur asked where the cars will park between November and May when on-street parking is not allowed. T. King noted that right now they park on Village property year-round. D. Arthur is concerned that that Village grassy area will be developed and be, therefore, be unavailable for parking in the winter. S. Darchangelo stated that residents will have to accommodate their parking within their driveways. The Village does have public lots with overnight parking. J. Saraceni suggested using the interior roadway as a one-way and using the 2nd lane as a parking lane. S. Darchangelo stated he hasn't looked into the development yet and has been focusing on the Village project regarding the roadway. M. Markham

noted that the interior roadway really could not be utilized for public parking because it is designed for people within the homeowner's association and is a private road.

J. Saraceni stated this may be a good opportunity to provide a parking lot in the Tabor Street area for guests of the new development, which would alleviate pressure on the on-street parking.

D. Arthur asked if there are maintenance concerns with permeable asphalt. S. Darchangelo stated he would prefer to avoid using permeable asphalt, although the County may require it. He believes catch basins meet the objective of the Save-the-Rain program, but the County may not agree. If they do need to use permeable asphalt they will likely need to contract a service to perform maintenance on it.

D. Arthur noted they Village hopes to start construction in the fall. He is concerned about the few properties that are still not owned by the Village. S. Darchangelo clarified that he is talking about the roadway, not the river front development, starting in the fall. Mr. Trasher stated that when development starts on the river front, there are portions that can be developed without acquiring those properties and those properties can be developed later on when the ownership has been resolved.

S. Darchangelo stated the project bid price is \$1.3 million dollars, which approaches \$40,000 of investment per existing parcel on Lock Street. The Village had not anticipated a bid price that high and had budgeted for \$900,000. This is why they have had to redesign the plan for the roadway. Mr. Trasher stated the road is such a big component to the plan. He stated the costs were \$500,000 just to redo the road and the retention area was \$322,000. The plantings were \$160,000. He and S. Darchangelo have been trying to working together on this for a while now.

M. Markham noted there is a sidewalk along the roadway on the river side. D. Arthur was glad to see this in place already. The sidewalk will be maintained by the property owners or the homeowners association.

Mr. Trasher stated the redesign of the roadway has alleviated the tightness of the development. This will allow room for the sidewalk and a grassy area between Lock Street and the internal roadway.

D. Arthur stated he likes the density better and the combined use better. He thinks the view will likely be better.

Chairman Pelcher stated he was looking forward to speaking with the architect as most of his questions are for the architect. For example, shared driveways, narrower side yards, etc.

S. Darchangelo noted the Board seems very concerned with parking and stated he can get numbers as to how many homes there are on Lock Street, how many on-street parking spots there are and then give the number of total new parking spots, including off-street, and new units. This will give the Board a better idea of the parking situation. Chairman Pelcher stated he would appreciate having this information. M. Markham noted he has been paying attention to Lock Street for years and at most there were six cars parked on the grassy area on the river side during the winter, so he does not believe displacing residents will be an issue.

J. Saraceni noted this is a unique parking situation. The Village is able to make exceptions and it's possible to except Lock Street from the November-May parking regulation. T. King stated it is vital to provide adequate parking for the new units on site so they will not have to utilize on-street parking. M. Markham likes the idea of a parking area near Tabor for guests.

The Board as a whole agreed that the newly designed roadway is a better design than the original plan which included the boulevard.

The meeting was adjourned at 9:20 p.m. The next meeting is scheduled for Tuesday, August 26, 2014.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary