

Village of Canastota
Planning Board Minutes

May 3, 2006

MEMBERS PRESENT: Vic J. Kopnitsky, Sandra Eaton, Terry Curtis

MEMBERS ABSENT: Monica Koehler

OTHERS PRESENT: Jon and Kelly Stremmel, Joel Arsenault, Tim Mahoney

Chairman Kopnitsky called the meeting to order at 7:30 p.m.

NEW BUSINESS

An application was received from Jonathan and Kelly Stremmel for a Sign Permit and Architectural Review for revisions to the building front for premises at 117 South Peterboro Street, the former Robertson Law Offices. This property is located in the Central District and any exterior revisions to properties in this district require review by the Architectural Review Board. Inasmuch as this Board no longer exists, the Village Board has delegated to the Planning Board the authority to act as the Architectural Review Board.

The application was reviewed for compliance with Section 230-26 Architectural Control Procedure. The applicants advised that the exterior materials used will be mostly wood. New windows will be installed, the bottom half will be all wood trim and painted dark brown. The top brick will be painted off-white to update the brick and make it uniform. Codes Officer Mike Adsit advised the Board that the proposed Sign complies with size and area requirements. The applicants are intending to make the building look like the rest of the buildings on the block and to restore it to its original condition. The interior remodeling involves removal of non-load bearing interior walls that were installed for privacy. Chairman Kopnitsky asked Codes Officer Mike Adsit if this Board will be conducting a plan review for the interior modifications. Codes Officer Adsit responded that he does not feel that the renovations require site plan review.

Motion by Vic Kopnitsky, seconded by Terry Curtis, that the Village of Canastota Planning Board to approve the following resolutions and determinations:

Resolved, that this application is for a project which is an unlisted activity as classified under SEQRA, and it is further

Resolved, that there are no other involved agencies, as such term defined in SEQRA, and it is further

Resolved, that this Board shall act as lead agency for the purposes of SEQRA review, and it is further

Resolved and determined, that, after reviewing the short form EAF considering the potential impacts on the project against the criteria set out in Part II of the EAF and the criteria set out in 6 NYCRR Part 617, it is determined that the project will have no adverse impact upon the

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environment and that this determination shall serve as a “negative declaration” as such term is defined in SEQRA, and it is further

Resolved, that this Board approve, in the capacity of the Architectural Review Board pursuant to Section 230-26(D), the drawings by Robert R. Ellison, PE, dated April 25, 2006, on the grounds that the exterior design material and design color scheme will be in keeping with the surrounding properties and the sign is within the size authorized by the zoning code.

Motion carried. Ayes: VJK, TC, SE Nays: none

OLD BUSINESS

Joel Arsenault and Tim Mahoney appeared on the application of First St Mahoney LLC. The applicants are requesting a Special Use Permit and major subdivision approval regarding a parcel located on First Street, which is zoned R-1. The ZBA will conduct a Public Hearing on the Special Use Permit on May 11, 2006. The application has been referred to this board for a recommendation prior to the May 11, 2006, Public Hearing.

The Chairman reviewed the procedures regarding a major subdivision: (1) This is the first step in the process as we have not received a Sketch Plan from the applicants prior to this evening’s meeting. The map that was presented at the April 19, 2006 meeting did not contain all required information, including topographical information.

(2) Under Section 190-3, Definitions, this is a major subdivision as it creates more than five (5) lots.

(3) The requirements of Section 190-8, Sketch Plan Procedure, were reviewed. Two (2) copies of the Sketch Plan were provided for the major subdivision. The Preliminary Plat will be reviewed pursuant to Section 190-17 as to what in addition to the preliminary information must be included in the Preliminary Plat. A public hearing on the Preliminary Plat is required. Pursuant to Section 190-11(H), approval of the Preliminary Plat does not constitute approval of the final subdivision.

(4) Section 190-13 defines the Final Plat approval procedure and (B) requires a separate public hearing on the Final Plat. Section 190-23 defines the approval procedure for the Final Plat.

(5) Section 190-13(f) requires that either the Planning Board Chairman file a certificate stating that all improvements required have been installed and constructed in accordance with all applicable laws and regulations or that the developer file a performance bond. Section 190-19 sets forth the requirements regarding performance bonds.

The applicant states that the only infrastructure that will be installed is the sewers. The storm and sanitary sewers, water lines and cul-de-sac construction is what the bond would be required for. The applicant is only applying for a subdivision on the first 12 lots – they are not asking for anything regarding the back lots. The back lots are being shown in order to show the entire concept. The proposed Phase I development includes the retention pond and 12 lots and consists of just less than 3 acres. The subdivision regulations require that proposed improvements be shown as a condition of the major subdivision approval.

The applicants report they would be willing to remove the cul-de-sacs and the lots behind Phase I in order to alleviate the requirement for the performance bond. The applicants are not certain when the Phase II construction will begin and, therefore, do not want to bond for these improvements at this time. The applicants state that Phase II will commence when 60 to 75% of Phase I is sold out. One possibility is that the entire 8 acres will be subdivided into 12 lots on which patio homes will be built and the 13th lot will remain undeveloped.

Chairman Kopnitsky suggested that the applicants draw the subdivision line for lot 13 across the proposed cul-de-sacs, which would give the applicants more than 3 total acres in Phase I. With regard to the detention/retention pond, the rate of out-flow of drainage water will not change as a result of this construction. The applicants are to submit the engineering report upon which the design was performed. All the water that currently drains from Will New Blvd into the ditch will now first go into the detention/retention bond before it exits into the creek.

The Sketch Plan before the Board shows most of the information required under Section 190-5, with the exception that the information on the Plan has been corrected with regard to the name and address of the owner of the property. The drawing is 22 x 34, the scale is 1" = 60' (the Board unanimously agree the requirements under Section 190-5(D) are varied), shows boundaries as required, Zoning is R-1, shows all the easements in the street line, patterns of roads and total acreage.

With the waiver of scale and size under Sections 190-5(C) and (D), this Sketch Plan appears to comply.

Motion by Vic Kopnitsky, seconded by Sandra Eaton, that these are the written recommendations for changes to the Sketch Plan submitted at this meeting and required under Section 190-8(F):

1. When the Sketch Plan is converted into a Preliminary Plat, it should be changed to identify the correct owner of the property;
2. The boundaries of Phase I should be moved to the continuation of the south boundary of the proposed detention pond to the eastern edge of the property at the southeastern corner of Lot Number 14, except that at the two (2) rights-of-way, the boundary can be moved to the base of the arcs to preserve those boundaries in the event Phase II is constructed;
3. All of the lot lines and structure depictions be removed from the interior lot and it be renumbered "15";
4. That the swale on the south boundary of the property and the pick-ups on both rights-of-way be shown and the storm sewer to the detention pond be shown;
5. Lot 15 final grades and the drainage ditch to be constructed with Phase I must be shown;
6. The Preliminary Plat should also show the existing fire hydrants within the right-of-way.

Upon receipt of the Preliminary Plat with the above changes, the secretary can schedule a Public Hearing.

Motion carried. Ayes: VJK, TC, SE Nays: none

This is the ZBA referral for a recommendation on the Special Use Permit Application of Mahoney First Street, LLC in connection with the zoning ordinance change. We have previously determined that the lot sizes are within the parameters of the zoning change. Phase I exceeds 3 acres and is an application which is amended by the changes to the subdivision application showing a detention pond and lots 1 – 14, that are the subject of the Special Use Permit.

Motion by Vic Kopnitsky, seconded by Terry Curtis, that we recommend to the Zoning Board of Appeals that the Special Use Permit be granted in accordance with Section 230-36(G) for the development, as amended, and the developers will submit the revised Preliminary Plat in conjunction with the application for a Special Use Permit for Lots 1 – 14 without conditions as to the modified plan.

Motion carried. Ayes: VJK, TC, SE Nays: none

Motion by Sandra Eaton, seconded by Terry Curtis, to adjourn at 8:55 p.m. Passed 3 to 0.

Respectfully submitted,

Catherine E. Williams
Clerk/Treasurer