

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, September 27, 2011, 7:30 P.M.
Approved 10/25/11

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

ALSO PRESENT: Tim Baker, Village Engineer
Gregg Humphrey, CEO
Dave Jones, Village Attorney
Susan LaQuay, Board Secretary

GUESTS: Mr. Joseph Mastroianni, PE; 136 East Genesee Street
Mr. Scott Jones; Northside Collision

Upon motion by D. Arthur and second by N. Schlater, the minutes of the July 26, 2011 Planning Board meeting are approved with corrections. Motion passed.

NEW BUSINESS

136 East Genesee Street –Parcel No. 2

Mr. Joseph Mastroianni, PE is present to address the Board on behalf of the Applicant. He noted this property had a site plan previously approved, which has expired. They are, therefore, reapplying. He noted there have been no changes to the site plan that was originally approved. This building will be very similar to the building on Parcel 1 at 138 East Genesee Street. The existing building is 8000 square feet in size. The proposed building on Parcel 2 will be 4000 square feet. This property also received a variance from the ZBA regarding setbacks (from 50' to 30'). Chairman Pelcher noted this setback is in line with the houses in the area.

The site will have access from Festa Fairway, not off of East Genesee Street, through a one-way entrance and exit. There will be angled parking to meet the parking requirements. Chairman Pelcher noted that since the original approval of this site plan, the Village parking requirements have been reduced. This means they will be providing extra spaces. The site has been contoured and drains into an existing catch basin. There will be another new catch basin that will go back to the detention pond. The water is tested routinely (twice per year) due to the former use of the site (a car repair shop). The DEC requires one every 15 months. J. Schanzenbach asked if there is sunset date on this testing provision. Mr. Mastroianni stated this is somewhat of a test case and there is no sunset date. He stated the drainage plan was designed with full build out of the housing development in mind as well as to handle flow from the adjacent development. T. Baker noted there is a swale along the property line that will prevent flow onto properties on Brooks Place. This will be maintained.

Mr. Mastroianni provided a lighting plan. They will be using the same units as on the existing building and parking lot. There is an existing stockade fence (not shown on the plan) to separate this property from the residential property next door. D. Arthur noted the lighting plan shows that the spillover onto adjacent property is 3.63. J. Schanzenbach noted that this is too much and the light pole itself is taller

than the fence, so the fence will not mitigate sufficiently. Mr. Mastroianni stated he will see if this can be adjusted.

Mr. Mastroianni stated the building will be used for office type use. They already have interested potential tenants.

A landscape plan was included as well. There will be a landscaped berm along the fence. M. Markham asked how much room is between the berm and fence. Mr. Mastroianni stated there is approximately 10'. B. Scherfling noted that on page D1 the berm slope is 1:4 maximum and the berm cannot get 3' high within 10' with this slope. Mr. Mastroianni stated this will be modified. He noted this page was used for the other building and needs to be adjusted to correspond with Parcel 2. Chairman Pelcher stated the landscaping on the plan looks well done. The plantings detail on page D1 is like that of the other building. Chairman Pelcher noted the trees along the back of that building look sparse and he wants to be sure they will provide a sufficient shield.

Mr. Mastroianni noted they will adhere to the schedule on page E-C1 regarding erosion.

Chairman Pelcher stated the new parking requirements are 1:500 minimum. J. Schanzenbach stated he would like to see the 16' parking spots become 20' parking spots. Mr. Mastroianni stated they can do this by taking out the 2 back corner parking spots. J. Schanzenbach noted that he cannot tell from the plan where the handicap parking space is located. Mr. Mastroianni stated they will make sure to fix this on the plan. B. Scherfling noted that on P2 next to the handicap spot there is a gap in the curb. Mr. Mastroianni stated this is for drainage purposes.

J. Schanzenbach asked if the DEC has any further restrictions on this property. Mr. Mastroianni stated he is not aware of any. There are some wells that are not coming back clean and the DEC feels that contaminants are being held in by the roadway. M. Markham asked who monitors the contamination during construction. Mr. Mastroianni stated they will monitor and record the readings and provide this to the DEC and the Village.

Chairman Pelcher stated that for the next meeting, the Planning Board would like to see more detail regarding lighting, the berm, and the detail corrections that were discussed.

The Planning Board will hold a special meeting on Tuesday, October 4, 2011 to further address this application.

Northside Collision

D. Arthur stated he feels that the rear and side yard setbacks need to be clarified before the Board can properly review this application. He believes it is a backyard from NE to NW, but it is being interpreted as a backyard/side yard, which is incorrect in his opinion. T. Baker stated the interpretation on the plan is reasonable and, while it might seem convenient, he does not see another interpretation for this. He noted the adjacent property owner (Margaret Daly) considers the SE corner of her property line to be a side yard. Chairman Pelcher agreed that this is something that should be discussed. D. Arthur is concerned about setting precedent and feels the yards should be clarified. J. Schanzenbach asked if there is any legal precedent regarding this. D. Jones stated he is not aware of any legal precedent, but he will research this further. He stated he can do this within a week.

The Applicant will return on October 4, 2011 to attend the special meeting.

OTHER BUSINESS

Burger King Property

Chairman Pelcher stated he met with Mr. Joe Hucko regarding this property. Mr. Hucko stated he would like a drive thru, but it was his impression this would not be looked upon favorably. The drive-thru would queue up along the back of the building and would exit on and off Mechanic Street. He would leave the curb cut on East Genesee Street open. Chairman Pelcher noted that Mr. Hucko does not own all the property in question. Some is owned by Brian's Dry Cleaning and some is owned by Village Hardware. There is shared parking, but some of the involved parties say there is no agreement.

M. Markham stated he would like to the East Genesee Street entrance closed. D. Arthur stated he feels the drive-thru traffic onto Mechanic would be too much for the street to handle. N. Schlater noted that there are certain Panera and Dunkin Donuts locations that are doing well without drive-thrus.

Chairman Pelcher stated he will discuss the Board Member's opinions with Mr. Hucko.

Byrne Dairy

Chairman Pelcher stated this plan seems close to being finalized.

3rd Overlay

Chairman Pelcher stated this will be further discussed at the next regular meeting. He would like the Board members to consider whether they should create a 3rd overlay or extend the 2nd. He favors extending the 2nd and N. Schlater and M. Markham agreed. The boundaries for the extension will need to be worked out. D. Arthur stated he also favors extending the 2nd overlay. Chairman Pelcher stated he will make copies of the maps and the Board will plan to extend the 2nd overlay. The boundaries will be determined at the October 25, 2011 meeting.

Laundromat in Village Hardware plaza

G. Humphrey stated the smoke shop will be extending into this storefront and plans to pave the area around it. He asked if they will need a site plan. M. Markham noted this building has been vacant for years and potentially will need review. G. Humphrey noted that there is no change in use. It will still be retail/business use. The entrance is not being changed. T. Baker stated he does like the idea of paving right up to the building.

Chairman Pelcher reviewed site plan triggers. One trigger addresses pavement. He feels if they are planning new pavement they should come before planning. J. Schanzenbach stated he feels this may discourage business owners from making improvements and this creates a catch-22.

D. Arthur suggested telling the potential applicant that the Board appreciates the improvements to the property and would like him to keep working with the CEO and with the Village Engineer, but the Planning Board would like to see a parking plan. M. Markham would like to be sure no parking spaces go in on the Albert Palmer side of the building that may create traffic problems. Chairman Pelcher agreed that this is a difficult area traffic-wise and it should be addressed through Planning. T. Baker would also like to see the plans for ingress/egress.

D. Arthur stated the Board should consider if they want an applicant to make some improvements, should they require a full site plan or should they look at just the improvements and require a parking plan. T. Baker stated he would like the Applicant to come to him and show him what is being proposed for the right-of-way. D. Arthur would hate to discourage property owners from making improvements and feels that striping and asphalt should be able to be handled through the codes office. Chairman Pelcher

disagreed given the location of this particular property. D. Arthur asked if there is a legal problem with having the CEO work through this. D. Jones stated that the potential Applicant should provide a sketch plan that would go to the CEO and the engineer and the Planning Board should be kept in the loop.

The meeting was adjourned at 9:00 p.m. The next meeting is scheduled for Tuesday, October 4, 2011.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary