

VILLAGE OF BALDWINSVILLE
PLANNING BOARD MEETING MINUTES
Tuesday, June 28, 2016 7:30 P.M.
Approved 8/23/2016

PRESENT: Carl Pelcher, Chairman
Dave Arthur
Nate Collins, Planning Board Alternate
Mace Markham
Mike Mazoway
Bob Scherfling

ABSENT: Terrie King
Nicole Schlater

ALSO PRESENT: Jamie Sutphen, Village Attorney
Steve Darcangelo, Village Engineer
Gregg Humphrey, Codes Enforcement Officer
Susan LaQuay, Board Secretary

GUESTS: Salvatore Lomedico, regarding 41 East Genesee Street
Vinnie Amato, regarding 49 East Genesee Street

Minutes from May 24, 2016 were reviewed. Upon by **motion** by D. Arthur and second by M. Mazoway, the minutes dated May 24, 2016 are approved as submitted.

Chairman Pelcher noted that T. King and N. Schlater are unable to attend tonight's meeting. Planning Board Alternate, Nate Collins, will be sitting on the Board tonight.

OLD BUSINESS

Discussion/action regarding 8 Tappan Street – Site Plan Modification (Jim Orlando)

There is no one present on behalf of this application.

Chairman Pelcher stated that Mr. Jim Orlando has submitted an application for site plan modification to the previously approved site plan for 8 Tappan Street. Mr. Orlando's tenant would like to be able to place a 20-foot tall flagpole on the property. Chairman Pelcher clarified that this pole will be for national/state flags only. According to the Village code, no signs or logos are allowed to be placed on the pole. He stated he is concerned about how it will be secured in the ground. S. Darcangelo stated that he will ask Mr. Orlando how the pole will be installed and will make sure it is done securely and safely. M. Markham noted that the application submitted makes it appear that the flag pole will be located on the Water Street property. G. Humphrey verified that the intention is to place the flag pole on the Tappan Street property.

J. Sutphen will be completing an easement for a walkthrough between Mr. Orlando's Water Street property and this Tappan Street property.

Chairman Pelcher asked if anyone has further comments. Hearing none, and after the previous discussion, the following Resolution was made to approve the Site Plan Modification dated June 9, 2016 for 8 Tappan Street (modification to the

original site plan dated 12/16/2015 and approved on May 24, 2014) to add a 20-foot flag pole contingent on the approval by the Village Engineer.

Motion by Mace Markham, seconded by Dave Arthur, to accept the within resolution. Motion carried with 6 members voting in favor and none against.

Discussion/action regarding 41 East Genesee Street – Site Plan Modification (Sal's Pizza & Restaurant)

Mr. Salvatore Lomedico is present to address the Board. He stated he had approached Mr. Patel (neighboring property/business owner) about leasing a portion of Mr. Patel's property to allow Mr. Lomedico to relocate his dumpsters further from his entrance, mainly due to a problem controlling flies. He has offered to pay Mr. Patel \$100/month, allow Mr. Patel use of the dumpsters, and Mr. Lomedico would pay to plow the lot. They were unable to come to an agreement. Mr. Lomedico provided the Board with an updated survey indicating that he owns the property right up to the sidewalk in front of Mr. Patel's business. He would like to modify his existing site plan to relocate his dumpsters to the northwest corner of his property adjacent to this sidewalk. This modification also includes plans for future outdoor seating on a raised deck.

Chairman Pelcher noted that the overlay district in which Mr. Lomedico's property is located addresses dumpster location and states that they are to be located away from public rights of way, which would include this sidewalk. He also noted that the Board must look at the totality of the site and does not believe it would be appropriate to place dumpsters so close to a neighboring business. Chairman Pelcher referred to the Board minutes from the prior meeting to review the original site plan and noted that Mr. Lomedico agreed to this current dumpster location. Mr. Lomedico stated he was not aware of how much of a detrimental impact the dumpster would have on his rear entrance.

Mr. Lomedico noted that Mr. Patel is currently utilizing his property (Mr. Lomedico's property) as an ingress to the smoke shop and is also using Mr. Lomedico's property for parking. This ingress is Mr. Lomedico's only owned ingress/egress.

S. Darcangelo noted that the Village has installed a community dumpster in Village Square and stated it is possible that the Village would consider placing a community dumpster in this area as well if a group of businesses would agree to utilize them for good of community. The Village would pay for the construction of the dumpster enclosure and the business owners would be responsible to pay for the dumpster service and removal. He suggested that Mr. Lomedico discuss this with other neighboring business owners (such as Jreck Subs) to see how much interest there would be and bring this issue to the Village Board. G. Humphrey suggested that Mr. Lomedico look into the possibility of a shared dumpster with increased pickup frequency with Jreck Subs in the meantime as a temporary solution to the fly issue.

J. Sutphen recommended keeping this application open while other solutions are being considered. Chairman Pelcher stated Mr. Lomedico cannot move the dumpsters. The Board will try to work with him to find a solution to this issue.

NEW BUSINESS

Discussion/action regarding 49 East Genesee Street – Site Plan (fmr. Burger King - Amato)

Vinnie Amato is present to address the Board. He reviewed the changes he is proposing, which are being done to make the property more appealing to potential tenants. Chairman Pelcher noted that these changes are more maintenance in nature and would not require site plan review. D. Arthur asked if the entrances to the building are new, noting that a change in entrances would require site plan review. G. Humphrey noted the doors themselves are new because the existing doors are being replaced. The entrances already exist and are just hidden by the vestibule, which will be removed. Chairman Pelcher noted that this property is located in an overlay district, which is why it was referred to the Planning Board for site plan review.

Chairman Pelcher stated that the work being done on this property will not require a site plan review at this point in time. It is really just maintenance. However, the applicant will need to go before the Architectural Review Board for ARB

review of these changes. J. Sutphen agreed and suggested the Applicant withdraw the application and come back when he has a tenant.

The application is withdrawn. G. Humphrey will speak to the Applicant about the ARB.

Chairman Pelcher noted this is a good example of an issue that the Board would like to see so they can make a determination as to whether or not full site plan review is necessary or not.

OTHER BUSINESS

Informal Discussion regarding 58 Oswego Street – Mohegan Manor dumpster location

Chairman Pelcher stated he spoke with Dennis Sick regarding his dumpsters on corner of his property near the Village Commons property. These dumpsters are not enclosed. Mr. Sick would like to move the dumpsters behind the old Titcombs. Pizza Man will rent dumpster space from him and he will build a nice enclosure.

Chairman Pelcher noted that the Board will need to see better plans for this with a formal application and, because this is located in an overlay district, the Board will review the application and determine if they want a site plan. G. Humphrey noted that this will need SOCPA review and SEQR if it is required to undergo site plan review. He will contact Mr. Sick and have him submit a detailed plan and formal application. He noted there is no site plan on file for Mohegan Manor and there is no clear understanding of how this site works. The changes being proposed are to 58 Oswego Street, but the only survey provided is for 52 Oswego Street. G. Humphrey will also let Mr. Sick know that a full survey will be needed for 58 Oswego Street.

The meeting was adjourned at 8:30 p.m. The next meeting is scheduled for Tuesday, July 26, 2016.

Respectfully Submitted,

Susan A. LaQuay
Planning Board Secretary