

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

Present: Sam Giangreco, Anne McCarthy, Andy Tehan, Theresa Walsh, Crystal Cosentino

Excused: Tim Baroody, Christina Tomasso,

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

Agenda Items: 357 Genesee Street, Site Plan Review; 226 Grant Avenue, Site Plan Review; 191 Grant Avenue, Site Plan Review

Items Approved: 226 Grant Avenue, SEQRA and Site Plan

Applications Denied: None

Applications Tabled: 357 Genesee Street, Site Plan Review; 191 Grant Ave

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

Agenda Item 1: Approval of May 2, 2017 Meeting Minutes.

Chair asks for any corrections on the May 2, 2017 meeting minutes. Correction that Crystal Cosentino was not at the May 2, 2017 meeting. Chair asks for a motion to approve the May 2, 2017 meeting minutes with the correction made by Andy Tehan, second by Anne McCarthy. All in favor. No members opposed. Motion carried.

Agenda Item 2: 226 Grant Avenue: Site Plan Review to construct a single tunnel car wash, vacuum stations, and site improvements. Applicant: Robert Marchenese, LLC.

Chair asks for staff comments.

Stephen Selvek- Reads letter received by the Planning Depart from Andy Leja regarding the proposed site plan for 226 Grant Avenue.

We understand that the above-referenced application of Robert Marchenese, LLC is on tonight's Planning Board agenda for an initial presentation by the applicant and for receipt of comments from the public. We respectfully present the following comments for Planning Board consideration on behalf of persons concerned with the potential localized impacts that may flow from the proposed demolition of several structures and placement of a car wash at the selected Grant Avenue location:

- **Drainage:** We are advised that the parcel's drainage appears to be part of a flood plain and wetland system, and it is tributary to North Brook, which is a protected trout stream stocked annually with over 1,300 brown trout yearlings.
- **Tree Removal:** The plan as proposed necessarily involves the removal of many mature trees from the site, yet the details of such removal (and whether root removal is contemplated) are not shown.
- **Soils:** We are advised that according to the USDA County Soil Study, the onsite soils are of low permeability (CeB, Lc, SeB), which precludes their use for detention of stormwater prior to discharge. Given the increase of impermeable surfaces accompanying the project, how will stormwater be handled? Will the depth to water table preclude use of traditional leach and biofiltration approaches?

- Demolition: In anticipation of a demolition permit, will the Applicant be conducting a pre-demolition asbestos survey? Because the project site is contiguous to a residential area to the east, will the City be monitoring compliance with the applicable regulations? If not, which agency will do so?
- Traffic Impacts: Use of a single existing driveway cut onto Grant Avenue is proposed for two-way traffic. Will the Applicant commit to right-in, right-out only access (in anticipation of NYSDOT conditions)?
- Will a potable water backflow permit be required?

Comments on the Short Environmental Assessment Form (“EAF”) Part 1:

- Pg. 1, Question 2: We are advised that other agencies may or will have permitting authority over the project, including: U.S. Army Corps of Engineers (wetlands); NYS Department of Labor (asbestos removal); NYSDEC (discharge into trout stream tributary); NYSDOT (traffic flow); City Engineering (SWPPP).
- Pg. 1, Question 3: Does this project involve a subdivision of land? The EAF cites 4.740 acres of land under the Applicant’s ownership/control, yet the tax map shows the site plan acreage as part of Parcel #109.65-1-1, which totals 7.34 acres.
- Pg. 1, Question 4: The uses adjoining and near the proposed action include residential, forest and urban uses.
- Pg. 2, Question 13: We are advised that the site and adjoining lands contain wetlands and water bodies that may be regulated.
- Pg. 2, Question 14: Forest and wetland habitat types should be checked as applicable.
- Pg. 2, Question 15: What is the basis for the Applicant’s denial of the presence of threatened or endangered animal species or habitats?
- Pg. 2, Question 16: The site appears to be tributary to a 100 year floodplain.
- Pg. 2, Question 17: The low permeability of onsite and surrounding spoils requires a highly efficient stormwater handling design, to prevent flooding of adjacent properties. Will the Applicant’s designs achieve this objective, and can the existing conveyance systems handle the increased load?
- Pg. 3, Question 18: The Applicant’s plans appear to include the impoundment of water via detention/leach ponding, contrary to the EAF response.
- Pg. 3, Question 20: The project site is close to several longstanding commercial businesses using hazardous substances/petroleum. Has a Phase I Environmental Review been conducted to confirm that no hazardous waste or petroleum contamination will be uncovered in the course of demolition/construction activities?

Potential Studies Needed: Stormwater Pollution Prevention Plan (SWPPP); Soils and Drainage studies, including percolation test; Species/habitat investigation; Wetland delineation; Pre-demolition asbestos survey; Traffic study. The object of this letter is to call attention to various aspects of development and design associated with this project, in order to ensure the Applicant is cognizant of and compliant with all applicable laws and regulations in the course of the permitting process. We thank the Planning Board and the City Planning Department Staff for their diligence, and we look forward to more information and answers from the Applicant as this process continues forward

(end of letter)

Andy Tehan asks who Andy Leja is representing. Stephen Selvek responds that it has not been stated.

Stephen Selvek- The Planning Board will be reviewing the SEQRA and subsequently the final review of the Site Plan. In Part I of the SEQRA there were questions that needed additional detail.

- Part I Number 2. “Does the proposed action require a permit, approval or funding from any other governmental agency?” Applicant noted City of Auburn Planning Board. The NYS DEC and NYS DOT are also to be included. An amended EAF has been received and includes NYS DEC and NYS DOT as reviewers.
- Part I Number 4 “Check all land uses that occur on, adjoining and near the proposed action” The applicant initially checked commercial but with further discussion with the applicant both urban and residential land uses are included.
- Part I Number 13a “Does any portion of the site of the proposed action or lands adjoining the proposed action contain wetlands or other waterbodies regulated by federal, state or local agencies?” according to the NYS DEC Environmental Resource Mapper a water course exists on the site. The developer acknowledges this as well.

In addition, there was review of the national wetlands inventory and NYS Resource mapper. They do not indicate wetlands on the site and the site does not have significant natural communities. A SWPP has been submitted, reviewed and accepted by the City Engineer. The bio retention areas, soil types and ten, twenty and one-hundred year storms have been accounted for in the SWPP. Going back to the NYS DEC Environmental Resource Mapper with the watercourse that was shown, that is a Class C tributary, it is not a class T or TS for trout or trout spawning. As such it is not by definition a protected stream and the development will not be affecting the watercourse (shown on the site plan-southern edge- construction is outside of this area). Also the site is not in the FEMA flood zone. Another item that was brought up was traffic circulation (shows map of the site). In an effort to avoid the tributary there is really only one area that access can be provided, which is where it is being proposed. The potential for traffic back up is and has been a concern during the review of the plan. The plan indicates total space of 20-27 vehicles on the site for the car wash process. This includes vehicles exiting the site, vehicles exiting the tunnel, vehicles stacking the pay kiosks and entering the site. The concern is that vehicles exiting can do so without a problem so vehicles do not back up. NYS DOT is limiting it to a right out configuration, a right in will be permitted and is intending to provide a left in. Staff recommendation is to approve the site plan contingent on NYS DOT approval and the plans to have a right out configuration. The applicant also indicated that adequate staff will be onsite to direct traffic during high traffic times.

Stephen Selvek drafted answers to Part II of the NYS Environmental Assessment Form and reviews the questions with the Board. All items under part II of the EAF are no or small impact. Part III includes the following statement: The proposed project is the redevelopment of an existing site within a commercial corridor. As the project involves the demolition of existing buildings, clearing and grubbing, and the construction of a new building, impacts to the environment are anticipated. Any impacts, should they exist, are small. The proposed use is appropriate within the Highway Commercial Zoning District. The site is over 4 acres, however the proposed development is limited to just over 1 acres and is generally confined to the area of existing development.

Vehicular access is directly from NYS Route 5, a relatively high volume traffic corridor within the City. Access is regulated by NYS DOT.

The magnitude of this project, a 3,200 sq ft building, developing on approximately 1 acre of property in an area of the City that we want to see commercial development; staff recommendation is a Negative Declaration in respect to SEQRA.

As for the site plan staff recommendation is for approval of the site plan with modifications based up on the following items:

- 1) On the Cover Sheet, “Ontario County Highway Department and” shall be deleted from note 8,
- 2) The layout of the driveway on Sheet C-3, the landscaping plan, dated 03/13/17 (no revision date), shall be revised to reflect the layout shown on Sheet C-1,

- 3) The layout of the driveway on Sheet E-1.0, the site lighting plan, dated 04/07/17 (no revision date), shall be revised to reflect the layout shown on Sheet C-1,
- 4) The sidewalk across the driveway shall be uninterrupted concrete to facilitate pedestrian movement across the driveway,
- 5) Work within the Right-of-way shall be approved and permitted by the NYS Department of Transportation, as required.

The project engineer has indicated acceptance of the stated conditions.

Chair asks for Board comments and questions.

Crystal Cosentino- If there is an issue with the left hand turn in, it would be addressed through the permitting process and addressed by the NYS DOT.

Stephen Selvek- That will be decided on by NYS DOT. There is adequate space on NYS Route 5 for a left turn in and that does not pose an issue or concern for us. Our primary concern is with the right out and if NYS DOT does not approve that the plan tonight would not hold up and would have to be brought back before the Board.

Sam Giangreco- If there is an issue with the traffic in the future, how would that fall on us as a Board?

Stephen Selvek- The applicant has committed to having adequate staff on site for traffic oversight and according to the site plans there is adequate stacking on the site to minimize traffic impacts. If those items do not hold true, there would be reason to have them in front of the Board

Theresa- How many vehicles can fit on the site in line?

Stephen Selvek- The applicant indicated that 25-30 vehicles can fit on the site. My conservative estimation is 22-27 vehicles.

Andy Tehan- As far as the traffic back up, the amount of days a car wash is backed up would be very few and car wash staff can most likely anticipate the high volume days.

Motion to adopt the SEQRA Negative Declaration Resolution for 226 Grant Ave made by Crystal Cosentino second by Theresa Walsh. All in Favor. None opposed. Motion carried.

Motion to adopt the Site Plan Resolution for 226 Grant Ave made by Crystal Cosentino second by Andy Tehan. All in Favor. None opposed. Motion carried.

**Agenda Item 3: 357 Genesee Street: Site Plan Review to demolish the existing McDonald's Restaurant and construct a new 4,900 sq. ft. restaurant together with site improvements.
Applicant: McDonald's**

Chair invites the applicant to present the project.

Owen Speulstra- Bohler Engineering, Albany- Discusses updates and additions to the plan: We updated the circulation on the site and closed an exit on Genesee Street. We provide a circulation plan for delivery trucks which happen weekly. We also addressed the small 5 foot radius at the common drive to a 15 foot radius. Additionally we added parking which is shown on this plan.

Chair opens the public to be heard portion of the meeting. There being none, Chair closes the public to be heard portion.

There being none Chair asks for staff comments.

Stephen Selvek- As noted the concerns with the layout from last month's site plan have been addressed. Those concerns included the significant decrease of parking on site and maneuverability for tractor trailers on the site. As for the handicap accessible parking which was discussed last month, the applicant has to locate handicap spots in minimal distance to the accessible entrance.

Chair asks for Board questions and comments.

Theresa Walsh asks what the resolution was to the tractor trailer movements.

Stephen Selvek-The shaded areas on the site plan indicate the tractor trailer turning movements

Anee McCarthy questions the additional parking.

Stephen Selvek- Overall there is still a slight reduction but there are an additional twelve to fourteen spots added to the site plan.

Sam Giangreco asks what the timeframe from demolition to reopening is.

Owen Speulstra responds that is typically three months.

Motion to table the Site Plan application made by Theresa Walsh, second by Crystal Cosentino. All in Favor. None Opposed. Motion Carried.

**Agenda Item 4: 191 Grant Avenue: Site Plan Review to demolish the existing building and construct a new 6,912 SF automotive repair shop with associated site improvements.
Applicant: Xcelerated Auto**

Chair invites applicant to present the project.

Timothy Kerstetter, Auburn Associates, 217 Grant Ave Auburn- Introduces tenant Joe Gagliano and states that a site plan has been submitted to the board.

Joe Gagliano, 191 Grant Avenue- Our proposed intention is to build a new structure behind the old one and when the new one is up and functioning we will demolish the old structure. The old building is an old horse barn and we have out grown it. We would like the new shop to be a full service repair shop with one bay on the front of the building where vehicles would enter and exit out the side of the building towards Chemung bank. Vehicles would then exit the same way the same way they entered the property. I will still be selling automobiles on the entrance side of the property.

Chair opens the public to be heard portion of the meeting. There being none, Chair closes the public to be heard portion.

Chair asks staff for comments.

Stephen Selvek- I have spoken with the project architect, Michael Palmieri and the site is very narrow and long. It poses some difficulties in development in regards to setbacks. Our review needs to make sure that the traffic circulation works within the site. The applicant will need multiple area variances from ZBA to accomplish this. Therefore tonight we will be referring the project to the ZBA so they can consider the area variances needed. This is a schematic plan and the project architect will be working with a project engineer to further develop the plans. Additionally, we are on NYS Route 5 but the applicant has

adequate access currently and that would not change. Does the Board have any questions or comments?
There are no comments or questions.

Motion to refer the Site Plan application to the Zoning Board of Appeals made by Anne McCarthy,
second made by Theresa Walsh. All in Favor. None Opposed. Motion Carried.

Motion to table the Site Plan application made by Crystal Cosentino, second by Theresa Walsh. All in
Favor. None Opposed. Motion Carried.

Other Items:

The next Board meeting is scheduled for July 4th. Board members are in favor of moving the meeting date
to Wednesday, July 5th.

The date of the next Planning Board meeting is Wednesday, July 5, 2017 at 6:30 pm.

Motion to adjourn made by Theresa Walsh and seconded by Andy Tehan. All in Favor. None Opposed.
Motion Carried.

Respectively submitted by Renee Jensen