

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, September 24, 2013 7:30 P.M.
Approved 1/28/13

PRESENT: Carl Pelcher, Chairman
Dave Arthur
Terrie King
Mace Markham
Jim Schanzenbach
Bob Scherfling
Nicole Schlater

ALSO PRESENT: Mayor Joseph Saraceni
Stephen Darcangelo, Village Engineer
David Jones, Village Attorney
Gregg Humphrey, Codes Enforcement Officer
Susan LaQuay, Board Secretary

GUESTS: Mr. Mark Murphy (regarding McHarrie Towne Phase 3)
Mr. Kurt Hackwelder (regarding McHarrie Towne Phase 3)
Ms. Kathleen Bennett (for Morgan Management regarding 197 Downer Street)
Mr. Kevin Morgan (from Morgan Management regarding 197 Downer Street)
Mr. Todd Morgan (from Morgan Management regarding 197 Downer Street)
Mr. Mark Costitch (for Morgan Management regarding 197 Downer Street)
Mr. Dennis Hennessey (regarding 197 Downer Street)
Mr. Mike Gritzke and Mrs. Sharon Gritzke – residents of 105 Downer regarding 197 Downer)

Upon motion by D. Arthur and second by M. Markham, the minutes of the July 23, 2013 Planning Board meeting are approved. Motion passed.

Upon motion by D. Arthur and second by T. King, the minutes of the August 27, 2013 Planning Board meeting are approved. Motion passed.

OLD BUSINESS

Discussion/Action regarding Phase 3 – McHarrie Towne Expansion Concept Plan

Mr. Kurt Hackwelder and Mr. Mark Murphy are present to address the Board. Chairman Pelcher stated he received an email from Dave Harding and explained that the Planning Board must hear from Onondaga County before proceeding. The Onondaga County Planning Board meeting is tomorrow (September 25, 2013) and they should hear from the results by Thursday or Friday. Mr. Hackwelder stated he spoke with D. Jones to be sure they are on top of all the public notices, etc.

Chairman Pelcher stated the Village will be looking for a performance bond for the infrastructure, which for this project is just water. He noted this is standard. The Village will ask for a warranty bond as well. Mr. Hackwelder stated he will get together with Stephen Darcangelo and D. Jones to work this out. Stephen Darcangelo noted they will want to bond for a percentage of the cost of the infrastructure.

Chairman Pelcher asked if the applicant has discussed the PILOT with Mayor Saraceni. Mayor Saraceni stated they are in talks about making an amended PILOT and the Village Board will take care of this.

Stephen Darcangelo stated they will need to finalize storm water management and they will work to do that.

Chairman Pelcher asked the Board to let him know right away if they have any concerns and they will address those quickly.

J. Schanzenbach asked if the Planning Board is giving approval for a conceptual plan or is this considered site plan approval. D. Jones stated it is site plan approval through Planning. The applicant will then go to the Village Board to make it local law. Chairman Pelcher stated there will be two resolutions, one to accept the site plan and one to recommend that the Village board approve the update to the PDD.

Discussion/Action regarding Baldwinsville Apartments (197 Downer Street - former Tri-County Mall site) – Morgan Management

Mr. Mark Costitch, Ms. Kathleen Bennett, Mr. Kevin Morgan, Mr. Todd Morgan, and Mr. Dennis Hennessey are present to address the Board.

Ms. Bennett stated revisions have been made in response to comments, most notably the relocation of the club house/pool away from the residential properties. She noted they were able to accomplish that and create more green space.

Mr. Costitch stated they took a solid look at the site plan motivated by the desire for a more pedestrian feel and for relocation of the community center. This new plan is considerably different from what was originally proposed. Everything has been redesigned, including grading, lighting, and landscaping. The most notable change is the relocation of the community center. There will now be garages alongside the residential properties and the plan will still include the extensive berming and landscaping that was proposed for the community center. He feels the garages will make a good buffer and this layout has a much friendlier approach. This change not only increased green space, but they were able to add a building. This new plan has 9% more green space than old plan. There is now 65' between buildings. Mr. Costitch feels there is good pedestrian circulation with this new layout. He noted that fire access has been discussed as an issue of concern. He noted that they ran templates early on and submitted routes with the new plan. The program accommodated fire vehicles sufficiently. Mr. Costitch stated they have been working with Stephen Darcangelo regarding the water main concerns. Phase 1 will include sewer build out and they will provide bonds for sewer upgrades. Ms. Bennett stated these bonds will run for one year from when the infrastructure is constructed. Stephen Darcangelo stated there is adequate service to accommodate the apartment buildings plus the maintenance building going into the Village system. He is concerned, however, about the capacity at the lift station and the pump capacity. He would like to have something in reserve to ensure that the Village has a means to have a contribution from the developer to upgrade the facility if the need arises after full build out and occupancy. He believes it is adequate and it appears the County is okay with that will be going into the County system.

Ms. Bennett noted they had been discussing the sidewalk along Downer Street that would run along the site of the proposed restaurant. Mr. Costitch stated this is being marketed now. The plan will include a sidewalk. D. Jones stated that once that commercial parcel has a new tax map number, the change automatically triggers another site plan review for that parcel within the PDD. The Board is comfortable with approving that site for use as a restaurant or coffee shop. Stephen Darcangelo asked if the sidewalk construction along Downer is contingent on build out of that parcel or will it be done as part of phase 1. Mr. Costitch stated they would prefer not to do it as part of phase 1 as it would likely have to be disturbed when the restaurant is built, especially given the narrowness of the lot. Stephen Darcangelo stated he would like to see a sidewalk and a crosswalk there before too long and suggested putting a timeframe on the development of that sidewalk to connect with the Village sidewalk. He noted there is a lot of handicap traffic in this area. Chairman Pelcher agreed that there should be a time frame for the construction of this sidewalk and noted the Town of Van Buren will put in a sidewalk on the north side of Downer. D. Arthur asked if there will be a sidewalk in front of Rite Aid. Stephen Darcangelo stated there is really no mechanism to require Rite Aid to put in a sidewalk. The Village will have to discuss

that with the property owner. Mayor Saraceni stated Rite Aid has worked with the Village in the past and he is hoping they will do so regarding this situation. Right now, however, they need to address this with Morgan Management to take care of their part of the sidewalk along Downer Street. Ms. Bennett stated their issue with the sidewalk is the potential of putting it in and then damaging it during construction of the restaurant. She would not want her client to have to put in a sidewalk twice. Mayor Saraceni stated the Village can be flexible with the timing, but he would want to see it memorialized in some way to get it in within a reasonable amount of time. He noted the Village will be doing sidewalk work to be completed by November and he asked if they anticipate disturbing the east side of Meigs Road with construction of the apartment buildings. He proposed the Village making the sidewalks along Meigs part of the Community Development project and pass along the savings on the sidewalk. Stephen Darcangelo noted the sidewalk he is referring to is just south of the Microtel down to the south property line along Meigs Road. The Planning Board has discussed Morgan putting in that stretch of sidewalk, but it had also been included in a Community Development grant and he is concerned about the funding if they do not include everything they used to obtain the grant. He asked if Morgan would consider a cash payment for that section of sidewalk to offset the Village's cost. Mr. Costitch asked if the Village pays prevailing wage. Stephen Darcangelo stated they do pay prevailing wage, which makes it a premium, but there is no way around that. Mr. Costitch asked if the bid amount for the sidewalk would be lower if Morgan just puts in the sidewalk. Stephen Darcangelo stated he is not sure and he can check with the County. He noted the cost would be on a per foot basis to the cost of this section would be \$15,000. Mr. Costitch stated he can evaluate their cost compared to the Village cost. He thinks they can do it themselves for substantially less. Stephen Darcangelo agreed and stated they will take the approach that Morgan will be putting in that part of the sidewalk along Meigs and he will contact the County to address the grant.

Chairman Pelcher asked what they should consider to be a reasonable timeframe for construction of the sidewalk along Downer Street. J. Schanzenbach suggested two years. T. King asked what the timeframe for full build out is. Mr. Kevin Morgan stated it could be four to five years. They are not sure when they would have a tenant for the commercial parcel so it is hard to say when they would be building out that site. J. Schanzenbach asked, pending approval, when they plan to start. Mr. Kevin Morgan stated this winter. J. Schanzenbach suggested placing a 2-year requirement for the sidewalk along Downer. Mr. Kevin Morgan stated there is still the potential for damaging the sidewalk during construction. Mr. Hennessey suggested attaching a deadline to the approval of the site plan for that parcel when it is developed. Chairman Pelcher stated the problem with that is if that parcel sits empty for several years. Mr. Hennessey asked if this project had not been put forth would the Village have gone ahead and put in a sidewalk there now. Mayor Saraceni stated they had planned to do it now as they were awarded a sidewalk grant some time ago.

Stephen Darcangelo stated he is more concerned about the sidewalk along Meigs because the Village risks losing the grant money if that is not built. J. Schanzenbach noted that sidewalk would not necessarily have to be torn up if there are no utilities. Stephen Darcangelo stated the Village will try to obtain a credit for the stretch of road along Meigs, which will be installed during phase 1 by the applicant with a completion time of next spring or summer. He will have to sell it to Community Development. D. Arthur asked if they would have to tear up the 350 to 400' of sidewalk along Downer Street during development in order to bring in utilities. Mr. Costitch stated he believes they would have to pull it all up. Stephen Darcangelo stated the reality is if there is no sidewalk on the south side of Downer Street they will have people cutting down Meigs road coming into their development to get to Frawley Drive as it will be the only light-controlled crossing. The Village is making an effort to get pedestrians to Downer Street safely. D. Arthur stated he thinks if there is no plan for a tenant after two years then they should be required to put in a sidewalk. J. Schanzenbach suggested a deadline of three years.

M. Markham stated that ultimately a sidewalk on the south side of Downer Street will need to be on Morgan's property and the Village will need an easement for that in order to clear it. Mr. Costitch stated they would want to provide an easement so the Village would be responsible for the maintenance and liability. M. Markham suggested requiring a performance bond as the Village may ultimately have to put in the sidewalk. Chairman Pelcher suggested a performance bond with the condition that after a certain period of time the Village will use that money to construct the sidewalk if the applicant has not done it. Stephen Darcangelo stated he will come up with an estimate to cover the bond.

Stephen Darcangelo noted that, generally speaking, maintenance and replacement of sidewalks in front of private properties (commercial or residential) is the responsibility of the property owner.

Mr. and Mrs. Gritzke of 105 Downer Street are present. Mr. Gritzke states this revised plan is a great improvement. He is happy with the reconfiguration. However, he noted the area with garages behind the R1 properties has trees that are 45 years old and he would like to know if they will be preserved. Chairman Pelcher stated he knows he saw a plan showing some of them coming down. Mr. Costitch stated the trees right on the corner will need to come down. He indicated on the plan what area he was talking about. Mr. Gritzke stated he still thinks there should be a fence between this PDD and the R1 properties to prevent people from cutting through the garage areas. Mr. Costitch stated the fence was there as a sound barrier and was removed as the garages will take care of that. Chairman Pelcher noted that fence is not required between the types of properties as it is with commercial as this property is a PDD and it is residential. Mr. Costitch stated they can put up fences between the garages, connecting to the buildings, to keep people from cutting through.

Chairman Pelcher stated he has spoken to the school district and there are no longer any concerns about bus circulation. He noted that Centro would like to keep their stop in Rite Aid's parking lot as they don't feel comfortable sending a bus through the development. Gregg Humphrey noted that the plan showed the worst case scenario for fire truck access and when Chief Casey Pickard showed what routes trucks would actually take, there were no problems.

Mr. Costitch stated the SWPPP has been done and presented. It has not been revised, but there is a significant decrease in impervious area. Stephen Darcangelo asked if they changed the size of the retention. They did not. J. Schanzenbach asked if the SWPPP is based on phasing. Mr. Costitch was not sure, but they are looking at a five acre waiver so it is based on what earthwork makes phase 1 work

J. Schanzenbach asked if Phase 2 will be graded and seeded with Phase 1. Mr. Costitch stated they have designed the plan such that Phase 2 is only disturbed in the amount necessary to make Phase 1 work. They do not intend to do all the earthwork during Phase 1. Phase 2 will be graded for proper runoff and stabilized with seed and/or stone. Ms. Bennett stated that Ellen Hahn from the DEC commented on how well Morgan Management has been working with Clay regarding their development there, particularly with storm water. J. Schanzenbach stated that is significant as Ms. Hahn is pretty tough.

Mr. Hennessey stated the remaining structure will be demolished and removed prior to closing.

Stephen Darcangelo stated he had sent Mr. Winterkorn a layout for the possibility of independent water. Mr. Costitch stated that Mr. Winterkorn had described it to him today and felt their plan resulted in slight reduction of the water main over what they were originally doing. Stephen Darcangelo stated the Village will run a water main connection to Downer Street up Meigs road to that connection and then include a water main that will loop on the SE corner of the property over to Landrush Way. This provides water service to all of the southern portion of Meigs as it is today. Everything within the development can be private. There is no need for water to traverse through their property. Stephen Darcangelo stated this would be his preference. Ms. Bennett stated Mr. Winterkorn believes this requires an easement. Stephen Darcangelo agreed and stated the Village will handle the issue of obtaining the easements.

D. Arthur stated he is concerned about the boulevard design and the way the entrance is tapered. He is concerned about possible stacking. Mr. Costitch stated it is just striping and that is a common design. At some point cars will have to transition from one to two lanes. Stephen Darcangelo stated he does not have any concerns with this design.

D. Arthur noted there are no sidewalks by the maintenance building and he is concerned about pedestrian safety if people park there. He recommended putting in more sidewalks. Mr. Costitch showed that there is sidewalk in that area and they could connect it.

D. Arthur noted there is a dumpster in the middle of a green area and suggested moving it closer to the maintenance building to get it out of the green space. Mr. Kevin Morgan noted they really do not want residents in the maintenance

area. D. Arthur also noted that some dumpsters shown are squared off rather than angled and Mr. Costitch stated that some are okay to be squared. There is one that needs to be fixed, however.

D. Arthur noted there are light posts located in snow storage areas. He suggested moving them over so snow can be pushed through that area. Mr. Costitch stated that is a good point and they will look into it.

D. Arthur noted that the title on page 2 still says "Wegmans." Mr. Costitch stated he will revise that.

J. Schanzenbach thanked the applicant for coming up with an alternative plan and feels the revisions work very well. He did have some details to address. There are some spots where they will need some "no parking" and some fire lane striping. This should be looked at and addressed. There are some areas where there should be stop signs as well.

Regarding photometrics (page EA100), Stephen Darcangelo noted that the Village has adopted a crook light in all public spaces. Mr. Costitch noted that this is usually more expensive and not as efficient; however, they could use this at the entrance and exit to be more consistent with the Village. Stephen Darcangelo stated he will provide them with the cut sheet.

M. Markham asked if there will be a sign at the entrance. Mr. Kevin Morgan stated they would like to have a monument sign at Meigs and Downer. Gregg Humphrey noted they are allowed to have one sign unless they obtain a variance. Mayor Saraceni noted that the ARB has jurisdiction over commercial sites and this is a residential use. Mr. Hennessey asked if the Planning board could approve signage without ARB since his is a PDD. Gregg Humphrey stated the code states that ARB needs to look at PDDs (page 345:55). Chairman Pelcher does not feel this will hold up site plan approval at all. Gregg Humphrey stated everything they have presented seems to be in line with ARB guidelines and this is really just a formality.

Ms. Bennett stated that she feels the PDD language allows the Planning board to address the signage without requiring ARB involvement. She stated the law they drafted includes signage and she wants to be sure it is correct.

N. Schlater stated she likes the pedestrian flow of the property and feels it is much safer. However, she noted the garages in Phase 1 have an alleyway in between them where they back up to each other. Mr. Kevin Morgan stated they will have the garages share a common wall to get rid of that alley. Gregg Humphrey noted the garages can share a common wall as long as the common wall is not on a property line. If it's on a property line it would need a firewall.

N. Schlater noted that the bottom two buildings are separated from the rest of the site by garage bays. Mr. Costitch stated this is intentional as there is a sewer issue and it needs to be laid out that way. These buildings will see less traffic and will likely be more exclusive.

T. King thanked the Applicants representatives for working so well with the Village and addressing their concerns. M. Markham stated that, speaking as a Village resident, he is happy to see that this site will be cleaned up permanently.

Chairman Pelcher stated he would like to make a resolution to accept the site plan and incorporate the garage, sidewalk, and signage issues. D. Jones stated the performance bond or letter of credit for the infrastructure for the phase 1 sewer and the timeframe for the sidewalk should be memorialized in the resolution as well. Stephen Darcangelo stated the sewer bond should be \$10,000. Gregg Humphrey noted that the placement, size, and number of signs will be addressed by the code. Ms. Bennett stated she would like to work out all the details prior to a resolution to be sure it is worded properly. D. Jones agreed that would be preferable. He and Ms. Bennett will work together to craft an appropriate resolution.

Mr. Costitch stated he is reluctant to completely redo the site plan until he is sure all the comments have been heard. D. Arthur stated the Board will provide him with a list of revisions. Mr. Costitch suggested resubmitting the revised site plan in its entirety for the final plan and for signatures, but just submitting sheet 5 for the next meeting. The Board agreed.

T. King noted that the light poles are not shown on the site plan. Mr. Costitch stated he will fix that.

Mayor Saraceni noted that once the Planning Board approves the site plan, the Village Board will need to look at it in November. A public notice will need to be published. A special meeting might be appropriate to get the process moving. Mr. Kevin Morgan noted that they don't need to move quickly given the time of year and the demolition will happen before they own the property. Mr. Hennessey stated the demolition is contingent on approval of the site plan.

Chairman Pelcher stated they will make a resolution at the next meeting after the issues discussed at tonight's meeting have been addressed. They are as follows:

1. Garages should be joined with shared wall
2. Fences will be installed between garages bordering residential properties
3. Traffic signs/fire lane signs should be shown on plan
4. Light poles should be shown on plan
5. Crook lighting at the entrances to match Village lights
6. Interior sidewalks (building L)
7. Bond or letter of credit provided for sewer on phase 1 – \$10,000 one year past phase 1 development
8. 3 year deadline for construction of sidewalk on Downer starts with closing of property
9. Easements provided for water mains and routing of water mains themselves

OTHER BUSINESS

4-Corners Overlay District

Chairman Pelcher stated he will send out an updated version of the overlay for the Board to review and comment on.

The meeting was adjourned at 9:20 p.m. The next meeting is scheduled for Tuesday, October 15, 2013.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary