

CITY OF AUBURN PLANNING BOARD
WEDNESDAY, JULY 5, 2017 6:30 PM, MEMORIAL CITY HALL

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

Excused: Tim Baroody, Christina Tomasso, Andy Tehan

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

Agenda Items: 357 Genesee Street, Site Plan Review; 246 Franklin Street, Site Plan Review; 284 North Street

Items Approved: 357 Genesee Street; and 246 Franklin Street

Applications Denied: None

Applications Tabled: 284 North Street Site Plan Review

Acting Chair, Anne McCarthy calls the meeting to order. The Pledge of Allegiance is recited. Roll is called.

Agenda Item 1: Approval of June 6, 2017 Meeting Minutes.

Chair asks for any corrections on the June 6, 2017 meeting minutes. There being none, Chair asks for a motion to approve the June 6, 2017 meeting minutes. Motion made by Crystal Cosentino, second by Theresa Walsh. All in favor. No members opposed. Motion carried.

Agenda Item 2: 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 asks for staff comments.

Stephen Selvek- The application has been before the Board for the past two months. The final Site Plan addresses concerns staff initially had. Staff drafted answers for SEQRA. Stephen reviews the Environmental Assessment Form with Board members and any impact from the project are small or no impacts. Part III reads: The proposed project is the redevelopment of an existing McDonald's within a commercial zoning district. The redeveloped site will be significantly similar the existing with decreases in both building size and impermeable surfaces. Any impacts, should they exist, are small.

Staff recommendation is approval of the resolution issuing a negative declaration and approval of the site plan resolution.

Chair asks for staff questions or comments. There are none.

Motion to adopt the SEQRA Negative Declaration Resolution for 357 Genesee Street made by Sam Giangreco, second by Crystal Cosentino. All in Favor. None Opposed. Motion Carried.

Motion to adopt the Site Plan Resolution for 357 Genesee Street made by Crystal Cosentino, second by Theresa Walsh. All in Favor. None Opposed. Motion Carried.

Agenda Item 3: 246 Franklin Street: Pursuant to the Memorandum, Decision and Order issued on June 28, 2017, by Honorable Judge David N. Hurd, in Upstate Cellular Network D/B/A Verizon Wireless v. City of Auburn, United States District Court, Northern District of New York Case Number 16-1032, Site Plan Approval for a 100' high monopole wireless telecommunication facility and associated site improvements. Applicant: Upstate Cellular Network

Chair asks for staff comments.

Stephen Selvek- This is the first time the application is before the Board. The Planning Board, Zoning Board and Code Enforcement Office have been ordered by Federal District Court to approve the application. This past fall City Council put a moratorium in place to allow the City to review and update City Code on cell towers. During that time Upstate Cellular Network submitted an application for the installation of a cell tower. The City declined to accept the application with the moratorium in place. Subsequently the applicant brought a law suit against the City and a decision was rendered by US District Court that the application was to be approved by the Planning Board, Zoning Board and a building permit is to be issued by the Codes Department. At this point the City has no discretion over this application as we have been issued through court order to approve the application. The application (shows an aerial of the proposed location on the screen) is for a 100 foot monopole tower that would be located 200 feet behind the rear property lines on Franklin Street and approximately 135 feet from the property lines of Highland golf course. They have included the court decision as part of the application packet. I reviewed the information and drafted answers to the long form Environmental Assessment Form. I noted where appropriate the potential for impacts in each of the sections.

Reviews SEQRA: Under Part II: Impact on land noted yes; Impact on flooding yes; Impact on energy yes; Impact on noise, odor, and light yes; Impact on community plans and community character yes. However none of the impacts based on the information in part I exceed the thresholds for part II so there is no significant impact. In part III it is noted: Pursuant to the Memorandum, Decision and Order issued on June 28, 2017, by Honorable Judge David N. Hurd, in Upstate Cellular Network D/B/A Verizon Wireless v. City of Auburn, United States District Court, Northern District of New York Case Number 16-1032, the Planning Board is ordered to approve the Application for Site Plan Review to construct a 100' high monopole wireless telecommunication facility and associated site improvements at 246 Franklin Street. Prior to approval of the Site Plan, as ordered, the Planning Board must conclude the SEQR environmental review with an issuance of a Negative Declaration.

Chair asks for Board questions and comments.

Crystal Cosentino- The court's decision nullifies the opportunity for public comment?

John Rossi- Correct. The court says that the Telecommunications Acts prohibits localities from imposing local standards on the telecommunications industry.

Motion to adopt the SEQRA Negative Declaration Resolution for 246 Franklin Street made by Crystal Cosentino, second made by Sam Giangreco. All in Favor. None Opposed. Motion Carried.

Motion to adopt the Site Plan Resolution made by Sam Giangreco, second by Crystal Cosentino. All in Favor. None Opposed. Motion Carried.

Agenda Item 3: 284 North Street: Presentation of a Site Plan for the construction of a 15,600 sq. ft. building addition and site improvements. Applicant Blair Construction and Fabrication.

Chair invites applicant to present the application.

Joe Durand, TDK Engineering- Blair construction is proposing an expansion to their fabrication facility on North Street which involves the construction of a 260 ft. long by 60 ft wide building adjacent to the existing building. The buildings will be separate with a breeze way. Utility information is currently being compiled and we will be addressing parking requirements and site lighting. Drainage impacts are also being reviewed. This expansion could bring in about 10 new employees.

Chair asks for Board questions or comments.

Crystal Cosentino asks what type of construction the building will be.

Joe Durand- It will be a steel frame with metal siding which is what they currently have on the site.

Chair asks for staff comments.

Stephen Selvek- Blair construction has been before the Board a number of times as they have expanded over the years. The concern we have as staff is as the expansion occurs, what are the storm water impacts. The Quarry is on the neighboring property and we want to ensure that we are not making an impact to the neighboring property. We will continue to work with the applicant to address these concerns and hope to have a comprehensive set of plans for the next meeting.

Motion made to table the application to the next Planning Board meeting made by Theresa Walsh and second made by Crystal Cosentino. All in favor. None opposed. Motion carried.

Other Items:

The date of the next Planning Board meeting is Tuesday, August 1, 2017 at 6:30 pm.

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

Respectively submitted by Renee Jensen