

**VILLAGE OF BALDWINSVILLE**  
**PLANNING BOARD MEETING MINUTES**  
**Tuesday, February 24, 2009 at 7:30 P.M.**  
**Approved March 24, 2009**

**PRESENT:** Dave Arthur, Acting Chairman  
Larry Barnett  
Carl Pelcher  
Ed Rock  
Don Cronk

**ABSENT:** Chris Savacool  
John McFall

**ALSO PRESENT:**  
Tim Baker, Village Engineer  
Ron Carr, Village Attorney  
Mayor Joseph Saraceni  
Marie Giannone, Secretary

**GUESTS:** Julian Clark – Plumley Eng.  
Dan Coholan – Jardine Property

Dave Arthur, acting chairman, opened the meeting and said that Chairman Savacool was sick and would not be at this meeting. Mr. Arthur said Mr. Savacool requested that the agenda be modified to table item 3 and 4 until the next regular meeting as he had material that he wanted to present.

Acting Chairman Arthur asked for a motion to approve the minutes of January 27, 2009. Motion carried and minutes were approved.

Acting Chairman Arthur said the next item on the agenda was an informal presentation of the Jardine Property. Mr. Arthur said this property has been before the board previously and some may be familiar with it.

Julian Clark, of Plumley Engineering, made the following presentation. Also, he handed out an Existing Zoning District Plan and a Proposed Zoning District Plan, for the board members to follow.

- The Jardine vacant property exists by the railroad tracks.
- The property is bordered by Salina Street, Rt. 370 and Rt. 31.
- The property is owned by Mr. Dan Coholan.
- Mr. Coholan owns more property in this area.

- Mr. Coholan has purchase offers in on other properties in this area
- Mr. Coholan would like to develop approximately thirteen (13) acres.
- Mr. Coholan has been before this planning board for a self storage facility on the back half of the property.
- Mr. Coholan would like to develop all this property
- Mr. Coholan is now looking for a zone change for this property.
- Mr. Clark said they are here to discuss zone changes for this property and share some development ideas and change this to a PDD.
- Mr. Clark said this Jardine Property is zoned industrial and is one of the few properties left in the village that is zoned industrial.
- Properties on Rt 370 purchased by Mr. Coholan are zoned commercial and a couple properties on Rt 31 are R-1.
- Mr. Coholan said one idea is to take these properties and make something on a much smaller scale similar to the Fayetteville Towne Center.
- Mr. Coholan said another idea is a mixed use, with commercial on the bottom, with residential above.
- Mr. Coholan would like to connect Rt. 31 and Rt. 370 and be able to provide some services to have it where there is not just a “log jam” on one side. Mr. Coholan said he does not have anything specific but is looking for ideas.
- Mr. Coholan said he did not want to give us this property for just one or two things to go on it. He was looking for more of a community center to it.
- Mr. Clark said because of the different ranges Mr. Coholan is looking at, Mr. Clark thought a PDD was the way to go.

Mr. Clark finished with the presentation and the board opened it up for informal discussion on this presentation. Highlights of the discussions were:

- Mr. Arthur said he remembered talking about a PDD during a previous planning board meeting with Mr. Coholan.
- Mr. Clark said they wanted to go commercial on the entire area because they already had the self storage facility lined up.
- Mr. Coholan said the self storage facility is not going to happen.
- Mr. Coholan said there is too much value in that piece of property.
- Mr. Coholan said they may do what they did in Camillus on Milton Ave with a three story enclosed facility.
- Mr. Arthur asked Mr. Carr, village attorney, what the first steps would be for this project.
- Mr. Carr said this was spelled out in our zoning law which is the design, creation or presentation of plan (which has to be more than ten (10) acres).
- Mr. Coholan said it is closer to twenty (20) acres.
- Mr. Carr said there has to be a presentation of a conceptual plan of development.
- Mr. Carr said then the plan is referred to County and then the final approval for adoption of a PDD by the Village Board of Trustees.
- Mr. Arthur asked Mr. Carr at what point does the applicant go to the village board for a zoning change because of the multiple properties.
- Mr. Carr said at the time of the development of the plan it does not make any difference if there are separate lots but there has to be common ownership.
- Mr. Tim Baker said the applicant has site control on everything that is being proposed but something could be added and change the plan. Mr. Baker recommended that Mr. Coholan does not change the zoning until which point the plan is completely hashed out.

- Mr. Carr said everything gets changed to PDD but you have to have a finalized approved plan approved by the planning board.
- Mr. Coholan asked what that plan consisted of.
- Mr. Carr said it consisted of:
  1. Site Plan
  2. Map or layout of what is being done
  3. Descriptive plan of the uses
- Mr. Carr also pointed out that once the plan is developed, gets approved and the zone change takes place, to go back and change the plan in a substantial nature creates a whole process again of getting modify site plan approved and perhaps a modification of the actual local law. Mr. Carr said he did not think it is encouraged to develop something in anticipation of it being changed.
- Mr. Coholan said the difficulty in trying to develop a piece of property like the Jardine Property is the multi uses such as a small grocery store, some retail, as Mr. Coholan said he did not know who the retailers would be.
- Mr. Carr said the Planned Development District would not dictate the ultimate layout or design and that some flexibility is built into the PDD as has been done with the Tri County Mall Project. Mr. Carr said Mr. Coholan would not be locked into specifics, such as “this building has to be a grocery store” as an example. Mr. Coholan said that was good.
- Mr. Baker asked Mr. Coholan if he envisioned this remaining as single ownership. Mr. Coholan said no. Mr. Baker asked Mr. Coholan if he planned to subdivide. Mr. Coholan said yes.
- Mr. Baker asked Mr. Coholan if the road that is being planned will be built to village specifications so there would be a frontage that could be assigned to as it is subdivided. Mr. Coholan said yes. Mr. Coholan said if the road is in, he may sell off parcels to other potential purchasers that want to be in retail/commercial development. Mr. Coholan said he has a number of fast food restaurants interested.
- Mr. Baker asked how is what is being proposed different from the existing zoning that would require a PDD. Mr. Clark said he thought the PDD would allow them to be a little more creative when establishing setbacks and regulation for uses for the whole property.
- Mr. Coholan said he did not at this point have an absolute plan in place.

Mr. Carr went on to explain what a PDD does. Mr. Carr said it envisions an actual plan or development. Mr. Coholan said he envisions a retail store, hair salon, dry cleaners, etc., and over the top of these stores would be residential.

Mr. Baker asked Mr. Coholan if the uses are compatible with existing zoning; why not just rezone different sections with the property that will stay commercial or residential, unless he cannot meet the requirements of commercial. Mr. Coholan asked if they did a mix with residential on top would they meet the zoning requirements. Mr. Baker said there is cascaded zoning which is allowed in R-2 districts. Mr. Baker said commercial cannot be put in R-2 but R-2 can be put in

commercial. Mr. Carr said he is referring to one lot having a mixed building with commercial on the bottom and residential on top. Mr. Baker said we do have this in the village.

Mr. Baker said there are unique features for development. Mr. Baker said the railroad tracks would determine setback requirements. Mr. Baker said because of the way the properties are configured, when you are on the property boundaries, you are typically going to defer to the adjacent, more stringent zone for what is going to be required as far as fronting on residential.

Mr. Baker said it is difficult to make a recommendation to the planning board because Mr. Coholan does not know if the properties will be subdivided. Mr. Baker said if the property is going to be all under once parcel, why would the village want to own and maintain a road through that. Mr. Baker said if two parcels want to be created, one on each side of the road, then okay if that is what Mr. Coholan wants. But in looking at the size of the property as it sits and the space required for a sixty foot road right of way, it is going to be pretty linear going right through from side to side. Mr. Baker said in a PDD, everything should be spelled out so that code enforcement can be followed and adhered to. Mr. Baker said he would recommend to the planning board from an administrative side, not to propose any zone changes until it is actually spelled out.

Mr. Barnett asked Mr. Carr if you have a PDD and start talking about subdividing it, doesn't that defeat the PDD? Mr. Carr said it does in the nature of ultimate control of the PDD. Mr. Carr said the problem is the ultimate control or development control and responsibility for the ultimate as it progressing out. Mr. Carr said he was not aware of a PDD consisting of lots under separate ownership. Mr. Barnett asked if a restriction would have to be put in the deed to meet PDD requirements. Mr. Baker said they are in the PDD administratively. Mr. Baker said as an example if the planning board recommends and the village board approves a PDD plan that includes a very high lot density, they may also say there are no accessory structures allowed in this area. This would be spelled out in the PDD because going in they are given a higher density but as an example no garden sheds or outside pools. Mr. Baker said this could be spelled out because it changes the quality of the neighborhood. Mr. Baker said if they are real tight lots and the neighbors put pools in, the plan is not to swap out the higher density for the ability to put in accessory structures for higher lot coverage. Mr. Baker said that would be spelled out but that would be in the zoning. Mr. Baker said because it would be spelled out, our Code enforcement officer would be able to follow it.

Mr. Carr asked how you do lay out a PDD when you don't know what you are going to have in this PDD. Mr. Carr asked how you plan the density, setbacks, lot coverage when you don't know what the PDD will be. Mr. Clark said they would establish lot coverage, parking requirements and setbacks that the developer and board are comfortable with. Mr. Clark said when someone goes in; they have a site plan and see if it meets the PDD regulations as was created. Mr. Arthur said he saw where Mr. Clark was going with this but Mr. Arthur said Mr. Clark was going out of the concept of what a PDD is. Mr. Arthur said the board needs to see the whole picture in order to move forward with a PDD. Mr. Arthur said the board thought this was a great idea but the zoning was already there.

Mr. Arthur asked if there were any additional comments. Some additional discussion continued on zoning and the development of areas of the Jardine Property. Mr. Arthur reiterated that the board thought this is a great idea and they were not trying to discourage Mr. Coholan from development. Mr. Baker asked Mr. Coholan if they would be utilizing the paper street area. Mr. Coholan said it would be a pedestrian walkway.

Mr. Carr said if a PDD development was created and then subdivided it out, so that it was owned by separate owners, if parcel one wanted to make a change or alteration to the overall concept of the plan, then there would be total zone change for everyone just to effectuate that one parcel. Mr. Coholan asked if the board's recommendation would be to change it all to commercial. Mr. Coholan said the residential property will be coming down. Mr. Carr said at that point Mr. Coholan could apply for a zone change. Mr. Baker said if Mr. Coholan wants the village to maintain a road through the area, now is the time to lay it out and the board would look at it for drainage, water and sewer as it will follow everything that is under the village subdivision regulations.

Mr. Coholan said he would go commercial and come back before the board as the project moves forward without doing a PDD.

Discussion ended.

Motion to close meeting at 8:25 p.m. was made and carried.

The next regular planning board meeting is scheduled for March 24, 2009 at 7:30 p.m.

Respectfully submitted,

*Marie Giannone*

Marie Giannone  
Planning Board Secretary