

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, May 23, 2006, 7:30 P.M.
Approved 6/27/06

- PRESENT:** Chris Savacool, Chairman
John McFall
David Arthur
Edward Rock
Russ Lucy
Evelyn Mercer
- NOT PRESENT:** Larry Barnett
J. C. Engelbrecht, Village Attorney
- ALSO PRESENT:** Dan Faldzinski, Village Engineer
Susan LaQuay, Secretary
- GUESTS:** Mr. Patrick Hovey
Mr. Joe Mastroianni, PE
Mr. Robert Berry, resident
Mr. Douglas Reith, LS
Mr. Chris Hurd

REGULAR MEETING - 7:30 P.M.

APPROVAL OF MINUTES

Upon motion by J. McFall and second by E. Mercer that the minutes of the April 25, 2006 Planning Board meeting be approved as submitted. Motion passed.

OTHER BUSINESS

Chairman Savacool stated that the Board will be discussing informally the Johnson Subdivision on Canton Street this evening. He also noted that EDR will be giving a presentation at the June 1, 2006 Board of Trustees Meeting of their final plan and this will be discussed this evening as well. The Planning Board has also been invited to attend the Board of Trustees meeting on June 15, 2006 to discuss code changes and recommendations.

OLD BUSINESS

Continuation of Discussion/Recommendation regarding Zone Change Request - 5, 7, and 9 Mechanic Street
Chairman Savacool noted there are two separate applications for this location, one for 5, 7, 9, and 11 Mechanic Street and a separate application for 8 Mechanic Street. He stated the Board would like to look at the area in its entirety and will need to make a recommendation to the Village Board, which will ultimately will decide whether or not to approve the request. He noted that the Planning Board was initially looking at zone change for 5, 7, and 9 Mechanic Street and had sent this request to SOCPA. SOCPA had sent back comments stating they have no objection to the zone change, but did mention that drainage on the proposed site plan must be handled on site. Since that time, the Village Board decided to send the whole project to SOCPA again, given the addition of 8 and 11 Mechanic Street. SOCPA has sent a resolution (OCPB Case # Z-06-144) regarding that as well and Chairman Savacool read it into record. This resolution again stated that all drainage for the proposed site plan must be handled on site. It also sated that a visual buffer must be provided to separate this site from adjacent residential properties. Chairman Savacool noted this had been discussed at the April meeting. He stated SOCPA had an additional comment as follows: "It appears that zone changes are being proposed in a piecemeal fashion along this street. The Board recommends that

the Village complete an area plan to evaluate land use, traffic safety and mobility, access management, minimum lot size, drainage, and parking.”

Chairman Savacool asked if anyone had comments regarding the SOCPA resolution. D. Arthur stated he feels this last comment can be disregarded as the Village has been looking at this issue already. He noted it may look piecemeal, but in truth the Village is working with a plan and a vision for this area. Chairman Savacool agreed and stated he is confident this Board has sufficiently looked at this area. He noted they had sent it to ARB and would like deed restrictions to address this type of situation. D. Faldzinski noted the Board will also have the opportunity to address site impacts during the site plan process and that on site drainage will be bound to meet DEC requirements for stormwater management.

Mr. Robert Berry (10 Mechanic Street) asked what the plan is for the block in question. Chairman Savacool stated the Board has looked at this area closely and has determined that they want to avoid a strip-mall type of development and want to avoid anything that may be damaging to the residential character of the neighborhood. He stated the ARB has looked at this as well and identified certain characteristics of the buildings themselves that would help them to blend with the residential character of the neighborhood. He stated one of the recommendations the Planning Board would like to make to the Village Board is that certain deed restrictions be included in terms of the characteristics of the buildings, as well as uses. He stated that J. C. Engelbrecht, the Village Attorney, has indicated that this can be done through the deed restriction process.

Mr. Patrick Hovey, the Applicant, explained the plan for the properties. He stated there are three vacant lots that he will begin looking for tenants for if the zone change is successful. Once he has a tenant, they will design the building suitable for that site. The other two properties (5 and 8 Mechanic Street) already have existing houses on them. If the zone change is successful, Mr. Hovey stated he will turn the house on 5 Mechanic Street into a small commercial property. The house at 8 Mechanic Street will be turned into a commercial property as well and he may take the back part of the parking lot and expand the parking. He stated he has no immediate plans for building until he gets a zone change and then he will pursue tenants and move forward.

D. Arthur asked Mr. Hovey if he owns the properties on the corner. Mr. Hovey stated there are six properties at that corner and he owns two of them, 55 East Genesee Street and 2 Mechanic Street. He showed their locations on the drawings.

Chairman Savacool stated that the Board has previously discussed Mr. Berry’s property (10 Mechanic Street) and had discussed the buffer between Mr. Hovey’s properties and Mr. Berry’s. Mr. Berry noted that there are three trees on Mr. Hovey’s property and a fourth tree that straddles the property line. He would like them to be preserved, as they provide good shade. He also noted that if the zone change is approved then he will have commercial sites next door, across the street, and behind his property. Chairman Savacool noted that there is the potential that other properties could become commercial and this particular area is viewed as a transitional area. Therefore, the Board will be careful with this location.

Mr. Berry asked the Board what the benefits and drawbacks would be if he were to allow his property to become commercial, which would square off the area of commercial properties. Chairman Savacool stated they Board had not really looked at this situation. Mr. Mastroianni noted that the deed restrictions on Mr. Hovey’s property will likely extend to other applications.

D. Faldzinski stated the Board should consider how deed restrictions may potentially impact future development. The Village has a plan to revitalize the downtown area and any deed restrictions should be consistent with that plan. He also noted deed restrictions are difficult to remove once they are in place.

Chairman Savacool stated if the Board was to recommend that the Board of Trustees approve the request, they would also be recommending deed restrictions as they relate to the appearance and use. Chairman Savacool asked what uses the Board Members feel should be restricted. D. Faldzinski noted the code book states that the uses allowed in B-1 include retail stores, banks, business offices, personal laundry services, undertaking establishments, restaurants, motels/hotels, theaters, recreational uses, etc. The Board agreed that restaurants, hotels, motels, and theaters should

be restricted, as well as any high traffic uses. Mr. Hovey noted that he is looking to put retail and office space at these properties and is not considering hotels or restaurants.

Chairman Savacool noted the Board can restrict the use somewhat during the site plan process as well, based on traffic issues given the location. He noted that since it is hard to turn back from deed restrictions, the Board should be careful not to restrict so much as to not allow something desirable in the future. J. McFall asked if restrictions needed to be decided on tonight. Chairman Savacool stated this Board would just be recommending deed restrictions and they should consider restricting any large traffic generating uses and leave it to the Village Board to be more specific. J. McFall agreed and stated he feels it is more appropriate for the Planning Board to be less specific and leave the specifics to the Village Board.

Chairman Savacool asked if there were any further comments from the Board. There were none.

Upon motion by D. Arthur and second by J. McFall, the Planning Board will recommend to the Village Board of Trustees that they approve the zoning changes for the properties located at 5, 7, 8, 9, and 11 Mechanic Street from Residential (R1) to Business (B1). The Planning Board strongly recommends that deed restrictions be placed regarding the appearance of the structure(s) placed on these properties. These deed restrictions should follow the recommendations by the Architectural Review Board in a memo dated 4/3/2006. The Planning Board also recommends deed restrictions be placed on any land uses that would generate a high volume of traffic or drive-through establishments that would generate increased traffic. Motion passed.

NEW BUSINESS

Informal Discussion regarding Johnson subdivision, Canton Street

Mr. Douglas Reith, Land Surveyor, is present on behalf of the property owners, the Johnsons.

Chairman Savacool noted the lots in question are Parcels 51, 52, and 53 on the tax map and stated this is not a typical subdivision in that they would not be building on the site. They are simply looking to change lot lines in anticipation that the larger lot will be sold in the future.

Mr. Reith stated the property owners are proposing to combine parts of the lots into one lot and combine the other pieces into two other lots. He noted they will still have three lots, as they are not creating any new lots, but are just reconfiguring lot lines. He noted the resulting lots will all meet area requirements.

Chairman Savacool noted that all the lots being added to are owned by the same owner, Barbara Johnson, with the exception of the lot labeled Jeffrey Johnson, who is the son of Barbara Johnson.

Chairman Savacool stated that J. C. Engelbrecht wanted to be certain that the deeds for each lot be filed at the same time as the subdivision and should include the new descriptions. Mr. Reith stated that the creation of new deeds is common practice when a subdivision is done.

Chairman Savacool stated that the property owner is not looking to develop the resulting larger lot at this time, but perhaps will be in the future. He noted the Board needs to determine if this is actually a subdivision or not. He reminded the Board that when the Gentry Street subdivision was before the Board, J. C. Engelbrecht had stated that even just changing lot lines is considered a subdivision. He stated that if it is indeed a subdivision, the Board needs to consider sending it to SOCPA and potentially holding a Public Hearing. Chairman Savacool suggested the Board make a motion to refer to SOCPA and then get J. C. Engelbrecht involved to see if it will indeed be deemed a subdivision. He stated that a Public Hearing could then be set up for the next meeting. This will give the Board a month to look over materials that will be submitted by the property owner and perhaps take action at that time.

Upon motion by E. Mercer and second by J. McFall, the Planning Board will send the Johnson Subdivision application, which will be filed tomorrow, to SOCPA. Motion passed.

Discussion regarding “Rough Final” of EDR’s Plan

Chairman Savacool noted that the Board Members had received copies of this “rough plan” at last month’s meeting and asked if anyone had comments.

D. Arthur stated that he wished to emphasize the necessity of appropriate codes to accomplish this plan. He feels this is an aggressive plan and the Village will need appropriate tools to accomplish this. He feels it is a good plan and will bring good commerce and residential and pedestrian opportunities to the Village.

Chairman Savacool noted the plan has a section regarding implementation. He feels they should stress to the Village Board that the Planning Board, Zoning Board, and ARB all need to have representation on any implementation committees created. He noted a lot needs to be done to put this plan in place.

J. McFall stated he is concerned that this plan will not actually be implemented. He noted the only way it will be accomplished is if the Village Board really gets behind it.

Chairman Savacool agreed that implementation will be complicated. There are design standards, codes, etc. that will require the Boards to follow the plan. This is why he feels all the boards need to get together.

D. Arthur noted that this plan was first addressed approximately two years ago by Trustee Joe Saraceni. The focus was to make certain that the plan developed into a working document and this is why it focused mainly on the business area rather than taking on a broader Village-wide focus. It started by emphasizing codes. He feels it seems to have moved away from that a bit and he would like to have multi-board involvement in the implementation. E. Mercer agreed and noted that different boards have different viewpoints and emphasis and, therefore, cannot operate separately regarding this plan.

J. McFall stated that the EDR plan has been worked on for so long that he does not presume to make suggestions for changes at this point.

Chairman Savacool stated he feels it is a thorough plan and is not too restrictive. He likes the idea of reducing the number of curb cuts. He stated the Planning Board will be very involved with this in the future.

Chairman Savacool noted that code revisions will be discussed at the Village Board meeting on June 15, 2006 and members from all Boards are invited to attend. D. Arthur stated his main concern regarding code revisions is that the process has been rushed and he hopes it will be taken at a pace that it naturally needs to go for it to be an effective process.

Upon motion by J. McFall and second by E. Mercer, the meeting was adjourned at 8:40 p.m. The next Planning Board meeting is scheduled for Tuesday, June 27, 2006.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary