

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES

Tuesday, September 23, 2014 7:30 P.M.
Approved 10/28/2014

PRESENT: Carl Pelcher, Chairman
Mace Markham
Joseph Saraceni
Jim Schanzenbach
Bob Scherfling

ALSO PRESENT: Jamie Sutphen, Planning Board Attorney
Stephen Darcangelo, Village Engineer
Gregg Humphrey, Code Enforcement Officer
Susan LaQuay, Board Secretary
Mr. Mazoway, Planning Board Alternate

GUESTS: None

Chairman Pelcher noted that T. King and D. Arthur are out of town and are unable to attend tonight's meeting.

Upon motion by M. Markham and second by J. Saraceni, the minutes of the May 27, 2014 Planning Board meeting are approved. Motion passed.

Upon motion by M. Markham and second by J. Saraceni, the minutes of the June 24, 2014 Planning Board meeting are approved. Motion passed.

Upon motion by M. Markham and second by J. Saraceni, the minutes of the July 22, 2014 Planning Board meeting are approved. Motion passed.

OLD BUSINESS

Update on Planning Board training

Chairman Pelcher reviewed the status of the Board Members' training. J. Saraceni completed training in April of 2014 with materials provided to him by Chairman Pelcher. J. Schanzenbach and T. King both attended the Onondaga County Planning Board's annual symposium in March of 2014. M. Markham completed his training also using materials provided to him by Chairman Pelcher in May of 2014.

Lock Street PDD

There are no Applicants or representatives present at tonight's meeting. Chairman Pelcher asked S. Darcangelo for an update. S. Darcangelo stated the street work was originally bid for the previous design, which included the center median that would be used as a rain garden. However, the prices came in substantially higher than anticipated and the Village was unable to award that contract as the money just was not available. Therefore, the project was redesigned. This redesign still provides for the idea of capturing stormwater runoff and not having direct discharge to the river for smaller

storm events. They were able to get that bid in last week and it was awarded today. The Board resolution approving it was last Thursday (September 18, 2014). S. Darcangelo stated he held off on the award until he was able to verify that the County is okay with the new design and would indeed fund it because the grant application did specifically call for a center median. That discussion was had with the County through Clough Harbour and S. Darcangelo received confirmation through the County. The contractor is calling for a construction schedule that will complete this work this year. They are hoping to start this week and will have a preconstruction meeting with S. Darcangelo and the County. Notice will go out to homeowners as there will be some street closures and interruptions. The bid came in at \$733,000 and they will capture the entire \$492,000 grant as he calculated there will be \$550,000 of green infrastructure.

M. Markham noted they had discussed curb cuts with the developer and asked if the cuts are preplanned or will they be done as the project progresses. S. Darcangelo stated they will provide curb cuts all the way down to Margaret Street as that piece is already set. There are no curb cuts from there down. M. Markham asked if they should be pushing for more cuts now so they can be done without bid changes. S. Darcangelo stated he anticipates beating the developer's final site plan. S. Darcangelo stated Mr. Alberici will be attending the Public Works on Thursday and they will discuss how they will accommodate the project. The Village plans to proceed with the project as it is designed right now. He is hoping CHA react fast enough to give them something they can anticipate and incorporate now. This may need modification down the road and the additional costs will be incurred by Mr. Alberici. S. Darcangelo stated the Village is not in a position to provide something uncurbed in order to accommodate the future development as it is inconsistent with the Save-the-Rain program and funding may be affected. Chairman Pelcher stated he had been assured by James Trasher of CHA back in August that the Planning Board would receive something by September 10th. He emailed Mr. Trasher on the 12th when nothing had been received and has not heard back from him. S. Darcangelo stated he did speak with Mr. Trasher and was told they are waiting for a floor plan from the architect as they cannot lay out the buildings without it. M. Markham stated he was under the impression that the architect would be able to provide this back in August. J. Saraceni stated that he is concerned as the Village needs to make decisions and the developer is losing opportunities to participate in those design features. However, the Village has to move forward. S. Darcangelo agreed and noted the property may not be developed for a few more years. The Village has a good understanding of what will happen to the west of Margaret Street and has worked to incorporate that. He noted that one of the first things in place will be the granite curbing.

S. Darcangelo stated he will speak with Mr. Alberici about getting the apartment complex to the west end moving forward. However, if that involves the sale of property will the site be large enough for a PDD? There are two private parcels in limbo between the apartments and any opportunity to develop further to the east. Chairman Pelcher stated he will speak with J. Sutphen about this; however, it does not have to be a PDD. They could put two overlays in that area or rezone the area. S. Darcangelo noted that the Village would prefer a PDD for the entire parcel. However, they are running into some difficulties with the private property owners who don't seem interested in selling. One of the parcels has 231' of river frontage.

Chairman Pelcher stated he would like to have a work session with the Mayor and the Village Board. He agrees that the developer really seems to want the apartments and maybe they can work on addressing that. S. Darcangelo stated the Planning Board is welcome to attend the DPW meetings. This could be an opportunity for the Planning Board to make Mr. Alberici aware that the deadlines are not being adhered to. M. Markham agreed and feels the Planning Board presence will show that they are ready to work with the builder to get this going.

Chairman Pelcher noted that at the previous meeting they have discussed ownership issues with the units being built. The Planning Board expected that the condos would be privately owned, which they feel is important. However, it seems James Trasher has said he would like them to all be rentals. S. Darcangelo stated they can discuss this tomorrow. S. Darcangelo stated the architect may be able to explain the distinction between condo and rental, which has something to do with firewall in between units. G. Humphrey noted that townhouses have true firewalls between them and there is a property line between units. Chairman Pelcher noted they don't care if they are townhomes or condos, they just want them to be privately owned.

S. Darcangelo noted that the Village owns all the property that the apartments will be on and has already completed the test pits. He has seen nothing that concerns him. J. Schanzenbach again noted his concern that if the apartment complex were done separately then there will no longer be enough acreage for a PDD. J. Sutphen stated she will speak to D. Jones about some of these issues and they can consider utilizing an overlay district. She is concerned about the modifications and at what point do they change the preferred developer agreement so much that it affects the agreement. J. Saraceni noted that Mr. Alberici's proposal was the only response to the RFP and there is not another interested party that is being left out of the discussion. Chairman Pelcher stated he has read of other municipalities using a river as open space that can be included in the PDD. J. Saraceni suggested checking on what Syracuse did when they developed the inner harbor. Was the harbor included in the PDD?

J. Saraceni stated another way to go would be to subdivide the property and build the apartments. The Village could then start the process over and work on another solicitation if Mr. Alberici wanted to be released from the agreement. S. Darcangelo stated he will speak with Mr. Alberici on Thursday and ask if they are still interested in building the single-family homes and will they be interested in private-ownership of the units if the Village requires it. If the answer is "no" then the Village may want to consider releasing him from that portion of the agreement and put out a new proposal. J. Saraceni stated there is interest in that property and does not feel the Village would have any problem with a lack of interest. M. Markham is concerned with the potential budgetary implications of this scenario. J. Saraceni stated he had budgeted conservatively for Lock Street as he was concerned there was a risk of being in this position and did not want the budget to rely heavily on the outcome. He noted that even if nothing happens on Lock Street, the Village is still healthy and has the funding to cover the discrepancy. J. Sutphen stated the per unit price is 53 units at \$4000. per unit plus in lieu of parks fees. S. Darcangelo stated he thinks Mr. Alberici may be open to the idea of just building the apartments. The land for just the apartments is 3 to 4 acres.

J. Saraceni noted there are performance expectations that were written into the preferred contractor agreement that have not been met. He thinks the Village is in a good position and there is not a tremendous amount of pressure to approve something last minute or something that does not meet expectations. There is a consensus with Mr. Alberici and the Boards regarding the apartments, which still need to go through site plan. M. Markham noted if Mr. Alberici starts making money on the apartments this may provide money for the rest of the project. Chairman Pelcher is concerned this may actually slow it down.

Chairman Pelcher stated he will attend the Public Works meeting to discuss Lock Street.

FOUR CORNERS OVERLAY

Chairman Pelcher provided a new draft of the Four Corners Overlay. He stated he met with J. Sutphen and B. Baldwin in Syracuse on Friday. They revised the previous draft of the overlay. Chairman Pelcher noted that items that have been changed are italicized in bold. The Board reviewed the document page by page as follows:

Page 1: There are no changes.

Page 2: J. Sutphen wanted to see the build-to-line clearly defined. Chairman Pelcher included the following definition with an illustration:

“(a) “Build-to line” as used in this section means the line parallel to the street line that coincides with the location of the front exterior elevation of buildings existing on the street. All buildings in the district must be placed within 3 feet of the build-to line. The build-to line will be in line with the adjacent buildings.”

J. Saraceni stated the definition should withstand a catastrophic event, such as a fire that claims a whole block. In this situation there would be no adjacent buildings to reference. Chairman Pelcher suggested the adjacent block would be used as reference for the build-to line. Nearly all the buildings are at the sidewalk and this would be a

guide as well. J. Saraceni suggested referencing the “historic building line.” G. Humphrey noted it would be obvious what the previous build-to line was in the event of a fire. J. Sutphen noted in this extreme situation the overlay could be quickly modified to address it.

Page 3: A definition for “build-out” was included. Some of the wording was corrected. “...up to 20 feet wide, but not greater than 25%” is crossed out, but Chairman Pelcher would like to keep that in. The specifications for sidewalks and alleyways are now followed with “...as approved by the Village Planning Board...” Alleyways between properties are discouraged.

B. Scherfling stated that he is concerned that a 20’ alleyway may look too wide. J. Saraceni noted that the Village Square Overlay District addresses alleyways, stating, “The build-out requirement may be reduced by adding a public use sidewalk or alleyway up to 20 feet wide connecting other walkways to pedestrian movement. The sidewalk or alleyway would be included in the 75% build-out requirement.” Chairman Pelcher noted this was included to address the potential for seating areas. J. Sutphen noted that if each property has a 20’ alleyway there could potentially be 40’ between buildings. Chairman Pelcher noted that he added, “Adjacent public sidewalks and alleyways between two properties are discouraged” to address this possibility. Also, alleyways would have to be for public use. The objective for alleyways is to provide connections for pedestrians, not vehicular traffic. There would not be curb cuts for alleyways to discourage cars from utilizing them. J. Sutphen suggested removing the term “alleyway” and use pedestrian sidewalk to get rid of any confusion as to its use. Chairman Pelcher agreed and the term “alleyway” will be removed. Also, if an alleyway is public, there needs to be something to address when it can be used for private use, like outdoor seating for a restaurant. M. Markham suggested licensing the use within the pedestrian thoroughfare in this situation. J. Saraceni noted that business owners on the one hand will like the idea of a pedestrian thoroughfare to increase exposure to their business; however, on the other hand they will not like the liability associated with that. Chairman Pelcher stated if a developer wants that walkway they will have to accept that liability issue. If they don’t want the liability, they will have to build out. He noted the Village does want to encourage full build-out with buildings right up to each other within this overlay district.

The word “alleyway” will be removed and “up to 20 feet wide” will be replaced with “up to 15 feet wide.” The term “public use sidewalk” will be replaced with “public use pedestrian sidewalk.”

Page 4: Item 3(e) – The word “materials” was added.

J. Saraceni noted the diagram under 3(d) may be problematic from a public safety standpoint. Seating is shown close to the street. He suggested placing the seating closer to the building for safety reasons. Chairman Pelcher stated he will rework the picture to show this. The picture will also show the requirement to maintain 6’ of unobstructed walkway.

Page 5: Item 3(g-3), “...increments of 30 to 40 feet...” has been changed to, “...increments of 20 to 40 feet...”

Page 6: Item 3(g-4) previously ended with, “...upon approval of the appropriate Village Board.” This has been revised to state, “...upon approval of the Village Planning Board.”

Chairman Pelcher stated this is a touchy issue as some things regarding cosmetic facelifts are ARB issues as well. J. Schanzenbach suggested adding “any site plan review in this overlay district must also be reviewed by the Architectural Review Board for conformity to the standards of this overlay” to the general notes. S. Darcangelo does not feel this is necessary because the Planning Board can just refer an application to the ARB for recommendation.

Item 3(h) Windows. Items 1 through 5 are new. Item 6 was revised to address federal or state energy code requirements.

B. Scherfling noted that Item 3(h-6) requires a minimum of 70% transparent glass. He thinks 70% is too high. Chairman Pelcher stated he got the 70% from researching ordinances, but he feels this is in line with existing buildings. J. Schanzenbach suggested choosing two or three businesses and measuring to see what the true percentage is. B. Scherfling stated they should keep it consistent with existing buildings. Chairman Pelcher stated this can be reworded if necessary. The 70% does specifically refer to the street level façade, not the entire first floor. The intent is to address the length of the glass, not the height. J. Schanzenbach stated it should be calculated by taking the height of the base and multiplying by the width of the building. The base is clearly defined in the diagram on page 5. S. Darcangelo noted that historically a lot of the buildings in this overlay were retail and, therefore, they wanted a lot of glass to display merchandise. Now there are some buildings that are fitness studios or offices, businesses that may not want a lot of windows. J. Saraceni noted this has been addressed in the past by businesses using screens or window treatments. G. Humphrey noted that the yoga studio used a frosted coating on the windows. Chairman Pelcher noted that that will not be allowed as there is a transparency requirement. Chairman Pelcher stated he understands some businesses may not like it, but this requirement is important to preserve the look of the Village.

J. Saraceni noted there is nothing in the Village code that prohibits the use of neon on the interior of a window. J. Sutphen feels this is a significant issue. The Four Corners area is historic and if the Code does not adequately address this issue then it should. She stated she can get some language to address this issue. This could be retroactive or applicable only if there is a change. Neon may require special permits through a permitting process.

Chairman Pelcher stated the Board will meet at Shamballa on Sunday at 9 am to walk this area looking at windows and signage.

Page 7: Item 3(j) discussed primary entrances.

S. Darcangelo noted that a lot of businesses have doors in front but do not use them as their primary entrance. He suggested removing the word “primary.” J. Schanzenbach feels that the use of the word “primary” in this item refers more to its distinctiveness rather than its use and removing the word may be more confusing. J. Sutphen suggested stating that there should be an entrance on the primary street that shall be treated as described item 3(j).

Page 8: Item 3(k) states that awnings shall be made of “a weather resistant fabric-product”

Item 4(a) The reference to parking lots was removed as there are no minimum parking requirements.

J. Schanzenbach noted that onsite parking is not feasible in this district for the density they are trying to achieve.

J. Saraceni suggested a payments in lieu of parking fee or impact parking fees for businesses that rely on municipal parking lots based on the square footage of the building to generate revenue to help with maintenance costs for public lots that the customers will be using. M. Markham is concerned this may discourage businesses from coming into this district.

Item 4(c) addresses utility connections.

J. Saraceni noted this only requires that the connections match color to the building. He would like to also addresses material. He noted the connection on the Galimi building. M. Markham suggested stating the connection needs to be on the back side of the parapet so it will be out of sight. Chairman Pelcher suggested “care should be taken to minimize the visual impact on the primary street façade.” When connections are made overhead, “care should be taken to minimize exposure of facilities on the main façade and conduits should not be visible.” J. Sutphen will work with Chairman Pelcher on the wording to be sure this problem is addressed appropriately.

The meeting was adjourned at 9:30 p.m. The next meeting is scheduled for Tuesday, October 28, 2014.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary