

CITY OF AUBURN PLANNING BOARD  
TUESDAY, FEBRUARY 3, 2015 6:30 PM, MEMORIAL CITY HALL

Present: Sam Giangreco, Anne McCarthy, Andy Tehan, Crystal Cosentino, Frank Reginelli

Absent: Tim Baroody

Staff: Stephen Selvek, Senior Planner; Brian Hicks, Code Enforcement

Agenda Items: PUBLIC HEARING: 28 Lexington Avenue Special Use Permit for a Home Occupation to conduct a gunsmithing and repair business; 17 Clymer Street Major Site Plan Review for the construction of a gymnasium to the school and site improvements.

Items Approved: SEQRA Lead Agency for Home Occupation on 28 Lexington Avenue; SEQRA Negative Declaration for Major Site Plan Review of 17 Clymer Street.

Applications Denied: None

Applications Tabled: None

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

**Agenda Item 1: Approval of January 6, 2015 Meeting Minutes.**

Chair asks for a motion to approve the minutes of the January 6, 2015 meeting. So moved by Frank Reginelli, seconded by Crystal Cosentino. All members vote approval. No members opposed. Motion carried.

Applicant/ Representative for Agenda Item 2 is not present therefore Chair moves to Agenda Item 3.

**Agenda Item 3: Major Site Plan Review for the construction of a 14,000SF gymnasium addition to the school and site improvements located at 17 Clymer Street. Applicant: Tyburn Academy.**

Chair invites applicant to provide an update of the project to Board members.

Michael O'Neill- Tonight we are reviewing the final Full Environmental Assessment Form for 17 Clymer Street. Also there are a few items that the City desires on the site plan which we will comply with.

Chair asks for staff comments.

Stephen Selvek- First, I will begin by addressing some of the final Design Review Committee (DRC) concerns with the site plan, these were included in Board packets.

- The CLL should enclose all areas of site disturbance including the topsoil storage and infiltration trench.
- 8" ductile iron shall be installed from the City water main to the edge of the ROW. At the ROW it may transition to 8" PVC, however ductile iron would still be recommended.
- The DRC continues to recommend the curbed concrete sidewalk be installed to connect the public sidewalk to the sidewalk near the school building.
- The proposed parking reduces current parking by 1 space. The proposed 51 spaces does comply with code. In the event more parking is needed for an event, does the school have a plan to address that need.

- The placement of the infiltration trench within the flood plain is a concern. Is this permitted by DEC?
- There do not appear to be calculations to support the infiltration rates needed within the Type “D” soils.
- A copy of the Notice of Intent (NOI) should be submitted to the City.

We hope to have these items rectified by the end of this month so we have a full complete set of plans to the Board for review next month. The other item for the Board tonight is SEQRA. The full EAF, parts 1-3 and a resolution are for the Board’s consideration. Staff wants to clarify some of the answers within the document to make sure that the full EAF reflects the most up to date plans that the Board is looking at. Within part I is the project information. There is a lot of information here and there are a couple of items that I want to make sure are reflected correctly and ask for the applicant’s concurrence that these items are rectified. Corrections are in red on the Full EAF form.

- Page 2, Part B, letter E: Identifying Approvals Required- It was identified that L & M 239 Review was required however because of the City’s MOU with the County that referral is not required. Therefore it was crossed off.
- Page 3, Part D1, B: Project Details- The total acreage to be physically disturbed is 1.9 acres rather than .591 acres. Everything within the construction limit lines were included in that number.
- Page 7, Part D2, K: Project Operations- The proposed action will not generate new or additional demand for energy. It was indicate yes but the SEQRA guidance is seeking industrial or commercial project but this is a public use and according to the guidance this would be no and would not require a new or upgrade to an existing substation.
- Page 9, Part E, E1: Site and Setting of Proposed Action- The land use and cover type table was filled in to include acreage before, after and reflect the change in acreage as well.
- Page 10, Part E, D: Asks if there are facilities serving children and I put Tyburn Academy in since it is a school and does serve children.
- I want to clarify for the record of the discrepancy between the Environmental Mapper under page 10, H and H3. The applicant indicated no to the NYS DEC Environmental Site Remediation database while the Mapper indicated yes. This led to further research and the site that the mapper is referring to was the GE Power-Ex site and if you pull a line between the sites, it is well more than 7,000 feet away. Therefore it is further away than the 2,000 feet.
- On page 13 E3, E: Designated Public Resources on or Near Project Site- It is asking what specific historic resources are in that area and the applicant noted the Harriet Tubman Home but the property that this project shares an immediate border with is the South Street Historic District.

If at this time the Chair could confirm with the applicant that these corrections/revisions are correctly reflected and acceptable in part I of the Full EAF.

Michael O’Neill- They are acceptable.

Stephen Selvek- Part II is looking at various potential impacts with the proposed project. The proposed impacts with Tyburn are not large impacts generally speaking this would have been an unlisted action but the location of the project to the South Street Historic District pushes the action to be a Type 1 Action.  
\*Reviews Part II of the Full EAF.\*

- Part 1 Impact on land: indicated yes there is a possible impact on land with construction. However I reviewed each of the additional questions and they were all indicated as no or moderate impacts for all the items.
- Part 2 Geological features: This is looking at unique geological features such as dunes, caves or cliffs and indicated no.

- Part 3 Impacts on surface water. Indicated yes since it is adjacent to Wood Brook and runoff has the potential to enter Wood Brook. However the applicant has created means to mitigate that impact. Therefore it was indicated the there is no or a moderate impact.
- Part 4 Impact on groundwater. Indicated yes because there is a demand for new water but the itemized questions are all no or moderate impact.
- Part 5 Impact on flooding was marked yes that there is a possible impact because part of the proposed action may be within the floodplain, however the magnitude of work is minor so it would be minor or no impact.
- Impacts on Air, Plants and Animals, Impacts on Agricultural Resources, Aesthetic Resources were all indicated to be no.
- Part 10 Historic and Archeological Resources- The proposed action is adjacent to a Historic District but the impact is minor. NYS SHPO was contacted and they issued a letter of no impact on historic or archeological resources. Therefore No was indicated.
- Impact on open space and recreation, impact on critical environmental areas, transportation and energy were all indicated to be no.
- Part 15 Impact on Noise, Odor and Light- The proposed may have a potential impact because has the addition of exterior lighting. However the lighting will be building mounted lighting that is dark sky compliant and appropriate and will not impact neighboring properties.
- Impact on Human Health, Consistency with Community Plans, and Consistency with Community Character were all indicated.
- In Section 3 The Determination of Significance: It is indicated that this this a Type I action with Section I, II and II fully completed by using the necessary resources.

Staff recommendation is a Negative Declaration for this proposed Type I action.

Chair asks if Board members have any questions.

Chair asks for a motion to adopt the NYS SEQRA Negative Declaration Resolution for 17 Clymer Street so moved by Crystal Cosentino, seconded by Frank Reginelli. All members vote approval. None opposed. Motion carried.

Chair revisits Agenda Item 2.

**Agenda Item 2: PUBLIC HEARING: 28 Lexington Avenue Special Use Permit for Home Occupation to conduct a gunsmithing and repair business. Applicant: Samuel Froio.**

Chair invites applicant to present to the Board.

Samuel Froio, 28 Lexington Avenue- Business will repair Rifles, shotguns, scopes, slings on firearms. I will be working with City of Auburn Police Department, Sheriff's Department and State Police. It will be by appointment only. It will not be wholesale or resale.

Chair opens Public Hearing section of the meeting. There being none Chair closes Public Hearing.

Chair asks for staff comments.

Stephen Selvek- The Board is tasked with the issuance for special permits for some home occupations but gunsmithing and repair are not allowed by right. Therefore this Board has jurisdiction of this application. This application also requires the approval of ATF (United States Bureau of Alcohol, Tobacco, Firearms and Explosives). Tonight is the required Public Hearing but also looking at the Board declaring their intent to be Lead Agency for the Environmental Review of this project.

Staff does not have any specific concerns around this application. It is by appointment only. The use of the site is limited to 256 SF of his 1,200 SF home so he is in the requirement and he is not employing anyone outside of the home.

Chair asks Board members if they have questions or concerns.

Crystal Cosentino- What is the timing of the ATF approval?

Stephen Selvek- The 30 day period is specific to the Environmental Review. ATF will take action on the application when the environmental review is complete.

Crystal Cosentino- Does the local Police department, Sheriffs or State Police have any jurisdiction on this?

Samuel Froio- The reason why I am working with law enforcement is so people are not shady. If I receive a dirty gun, I will call the law and they will confiscate it. I will have cameras on the property too.

Stephen Selvek- Local law does not have any jurisdiction over this but ultimately working with the law will lead to the success of his business.

Frank Reginelli- Will there be any testing of the guns?

Samuel Froio- No, Sir.

Anne McCarthy- You said you have a camera, is that ATF regulation.

Samuel Froio- No it is not but if someone brings a firearm to me and someone does not have a NYS pistol permit and decides to leave, than I have your weapon and I call local enforcement. I may not have identification of the person but have what the person looks like.

Chair asks for a motion to declare the Board's intent to be SEQRA Lead Agency. So moved by Frank Reginelli, seconded by Andy Tehan. All members vote approval. None opposed. Motion carried.

### **Agenda Item 3: Other Matters**

The date of the next Planning Board meeting is Tuesday, March 3, 2015 at 6:30 pm.

Chair presents a training opportunity on non-conforming uses presented by Cayuga County. Board members received a flyer on the opportunity.

Stephen Selvek provides an update on 72 Owasco Street, D & L truck stop site plan. The applicant decided to reconfigure the space inside the building and look at an addition that does not exceed 25%. The 25% threshold is what triggers site plan review with the Planning Board.

Stephen Selvek provided an update on 60/62 Van Anden Street, Clifford Bond, rezoning- City Council did the first reading and adopted the zone change and the applicant is intending on merging the parcel and possibly may come in front with a site plan on an expansion for office space.

Motion to adjourn made by Frank Reginelli and second by Andy Tehan. All members vote approval. None opposed. Meeting adjourned.

Respectively submitted by Renee Jensen