

**VILLAGE OF BALDWINSVILLE**  
**PLANNING BOARD SPECIAL MEETING MINUTES**  
**Tuesday, September 4, 2007, 7:30 P.M.**  
Approved 10/23/07

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**PRESENT:** Chris Savacool, Chairman  
Dave Arthur  
John McFall  
Don Cronk  
Carl Pelcher  
Ed Rock

**NOT PRESENT:** Larry Barnett, Board Member  
Ron Carr, Village Attorney

**ALSO PRESENT:** Mayor Joseph Saraceni  
John Camp, Village Engineer  
David Jones, Village Attorney  
Susan LaQuay, Secretary

**GUESTS:** Jason Kantak, TDK Engineers regarding Crooked Brook Subdivision  
Doug Shortslef, regarding Crooked Brook Subdivision  
Barbara Johnson, resident (regarding Crooked Brook Subdivision)  
Douglas Reith, LS  
Joe Hucko, regarding Village Commons  
Matt Moore, regarding Village Commons  
Carrie Weaver, resident (regarding Village Commons)  
Jim Nobles, regarding NAPA Auto Store

**REGULAR MEETING - 7:30 P.M.**

**APPROVAL OF MINUTES**

Upon motion by J. McFall and second by D. Arthur that the minutes of the July 24, 2007 Planning Board meeting be approved as submitted. Motion passed.

Upon motion by J. McFall and second by D. Arthur that the minutes of the Special Planning Board Meeting dated August 7, 2007 be approved as submitted. Motion passed.

**OLD BUSINESS**

Chairman Savacool noted that representatives for the Shoppes at Baldwinsville are not present and he has not received anything new regarding this application.

**Site Plan Review regarding Crooked Brook Development – Canton Street (Doug Shortslef)**

Mr. Jason Kantak of TDK Engineers and Mr. Doug Shortslef are present to address the Board.

Mr. Kantak stated they had proceeded with the wetland delineation and the archeological survey. The project turned up on quite a few documents for archeological significance. They also updated the plans based on flood study maps to overlay it onto the overall property boundaries, topographical survey, and the sketch plans. He noted there is quite a bit of wetland all through Crooked Brook. A report has been prepared regarding this by Barb Royter (sp?) and they have received confirmation back from the Army Corp of Engineers and NYS DEC. The archeological survey was completed, both Phase 1a (record search) and Phase 1b (shovel test). The 1a record search identified an area of the

property as having significant archeological importance so they excluded that area and focused on the open fields to do the Phase 1b shovel testing. This has been completed and the report will be submitted to SHPO in the next few days and they will await confirmation from SHPO. Mr. Kantak indicated the area that did not show any archeological significance with the shovel testing.

From that point on, they laid out the subdivision based on the sketch plan and laid out roads to work according to the Village geometry. They are looking for feedback regarding rezoning the property from R1a to R1 to make it a more financially reasonable development. Mr. Kantak noted that approximately 2/3 of the property is already undevelopable due to the combination of the flood boundaries, wetlands, and archeological areas.

Mr. Kantak noted that an overall Village Master Plan for a connection from Meigs Road to Canton Street out to 48 was discussed. Because of the location of the wetlands and the flood boundaries and the archeological significant area, this becomes nearly impossible to accommodate at this stage in the subdivision.

Chairman Savacool asked what would be needed in order to get a road through that area. J. Camp stated it depends on what is actually there. Based on what he has heard, there are a lot of archeological issues and it is possible that they will not be able to develop at all. Mr. Kantak stated they have a report submitted to SHPO already and the process has been started. J. Camp stated the potential for a road will be dependant on what SHPO's findings are.

Chairman Savacool noted that the discussion regarding having a connector road through this area has been ongoing for decades now and is obviously related to this development. Any findings from SHPO stating this cannot be developed would be a blow to those efforts as well. J. Camp agreed that SHPO's findings will be very important and noted that the lateral extends to the archeological area and may be impacted as well.

Mr. Kantak stated they are ready to move on to the next step and wanted to give the Board an update and some background information. He wanted to get the discussion regarding rezoning from R1a to R1 going as well. Chairman Savacool stated he is not sure how much this Board can comment at this time regarding rezoning because ultimately the Applicant will have to go to Village Board first, which will refer the issue back to the Planning Board for a recommendation. He stated the one thing that would be important is the fact that there is a large area that will not be developed. This may mitigate any adverse impact to clustering these houses closer together.

C. Pelcher asked if they still plan to put in sidewalks. Mr. Kantak stated they will include sidewalks and he understands this is part of the Village requirement. C. Pelcher asked if the trails discussed at the previous meeting will be included in the development. Mr. Kantak stated there are informal plans for that now, but nothing specific.

J. Camp noted that as they move forward they will need to play with the horizontal layout of the roadways as there are specifics in the code that the layout may not conform with as is.

Chairman Savacool asked how the project will be phased. Mr. Kantak stated they hadn't discussed actual phasing, but stated they would potentially be building in 30-lot groupings.

Chairman Savacool asked what SHPO's findings will consist of. Mr. Kantak stated he expects either an agreement letter stating they agree with the archeological report submitted or they will request that the archeological survey move to the next phase. He stated they presented findings that indicated the significant areas and indicated the development of the property will not have any detrimental effects.

Chairman Savacool stated the Board will go over the plans and give some thought to it. The Board will wait for SHPO's comments. If they are going to consider rezoning, the Village will want to be sure that the area that is planned to be left undeveloped will not be developed in the future if this is a reason they are pointing to to change the zoning. J. Camp noted this is not too difficult to do and stated it can be written into the deed or homeowner's association covenant.

Mr. Doug Reith, LS is present. He noted that the plan put up by Sergei regarding the connector road shows the road about where it is coming in now. Chairman Savacool noted that the archeological findings put somewhat of a damper on this plan now. The Village will possibly have to find a way to get around that area. Mr. Reith stated he thought

that 10 to 15 years ago it was just to the south and went around the undevelopable land. Mrs. Barbara Johnson, who owns some of the property in question, stated she has some of the maps from 1989 and some letters regarding this.

Mrs. Johnson stated she wants to know where the archeological dig was on the property and wants to know how this will affect her property. Chairman Savacool stated he is not sure where this is in relation to her property. They will know more when the response from SHPO comes back. Mrs. Johnson asked if any digging was done on the east side of the creek. Mr. Kantak stated that the findings were based on the record search, not an actual dig. From that point, they went on to develop the lot layout and did shovel testing in that area and determined there were no significant areas.

**Site Plan Review regarding The Shoppes at Baldwinsville (Tri-County Mall) – Crossroads TCM, LLC**

Chairman Savacool stated that J. Camp, R. Carr and he had met with Paul Anderson and others regarding the plans. The Applicant was looking for direction regarding the PDD process and was largely concerned about flexibility. Whatever they put on the site will be largely dependant on the tenants they can secure. They were told that an Applicant would typically set up a site plan with buildings in certain areas and parking and drainage planned out and these will be the requirements for the PDD. R. Carr took them through the process and the property would be rezoned into a PDD after the site plan process is completed. The issue for the developer is that perhaps they may need to do some tweaking to the locations of buildings, shape, etc. dependant on tenants, which Chairman Savacool noted goes against the site plan process. Therefore, they discussed the possibility that they could come up with a set of requirements that would be part of the PDD that would be different than what is in the code. The concern is if they can figure out what those requirements are and get a site plan in place, get that approved as the PDD, and have them start construction and, if they have something they would like to modify, they would resubmit a site plan of that building. They would still have to meet the established requirements of the approved PDD and would not have to go back and create a new PDD. The PDD will have certain requirements they have to comply with and then, as they make changes to certain structures, they would have to go through site plan review regarding those particular issues and may have to go to ARB as well. This will ensure that the Village still has a mechanism to make certain that the PDD requirements are met and make certain that the overall vision of the project will be met as well.

Chairman Savacool stated the developer is basically hamstrung by not having a survey yet and they were scrambling to get that together. The survey yielded immense obstacles regarding easements and utilities and they were working to try to figure out how to reconcile the survey and concerns regarding drainage.

J. Camp stated that, in general, nothing in the process or code would change. They would just set this up in a way in which the idea regarding the development is very clear so, if modifications are suggested later, it will be easier for the Village to adhere to the concept or vision of the project.

D. Arthur asked how this will be tracked. J. Camp stated this vision will be part of the legal documentation, perhaps printed on the site plan or included in some of the other documents. It would be up to the attorney to determine the best way to do this.

Chairman Savacool stated the developer plans to be at the September 25, 2007 meeting. He would like the Board to consider what characteristics they would want to be made part of the guiding document that identifies the concept. He does not think this will be a huge number of issues where the PDD will vary from the code, but does want the Board to identify them and have set concepts it wants to preserve.

D. Arthur asked how the code will reference this PDD specifically. J. Camp stated the code will reference the site plan, which will have to be a part of any review of the PDD in the future. The PDD will be on the zoning map as well.

**Site Plan Amendment regarding ATM kiosk – Village Commons – Washington Street Partners (Joe Hucko)**

Mr. Joe Hucko and Mr. Matt Moore are present to address the Board.

Chairman Savacool stated he had met with Mr. Hucko last week regarding this site plan amendment. They had been scheduled to meet earlier, but Chairman Savacool had not been available. They discussed some of the Board's concerns regarding the proposal for the ATM kiosk and Mr. Hucko submitted a new plan to address those concerns.

Mr. Hucko stated that an allowance has been made for a dumpster enclosure in the carport area and the dumpster at the side of the health club has been relocated. He noted that the dumpsters belong to the tenants and he will encourage them to address the issue of screening. Chairman Savacool asked what type of enclosure will be utilized. Mr. Hucko stated there are many ways to accomplish this, such as fencing. D. Arthur stated he feels this is a responsible approach to this issue. D. Cronk asked if Mr. Hucko will ask the tenants to enclose or screen the dumpsters. Mr. Hucko stated they will mandate this. However, from the Board's perspective, he understands this will be his responsibility.

Mr. Hucko stated there will also be enhanced signage to address the ingress and egress at Virginia Street. Chairman Savacool noted that one issue that he had discussed with Mr. Hucko was the concrete wall in the Virginia Street area that prevents vehicles from seeing down the street without having to encroach on the sidewalk. Mr. Hucko shared with him that this wall is part of the hardscape that the ARB requested be preserved. Mr. Hucko also pointed out that the Village is moving forward with plans to require the build to line to be at the sidewalk and, when that is implemented, the buildings themselves will block visibility in a similar way. Chairman Savacool found this argument compelling but still wants to address how the Village can encourage pedestrian safety in this area. Signage is one way that was discussed.

J. McFall stated he had asked Claude Sykes to look at this wall at the Virginia Street ingress/egress and Mr. Sykes recommended that the southern wall be taken out at a length of 50 feet and the wall sill be taken down to the proper level and capped. J. McFall noted that right now there is a 2" difference between the sidewalk and old Morris Building. Mr. Sykes estimated that it would cost approximately \$4000.00 and J. McFall would like to see that considered for the overall project. Chairman Savacool stated he feels that proper or better signage and perhaps striping may help. D. Arthur stated he personally finds that exit cumbersome. He stated he has never really considered how much that wall coming down would affect his view, but feels most strongly that the large bump is problematic. Mr. Hucko stated he feels this bump potentially slows traffic and make it safer. He noted he has to answer to many entities regarding this location and asked again how this location differs from other properties that will have a build-to line of 0' and will, therefore, have a visibility issue as well. He stated he has used the exit and understands it is necessary to encroach on the sidewalk to exit.

D. Arthur stated he understands what J. McFall's views are and understands what Mr. Hucko's views are. He stated he would like to see something done there, but agrees with Mr. Hucko that this area is no different than others. He would like to see a stop sign there and the sill chiseled down to pavement level and smoothed over.

Chairman Savacool stated the developer must do what responsible and he feels signage and stop lines or signs will help in the area. Mr. Hucko stated they will also put up better signage for the drive-thru for Kinney's to better direct traffic. Chairman Savacool noted that the parking lot does not lend itself well to signage and they should try to make the traffic flow more understandable. He suggested having cars stop at the end of the drive-thru to better delineate it and stop cars from proceeding into traffic. He also suggested placing a striped stop at the exit of the fitness center area of the parking lot.

Mr. Hucko noted that snow removal was addressed at the previous meeting and they will have snow hauled offsite.

J. Camp stated that the concrete wall took up a lot of discussion in his review and noted that he was not aware that the ARB asked that it remain. He stated C & S believes it is a safety issue and is concerned that if the ARB required them to keep it and there is an accident because of that wall, the Village may be liable. He feels it is an unusual situation to have visual barrier that close to a parking lot. Mr. Hucko again asked how that wall differs from the 0' build-to line proposed by the Village. J. Camp stated that it would be difficult to ask someone take down a building, but not a wall that serves no purpose. Mr. Hucko noted the wall is poured in place concrete, not blocks.

J. Camp noted that several traffic aisles are less than 24' wide and the developer should indicate one-way traffic for the two aisles to the west, which are both less than 24' wide. C. Pelcher stated he does not believe that the aisle running in front of the health club is 24' wide either.

D. Arthur stated he had met with Police Chief Warner to go over safety issues regarding this location. He stated one question he asks himself is if he would feel safe sending members of his family to that location to use an ATM. He stated he would not feel comfortable doing this for safety reasons as the ATM would be set back on the property and there is limited security in that area. D. Arthur stated Chief Warner agreed with him. He suggested a number of ways to address safety, as follows:

1. Enhanced lighting in the area. D. Arthur noted that R. Beckhusen had made noted this in his comments as well. Chief Warner suggested lighting the ATM and the area with lights from the buildings.
2. Fencing. D. Arthur noted that R. Beckhusen noted this as well. He suggested steel or wrought iron stockade fencing to protect the ATM from the back of the property.
3. Bushes/landscaping should be moved from the south to the north side.
4. Lighting for the dumpster and covered parking area. Address the fact that this would provide cover for any criminal activity.
5. The location is too far back on the property. This provides cover for criminal activity and allows for easy and numerous exits. Reconsider the location.
6. This would be the only freestanding ATM in the Village and this is a new security issue for the Police Department.

D. Arthur stated he would want to see the design of the kiosk itself to be sure it meets all requirements, safety and otherwise. Mr. Hucko stated he would be willing to extend the fence and add lighting to the side of the building. He stated he is not sure that relocating the ATM would be a viable option. He noted that the original plan showed that the end of that building was approved to have a drive-up ATM. He feels the safety issues with this freestanding ATM may be better as it is more open and visible. He stated he has no problems with addressing safety issues adequately, but he would prefer to keep the location as it is proposed. D. Arthur stated every effort should be made to light up that parking area.

Mr. Hucko noted that the credit union that will operate the ATM has multiple locations and he is certain they have been mindful of any security issues. He feels the plan he has proposed along with some of the suggestions D. Arthur has made will be more than adequate to mitigate the safety issue.

Chairman Savacool asked if it is possible to put lighting on the back building. Mr. Hucko stated there is no power to that location as it is a carport. Chairman Savacool noted that ATM will need power and does not feel it would be too difficult to extend that power to the building for lighting. He feels it is important to do whatever is possible to make it safer. D. Arthur agreed and stated he purposely went to look at the area after dusk and noted there were many dark locations there. This was directly a concern of Chief Warner's and he wants Mr. Hucko to be certain to consider this.

D. Arthur asked what the design of the island will be and stated he would like to see one. Mr. Hucko stated he plans to utilize striping and bollards. He noted the ATM is small, maybe the size of a parking space. D. Arthur stated he would prefer to see a raised island rather than just striping, as this would separate the function of that area distinctly from the parking lot. Bollards and striping may just add to the confusion. E. Rock noted that snow will also make the striping invisible. D. Arthur stated he would like to see a 6 to 8-inch curb with stone or gravel to delineate that area's use. Mr. Hucko asked if more bollards would be sufficient as opposed to a raised curb. D. Arthur stated he would not consider that sufficient. E. Rock and J. Camp stated they had assumed there was curbing and a specific design for the Board to review would be helpful. Mr. Hucko stated he will provide that to the Board.

Chairman Savacool stated he wanted to discuss the wall along Virginia Street more. He noted that the Village Engineer has stated this is a safety concern and this should come down. He asked what would be involved in taking out a section of that wall. J. Camp suggested taking down both sections, or taking down anything that is a visual barrier. Mr. Hucko again asked why this particular location is such an issue as the Village is looking to have a 0' setback in this area. J. Camp stated they are different situations as one issue involves a wall and the other a building. Mr. Hucko stated he feels the visual issues will be the same whether it is a wall or a building and noted this contradicts what the ARB told him they wanted and what the Village is looking for visually. J. Camp noted that any new building that would have a 0' building line would take safety and visibility into account and be designed accordingly.

Chairman Savacool asked if the wall is stepped up. Mr. Hucko stated it is. Chairman Savacool asked if there would be a way to increase visibility and still maintain the desire of the ARB to keep the visual barrier to the site. He stated he does not think removal of the entire wall is necessary and suggested they should maybe knock down 10'. He apologized to Mr. Hucko that it may seem to him as if the Board is running him around in circles and noted that sometimes problems are not apparent until a project is complete. Mr. Hucko stated he would not be as opposed to the idea of removing the wall if it were a block wall. He noted the wall to the south would be easily removed as it does not retain anything, but the rest would need to be cut out. J. Camp suggested that the elements of the pilaster could remain and it is the wall itself that is the issue. The pilaster could be retained and just wall brought down, utilizing the pilaster as a glorified fence post. Mr. Hucko stated that he feels cutting out the sections of wall between the pilasters and filling in with fencing would be a reasonable way to address the issue. Chairman Savacool stated this would go far in improving visibility.

Mr. Hucko stated he would like to see the plan approved tonight with the mentioned contingencies. Chairman Savacool stated the Board has been discouraged by the Village Attorney from granting contingent approvals that are binding. He stated the Board could conceptually approve the plan so he would have something to bring to the tenant.

Chairman Savacool stated for the next meeting the Board would like to see a revised plan that will show the improvement of visibility from the ingress/egress on Virginia Street by eliminating part of the walls on both sides. Mr. Hucko stated he will get this to the Village Engineer as soon as possible and have him review it.

Chairman Savacool noted a number of other changes (in addition to removal of portions of the wall along Virginia Street) were addressed tonight as follows:

1. Provide additional STOP striping near the wall, ingress/egress at Virginia Street.
2. Provide more lighting and fencing in the ATM area. Lighting on the building and dumpster area should be provided and should not encroach into the residential area. The fence should be continued and plantings should be on the opposite side of the fence.
3. The ATM island should be raised with no shrubbery or low shrubbery. Mr. Hucko asked if it should be raised entirely or only a portion and then utilize bollards and striping. D. Arthur stated that bollards in the winter may create another hazard and striping will not be visible year-round. The island should be raised entirely.
4. Regarding the inadequate lane widths, those lanes should potentially be striped for one-way traffic.
5. The revised plan should specifically indicate the fencing around the dumpsters.

Mayor Saraceni asked if the ATM design will have to be reviewed by the ARB. Chairman Savacool stated it will need ARB approval. Mr. Hucko stated he will begin that process and be back for the September 25, 2007 meeting with a revised plan.

## **NEW BUSINESS**

### **Site Plan Review regarding NAPA Auto Store – Jim Nobles**

Mr. Nobles noted he had submitted an application for a NAPA store at this site previously. At that time, NAPA wanted a 6,000 square foot building and now they have agreed to a 5,000 square foot building instead, which will fit better on the property. He stated that Plumley Engineering is working on the site plan. There are two driveways, but he stated they can cut that down to one. NAPA will work with the ARB regarding the exterior. Right now he is waiting for Plumley to complete the plan. Dean Johnson will be the architect.

Chairman Savacool noted that the Village is looking to change the build-to line in this area. He asked if Mr. Nobles would be willing to move the building up on the lot closer to the street. Mr. Nobles stated he is willing to do that and asked how close to the sidewalk the building line would need to be. Chairman Savacool stated the Village is in the process of determining that and would have to look at that site specifically.

J. McFall asked if the door would be in the front or on the side of the building. Mr. Nobles stated it will be in the front. He stated this is flexible and NAPA is very easy to work with regarding design issues.

Chairman Savacool asked who at Plumley is working on the plan. Mr. Nobles stated Dale Vollmer and Julian Clark are the engineers for the project. Chairman Savacool noted that Dan Faldzinski has a lot of experience with this specific site. He noted there were also some other issues regarding ingress and egress to the site the last time Mr. Nobles was before the Board with the previous plan. They had discussed cleaning up the lot lines so this would not be a potential problem. D. Arthur noted that they had recommended that he move lot lines to provide ingress and egress. Chairman Savacool explained to J. Camp that there was no egress to the site and traffic would have to cross over the property line to exit. There are no easements. Mr. Nobles stated they had discussed taking a section of the property to separate them better. Chairman Savacool told Mr. Nobles this really needs to be done and he needs to clean up the lot lines. There is legally no ingress or egress to the auto repair site. J. Camp noted that the other property owner could grant an ingress/egress easement to the other and this would provide legal access. D. Arthur noted this alternative would not involve changing the property line, but would be included in the deed. Mr. Nobles stated he does not feel this would be difficult to accomplish. J. Camp noted an easement would also eliminate a potential curb cut, which is something the Village is very interested in minimizing.

J. Camp asked where the patrons of that facility park right now. Mr. Nobles stated they park to the west of the line labeled "edge of asphalt." To the east of this line is the current driveway.

Mr. Nobles stated he will check with Mr. Vollmer to see where they are in the process. He noted the DEC had wanted a retention pond, but this property is not larger than one acre. J. Camp noted that the trigger for the DEC to require a project to go through the stormwater process is the disturbance of more than one acre.

Mr. Nobles stated he will talk with Mr. Vollmer about cleaning up the lot lines and possibly dividing off a portion of the property. Chairman Savacool noted that the easement alternative will not address the parking. J. Camp stated it may be possible to treat the entire parking area as a single unit for both buildings.

Mr. Nobles stated he will work more with Plumley regarding these issues and will be back in the future.

#### **OTHER BUSINESS**

D. Arthur stated that on November 22, 2005, the Board approved a two-week deadline for submission of materials for review. This has not been adequately adhered to and he would like to see this better enforced. He also noted that on September 26, 2006, the Board agreed to require 14 copies of all submissions. This has also not been adhered to and he would like to see this better enforced. The secretary will check with the Clerk's office to be sure this is indicated on the forms given to Applicants.

Upon motion by J. McFall and second by D. Arthur, the meeting was adjourned at 9:15 p.m. The next Planning Board meeting is scheduled for Tuesday, October 23, 2007.

Respectfully Submitted,

Susan A. LaQuay  
Planning Board Secretary