

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, November 27, 2012, 7:30 P.M.
Approved 12/11/12

PRESENT: Carl Pelcher, Chairman
Dave Arthur
Terri King
Mace Markham
Jim Schanzenbach
Nicole Schlater

ALSO PRESENT: Gregg Humphrey, Code Enforcement Officer
David Jones, Village Attorney
Susan LaQuay, Board Secretary

GUESTS: Christian Brunelle (regarding 85 East Genesee Street/Byrne Dairy)
Larry Tyson (regarding 85 East Genesee Street/Byrne Dairy)

Chairman Pelcher noted that B. Scherfling is unable to attend tonight's meeting.

Approval of minutes from September 25, 2012 will be postponed until the next meeting.

OTHER BUSINESS

The meeting scheduled for December 25, 2012 will need to be rescheduled. After discussion it was decided that the new meeting date is Tuesday, December 11, 2012 at 7:30.

NEW BUSINESS

Site Plan Review regarding 85 East Genesee Street (Byrne Dairy)

Chairman Pelcher noted the Board has received new plans for this site. An informal meeting was had with Christian Brunelle, Gregg Humphrey, Stephen Darcangelo, and himself to review this and he stated the special use permit is still applicable.

Mr. Christian Brunelle is present to address the Board. He brought the old site plan in for comparison. In the previously-approved site plan, Byrne was going to use the existing building. After receiving approval, CSX told Byrne they would be willing to sell some adjacent land to them. This is the reason for the new site plan. Byrne now owns three parcels which will be combined into one.

Mr. Brunelle noted the previous application had been reviewed by all the boards. They obtained a special use permit from the Village Board in August of 2010, site plan approval from the Planning Board on March 22, 2010, ZBA approval for signage on April 11, 2010, ZBA approval of a parking variance on May 9, 2010, and the ARB approval for the building design and signage package on August 1, 2010, and final approval from the Village Board on August 18, 2010, at which point they agreed to reduce the size of the signs.

Mr. Brunelle noted that the property addressed with the old site plan had a very narrow frontage and the site was only 1.3 acres. Now the property is 2.7 acres and they have gained 70' of frontage (now 153'). Byrne decided that it was a better idea to develop the entire property rather than use the old site plan.

Mr. Brunelle stated they had obtained a DOT permit on November 21, 2011 for the driveway on Route 31 and this was valid for one year. He obtained a one-year extension and the permit is now valid until November 21, 2013. On November 26, 2012 he spoke with Patty Bush, the permitting engineer who is handling this project, about the new site plan. She stated as long as the driveway does not move that there is no need for any additional submissions to her. All she requested was a copy of the SWPPP at the end. They designed the site plan around the location of this driveway. The driveway on Spruce Street did move a few feet and now the headlights will line up between the houses, which was a concern brought up by a resident at one of the meetings for the original site plan. The green space has not changed. They have added 550' of sidewalk to this area of the Village. There will be a concrete patio for picnic tables.

Mr. Brunelle noted that the East Genesee Street Overlay District has extended east to include this property since the last site plan review. Therefore, fencing is required and Byrne is proposing black ornamental fence across the front of the property and turning the corner. The buildings will be kept parallel to Route 31, as required by the East Genesee Street Overlay.

Mr. Brunelle noted that parking requirements have changed since the last site plan was approved. This site now requires 54 spaces and Byrne is providing 56, which is sufficient for both buildings. This number does not include the 12 parking spaces under the pumps. Mr. Brunelle noted that there is a lot of land left for future expansion of the building(s) and expansion of parking. He noted there is room for 30 to 40 more parking spaces even with an expansion of the building. He stated they will overbuild the storm water management area in anticipation of adding impervious surfaces in the future.

D. Arthur noted the dumpster for the existing building is not on the new plan. Mr. Brunelle stated they will no longer need to provide that. There will be one for the new store and they will provide one for the existing building if they need to at a later time.

Mr. Brunelle handed out a packet that showed existing Byrne stores so the Board could see how the building will look inside and out. He reviewed the signs. He noted the plan states the freestanding sign is 73 ft², but this will be changed to 60 ft². The signs will have gooseneck lighting. The building sign used to be 72 ft², but it is now 42 ft² and this is reflected in the signage package. The canopy sign matches the store signs and will be made of vinyl letters. Each canopy sign is approximately 27' long x 3' tall. There will be 3 canopy signs. The packet also includes fencing choices. The fence will be 4' tall. He had planned 3', but the contractor told him 3' is hard to get. The fence will be a black ornamental fence. M. Markham stated he would like to see the Applicant use the 2-rail 4' fence because it is consistent with the fencing the village uses along the trails. Mr. Brunelle stated he is open to that to make it uniform with the rest of the village.

Mr. Brunelle handed out an exterior lighting plan. All lights are dark sky-friendly and are intended for residential areas. They are 100% LED. The lighting plan shows the actual site and layout in 3D. Chairman Pelcher stated he will talk to Stephen Darcangelo about the lighting and drainage. Mr. Brunelle stated they will include landscaping on Spruce. M. Markham stated he likes how the lighting on Spruce Street casts in on the property. He noted there are two National Grid street lights that shine out into the street at that area. He asked if there was a way to get rid of the National Grid light and just use the lighting on the Byrne site because he is concerned about the area being overlit. Mr. Brunelle stated he would not want to be responsible for street lighting. Also, none of his light will spill out on to the street.

J. Schanzenbach asked about the pavement in the parking lot. Mr. Brunelle stated all the paving and the subbase will be new.

J. Schanzenbach asked if they have a SWPPP now. Mr. Brunelle stated the plan right now is conceptual but a SWPPP will be done. J. Schanzenbach asked if this will be needed for approval. D. Jones stated they can do a contingent approval to address this.

J. Schanzenbach asked if they are still considering putting in an ATM, which was discussed with the previous site plan. Mr. Brunelle stated there is no room for that now.

J. Schanzenbach asked if all the islands have concrete curbing. Mr. Brunelle stated they do. They did leave the curbing off the back of the parking lot to accommodate snow storage.

J. Schanzenbach noted that at the Planning meeting dated 8/24/10 a sunset provision was mentioned regarding the Special Use permit. D. Jones stated he will look into that. Mr. Brunelle stated they actually started the project when he pulled the demo permit for asbestos removal.

D. Jones noted the Special Use permit runs with the property, but now they are adding parcels. G. Humphrey noted that the tank storage, which necessitated the special use permit, will stay on the same parcel it was approved for (still 85 East Genesee Street). D. Jones noted that the 3 parcels do not require formal resubdivision. However, that will be changing so he cautioned Mr. Brunelle to be sure he gets this combining of parcels done before March.

J. Schanzenbach asked about the ground level mechanicals. Mr. Brunelle indicated their location on the plan. They will be within a fenced enclosure.

J. Schanzenbach noted that the new overlay requirements may require a fence between residential and commercial properties. Therefore, a fence would be needed in the back even if that part of the site is not being developed. Chairman Pelcher stated he will look into this and he believes it may be a 6' to 8' wooden fence. Mr. Brunelle noted the last plan did include a 4' fence for 40' and then it went up to 8' for the remainder. G. Humphrey stated he checked the East Genesee Street overlay and the site does need a solid wooden fence for screening between residential and commercial properties. Mr. Brunelle stated they will include that in the plan.

D. Jones noted that they will need to do another short form EAF and a 239 for the county. Mr. Brunelle stated he has already done the short form.

Mayor Saraceni stated he agrees with M. Markham that the ornamental fencing should be consistent with the fence the Village uses. He suggested that the lighting fixtures should be consistent with Village lighting as well and noted the fixtures in the Village Square. He also noted the curbing should be consistent. There is granite curbing on East Genesee Street. Mayor Saraceni stated he thinks Byrne did a great job with this plan. D. Arthur agreed and stated it is refreshing to see such a complete, professional presentation.

This discussion will continue at the December 11, 2012 meeting.

OTHER BUSINESS

Informal Discussion regarding 49 East Genesee (former Burger King)

G. Humphrey stated he has been in contact with COR development, who has a few interested tenants for this property. He discussed with them the plan Mr. Hucko had brought in previously that included a drive-thru and all the traffic was entering and exiting onto Mechanic Street. He also explained to them that the Village is looking to get a curb cut eliminated. However, because the curb cut is not on their property, COR may not be able to plan for that.

Four Corners overlay

Chairman Pelcher wanted to review the overlay document he sent out via email. He noted that J. Schanzenbach had a good idea in that this should be taken to an urban planner/architect for them look over. He noted that they have already run into some issues with the East Genesee Street overlay not making sense in practice when working with Byrne. G. Humphrey noted there was some confusion with the verbiage in the East Genesee Street Overlay in that it did not directly apply it to commercial properties, but specifically to business properties. Mr. Brunelle read the overlay and originally thought that because they were zoned Commercial that it did not apply to them. However, the commercial code refers back to business code so Byrne does need to comply with the East Genesee Street Overlay.

D. Arthur wanted to discuss the south boundary. He spoke with the Mayor about this and both towns, the village, and the school district have approved 485A, the provision for business development for 2nd floor residential use. This should be considered when trying to plan for the future and they should consider extending that district boundary. T. King noted that the group that walked this overlay did not strongly have definite opinions about that border and it is still up for discussion. M. Markham noted that they talked a lot about the style of the Village and the style changes at the canal. There are multi-story up to the canal but then from the canal going south, everything is just two-story. To him there was a definite character difference after this point. D. Arthur agreed, but noted this is the current character and he stressed the importance of looking to the future. T. King stated she feels it should go all the way to Marble. Chairman Pelcher stated that historically some of those buildings were multi-story.

Chairman Pelcher wanted to address build-to lines, section 3(a) on page 2. He feels it should be right from the curb to the front of the building. D. Arthur agreed and stated he thinks this is imperative in this section of the village. T. King agreed. Chairman Pelcher stated he did some measurements and many streets were not the same. He noted one side of Oswego Street was 15' to the curb and the other side was 12' to the curb. Because of this there should not be an exact measurement, but rather the overlay should state that the build-to line should be in line with neighboring buildings.

Section 3(b) on page 2 addresses build out to 100%. Chairman Pelcher stated he is not wedded to 100%, but basically buildings are going to be touching each other. J. Schanzenbach noted that builders are then provided with an "out" in Section 3(b1) with the option for alleyways or public use sidewalks. He suggested adding to the end of Section 3(b1) "...up to 20 feet wide *but not greater than 25% of the total frontage*" to avoid a situation where, for example, a building with 40' of frontage has a 20' alleyway and now only has 20' of building.

Chairman Pelcher noted that he included a lot of architecture elements in this overlay. He asked if it is possible that the Planning board may not enforce it and it may need to be handled by the ARB. D. Jones agreed that it was a good idea to include architectural language in this overlay because it is a good way of illustrating to a developer what the Village is looking for and what is consistent with an overlay district. It is good to show the Board's intent.

Chairman Pelcher stated he had noticed that a lot of municipalities are including drawings in overlays.

Chairman Pelcher noted that the building height requirement may change as he was not sure what he wanted in there while he was writing it.

Chairman Pelcher wanted to discuss fenestration, Section 3(g7). Chairman Pelcher noted this is a touchy issue because of energy requirements and needs to be addressed more. He put in a typical fenestration for a historic village like ours. T. King noted she has not seen it be much of an issue in projects she has worked on. Mayor Saraceni noted that some buildings in the Village have small windows up high and this is the type that should be avoided. J. Schanzenbach suggested adding that “*minor exceptions to the percentages above will be considered if the applicant can demonstrate an inability to meet energy code requirements using the percentages above.*” The key word is “minor.”

Chairman Pelcher asked the Board to review the packet further and think about what else should be included and what needs to be reworked.

Mayor Saraceni stated that the board should be aware that grants under provision 485A are available now.

The meeting was adjourned at 8:35 p.m. The next meeting is scheduled for Tuesday, December 11, 2012.

Respectfully Submitted,

Susan A. LaQuay

Planning Board Secretary