

CITY OF AUBURN PLANNING BOARD  
TUESDAY, MAY 5, 2015 6:30 PM, MEMORIAL CITY HALL

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

Absent: Tim Baroody, Theresa Walsh

Staff: Stephen Selvek, Senior Planner; Brian Hicks, Code Enforcement; Greg Gilfus, Traffic Officer APD

Agenda Items: Minor Subdivision of 152 York Street; Minor Subdivision 344-346 Clark Street; 148 Grant Avenue Major Site Plan Review for the construction a retail store.

Items Approved: Minor Subdivision of 152 York Street; Minor Subdivision 344-346 Clark Street; SEQRA Negative Declaration of 148 Grant Avenue.

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 April 7, 2015 Meeting Minutes.**

Chair asks for a motion to approve the minutes of the April 7, 2015 meeting. So moved by Frank Reginelli, seconded by Andy Tehan. All members vote approval. No members opposed. Motion carried.

**Agenda Item 2: Minor Subdivision of 152 York Street to divide an existing 3.9 acre lot into two (2) lots. Applicant Ralph L. Schooley, Jr.**

Chair invites applicant to present updates to the Board.

Michael Quill, 114 Bennett Road, Camillus- (Representing the applicant). Applicant would like to split the lot into two parcels with the new lot being on the South West.

Chair opens Public Hearing.

Beverly Smith, 144 York Street- Neighboring property owner and is wondering if the property is going to be spilt and if he is going to be selling it. Our property is ten feet from

Chair closes Public Hearing and asks for Board comments or questions.

Anne McCarthy- Is this property between Penske and the Rizzo property?

Michael Quill- Yes, that is correct. The parcel is set back from York Street

Stephen Selvek- The full parcel includes the Penske property and is 3.9 acres. The intent of this application is to subdivide the rear portion of the property, which is about 1.4 acres. There will be a right of way access from York Street and an easement for utilities. Correct me if I am wrong but the intent is to make this parcel marketable, there are no specific plans in regards to building on this parcel.

Michael Quill- Correct. There are not any current building plans for building.

Stephen Selvek- Tonight we are looking only at the subdivision to create this parcel. There are not building plans or intent at this point for building that parcel. If and when that happens, the plans will need to go in front of this Planning Board for approval.

Andy Tehan- Is the resident's house to the South or to the North of the parcel?

Beverly Smith- The property is to the West of us.

Stephen Selvek- The proposed lot he is looking to split is located at the rear (South end) of the property. The parcel is being split North and South.

Crystal Cosentino- The way this is being split, I do not think the new lot would touch the resident's property. It looks like the new lot will be surrounded by the remaining parcel, the applicant's property.

Stephen Selvek- That is correct.

Frank Reginelli- Is the lot big enough for anything of a commercial basis?

Stephen Selvek- Yes, the lot meets all of the zoning requirements for commercial. It is 1.4 acres and has a Right of Way access to the rear property to and from York Street. One of the reasons this particular configuration is permissible is that they are providing a ROW to York Street and the other is an unimproved access, Hiser Street, to the rear of the property and if that access is improved there will be a public access. Since it is unimproved the 24 foot ROW off of York Street is necessary.

Stephen Selvek reviews the short Environmental Assessment Form (EAF). Applicant is invited back to the podium to clarify questions 13 (a) and 16 on the SEQRA form.

Question 13 a. Does any portion of the site or the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?

Question 16. If the proposed action is located in the 100 year flood plain?

Stephen Selvek explains that 13 (a), according to the DEC EAF Mapper, indicates the property is within the buffer area of a wetland. Meaning if work was to be done that it would be required to reach out to the NYS DEC to confirm that there are not wetlands in this area. A visual inspection pointed to the wetlands being located north of York Street and York Street is the delineator so it is not likely that there are wetlands on the property. However because of the NYS DEC Resource mapper I would like to have questions 13 (a) reflect an answer of yes. 13 (b) would remain no.

If the applicant is okay with the change, we will note that on our part I.

Michael Quill- Yes, that is fine

In respect to question 16, the FEMA flood insurance map showed that the front three feet of the property are in the floodplain. It does not have an effect on the development of the rear lot.

Michael Quill- Yes, that is fine.

Stephen Selvek- On Part II it is indicated that there is no impact or no impact regarding this proposed project. In Part III please note that future development of the rear parcel would likely require the use of a pump for the removal of wastewater.

Chair asks for Board questions. No comments or questions by the Board.

Staff recommendation is a negative declaration and approval of the minor subdivision as presented noting that there are not plans for the development of this property at this time and if there are plans for the site they will come before this Board.

Chair asks for Board questions. None.

Chair asks for a motion to adopt the SEQRA Negative Declaration Resolution for 152 York Street so moved by Frank Reginelli, seconded by Andy Tehan. All members vote approval. None opposed. Motion carried.

Chair asks for a motion to adopt the Minor Subdivision Approval Resolution for 152 York Street so moved by Frank Reginelli, seconded by Anne McCarthy. All members vote approval. None opposed. Motion carried.

**Agenda Item 3: Minor Subdivision 344-346 Clark Street to divide an existing 1.7 acre lot into two (2) lots. Applicant Christopher King.**

Chair invites applicant to present the application.

Christopher King, 24 Bristol Avenue- I am separating the residence at 344 Clark Street from the business next to it.

Chair opens Public Hearing. There being none. Chair closes Public Hearing.

Chair asks for Board questions or comments. There being none, Chair asks for staff comments.

Stephen Selvek- This proposal is a minor subdivision, taking an existing parcel and separating it into two lots. The larger of the two parcels is located on the corner of Clark Street and Burkhart Drive which will be about 1.1 acres. That property is presently and will continue to be a commercial property. The property to the east is and will continue to be a residential property and will be 29,000 SF. Ultimately this is taking a mixed residential/commercial parcel and splitting it so there is one commercial parcel and one residential parcel.

Stephen Selvek reviews the Environmental Assessment Form.

Part I of the EAF, Question number 20. Has the site of the proposed action or an adjoining property been the subject of remediation for hazardous waste? The applicant answered no. The answer no is correct, but I would like to further explain the Environmental Mapper.

This site falls within the 200 foot buffer of a site that was remediated and that site was the NYSEG property located on the end of Clark Street. Based on the information, this parcel (344 Clark Street) is not the parcel in question by the EAF mapper.

Stephen Selvek continues to review parts II and III of the Environmental Assessment Form. Stephen Selvek noted that the proposed action is a subdivision of an existing real property. The action is administrative and does not involve physical alterations to the land or environment. Future redevelopment of the parcel is possible however not planned at this time.

Staff recommendation is a SEQRA Negative Declaration and to approve the minor subdivision as presented.

Chair asks for Board questions and comments. None.

Chair asks for a motion to adopt the SEQRA Negative Declaration Resolution for 344-346 Clark Street so moved by, Frank Reginelli seconded by Crystal Cosentino. All members vote approval. None opposed. Motion carried.

Chair asks for a motion to adopt the Minor Subdivision Approval Resolution for 344-346 Clark Street so moved by Frank Reginelli, seconded by Crystal Cosentino. All members vote approval. None opposed. Motion carried.

**Agenda Item 4: Site Plan presentation and SEQRA Review for the construction of a new Fastrac gas station and market located at 148 Grant Avenue. Applicant: Fastrac Markets, LLC.**

Chair invites applicant to present updates on the project.

Matt Napierala, Napierala Consulting, Manlius NY- Brett Hughes from Fastrac is with me tonight. We are advancing the plans for the SEQRA review tonight. We are here to answer any questions.

Chair opens Public to be Heard. There being none the Chair closes the Public to be Heard portion of the meeting.

Chair asks for Board questions and comments.

Anne McCarthy- NYS DOT letter suggested to share a driveway with Harrys.

Matt Napierala- The question dealt with off of route 5. The preexisting Fastrac had an open curb cut. We will be doing a right in and right out on Grant Ave.

\*Points to the site plan show on the screen.\* There is an existing driveway that comes out onto North Seward. We are in the middle of trying to acquire a triangle portion of Harry's property for the development of the access and as a result there will be ability for Harry's to have continued access onto N. Seward to get to the signal on Route 5.

Chair asks for staff comments.

Stephen Selvek- Coordinated SEQRA with involved agencies. NYS DOT (letter in Board member packets) does not object to Planning Board being lead agency but did have comments on the plan. NYS DOT comments include:

- NYS DOT will require a traffic impact study. The department shall be contacted to determine the limits and requirements of the study.
- NYS DOT will require a drainage report
- It appears improvements are being made to the back side of the property to allow and maintain access to the oil change business from North Seward. We would encourage a shared driveway with that business on Grant Ave. This would place the driveway farther from the intersection and allow for a regular full access drive.
- The department is encouraged by the inclusion of sidewalks, but it should be noted that sidewalks should be located on public property, which may require a land donation.
- Any work within the right of way requires a highway work permit. The applicant needs to contact our Regional Permit engineer, Betsy Palmer, to obtain a Highway work permit.

Matt Napierala- The property and curb line of Route 5 does not allow room for sidewalks. However, we can add the sidewalks on our property and if need we can add a pedestrian sidewalk easement.

Stephen Selvek reviews the Environmental Assessment Form.

Part I Question 13a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency.

No is marked on the form but on the EAF mapper is looking at waterbodies and the buffer around them. The answer No is the correct answer because the mapper located Hunter Brook, which is not near the site.

Parts II and III are marked as having no or small/ moderate impact. Part III reads: The proposed action is the construction of a 5,380 SF convenience store and gas station. The proposed use is allowable and appropriate in the C3: Highway Commercial zoning district. Given the small scale, limited scope and location of the project within a developed commercial corridor, any environmental impacts will be minor. The proposed project is served by existing infrastructure, will mitigate run off on site and includes appropriate sidewalks for pedestrian circulation.

Ultimately, this proposed project fits within the commercial district on Grant Avenue.

Staff recommendation is a SEQRA Negative Declaration.

Crystal Cosentino- Is there not a traffic study done because the site had this use previously?

Stephen Selvek- Currently it is a vacant site so any development is an impact on traffic. It is ultimately up to this Board to figure if this is a major impact or minor impact. My suggestion is that it is a minor impact because of the commercial district it is in. The three items I look at in regards to the traffic impact are the overall scale of the development, scope of the development, and finally the location.

Frank Reginelli- Is there soil contamination?

Stephen Selvek- The tanks that were there were removed. A lot of the soil was removed with the tanks.

Matt Napierala- Essentially, when the other store was decommissioned an environmental firm completed the remediation and cleaned the site and in addition a Phase II was completed on the two triangle parcels.

Chair asks for a motion to adopt the SEQRA Negative Declaration Resolution for 344-346 Clark Street so moved by, Frank Reginelli seconded by Andy Tehan. All members vote approval. None opposed. Motion carried.

#### **Agenda Item 4: Other Matters**

The date of the next Planning Board meeting is Tuesday, June 2, 2015 at 6:30 pm.

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