

CITY OF OSWEGO

PLANNING BOARD

May 7, 2019

MEMBERS PRESENT: Matthew Bacon, Daniel Breitweg, Noreen Ruttan, James Scanlon, Brit Hallenbeck, and Chairman Freeman.

MEMBERS ABSENT: Justin Rudgick, Mike Leszczynski, and George Koenig.

Chairman Freeman called the meeting to order at 6:25 p.m., Tuesday May 7, 2019. Roll call was duly noted.

A motion to approve the minutes of the April 2019 meeting was made by Noreen Ruttan and seconded by Matthew Bacon; minutes unanimously approved.

Chairman Freeman made a motion that all actions taken tonight are excluded, exempt or Type II actions for the purpose of the State Environmental Quality Review Law unless otherwise stated. Motion seconded by Brit Hallenbeck, unanimous approval.

Mr. Caraccioli said the new zoning code was submitted to the State of New York for filing. He said it is approaching two weeks now and they have yet to get word back that it has been filed. He said they are anticipating that it will be any moment now. He said the law says it becomes effective on the date of filing. He said technically it may already be in effect but they don't know that for a fact. He said they are operating under the old law until they know otherwise.

NEW BUSINESS:

1. Review & Approval – Signage for Summit Physical Therapy – 1 West Seneca Street, Case 19-64; Section 280-62.

DISCUSSION: Ray Nasoni with Signarama was present for the discussion. He said they are proposing three signs. He said the first one to go by the entrance of the building would be a 24"x43" PVC sign that would be pin mounted to the building. He said the second sign would be on the First Street side. He said it would be a 36"x64" PVC sign that would be pin mounted to the building. He said the third sign would be a small freestanding sign that would go on the corner of First Street and Seneca Street. Matthew Bacon said there isn't a rendering of the stand-alone sign in their packets. Mr. Nasoni showed them a picture of the sign. Chairman Freeman asked if there were any questions from the public and no one came forward.

DECISION: Brit Hallenbeck made a motion for signage approval. Motion seconded by Matthew Bacon, unanimous approval.

2. Review & Approval – Signage for Pathfinder Corridor – 120 East First Street, Case 19-70; Section 280-61.

DISCUSSION: Bill Galloway from Century 21 was present for the discussion. He said he was representing Pathfinder Bank. He said this is the former school board building and they are in the process of developing it. He said there has never been actual signage in the front of the building. He said they are placing it between the parking lot and the sidewalk and it will be standard with all the other signage in the area. Matthew Bacon asked if it will be facing east and west. Mr. Galloway said it will be facing north and south. Mr. Caraccioli asked if it will be similar in size to what is on Utica. Mr. Galloway said it won't be standing as tall but similar to that. He said it will be backlit with the tenants' names on it. Chairman Freeman asked if there were any questions from the public and no one came forward.

DECISION: Matthew Bacon made a motion for signage approval. Motion seconded by Brit Hallenbeck, unanimous approval.

3. Site Plan Review & Approval – 31 Burden Drive, Case 19-65; To allow front yard parking, Section 280-25(C).

DISCUSSION: Paul Zaryski was present for the discussion. Mr. Zaryski said he would like to install an 8'x25' concrete pad for additional parking alongside a driveway that is already there.

DECISION: Brit Hallenbeck made a favorable motion for site plan approval. Motion seconded by Matthew Bacon, unanimous approval.

4. Advisory to the ZBA – Special Permit Use – 31 Burden Drive, Case 19-66; To allow front yard parking, Section 280-55(B).

DISCUSSION: Chairman Freeman asked if there were any questions from the public and no one came forward.

DECISION: Matthew Bacon made a motion for a favorable advisory to the ZBA for a special permit. Motion seconded by James Scanlon, unanimous approval.

5. Site Plan Review & Approval – 53 West Eighth Street, Case 19-67; To allow for a new 9'x31' paved driveway and 10'x10' paved apron, Section 280-25(C).

DISCUSSION: Richard Mulcahey was present for the discussion. Mr. Mulcahey said he would like to upgrade the gravel driveway to cement. Mr. Caraccioli said it is existing now but is gravel. Mr. Mulcahey said yes. Jeff McGann said he has an existing apron and driveway that is gravel. He said he is not looking to extend the driveway any bigger. He said he is looking to pave the area that is gravel now. He said he needs a variance because he needs three feet from the property line and because he is in the first 25' of his front yard that is the front yard parking. He said he isn't looking to change what is there but clean up what is there. Chairman Freeman asked if there were any questions from the public and no one came forward.

DECISION: Brit Hallenbeck made a favorable motion for site plan approval. Motion seconded by Matthew Bacon, unanimous approval.

6. Advisory to the ZBA – Special Permit Use – 53 West Eighth Street, Case 19-68; To allow front yard parking, Section 280-55(B).

DECISION: Brit Hallenbeck made a motion for a favorable advisory to the ZBA for a special permit. Motion seconded by Chairman Freeman, unanimous approval.

7. Advisory to the ZBA – Area Variance – Side Yard Setback – 53 West Eighth Street, Case 19-69; To allow for a new 9’x31’ paved driveway and 10’x10’ paved apron, Section 280-55(A).

DISCUSSION: Mr. Caraccioli asked how long the driveway has been there. Mr. McGrath said he purchased the house about two years ago and it was before that. Daniel Breitweg said he has done a really good job on the inside and what he wants to do will look even better.

DECISION: Matthew Bacon made a motion for a favorable advisory to the ZBA for a Side Yard Setback variance. Motion seconded by Brit Hallenbeck, unanimous approval.

8. Revised Site Plan Review & Approval – 120 East Bridge Street, Case 19-71; To allow for a convenience store with self-service gasoline, Section 280-34(C).

DISCUSSION: Tyler Fronte was present for the discussion. He said they received comments back from DOT and they had to make some changes. He said they slid the building back 10' to the south because there is a DOT right of way. He said they removed a parking space. He said the only other change is on the signage. He said they added a cash price and a diesel price. Matthew Bacon asked if they have come back with ingress and egress yet. Mr. Fronte said they have in only access off of East Bridge Street. Mr. Caraccioli asked if there was an issue with green space. Mr. Fronte said they pushed everything back. Chairman Freeman asked if the tractor trailers will enter from Bridge Street and exit on Sixth Street. Mr. Fronte said yes. Mr. Caraccioli asked if this is it. Mr. Fronte said he hopes so. Mr. Caraccioli asked if the Board feels these changes would materially alter the character of what was previously approved. Brit Hallenbeck said he doesn't think it would but they really don't have a say because the DOT said this is it. James Scanlon asked the distance from the south end of the building. Mr. Fronte said it is now 170. He said the curb cut is still the same. Councilor Tesoriero asked if DOT gave any explanations why this needed to be altered. Jeff McGann said the DOT doesn't give a lot of explanations. He said you just keep submitting alternate plans until you find one that they bite on. Mr. Fronte said it was months to get this. Councilor Tesoriero said they have multiple properties that don't have to adhere to this. Mr. Caraccioli said it is probably more awareness of planning on the part of DOT and the potential for traffic safety, stacking and visual safety. He said too much activity going in and out of 104 increases the potential. Jeff McGann said the DOT was concerned with foot traffic on Bridge Street. Mr. Fronte said they were concerned with left turns into the property. Mr. Caraccioli said it would have made this project less attractive if there was no access off of 104.

DECISION: Matthew Bacon made a favorable motion for revised site plan approval. Motion seconded by Brit Hallenbeck, unanimous approval.

9. Establishment of SEQRA Lead Agency – 220 East First Street, Case 19-72; To allow for the construction of a 4 story, 80 unit multi-family dwelling.

DISCUSSION: Dan Brock from LaBella Associates was present for the discussion, as well as Gillian Conde from DePaul, Dan Gladding, and Brian McKinnon. Mr. Brock said they are proposing a four story building. He said there is an existing 2.1 acre parcel that DePaul would like to subdivide. He said there would be approximately 1.1 acres subdivided off of the original parcel. He said they will utilize the 1.1 acre parcel to build the four story building. He said they are going to use an underground parking garage to minimize the amount of exterior parking. He said the parcel is small. He said it is currently zoned B3 and it is being proposed to be TB – traditional business. He said the project in front of them is designed with the B3 design requirements. He said they are aware that TB is different. Jeff McGann said if they get a call saying the code was signed yesterday then they will require a couple of variances along the way. Brit Hallenbeck said there is no site plan set in stone because they are just doing SEQR. Jeff McGann said they have it laid out pretty well. Mr. Brock said they talked about reducing the parking outside to allow more greenery to show. He said he did not change that yet but was waiting for the Board’s comments first. He said the site drops off steep from the edge of the trees. He said their intent is to purchase up to the top of the bluff and then down not quite to where the entrance to the lock is. He said the remaining land would be retained by the owner and they will purchase just enough of what they need. He said the entrance will need to be approved by DOT. He said the site is a brownfield site that is currently under remediation. He said they are working to work that remediation into their project. He said it will be 80 units. Mr. Caraccioli asked the purpose for subdividing the lot. Mr. Brock said the owner wants to retain what is needed so DePaul is purchasing what they need to build. Chairman Freeman asked if there will be a fence between the edge of their property and the seller’s. Mr. Brock said that is not known at this time. He said there will be a definitive line where the tree line is. Mr. Caraccioli asked if the back of the building will act as a retaining wall. Mr. Brock said they will have to allow a path that they are working on now with a construction company to figure out how much room they need to safely build that building up against the bluff. He said there may be some modifications to the back of the building. Mr. Gladding said the front of the building sits down in so the front of the building is retained against the street. He said the back is at grade. Councilor Tesoriero asked if this is income based. Ms. Conde said it is midmarket. She said for a family of four the maximum is \$44,500, two people the maximum is \$35,600, and one person \$31,000. She said it is not public housing. She said they control who lives there. Councilor Wilmott asked if the entrance and parking will be from around the back. Mr. Gladding said the building is sitting towards the corner. He said the lobby entrance is on First Street. He said the entrance is back from the corner 20-30 feet. Mr. Caraccioli asked if the grey area is also underground parking. Mr. Brock said the grey area is where they originally talked about putting some exterior parking. He said after reading through the city code he knows there is a strong push to minimize exterior parking so they are looking to cut some of that out. He said typically with these projects there isn’t a huge need for parking. He said a lot of times the city ordinance for zoning is far beyond what this type of project needs. Mr. Gladding said the parking is for the residents, employees and some guest parking. Daniel Breitweg asked how many parking spaces there will be with the inside and outside for the 80 units. Mr. Brock said

he believes 40 underground and the amount they showed on the exterior was 17. Ms. Conde said the building will give preference to seniors. Mr. Brock said the reason DePaul chose this site is because it is centralized. Brit Hallenbeck said he counts more than 60 parking spaces in the underground plus the handicapped. Chairman Freeman asked if there will be any type of green space for tenants that may have children. Mr. Brock said tenants with children will be a rare occurrence here. He said on the first floor there will be an indoor community space and outside the community space, overlooking the river, there will be an elevated outdoor gathering area. He said there is not a lot of room on site for green space. Mr. Caraccioli asked if they talked to Centro about a potential bus stop here. Ms. Conde said not yet. She said there will be a minivan on site to help people get to errands. Noreen Ruttan asked why there is not at least one parking space per unit. Ms. Conde said they have banked so much parking over the years so they have noticed it is usually less than one car per apartment. Mr. Gladding said it has averaged between a half a car and three-quarters of a car per apartment. Jeff McGann said it goes hand-in-hand with the income base. Mr. Brock said they often bank parking. He said they make a certain size parking lot and show they could expand if need be. He said he doesn't think they have ever needed to expand the parking. Jeff McGann said they are over what the minimum requirement is for parking. He said they need 64 parking spaces and they have 77 proposed right now. He said they need four vehicles for five units. Ms. Conde said they are also targeting about 20 units for frail elderly. She said there is a housing need for this group. Noreen Ruttan asked if it will be handicapped accessible. Ms. Conde said yes. Mr. Gladding said state code requires minimum level accessibility. He said usually they have up to 25% of the apartments that are fully handicapped accessible. He said they provide a range. Councilor Wilmott asked if it is metal or wood frame. Mr. Gladding said the parking level will be concrete steel and above that will be a wood frame four story. Mr. Caraccioli said the purpose tonight is to determine lead agency status. He said the involved agencies are the Planning Board, Zoning Board, and the County Planning Department. He said he has noticed that someone has notified SHPO. Mr. Brock said they have received letters back already. Mr. Caraccioli said DOT would be an involved agency because there is a curb cut onto 481. He said they have the Department of Health water connection approval. He asked what that is about. Mr. Brock said the water connection is usually covered by the State Health Department. Jeff McGann said usually the county is involved. Mr. Caraccioli asked if Bob Johnson looked at this. Jeff McGann said Bob Johnson looked at it originally. Mr. Brock said there is a 6" water service that runs across the state road. He said he believes Bob Johnson said they tested it a while back. He said it is going to have to be tested again. He said they believe the existing water service will be serviceable. Jeff McGann said talking to Bob Johnson the sewer and water locations are very favorable. Mr. Caraccioli said the DEC would be an involved agency. He said they have Empire State Development for funding. Ms. Conde said Empire State gives them grant money for staff. Mr. Caraccioli they are a not for profit. He asked if there is any other funding. He said they aren't looking for IDA benefits. Ms. Conde said no. She said this would be all New York State Housing and Community Renewal. Mr. Caraccioli said HCR would be an involved agency as well. He asked if they understand why they interpreted this as a Type I. He said it is adjacent to the historic Barge Canal District. Mr. Brock said when they got his email they moved on to the long form. Mr. Caraccioli said it is housing unit of under 200 units in a city with a population of less than 150,000 so that makes it an unlisted action but it is adjacent to a historic district. He said

when it is next to a historic district it is a quarter of what the housing requirements are so 80 units would exceed that threshold so that is why he interpreted it as a Type I. He said the next step is to adopt a resolution identifying the Planning Board as the Lead Agency and authorizing the submittal of notice to all of the involved agencies. Noreen Ruttan asked about the soil remediation. Mr. Caraccioli said it is in process. He asked about the construction time frame. Mr. Brock said normally if all went well they would want to build this year. He said their goal is to have remediation done this year. He said DePaul isn't doing the remediation. He said the owner is. Mr. Gladding they will be submitting the funding this year but the construction will start next year.

DECISION: Brit Hallenbeck made a motion to establish the Planning Board as Lead Agency. Motion seconded by James Scanlon, unanimous approval.

Brit Hallenbeck made a motion to adjourn at 7:20 p.m. Motion seconded by Chairman Freeman, unanimous approval.

Approved: _____

Richard Freeman

Planning Board Chairperson

Jeff McGann

Planning Board Secretary