

CITY OF AUBURN PLANNING BOARD
TUESDAY, AUGUST 6, 2013 6:30 PM, MEMORIAL CITY HALL

Present: Sam Giangreco, Anne McCarthy, Tim Baroody, Crystal Cosentino, Sheli Graney

Absent: Frank Reginelli

Staff: Jennifer Haines, Director, OPED; Andy Fusco, Corporation Counsel; Greg Gilfus, APD Traffic Coordinator; Steve Downing, Code Enforcement Officer

Agenda Items: Subdivision 309, 311, 315, 321 Genesee St.

Chair calls the meeting to order. The Pledge of Allegiance is recited. Roll is called.

Agenda Item 1: Approval of May 7 2013 and June 18, 2013 Meeting Minutes.

Chair asks for a motion to approve the minutes of the May 7, 2013 meeting. So moved by Crystal Cosentino, seconded by Tim Baroody All members vote approval. Motion carried.

Chair – We have an explanation from Counsel on the June 18, 2013 Planning Board minutes.

Andy Fusco – As you'll know in your minutes for June 18th you'll remember two things; we had a little trouble with the tape recorder and then moving from one site to another. All of that is essentially superseded by a verbatim transcript of the meeting which I have in my possession. It's not minutes, it's verbatim. The City ended up going in halves with one of the attorneys in the room that night. As it is it doesn't appear we'll need a transcript because the case doesn't appear to be sued out and arguably the statute of limitations has run. There's no need for the Board to approve a transcript as the stenographer certifies as a record that it's a true and accurate depiction of what occurred that night. So whatever it is you do or don't have you needn't fret about the fact that the transcript is not there and approving the minutes.

Chair – Asks for a motion to approve the June 18, 2013 minutes. So moved by Tim Baroody, seconded by Crystal Cosentino. All members vote approval. Motion carried.

The minor subdivision application for 273 State St. has been pulled.

Agenda Item 2: Application for minor subdivision at 309, 311, 315 and 321 Genesee St. Applicant: David Feinberg, Esq. for Clinton Hill Auburn Town Center Equities, LLC.

Chair – Asks for the applicant to introduce the project.

Patrick Carbonaro on behalf Clinton Hill Auburn Town Center Equities, LLC - The applicant has filed an application for a minor subdivision of the referenced property. We filed all the required documentation in July. We rest on the papers as they've been submitted to the Board and obviously will take comments. I do note that John Bouck, the management partner, is en route and will be here directly so if there are any questions I can't address he may be able to do so with more specificity.

Chair asks the public for any comments. There being none closes the public hearing and asks for staff comments.

Jennifer Haines – We had reviewed this with the DRC committee as well as a consultant. No one had any issues with it. We have also prepared Part II EAF for SEQR review. Reviews Part II EAF (Attachment 1).

One other thing that was discussed at DRC was that this subdivision is not proposing any access onto Columbus St. There is a proposed easement the developer would be using. In the future if there is a site plan application put forward, that easement would need to be put in place as part of the SEQR review.

Andy Fusco – Farmington Lawn Care Inc. owns the existing shopping center?

Patrick Carbonaro – No, Clinton Hill Auburn Town Center Equities is the owner, and Farmington Lawn Care is the potential purchaser. They would be the benefited owner of the easement. The 3.39 acre parcel does not access through Columbus, it borders Columbus, and that would be something for site plan if they decided to go that route. Part of the contract, one of the exhibits to that contract, is an easement agreement that would allow Farmington access through the existing parcel which is owned by Clinton Hill onto Genesee St.

Andy Fusco – So assuming Clinton Hill subdivision is approved tonight it will then convey the 3.39 acres to Farmington Lawn Care, which will seek to develop it?

Patrick Carbonaro – As long as other contingencies in the contract are met; that is just one of them.

Andy Fusco – what are some of the other contingencies?

Patrick Carbonaro – Obviously site plan application for their purposes, but that was not a burden of the seller. That is one of the contingencies that has to be met by the purchaser on their own. There are other minimal contingencies; this was the largest of them. We make no representation relative to the site plan application, that being done solely by purchaser after closing. Obviously that will be a more in depth process undertaken by the purchaser.

Tim Baroody – You're granting an easement for the entrance on Genesee St. with this sale?

Patrick Carbonaro – That is correct.

Andy Fusco – Who is the owner of the 5.59 acre tract directly south of the proposed new 3.39 acre lot?

Patrick Carbonaro – There are several tax map parcels all owned by Clinton Hill that make up that 19 acre parcel, so if you're looking to the south of the proposed 3.39 acres, that is one of the tax map parcels owned by Clinton Hill.

Chair asks for a motion for a negative declaration on SEQR. So moved by Tim Baroody, seconded by Anne McCarthy. All members vote approval. Motion carried.

Chair asks for a motion to approve the site plan as submitted. So moved by Crystal Cosentino, seconded by Sheli Graney. All members vote approval. Motion carried.

The date of the next Planning Board meeting is scheduled for Tuesday, September 3, 2013 at 6:30p.m.

Motion to adjourn by Tim Baroody, seconded by Anne McCarthy. All members vote approval. Meeting adjourned.

Recorded by Alicia McKeen