

**VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, November 22, 2005, 7:30 P.M.
Approved January 24, 2006**

PRESENT: Chris Savacool, Chairman
Russ Lucy
John McFall
David Arthur
Edward Rock
Evelyn Mercer
Larry Barnett

ALSO PRESENT: Dan Faldzinski, Village Engineer
Susan LaQuay, Secretary

NOT PRESENT: J. C. Engelbrecht, Village Attorney

GUESTS: Tom Scuiga, B.S. Enterprises
Paul Curtin, Jr., Attorney
Tom Loturco, P.E.
Matt Sweeney
John Natoli
Aaron Bradshaw

PUBLIC HEARING – Baldwin Hill Amendment to subdivision - 7:30 P.M.

Upon motion by J. Mercer and second by E. Mercer to waive the reading of the public notice. Motion passed unanimously.

Chairman Savacool asked for any comments in favor of the amendment to subdivision for Baldwin Hill. There was no comment.

Chairman Savacool asked for any comments against the proposed amendment. There was no comment.

Upon motion by L. Barnett and second by J. McFall to close the public hearing regarding the amendment to subdivision for Baldwin Hill. Motion passed unanimously.

Hearing closed at 7:35 P.M.

REGULAR MEETING - 7:35 P.M.

APPROVAL OF MINUTES

Upon motion by J. McFall and second by E. Mercer that the minutes of the October 25, 2005 Planning Board meeting be approved as submitted. Motion passed.

NEW BUSINESS

Baldwin Hill Amendment to Subdivision – Matt Sweeney, John Natoli

Matt Sweeney and John Natoli are present. Chairman Savacool noted this issue came before the Board last month and D. Faldzinski has had an opportunity to review the materials. J. C. Engelbrecht also reviewed them and indicated that

it is not a significant issue. D. Faldzinski also feels it is not a significant issue. Chairman Savacool stated a referral to SOCPA is not necessary.

D. Faldzinski reviewed the project. He stated it is a combination of three lots (numbers 103, 104 and 105) of the Baldwin Hill subdivision on Ronway Drive. The owners of lots 104 and 105 have collectively purchased lot 103, which is to be evenly split and portions of lot 103 will be added to lots 104 and 105. In addition, the lot line between lots 104 and 105 will be amended, which will take a piece of the parcel of lot 105 and convey it to lot 104 and lot 104 will convey a piece of the parcel to lot 105. D. Faldzinski stated he reviewed the plan to ensure that the lots meet the zoning codes and lot requirements and to ensure that they have sufficient utilities. He feels this is a straightforward action.

D. Arthur asked if the distance between the concrete patio and the realigned lot line between lots 105a and 104a would be an issue. D. Faldzinski stated this would not be an issue as the patio is just a pad and is not an above ground structure. He noted he had spoken with the CEO about some of the improvements on lot 104, particularly the fence and the pool, and Rolf Beckhusen, CEO, informed him that variances were obtained for those improvements.

E. Mercer stated she feels this proposal is a sensible solution to what the property owners could consider a potential problem of further development taking place on lot 103 in the future.

Chairman Savacool stated the Applicants would need to provide recorded deeds for these lots prior to signing the subdivision maps. Mr. Sweeney stated he was given the impression that he could not obtain these deeds without a signed subdivision map. D. Faldzinski stated Chairman Savacool may need to sign off on the maps to make the deeds legal. Chairman Savacool stated he would check with J. C. Engelbrecht regarding this. He noted there are two parcels that are owned on this lot that are not connected. SOCPA made the recommendation that the Board make sure those lots are made whole prior to signing off on the maps. D. Faldzinski noted the warranty deed is acting as the purchase agreement and without this in place, they cannot approve the subdivision action. Chairman Savacool asked the Applicants to get a copy of the deed to be filed with the County and make sure that will have a legal description of each lot. Mr. Sweeney stated he is still concerned he may not be able get the deed without the signed plans. Chairman Savacool stated he would check with J. C. Engelbrecht. Chairman Savacool also told the Applicants that professional fees need to be paid prior to signature as well. Mr. Sweeney and Mr. Natoli paid those fees in full at the meeting via personal checks given to the Planning Board Secretary.

Chairman Savacool asked D. Faldzinski to review the SEQR short form dated 11/1/05 and provided with the application. D. Faldzinski reviewed it and the answer was “no” to all questions in Part II.

Upon motion by J. McFall and second by E. Rock to authorize Chairman Savacool to sign a negative declaration for this property. Carried.

Chairman Savacool outlined the following motion to approve the amendment to the original subdivision approval for Baldwin Hill, which will re-subdivide lots 103, 104 and 105 into lots 104a and 105a, based on final plan map dated July 28, 2005 by Iannuzzi & Romans, P.C., Baldwin Hill Estates with the following conditions:

- Payment of professional fees prior to the master signature.
- Resolution of issues regarding the deed.

Upon motion by J. McFall and second by D. Arthur to approve the amendment to subdivision for Baldwin Hill with the contingencies above as stated on record by Chairman Savacool. Carried 7:0.

Vote:

C. Savacool – Yes J. McFall – Yes R. Lucy – Yes E. Rock – Yes D. Arthur – Yes
E. Mercer – Yes L. Barnett - Yes

Chairman Savacool stated he would find out from J. C. Engelbrecht if anything else is required regarding the deed. He stated if J. C. Engelbrecht indicates that he can sign off on the final plan and accept the deed after the fact and put it in the files, this is what he will do.

Lot 85B Brown Subdivision – Easement Review and Recommendation

Chairman Savacool noted that he had disclosed to the Board in his memo dated November 16, 2005 that this property is contiguous to his own property and, because of this and because of the fact that he has worked with the owner and developer/contractor of this property on his own property, he will be recusing himself from discussion regarding this issue. D. Arthur will be Acting Chairman for this portion of the meeting.

D. Arthur noted the Planning Board needs to make a recommendation to the Village Board regarding whether the Village should accept responsibility for the drainage easements on this property. He noted that D. Faldzinski has reviewed this issue and has been in contact with the developer.

D. Faldzinski stated the project came about between four and five years ago and involved taking a parcel of land and subdividing it into two building lots. To the north of Lot 85B there was an existing low area that collected water from adjoining residential properties to the northwest along Edgewood Drive, which shed water naturally to Tannery Creek. During the course of development, the contractor involved with the earth work for Lot 85B had staged some of the wastes and swales in a location where it acted as a barrier between this low area to the north of lot 85B, which cut off the natural drainage flow of that low area to Tannery Creek. The result was a backup of water in this low area at an elevation above what naturally occurred and neighbors abutting this project started having water seeping into their basements and collecting in their backyards. Over the past year and a half, the Village has been working with the owner and contractor to try to mitigate this situation that they created. D. Faldzinski stated he had a field meeting with Claude Sykes and Rolf Beckhusen, as well as the owner and contractor, and ended up having them install a swale through this built up stockpile area to connect that flow area naturally to Tannery Creek, which allowed that flow area to be drained. As a result, there is a swale running across the property. To insure that the drainage way was maintained, the Village wants to secure an easement. This is the proposed 20' drainage easement that runs from the north property line to the east property line. A revised map was provided, which was revised as a result of the fact that D. Faldzinski did not believe that the swale was located correctly on the first map, so he had the owner have a surveyor correct the location of the easement, which is now properly shown. D. Faldzinski stated that in addition, along the southern line of lot 85B, there was an existing 20' drainage easement. However the swale that drains the stormwater exists along the property line of lots 85B and 85A and part of the initial approved plan was that the developer relocate that swale into the existing 20' drainage easement further to the south. However, there are a lot of old trees and natural cover at that location that the Village did not want disturbed and, therefore, allowed them to keep the swale in place, but required the owner to provide an additional 10' easement to make sure the Village would have access to the entire limits of the drainage swale that ran from the west property line all the way to Tannery Creek. What is before the Board now is that 10' drainage easement, which is in addition to the existing 20' drainage easement. D. Faldzinski stated it is now a partially closed system. Before Lot 85 was developed, the pipe that collected water from the adjacent roadway to the west emptied approximately 10' to 20' within the limits of Lot 85. That pipe was extended approximately 150' and now daylighted more than halfway to the east along that drainage easement and for the rest of the way drains via a swale to Tannery Creek.

D. Faldzinski stated he had the Applicant submit easement materials, descriptions, etc. for review and reviewed his comments dated November 14, 2005 as follows:

1. Within the legal for both proposed easements, the Village will be required to restore earth, bushes, trees, shrubbery, lawn, driveway, and other things on the surface or beneath the surface to a condition that existed prior to work being completed. In order for the Village to avoid having to pay excessive costs to replace potentially exotic bushes, trees, and shrubs and other items not mentioned, such as fences and walls, within their easement, either all of these items should be restricted from the proposed area or the removal/replacement cost for these types of items should be borne by the property owner. The restoration of the lawn areas and driveway cuts by the Village is considered to be standard.

D. Faldzinski stated the Village typically does not allow anything but lawn or a driveway to cross into a drainage easement. D. Arthur asked if this wording will become part of the deed. D. Faldzinski confirmed this. His recommendation is that this language be removed and as a result the property owner has provided a revised description, which essentially eliminated the replacement items being replaced at the cost of the taxpayer.

2. The location of the proposed 20' drainage easement per the meets and bounds description and map does not appear to be consistent with the field location of the swale. The location of the swale should be verified and the easement legal, description and map should be revised accordingly.

D. Faldzinski stated he feels this issue has been revised sufficiently.

3. We are assuming that the once proposed 20' drainage easement and proposed 20' sanitary easement within Lot 85A have been filed/recorded. The owner should confirm their status and provide supporting documentation to the Village. Presently, we do not have this documentation within our files.

D. Faldzinski stated this comment has been satisfied.

D. Faldzinski stated the Planning Board now needs to consider their recommendation to the Village Board. He believes the map, legal description, and revised language are sufficient and only require J. C. Engelbrecht's review.

D. Arthur asked what comments Claude Sykes had when he was onsite. D. Faldzinski stated he and Claude Sykes had visited the site six or seven times over the last one-and-a-half years and Mr. Sykes has seen the materials and the swale, he is satisfied with what has been done, and believes it would be in the best interest of the Village to take on the 20' drainage easement that drains that low area to Tannery Creek as well as widening the existing 20' easement along the southern property line.

D. Arthur asked if there is access to the property through the 30' easement as it is currently an open swale and if they will be required to have piping at that location. D. Faldzinski noted there is an existing culvert that transitions the swale from the west side to the east side and there is currently stone down over it. They will likely leave the drainage pipe in place and possibly do more work to the driveway. The existing pipe is sufficient.

D. Arthur outlined the following motion to send a positive recommendation to the Village Board with the understanding that the new map is on file (originally dated 11/11/2003, revisions for drainage easement added 10/6/2005, and located above the title box note #2 drainage easement revision dated 11/18/2005), and with this map and description of the boundaries of the two easements and the addition of the wording as described by D. Faldzinski in his comments dated November 14, 2005, note number 1.

Upon motion by L. Barnett and second by R. Lucy to send a positive recommendation to the Village Board regarding Lot 85B as outlined above on record by D. Arthur. Carried 6:0.

Vote:

J. McFall – Yes R. Lucy – Yes E. Rock – Yes D. Arthur – Yes E. Mercer – Yes

L. Barnett - Yes

OLD BUSINESS

Golden Legacy Adult Living Facility Site Plan Review– Meigs Road

Chairman Savacool stated the Board received updated plans from the Applicant after the deadline and, although the issue was included in tonight's agenda, the Board would not be prepared to take action as there was not sufficient time to review the newly submitted materials, which included updated plans, a copy of a letter sent by Clough Harbour & Associates, LLP to Mr. Jim Stelter of the Onondaga County DOT, and a lengthy drainage report.

Mr. Tom Scuiga, B.S. Enterprises, Mr. Paul Curtin, Jr., Attorney, and Mr. Tom Loturco, P.E. are present regarding this application. Newly revised plans were submitted and given to all the Board Members. These new revisions resulted from engineering comments from D. Faldzinski and legal comments from J. C. Engelbrecht.

Mr. Curtin stated he had received a letter from J. C. Engelbrecht dated November 14, 2005 discussing a few issues that were presented regarding the PDD Zoning. One issue was the floor area calculations. It is the Village's opinion that the floor area exceeded the maximum allowance of a PDD district and the Applicant would need to apply to the ZBA for a variance. The second issue is regarding the reserved parking issue discussed at the last meeting. These two issues were taken into account for the revised plans. They have reconfigured the site and have eliminated 24 units (one building) in phase 1 and reoriented the community building to an area that is on the northwest corner of that parcel. Mr. Curtin noted the one building was eliminated as significant earthwork would be necessary if it were included. With this modification predicated on the engineering review, as well as J. C. Engelbrecht's review in terms of the calculation of the floor area, they believe that by eliminating that building and a couple of the garage units, they have reduced the floor area to a level that will not require them to seek a variance from the ZBA. This still allows the project to be of a scale that will allow Mr. Scuiga to continue with the development. Mr. Curtin noted that configuration of phase 2 will remain the same.

Mr. Curtin stated they would like to seek a referral to SOCPA so they can be included on their agenda. They would like to further discuss parking. The parking being shown on the revised plans conforms and complies with Village ordinances. They are still open to reduction of parking but, with the change in the configuration, the endcaps where they were looking to reserve green space have been significantly modified and reduced. The density of the project will leave more green space. Mr. Curtin stated the Applicant is prepared to move forward with this plan subject to engineering comments.

J. McFall asked if removing the one building from Phase 1 would make sense economically for the developer and if Mr. Scuiga would be better off keeping the building and seeking the variance from the ZBA. Mr. Scuiga stated the decision to eliminate the building was made mostly due to the difficulty of building in this area on the site. He stated they would need to fill 14' for the foundation, which would be a lot of work and a lot of money for one extra building. Mr. Curtin noted they were also being sensitive to the density issue, but ultimately eliminated the building due to economic issues with developing that particular location.

Mr. Tom Loturco, PE, addressed the revisions to Phase 1. He stated the modifications eliminate some of the earthwork that would have been necessary and preserves vegetation. Regarding the impact on drainage, he noted that according to the Wellhead Protection Ordinance, the stormwater basin will need to be lined. The details on C11 show that this has been done according to that ordinance, which was a request from the Village. He noted along Oakcrest Road the stormwater is intercepted in a swale, which brings it back to the stormwater management basin where water quantity and quality are taken care of. The stormwater exits and follows the natural course. This will not greatly impact preexisting flows greatly and actually will reduce peak flows coming out of the system as related to the existing conditions on the site. Mr. Loturco also noted that ingress and egress on Oakcrest Road has changed due to the sanitary sewer line configuration.

Mr. Curtin stated there is nothing new to report regarding Syracuse Homes. They are still open to the notion of one-half of the 80' right of way being taken out of their property and the other half being taken out of Mr. Scuiga's property and they accept this. They had been trying to work with Syracuse Home to have them provide the entire 80'; however, the Applicant does not wish to hold up his own project and will no longer pursue this. Mr. Curtin suggested offsetting the centerline of the collector road if Mr. Scuiga's property is constricted.

Chairman Savacool asked what landscaping would be provided near the existing home. Mr. Loturco stated this will be included in later plans and that detail is not currently available. Chairman Savacool stated the Board would like to make sure the owners of the existing home are being considered with screening. Mr. Curtin stated they would potentially be planting 6' evergreens staggered and spaced for infill and this detail will be worked out for Board approval. Mr. Loturco stated they would typically use arborvitae in that situation.

D. Faldzinski noted he reviewed the revised plan submitted this evening and had some comments. He stated he has concerns about the Phase 1 entrance onto Oakcrest Road. He noted there is 2-way traffic throughout the parking lot and it comes to a connection right at the entrance to Oakcrest. This may create the potential for congestion. He suggested they consider a 90-degree connection and just one single access onto Oakcrest. Mr. Loturco suggested signage that would direct one lane to stop. Mr. Curtin noted that the elimination of the 10 parking spots may allow for reorientation of the entrance. They could accommodate the 90-degree connection and add signage to address D. Faldzinski's concerns.

Chairman Savacool asked if garage units in Phase 2 are being moved. D. Faldzinski stated he would like the engineer to look for ways to provide two points of ingress and egress. Mr. Scuiiga stated they would have to reduce the number of garages, which he has already done. He noted there is a sewer line between the garages as well. Mr. Curtin suggested trading the location of the garages and putting the bigger one further from the entrance. Mr. Scuiiga stated he would be able to consider this if those 10 parking spots previously mentioned were eliminated. Chairman Savacool stated he would favor the green space over those extra spaces with the protection that the area be reserved if the Village determines they need to add parking later. D. Arthur stated he feels it would be worth having fewer parking spaces to provide safer ingress and egress. Mr. Loturco noted the 10 parking spaces in question are in back and would likely not be used anyway. Chairman Savacool stated that with these spaces eliminated, if they are still within a reasonable range regarding meeting parking requirements, he feels this is the option to consider. Mr. Loturco stated they would revise the plans to show this.

D. Faldzinski asked if the Applicant is coordinating with the fire department and the Codes office. Mr. Loturco stated they plan to deliver the new plan to the CEO tomorrow and are awaiting comment from the fire department. D. Faldzinski stated the Village fire code would require them to have a drivable access around the envelope of any building within 300' from the hydrant. Looking at the water utility plan, they will need to layout more mains to accomplish the 300' drivable access limitation.

Mr. Scuiiga asked if the 300' access would affect the layout. D. Faldzinski stated they just need to address the area within 300' of a hydrant to provide access to the rear of the buildings. Mr. Loturco stated rather than changing the layout they can stub off the water lines instead. D. Faldzinski stated it is his interpretation, although he would defer interpretation to the CEO, that there needs to be an accessible path to certain areas of the building, potentially the rear of the building. He stated he just wants to bring this issue to their attention. Mr. Scuiiga stated he will address this with the CEO. Mr. Curtin stated he does not feel this will affect the layout and they will present the issue to the fire department as well. Chairman Savacool noted there are multiple solutions to consider and it is the engineer's job to address these potential situations as they come up. Mr. Loturco stated they have already taken the step of sending the plans to the fire department.

D. Faldzinski stated, regarding the stormwater management basin, the discharge will be channelized flow to a pipe to a point off site where there is currently not channelized flow. Mr. Loturco stated, if they look at existing grades, the flow at that area is actually channelized. He stated they will also add an end section with rip-rap and will be able to mitigate some of the flow coming from the basin during larger storm events. D. Faldzinski stated he would like to see them sheet flow the water to make it more characteristically like the existing conditions. Mr. Loturco stated it is his opinion that the stone fill will mitigate the channelized flow. He stated they can provide something in addition to this if necessary to level the flow and create sheet flow. Mr. Scuiiga stated they will work towards this.

Chairman Savacool asked D. Faldzinski if there is anything that he sees on the new plans that would affect the layout significantly as he will be sending them on to SOCPA. D. Faldzinski stated that based on quick review tonight, the potential for changes will likely be minimal and if they are more significant changes then they can send it back to SOCPA for additional review.

Upon motion by D. Arthur and second by J. McFall to refer this Site Plan to SOCPA for review. Carried 7:0.

Mr. Curtin asked the Board how they like this plan. Chairman Savacool stated he likes the expanded green space. He feels the revised layout softens the appearance from Meigs Road with fewer buildings. He likes the location of the community building.

Chairman Savacool noted that the Planning Board typically postpones the December meeting due to holidays and holds two meetings in January. The Board decided that January 10, 2006 would be appropriate for this first meeting. Chairman Savacool noted that SOCPA will take 30 days for their review and he will make the referral early next week. Mr. Scuiga asked if they could get a report from D. Faldzinski prior to Christmas and D. Faldzinski stated he would get this to him. Mr. Loturco stated he will meet with the fire chief and with the CEO.

D. Faldzinski stated at the last meeting they had discussed a letter regarding trip generation at less than 100 at peak hours. James Trasher talked about furnishing this letter to the Board and sending it to SOCPA detailing their analysis showing less than 100 trips. This should be sent along with the SOCPA referral if possible. Otherwise requiring a traffic study will likely be one of SOCPA's comments. Mr. Loturco stated he will try to get this to the Clerk's office prior to Monday.

Festa Fairway Subdivision – Revised Piping Plan

Chairman Savacool stated this is not something that the Board needs to take any action on. However, he did want to make sure that the Board was aware of the revision. He stated a modification was made regarding the location of the piping through the backyards, instead of through the Pitcher property. D. Faldzinski stated the layout of the pipe moved north by 25' from where it was on Pitcher property. Chairman Savacool noted this was one of the options that had been discussed. Chairman Savacool stated they have secured the easements from the property owners. Drainage for each of the yards will be provided. D. Arthur stated he is in favor of this solution as it turns the retention pond into a closed system.

ADDITIONAL NEW BUSINESS

Discussion regarding Baldwinsville website

D. Arthur stated he has discussed the Baldwinsville website with Tony Saraceni. He stated the Village would like each Board to have input regarding the site. This would provide better communication with the community. The Village would like the Planning Board to determine what documents, applications, instructions, etc. should be included on the site. D. Arthur stated he had discussed having the minutes posted on the site.

Chairman Savacool stated he feels this is an excellent idea and feels it will streamline the planning process and make the community more aware of the process. He stated he feels that making the codebook electronic rather than book form would be a good idea and knows this has been discussed previously. This may be an expensive proposition. However, there are often a lot of changes to the code and inconsistencies that could be addressed more easily if the code were in electronic form. He noted Mayor O'Hara had suggested each department look at the code to streamline it.

D. Faldzinski stated he feels having a Planning link on the website with an updated code would make it easier for the Applicant and engineers, especially if they could know they were using the updated codes to layout their plans. D. Arthur stated he has a PDF file of the codebook and noted that J. C. Engelbrecht is working on the possible copyright issues with the publisher. Chairman Savacool stated the electronic form would certainly be an investment, but should be considered.

J. McFall stated he feels the site should include the Planning Board fees and a copy of the application form. Chairman Savacool agreed and stated it is his impression that individuals are more overwhelmed by the process than developers and this would be very helpful to this type of applicant.

E. Rock stated he feels it would be helpful to have a list of projects and the project status. J. McFall suggested categorizing progress in stages, such as planning, under construction, and completed.

D. Arthur stated he will be discussing this further with Tony Saraceni and other Board Members can contact him with additional ideas. D. Faldzinski suggested looking at other municipalities' websites to use as a guide.

Discussion regarding application/materials submission deadlines

D. Arthur stated he feels the 14-day deadline should be firmer. Plans are often coming in last minute and this does not allow Board Members sufficient time to review them in advance of the meeting. L. Barnett stated he feels the deadline gives the Board leeway to delay consideration of an application that is turned in too late if too much is going on. D. Faldzinski stated he feels it would be very beneficial to him if the deadline were more firmly adhered to, as he has to have time to develop comments so they can be reviewed along with the plans prior to the meeting

Chairman Savacool suggested that materials be sent out to Board members as soon as they arrive rather than waiting for everything to be in. This means the Board may receive multiple mailings for one meeting. He will tie everything together closer to the meeting date with a memo.

Plantings at Assembly of God

Chairman Savacool stated he had spoken with the pastor, who was reminded of this issue when Chairman Savacool addressed it with him. Reverend Czyz stated they initially were going to do the landscaping a few years ago and were told to wait due to rainy season. They will plan on doing it in the spring.

R. Lucy stated he would like to see plans now even if they have to wait until spring to implement them. He noted that the Wesleyan Church had to have plans for this prior to approval. Chairman Savacool stated resolving this is now a Codes issue and contacting the pastor about it was just the first step. He stated he will keep at this. He noted that previously this type of detail fell through the cracks with many applicants and now the Village is trying to be more careful with things like this. He noted that the apparent inconsistency is because things are done differently now. D. Arthur suggested asking the pastor for a letter indication when the plan to landscape. R. Lucy felt this would be sufficient. Chairman Savacool stated he will speak with Reverend Czyz and ask him to provide this letter outlining their plans and timeframe.

Upon motion by J. McFall and second by D. Arthur, the meeting was adjourned at 9:03 p.m. The next Planning Board meeting is scheduled for Tuesday, January 10, 2006.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary