

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
TUESDAY, June 23, 2009 at 7:30 p.m.

PRESENT: Carl Pelcher, Chairman
Dave Arthur
Don Cronk
Larry Barnett
Jim

ABSENT: John McFall
Also Present: Tim Baker, Village Engineer
Ron Carr, Village Attorney
Marie Giannone, Secretary

Chairman Pelcher called the meeting to order and thanked Chris Savacool for all he has done as past chairman of the planning board.

Chairman Pelcher asked for a motion to approve the minutes of April 28, 2009. Minutes approved.

Mr. Orlando and Mr. Chemotti were present to address the board on the EDR project, specifically as it relates to their property – the B'ville Diner.

Mr. Orlando addressed the board. He had a sketch to illustrate his proposal for the area around the B'ville Diner.

Mr. Orlando's ideas included:

- Construct a two story building adjacent to the diner to house the air conditioning units and dumpsters. Shrubbery would be used to enhance the area.
- Building would have a flat roof.
- Back side would have load dock for deliveries.

Chairman Pelcher asked about the exit at Virginia Street. Mr. Orlando said they are flexible and it would be whatever the village wanted. It could be two way traffic or one way.

Mr. Orlando said when looking down from the four corners, there are no trees lining the street and he hoped that trees would be added for curb appeal as shown on the diagram.

Mr. Orlando said the Rite Aid building could jump up to a four story building with two story buildings in the front area (as shown on sketch).

Mr. Cronk asked Mr. Orlando if he could not increase the size of his property for the addition, would he consider adding in the back of the diner. Mr. Orlando said he does not have enough property to add in the back. Mr. Orlando said the B'ville Diner sits right on the line.

Chairman Pelcher said Mr. Orlando's plan accomplishes a lot as it shows more infill, more density having retail on the first level with apartments above.

Mr. Orlando concluded with his presentation stating that this was a pretty simple, basic plan.

Chairman Pelcher asked about the sidewalks. Mr. Orlando said one sidewalk will wrap around diner and the other will lead to the trail. Mr. Orlando said the other property owners are waiting to see what is going to happen with this project.

Chairman Pelcher that the EDR project covered a lot of these items.

Mr. Baker said this is setting a standard to clean up the back of the building.

The area to the left where the addition will be is owned by the village.

Mayor Saraceni thanked Mr. Orlando for coming to the meeting to present their ideas. They were well received by the board. Mr. Arthur said that Mr. Orlando brings a lot of creativity to the village and this was appreciated.

Mr. Joe Ehle, representing Getman and Curtis Street project addressed the board.

Mr. Ehle had old maps dating back to 1962 of Curtis and Getman Streets tracks provided by Tim Baker. Mr. Ehle referred to his sketches and showed where he would put in a swale across the back. The residents (4 homes) would maintain the swale. Mr. Ehle said he would make the swale a mowable area. Mr. Baker said there is already an outfall under Curtis. Discussion on swale and outfall continued referring to the map.

Chairman Pelcher asked about driveways. There was not any good recommendation as to what could be done. Mr. Baker said the stub is needed for turnaround by village equipment.

Mr. Baker said Lots 15 and 16 have to be contacted about what their expectations are as it relates to the stubs and the street continuing on. The stub (Getman) is not deeded, and this is pretty much a paper street. This was never recorded as a plat. This is not on the tax maps.

More discussion continued on the stub and turnaround. Mr. Baker was going to have his personnel look at this.

Mr. Ehle said they are open to suggestions on how to make this work with the stubs. Mr. Arthur asked about the road and who owns it. Mr. Baker said the people should own to the road. Engineering is not an issue, but the village does not want private roads, as this becomes a problem for maintenance in the future.

Mr. Cronk asked for an updated sketch showing all the changes and updates that have been made. He said it could be easier to look at with the changes made. Mr. Ehle said if this is the direction the board wants to go, he would provide an updated plan.

Discussion continued on the stubs and if it constituted dedication. Mr. Carr said that you don't dead-end a road and give residents rights for a lack of a better word, expectation of corner property. Mr. Ehle said they built the driveways on those houses off those stubs. Because maintenance of those stubs is difficult, the owners have maintained it. The middle paper street is grass and is maintained by the adjacent owners. After a period of time, does it become the property of the owner. Mr. Baker said not in New York State. In New York State government cannot lose property to adverse conditions. Mr. Carr said the question can be presented if we abandon rights in a paper street. Mr. Baker said he was going to do some research to see what was recorded on tax maps.

Mr. Ehle said there would be 30 ft frontage on future homes. Mr. Ehle also said he would pass the diagrams on to the fire department for their comments and/or recommendations.

Chairman Pelcher thanked Mr. Ehle for his presentation and updates. He said that they will be in touch with him to come to another board meeting when the board has some recommendations for his project. Chairman Pelcher said he was going to discuss this further with Mr. Baker.

Mr. Ehle thanked the board for their time.

Chairman Pelcher said he had a discussion with Mr. Baker on the cluster zoning. A discussion followed with the following covered:

Does cluster zoning have to go before village board first and then back to the planning board.

Mr. Baker said he understood this to be a higher density zoning.

Cluster zoning has to maintain the same density.

Mr. Carr said procedurally you come in with a map that shows what the build out or density would be according to the district, then show clustering on the map which should show the same density.

Mr. Carr said the map showed development at a higher density that would normally be required; that being the case, in order to develop that, they simply would have to modify the density.

Mr. Carr said that is not a complicated thing to put into place plug it in and modify the planning laws to create the authorization for the planning board. That would give the board a lot of power in a sense, in other words, the board can vary front and side setbacks, etc. otherwise under normal development would have to be sought after by variance to the zoning board. Under cluster concept, the planning board would be able to waive or alter a lot of requirements.

Mr. Carr said he was not sure of what the other concept means – higher density. An example of this was given by Mr. Baker. He said what would happen if the Rite Aid people wanted to put up a six story high rise building at the present location. Mr. Baker said there is no zoning for this type of density.

Mr. Trasher said when they were at the last planning board meeting, they stated they wanted to have zero lot lines, narrower lots and greater depths. Mr. Trasher said their statement was that there is not a lot of space left in the village for residential- type development. Mr. Trasher said they would like to have more units but realize under the Standard 278 provisions of state code what you can get in normal lot size that is what you are allowed in terms of clustering and they show more units that they could have. Mr. Trasher said if there was a higher density it would benefit the developer and also the village.

Discussion followed on all past Alberici projects to show what patio homes look like. Mr. Trasher will do a typical municipality and submit it to the planning board. Mr. Carr said the way to address the Alberici

project is by a cluster concept which would minimize the amount of density, but would be a way to develop the concept.

Discussion followed on the concept of a floating district. Density requirements would be set up, zero lot lines, etc. and develop this concept. Mr. Carr said where would this go? Mr. Carr said if it was a fixed district, it may not be adaptable to that particular development. Mr. Baker said you would not want this type of high density zoning adjacent to R1A. It may be restrictive to R1 or R2. Mr. Arthur said he did not know if you would want to bounce this into any zone district. He said R2 is a multi family and may be a deviation from what our current code is and also in a multi family district you can do this.

Mr. Arthur asked what the Alberici property is zoned. It is zoned R1 and R1A and can do single or two family. Mr. Baker said the difference between R1 and R1A are bigger lots.

Mr. Carr said to address the Alberici property, the only way would be to do a cluster zoning.

Mr. Arthur said it is a good concept to have but the board would still have the authority to turn down an application. Mr. Arthur asked where we allow cluster zoning. Mr. Baker said the board can say that they will not do cluster zoning in a R1A district. R1A is the most restrictive as these are single family, bigger lots. Mr. Arthur asked if this should be looked at under the special use permit. Floating overlay? He said it has to appear in residential but it brings it to review that the planning board and village have to approve it. He said if you have an R1 next to a R1A and you are permitting this high density, multi family structure next to a R1A, is this something that the board wants. Mr. Carr said this is allowed now. Mr. Arthur said two-family dwelling next to single family (R1), but not high density. Mr. Carr said special use permit would not satisfy cluster concept. The density stays the same in that district, but the buildings are clustered together.

Discussion continued on clustering and whether this would help the Alberici project. Mr. Trasher said their scenario is when they took a subdivision map which has wider lots than what the zoning ordinance allows. He said when they go and do a density sketch for that piece of property, they are going to take the 100 ft wide lots down to the minimum lot width. He said that is how they will come density to density. Mr. Arthur asked if what was presented was a higher density. Mr. Trasher said they have to give the board a density map based on the current zoning showing minimum lot size for that zoning. He said that is what is used for clustering.

Chairman Pelcher asked Mr. Carr to draw up a cluster concept language to be discussed possibly at the next planning board meeting. Mr. Trasher said he would provide a map with density for cluster zoning.

Chairman Pelcher said the board still needs to work on the EDR project and hopefully that will be covered at the next planning board meeting unless the agenda becomes full with other items.

Meeting adjourned at 9:25 p.m. The next planning board meeting is scheduled for June 23, 2009 at 7:30p.m.

Respectfully submitted,
Marie Giannone
Secretary
Planning Board