

CITY OF AUBURN PLANNING BOARD
TUESDAY, APRIL 4, 2017 6:30 PM, MEMORIAL CITY HALL

Present: Sam Giangreco, Anne McCarthy, Christina Tomasso, Crystal Cosentino,

Excused: Tim Baroody, Andy Tehan, Theresa Walsh

Staff: Stephen Selvek, Senior Planner; Stacy DeForrest, Corporation Counsel; Brian Hicks, Code Enforcement Officer; Greg Gilfus, Auburn Police Department

Agenda Items: PUBLIC HEARING -Special Use Permit to operate a single station hair salon at 42 Mary Street; 226 Grant Avenue Site Plan Review; 14 Allen Street Site Plan Review

Items Approved: Special Use Permit to operate a single station hair salon at 42 Mary Street

Applications Denied: None

Applications Tabled: 226 Grant Avenue Site Plan Review; 14 Allen Street Site Plan Review

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

Agenda Item 1: Approval of March 7, 2017 Meeting Minutes.

Chair asks for any corrections on the March 7, 2017 meeting minutes. There being none, Chair asks for a motion to approve the March 7, 2017 meeting minutes. Motion made by Crystal Cosentino, second by Anne McCarthy. All in favor. No members opposed. Motion carried.

Agenda Item 2: PUBLIC HEARING 42 Mary Street: Special Use Permit to operate a single station hair salon as a home occupation. Applicant: Kristen Carnicelli.

Stephen Selvek introduces the application which is for a home occupation to conduct a single station hair salon at 42 Mary Street. Last month the Public Hearing for the Special Use permit was set for tonight's meeting.

Chair opens the Public Hearing for the Special Use Permit at 42 Mary Street. There being none, Chair close the Public Hearing.

Chair asks for staff comments.

Stephen Selvek Reviews the SEQRA form with Board members. The applicant completed part I of the Environmental Assessment Form (EAF) and staff prepared answers to part II of the EAF. All questions on Part II of the Environmental Assessment Form are of no or small impact. This is a home occupation with a limited number of clients, which will be seen one at a time, with a limited number of hours you will which will not have a much of an impact. Also included in the Board packet is the resolution for the Special Use Permit. Staff recommendation is a SEQRA Negative Declaration and approval of the Special Use Permit.

Chair asks Board members for questions or comments. There are none.

Chair asks for a motion to adopt the SEQRA Negative Declaration Resolution for 24 Mary Street made by Crystal Cosentino, second by Anne McCarthy. All in favor. None Opposed. Motion Carried.

Chair asks for a motion to adopt the resolution approving the Special Use Permit made by Crystal Cosentino, second by Anne McCarthy. All in Favor. None Opposed. Motion Carried.

Agenda Item 3: 226 Grant Avenue: Site Plan Review to construct a single tunnel car wash, vacuum stations, and site improvements. Applicant: Robert Marchenese, LLC.

Chair invites the applicant to present the project.

Matt Bragg, Chrisantha Construction Corporation, Gorham NY, representing applicant Robert Marchenese- The proposal is to install a new car wash at 226 Grant Avenue. We have completed site design and the SWPP was submitted to the City. The car wash is single bay and will be automated. The tunnel runs 3 minutes a car and cars will be pushed through. Air jets will dry. There will be two to three attendees there at all times. We are estimating about twenty to thirty cars an hour with 11am to 4pm being the peak hours. Twenty cars can be stacked before reaching Grant Avenue. We have 3 water reclaim systems and an oil separator. The recycled water will be recaptured and reused. It takes about 25 gallons per car and the hope is to save about 5 gallons of water per car with the recapture system.

The draining plans are on the site plan. This is a five acre parcel but disturbance is an acre of land. The remaining 4 acres are going to remain undisturbed with mature trees. We were interested in finding if there were specific species of trees needed as part of a landscape plan and they will be incorporated into the planning. As for the lighting plan, there are lights shown on the plan but do not have a foot candle count because we are unsure if the owner will choose halogen or LED lights. Signage details and building elevations were handed out to Board members.

Chair asks for questions or comments from the Board.

Sam Giangreco has a concern with the traffic and asks about right hand egress onto Grant Ave.

Stephen Selvek- This project is on State Route 5. Therefore we are coordinating review with NYS DOT. NYS DOT may require right in and right because of traffic volumes and the location of Auburn Plaza but will know the details as we move forward.

Chair opens Public to be Heard.

Andrew Leja, Barclay Damon - I have been recently retained by my client who has a few concerns about the proposed project. A letter has been sent to Planning staff for consideration and I will outline a few of the items within the letter tonight. First, we are pleased that the applicant is abiding by regulations and has submitted a SWPP and we are anxious to see the lighting, signage and landscape plan. We did have a question to the size of the parcel. The tax map shows that the parcel is 7.4 acres however the applicant shows a 4.740 acre parcel. There is a question if a subdivision is involved. The site is heavily forested and there may be wetland because Northbrook runs through there. There are residences to the immediate east of the property contiguous to the property. So there are concerns that are brought up on this. In addition I wondered if a packet has been submitted to NYS DOT and if this Board has been Cc'd? Will the public have the opportunity to make additional comments when these details are made available?

Stacy DeForrest asks if Andy Leja stated who he was representing and Andy responds that he did not state who he is representing.

Stephen Selvek- Yes, if there are additional information to be considered. Stephen also stated that he received the letter after 4pm today and has not had the opportunity to distribute it.

Anthony Venezia, Venezia and Associates- The parcel is 4.7 acres and there is no subdivision. There are no wetlands involved or any FEMA floodplains.

Stephen Selvek- It was noted that stacking was for 25 vehicles. One of our concerns is ensuring that traffic is not backing back on the thoroughfare.

Anthony Venezia- There is approximately 400 feet from the wash entrance which will hold 20-25 vehicles, plus the extra stacking per the two lanes which is about 4-5 cars per lane. Cars will pull into the automated kiosk and then merged into the car wash. It is an immediate exit. There is no detailing or toweling off.

Crystal Cosentino asks for clarification on the traffic pattern and what are the hours of operation?

Robert Marchenese- There are two options. If you would like to vacuum your vehicle you would pull in and pull down the lane to the vacuum stations, there are about 16 stations. When the vehicle is done it can pull out around the wash building and out onto Grant Ave. The other option is to pull in and wash. Someone can vacuum and wash but they would wrap back around the front. There will be enough room and we do have attendants on site. Hours are 8-7 Monday- Sat and 8-5 on Sunday.

Anne McCarthy asks about buffer for residential properties.

Anthony Venezia- Residential properties are roughly 1,000 feet away and there is a large pine grove in the back as a buffer. The residents will not hear the vacuums or blower.

Chair asks if there are any other members of the public wishing to be heard.

Mark Kubarek, 108 North Street, K & S Car Wash- You are looking at a 3.5 million dollar investment into the City, which is great but 20-30 cars an hour is not going to pay a 3.5 million dollar investment. I looked at the building and it is capable of running 130 cars an hour. There would be cars exiting every 20 seconds and with the number of vacuum areas you are using a new Express Exterior model and free vacuum cleaners will be available. Approximately 50% of customers use vacuums, when you use free vacuum you attract another 40% of customers just for vacuums. I will supply information to DRC.

Melissa Lawton- Is there going to be access on Corporate Drive?

Anthony Venezia- No, Corporate Drive is a private drive.

David Townsend, 18 Bowen Street- ARC buses and buses for Saint John Paul go through there so that traffic should be considered. Also there rumors of bank going in at the athletic field.

Chair closes the Public to be Heard section of the meeting and asks for staff comments.

Stephen Selvek- I did receive a letter via email that will be distributed to the Board and applicant. We still do need to receive the SWPP since it is over an acre in disturbance. Also we need to receive the signage plan; lighting plan and planting plan. We are requesting the Board table the application tonight and return to the Board with a final site plan with the additional information.

Motion to table the Site Plan application made by crystal Cosentino, second by Christina Tomasso. All in Favor. None Opposed. Motion Carried.

Agenda Item 4: 14 Allen Street: Site Plan Review for the installation of a telecommunication tower and facility. Applicant: Crown Castle.

Chair asks staff for comments.

Stephen Selvek- As discussed last month, the applicant presented the authorized application including the environmental study and wetland delineation. This evening is open for public comment.

Chair opens the Public to be Heard section of the meeting.

Benjamin Kopp, Camardo Law Firm- Representing the residents of Case Avenue. A letter was submitted earlier today outlining our objections and I would like to read through the letter highlighting exhibits. First of all we would like the Planning Board to fully review the new considerations that are before us with the site plan application. Crown Castle is still identifying themselves as the leasee and according to the AIDA resolution date December 21, 2016 there was no direct decision to lease the property to Crown Castle. As for the environmental form according to the recent Bergmann report there are various wetland areas on the property and excavation is necessary for the construction of the tower and access road. In the previous site plan application it was stated that there are no wetlands to be affected but the Bergman report suggests otherwise. We would also like to point out that there are protected and endangered species including the Northern Long Eared Bat that will carry its own State and Federal Regulations that will need to be considered. Bergman also mentions the Rusty Patch Bumblebee which is becoming an endangered species. We would like to further point out the ordinance passed by City Council on August 25, 2016 has created requirements that the previous site plan application would not have addressed. The ordinance mentions a special use permit and a required 500 foot setback from neighboring properties, which would mitigate the aesthetic impact listed in the previous litigation.

Karen Walter, 3 Elisabeth Street, property at 15 Case Ave- Our group is not oppose to cell towers, we are opposed to having it at the location known as 14 Allen street. The 150 foot tower is proposed to be located 150 feet from residential property lines. Next month the planning Board is set to vote on a site plan application dated February 3, 2017 and specifically requested to reapprove a 2015 application and I ask that you deny it on the following. The 2015 application was nullified by court order in January 2017 therefore the current application is new and must follow the new ordinance. At the last meeting Andrew Leja mentioned that no other facet besides the signature form AIDA has changed except for wetlands which he and Corporation Counsel has been made aware of since November 2016. The review of a draft wetland delineation plan is unacceptable. According to the Army Corps of engineers the study must be done during the growing months and according to AIDA the draft study is expected to be finalized July 2017. As noted in the application the construction date is dated June- July 2017. Another significant change is the endangered and protected species that come with mandated protections from State and Federal regulations. Also there is nothing around the lighting. It is my understanding the FCC can change their lighting standards and with a 150 foot tower there is going to be lighting needed. These areas were not addressed in the 2015 application and therefore again the 2017 application needs to be reviewed as a new application. Please consider, AIDA has 80 plus acres in its Industrial park. There must be another site that will not disturb wetlands. Also consider the consultant report that stated indicated that the tower placement did not have to be sited at that

exact spot, it could be up to ¼ mile and Verizon could still meet their business goals. All we ask for is that the tower not be so close to the property lines, that the environmental protection be adhered to. Please deny the request to approve the application at the next planning board meeting. Lastly as requested by the previous project that public comment be given if new information is given and we would like the same courtesy extend to us.

Stephen Selvek- If there is new additional information we will provide the opportunity for the public to provide input.

John Walter, 3 Elisabeth Street- I was present at the last meeting regarding the cell tower and remember that the applicant was given a certain amount of time to speak and the residents were denied the opportunity to speak.

Stephen Selvek there was a public comment period on the application and clarifies that public comment is not required for a site plan review. The Board extends the courtesy because they want to hear what the public has to say about the project.

Alyssa and Kevin Lawton representing their mother at 17 Case Avenue-We have spent a lot of money on this and my mother has lived on Case Ave for many years. How many people does it take to stop this? As mentioned before my husband works for the State Parks and Recreation department and a project on the Erie Canal Walkway was stopped because of public input. Small groups have stopped projects because the public was not accepting of them. The cell tower has been a large issue with the residents on that street and the surrounding area. Those voices need to be heard. They are voices of the tax payers. The Erie Canal walkway was about paving and in the middle of the project one woman went out and sat in the middle of it and Cuomo said stop the project. All because of one woman. You are our Governor Cuomo.

David Corey, 28 Case Ave- In November I wrote a letter to Stephen Selvek, Michael Quill and others. One of the things I mentioned was that studies have shown that a decrease of 20% on average in property values is likely. I just completed a project involving tearing down my dilapidated garage and constructed a new one for about \$20,000. If I had known that this was going to be pushed, I would have put a different sign in my yard, For Sale. When I look out my front door I will see the cell tower. I am not asking it to be eliminated but there are 80 acres, please find another spot.

Alex Vanderpool, 3 Elisabeth Street- My mother is involved in the law suit. I wanted to bring up the shot clock and that any denial would have to be in writing. I called the FCC for clarification and have learned a lot. At the end of the day putting things in writing is not a big deal. I wish we could come to a resolution on this. It would reasonable to look at this application and put in writing that this application does not comply with our new ordinance and the request to move the cell tower 500 feet is minimal.

Chair closes the public to be heard portion of the meeting.

Chair asks for staff comments.

Stephen Selvek- As was noted a letter was submitted by the representation of the neighborhood and was shared with Board members tonight. Staff would like to table the application to respond to the comments and questions raised tonight.

Chair asks for Board comments or questions.

Crystal Cosentino- Item #2 in the letter referring with the new laws.

Stacy DeForrest- That is referring to the City's Ordinance.

Motion to table the Site Plan application for 14 Allen Street made by Christina Tomasso second by Crystal Cosentino. All in Favor. None opposed. Motion carried.

Other Items:

Stephen Selvek announces that directly following this Planning Board meeting is a presentation on the updates to the City's Zoning code.

The date of the next Planning Board meeting is Tuesday, May 2, 2017 at 6:30 pm.

Motion to adjourn made by Crystal Cosentino and seconded by Anne McCarthy. All in Favor. None Opposed. Motion Carried.

Respectively submitted by Renee Jensen