

**TOWN OF CAMILLUS
PLANNING BOARD
JANUARY 22, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat
John Williams

STAFF PRESENT

Paul J. Curtin Jr., Esq.
Paul Czerwinski
Dirk Oudemool, Esq.

GUESTS AND MEMBERS OF THE PUBLIC

David Callahan, 6th Ward Councilor
Bob Feyl, ZBA Chairman
Joy Flood, ZBA Vice-Chairperson
Roger Pisarek, 1st Ward Councilor

8 others

Chairman Fatcheric called the meeting to order at 7:08 PM, followed by the Pledge of Allegiance.

NEW BUSINESS

**Holy Cross Church
Amended Site Plan**

TP#011.-01-08

Joseph Kolonko, representing Holy Cross Church appeared before the Board to present an amended site plan for a "Parish Hall". The property is zoned R-3.

The proposal depicts erecting a 32' x 80' meeting hall on the south side of the church, which would share a common breezeway entrance, not a common wall. The purpose for the addition is to create a gathering space and an area for bible studies for the parishioners. After a brief discussion, Ms. Wheat inquired if the proposed addition were to be used only for church activities or if it would be rented out. Mr. Kolonko indicated that the facility would be available for both parishioners and the public, accommodating up to 100. When asked why they decided to create the common breezeway entrance, the applicant indicated that it was due to cost. He stated that if the addition were to be attached to the existing church, a sprinkler system would have to be added to both facilities. A sprinkler system would only be required in the addition if the present proposal is approved. When asked about the septic system, he indicated that the current system is adequately sized but will need to be relocated on the site.

The park shelter is proposed to be 16' x 30' and located on the southwest side of the parking area in front of the existing row of pine trees. The intended use is to provide the parishioners with shade for outside church functions. Electric power will be made

available to that structure, however, the applicant stated that no water will be made available nor will the facility be fenced.

The proposal also depicts an additional parking area located on the east side of the property. Mr. Kolonko stated that it would be necessary to excavate and then fill the area in order to accommodate the additional parking spaces. When asked what the surface of the parking area would be, he stated paved tarvia. Currently there are sixty-six parking spaces and the applicant stated that an additional twenty-five parking spaces were proposed. After a brief discussion, the Board requested the maximum capacity of the church in order to determine the number of parking spaces required. As the applicant did not have those figures available, the Board requested he contact the Code Enforcement Office to obtain the information. The applicants are also proposing to widen the existing entrance roadway to accommodate two-way traffic.

When the Board inquired about water runoff, the applicant responded that the water runs toward Armstrong Road, emptying in the drainage ditch near the road. The Board also inquired if the property was located in a wetland or flood zone. Mr. Czerwinski stated that the property was not located in a wetland and the improvements were not located in a flood zone however, there is a flood zone located at the southerly property line near Nine Mile Creek.

Mr. Czerwinski advised the applicant that the drainage would need to be shown on the next map as it appears that area to the west of the existing driveway drainage is directed to the area of the expanded parking lot. The applicant will also need to address drainage between the proposed parking lot and the road.

After a brief discussion, the Board requested the applicant provide a survey map detailing the location of the addition, the parking area, the park shelter, the building elevations, and the drainage. The Board also requested the applicant provide the maximum seating capacity of the church.

**Aupperle, Matthew C.
Sketch Plan**

TP#017.-05-40.0

Matthew C. Aupperle appeared before the Board to present a sketch plan application for a 2.4± acre parcel of land located on the corner of Warners Road and Bennett Road, zoned R-3. Mr. Aupperle is proposing to subdivide the property into four lots.

Currently, there is an existing two family home located on the parcel, which is serviced by two curb cuts, one located on Bennett Road, the other on Warners Road. In addition to those curb cuts, Mr. Aupperle indicated that he would be requesting an additional curb cut on Bennett Road and two additional curb cuts on Warners Road. When asked if he had spoken to the County for the curbcut approvals, the applicant indicated he had not. After a brief discussion, the Board inquired if the lots were to be serviced by public or private septic systems. The applicant indicated that all four lots would be serviced by private septic systems.

Mr. Czerwinski advised the applicant to obtain perk tests for the proposed lots and to verify that they comply with the County's requirements for the septic size for the

proposed residences as the County has requirements on septic designs based on the percolation. In addition, he advised the applicant that there might be safety issues with the curb cuts along Warners Road and recommends that the applicant meet with the County Department of Transportation for its review and input.

Mr. Flaherty inquired if this property was within the City of Syracuse Three Mile Limit. Chairman Fatcheric stated that he did not believe so but will have the clerk verify.

Chairman Fatcheric inquired if the existing house was being used as a two family dwelling. The applicant stated that it was. Being so, he advised the applicant that the plan as submitted could not be done due to the current structure being used as a multifamily dwelling and there is a 25' buffer requirement. He stated that although the property is not zoned for multifamily, it would presently be considered a legal nonconforming use.

After some additional discussion, the applicant was advised to meet with the County to discuss the additional curb cuts and to verify that the septic designs were acceptable based upon actual perk tests.

Ms. Wheat motioned to hold the sketch plan application open. Mr. Trombetta seconded the motion and it was approved unanimously.

OLD BUSINESS

Gertrude Fatcheric Farm Subdivision Amended Preliminary Plat

TP#010.-02-32

Chairman Fatcheric stated for the record that he has recused himself from this application. He then exited the boardroom.

Mr. Curtin stated that the preliminary plat application before the Board is for a 16.35± acre parcel of land on VanBuren Road zoned R-3. Mrs. Fatcheric is proposing to subdivide the property into two lots, Lot 2 and Lot 3. Lot 3 would be accessed from Winchell Lane, while Lot 2 would remain accessible from VanBuren Road. There are no plans to further subdivide the parcels.

Mr. Curtin stated that this proposal is a re-subdivision of a 2 lot subdivision that was previously approved by the Board. Based on the previous submission, the Board suggested the applicant square off the proposed new east property line for Lot 2 and the west property line of Lot 3, and eliminate the 60 ft. right of way that would benefit the new Lot 3 as it is the Board's understanding that access to the new Lot 3 would be from Winchell Lane.

Mr. Curtin then advised the Board that as the property is located on a County road, it is necessary to refer the application to SOCPA and because the Board is familiar with the property and its ownership, he encouraged the Board to schedule a public hearing to allow the Board to take into consideration any public comment.

Ms. Wheat motioned to refer the application to SOCPA. Mr. Voss seconded the motion and it was unanimously approved.

Ms. Wheat motioned to set the Public Hearing for the Gertrude Fatcheric Farm Subdivision Amended for Monday February 12, 2007 at 7:00 p.m. Mr. Fittipaldi seconded the motion and it was approved unanimously.

**Annesgrove Section C
Amended Final Plat**

TP#023.2-04-01

Mr. Joe Phillips of Phillips and Associates Land Surveyors appeared before the Board to present an amended final plan for the Annesgrove Section C subdivision, which was originally approved August 29, 2005. The plan depicts reducing the number of lots from 25 to 24.

After an extensive discussion, the Board determined that a typographical error occurred on the legend of the drawings provided. The legend should indicate a minimum rear yard setback of 10' for Lots 36-40, not the 1' as shown.

Mr. Trombetta motioned to declare this application a negative declaration under SEQR. Ms. Wheat seconded the motion and it was approved unanimously.

Mr. Voss motioned to approve the Annesgrove Section C amended final plat subject to the rear yard setback legend being changed and shown on the map for Lots 36 – 40, and legal and engineering review. Mr. Flaherty seconded the motion and it was approved unanimously.

**Starlight Estates
Phase 2 Construction Documents**

TP#015.1-01-08

Tom LoTurco appeared before the Board to present the Starlight Estates Phase 2 Construction Drawings. He stated that the biggest alteration made was to create a stabilization bench at the top of the slope, which stabilizes the drainage flow, intending to suppress potential erosion. Catch basins and drainage easements have also been implemented for the erosion and sediment control in which the applicant has received a letter from the DEC stating that it is up to their standards.

Mr. Czerwinski stated that the applicant has addressed all items listed in his memo to the applicants engineer. Additionally, in the letter dated January 22, 2007, Mr. LoTurco indicated a 1' high berm is proposed across the bench at the top of the slope. Mr. Czerwinski suggested that the berm go higher, possibly to 1 ½ ft. As the applicant has revised the storm water plan, he requested that a copy of it be made available to the Board. Mr. LoTurco stated that the changes are part of the drawing itself. Additionally, a copy of the DEC's comments and the "restart letter" would be provided to the Board. As Mr. Flaherty voiced concerns about the storm water control, Mr. Czerwinski stated that in addition to Barton & Loguidice monitoring the storm water controls, he is sure that in light of the previous complaints that the DEC would be monitoring them also as well as conducting site visits to ensure compliance.

Mr. LoTurco indicated that a drainage easement would be created on the adjacent property to the south that is mutually owned by the Rocco's, the owners of Starlight Estates. Mr. Curtin requested a copy of the proposed easement and a copy of the recorded deed showing ownership of the property for his review and approval.

Mr. Flaherty asked if the adjacent property owner, Mr. Metz's concerns had been satisfied, those concerns being the developers equipment trespassing on his property doing damage and then being told they would not fix the damage. After an extensive discussion, Mr. Curtin stated that he would arrange a meeting on site between Mr. Metz, Mr. & Mrs. Rocco, Chairman Fatcheric, Mr. Flaherty, Mr. LoTurco, Mr. Czerwinski and himself in order to address Mr. Metz's concerns.

Ms. Wheat motioned to approve the Starlight Estates Phase 2 Construction Documents dated January 19, 2007 conditioned upon the receipt of a copy of the proposed easement and a copy of the recorded deed showing ownership of the property subject to engineering and legal review. Mr. Flaherty seconded the motion and it was approved unanimously.

**Medical West
Amended Final Plat**

TP#020.-05-01.1

Chairman Fatcheric stated he received a letter from the Sutton Real Estate Company, LLC dated January 3, 2007 that requested an amendment to the Planning Board's resolution dated September 29, 2006 regarding Lot 1A and Lot 3A of the Medical Center West three-lot subdivision.

The resolution as written requires common ownership of Lot 1A (Medical Center West) and Lot 3A (the Storage Building) as a condition of continuing the storage buildings non-conforming use. The problem is the existing two-lot subdivision which includes the medical building parcel and storage building parcel are currently owned by separate entities which was a requirement for the financing if the Medical Center Building.

Mr. Oudemool suggested that the Board revise the language in the resolution to state: RESOLVED, to approve the final plat of the Medical Center West three-lot subdivision subject to the ownership of Lot 3A consisting of an entity with an ownership interest in Lot 1A and further conditioned by the requirement that the use of Lot 3A is related to the operation and management of Lot 1A. He stated that the purpose of this language is to cover the situation that the two lots are not owned by the same entity but the restriction of the use of Lot 3A remains the same as it may only be used in conjunction with Lot 1A or it will be immediately converted to its current zoning, which is single family residential use.

Mr. Fittipaldi motioned to approve the amended wording of the final plat of the Medical Center West three-lot subdivision subject to the ownership of Lot 3A consisting of an entity with an ownership interest in Lot 1A and further conditioned by the requirement that the use of Lot 3A is related to the operation and management of Lot 1A. Ms. Wheat seconded the motion and it was approved unanimously.

**Pointe West
Contract Drawings**

TP#020.-05-01.1 & TP#020.-05-01.2

Mr. Dave Hannig and John Camp appeared before the Board regarding the Pointe West Contract Drawings. The developer is asking the Board to consider allowing the turnaround at the end of Northwood Way to remain "as is" instead of building the road to Town specifications as it would be cost prohibitive. They have suggested granting the Town a right of way and easement for its use.

Mr. Oudemool stated the Town's policy is that all Town roads need to be built to Town's specifications. The Town does not build roads to accommodate subdivisions. He does not feel that the Town Board would consider the request but did offer that the issue could be submitted to the Highway Superintendent, who would then bring the request to the Town Board. He reiterated that he does not see the Town changing their specifications for this subdivision as the road would be a public highway.

After some discussion, Mr. Hannig suggested erecting a turnaround at the end of Northwood Way that would also have a private driveway further in to service the residence. Mr. Oudemool stated that if the road leading to the turnaround was built to the Town's specifications and the developer was to dedicate the turnaround to the Town, he believes the Board's concerns would be satisfied. He does not believe that having a driveway located off that turnaround that would service the residence of the proposed Lot 35 would be an issue. He then requested the engineer depict the above on a map, for approval from the Highway Superintendent.

Mr. Czerwinski commented that he is in the process of reviewing the construction drawings and should have comments by the end of the week.

DISCUSSION

Starlight Estates

Mr. Curtin stated that he received a letter from Mr. Primo that discussed the issues concerning Mr. Mentz property.

Benderson Development

Chairman Fatcheric stated that it has been brought to his attention that Benderson Development is not maintaining the sidewalks on the interior of their site. He suggested that going forward; the Board reviews the sidewalk maintenance during site plan review.

MINUTES OF THE PREVIOUS MEETING

Mr. Voss moved to approve the minutes of the meeting of December 11, 2006. Mr. Trombetta seconded the motion and it was approved unanimously.

CORRESPONDENCE

A voucher was received from the Onondaga County Planning Federation for the attendance at the Onondaga County Planning Federation 2007 Training Conference for \$240.00. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Fittipaldi, and approved unanimously.

A voucher was received from Dell Financial Services for the January 2007 monthly rental fee of \$79.84. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Trombetta and approved unanimously.

A voucher was received from Ann Clancy for office supplies for \$158.39. Motion to approve payment was made by Mr. Trombetta, seconded by Ms. Wheat and approved unanimously.

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of November 2006 for \$1,875.00, \$500.00 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Trombetta, and approved unanimously.

A voucher was received from Barton & Loguidice, P.C. for the services performed from October 29, 2006 thru November 25, 2006 for \$6,552.34, \$6,302.34 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Fittipaldi, seconded by Mr. Trombetta and approved unanimously.

A voucher was received from Barton & Loguidice, P.C. for the services performed from November 26, 2006 thru December 30, 2006 for \$3,511.42, \$3,386.42 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Trombetta, seconded by Ms. Wheat, and approved unanimously.

A voucher was received from QPK Design for the services performed from July 28, 2006 thru January 13, 2007 for \$1,296.48 of which all is recoverable. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Fittipaldi and approved unanimously.

A letter from the Kaley family concerning the Waterbridge Terrace Subdivision on VanAlstine Road was received.

COMMENTS OF THE ATTORNEY

Mr. Curtin welcomed Mr. Logana to the Board and wished all a Happy New Year.

COMMENTS OF THE ENGINEER

Mr. Czerwinski stated that he had a few comments.

Starlight Estates – He received a copy of the letter from the DEC that stated they are allowing the Rocco's to restart work after being issued a seize work order. Before receiving, the go ahead they had to comply with all the storm water control issues and

will have to correct all the erosion problems before beginning any new construction. Mr. Czerwinski stated that the project will be carefully watched.

Benderson Development - The non-operational streetlights should be operational shortly. He also checked on Mr. Farmer's property, and reported that Benderson did install the fencing along the entire length of the property and incidentally installed more trees than requested.

Cam's Site – The guide rail separating the property to the north was not installed per the approval. Mr. Czerwinski stated that he would be drafting a letter outlining additional items of non-compliance by the end of the week.

COMMENTS OF THE BOARD MEMBERS

Chairman Fatcheric stated that a "Staff" meeting was conducted with Bob Trybulski of Benderson to discuss a proposed drive-thru for Eckerd Drugstore in the Camillus Commons.

Ms. Wheat stated that she is looking forward to an exciting vibrant year full of growth within the molecules of life that will flow through the Town of Camillus and make it an economic engine throughout the entire county.

Mr. Trombetta inquired about the turning lane into Dunkin Donuts from West Genesee Street. Mr. Czerwinski stated that he did not believe that the striping had been completed, but will look into it and let him know.

Members of the Board extended a warm welcome to Mr. Logana.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 9:02 pm, seconded by Mr. Fittipaldi and unanimously approved.

Respectfully submitted:

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
FEBRUARY 12, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat

NOT PRESENT

John Williams

STAFF PRESENT

Paul J. Curtin Jr., Esq.
Paul Czerwinski

GUESTS AND MEMBERS OF THE PUBLIC

David Callahan, 6th Ward Councilor
Bob Feyl, ZBA Chairman
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor

15 others

Chairman Fatcheric called the meeting to order at 7:08 PM, followed by the Pledge of Allegiance.

PUBLIC HEARING

Gertrude Fatcheric Farm Subdivision Amended

TP# 010.1-01-20.0

Chairman Fatcheric stated for the record that he has recused himself from this application. He then exited the board room.

Ms. Wheat motioned to waive the reading of the notification of publication and legal description as advertised for the Gertrude Fatcheric Farm Subdivision Amended. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Curtin stated that the property is a re-subdivision of a former two-lot subdivision. The applicant has proposed subdividing the 16.35± acre parcel into two additional lots, Lot 2 being 10.298± acres and Lot 3 being 5.687± acres. The plan depicts accessibility to Lot 3 from Winchell Lane, while Lot 2 would remain accessible from VanBuren Road. As the property is zoned R-3, the reconfigured lots conform to the Town's zoning requirements. The matter has been referred to County Planning, however their meeting is February 13, 2007, and therefore the Board will not have any input from the County until the meeting of February 26, 2007.

As there were no comments from the public, Mr. Fittipaldi motioned to close the public hearing for the Gertrude Fatcheric Farm Subdivision Amended and to take no further action on this application at this time. Mr. Trombetta seconded the motion and it was approved unanimously.

NEW BUSINESS

Benderson Development – Petsmart Fairmount Fair Site Plan

TP# 048.-01-01.1

Mr. Bob Trybulski of Benderson Development Company, LLC appeared before the Board to present a site plan for the proposed changes in the façade for the new Petsmart retail store located within the Fairmount Fair Plaza. The property is zoned CP.

The plan depicts the façade changes where the Petsmart retail store is to be located. In that area, the applicant has proposed stonework along the width of the storefront enhanced by clear anodized aluminum framing on the facade. The plan also denotes an Exterior Insulation and Finish Systems (EIFS) band to be located on the top and on the cornice. The colors of the proposed project are earth tones. The applicant stated that Benderson Development Company, LLC would eventually upgrade the plaza. Mr. Voss stated that it would be helpful to see the concept for the redevelopment of the entire plaza.

According to the proposal, Petsmart is also proposing to incorporate a Pet Hospital and a grooming area within their retail store. When asked about Petsmart's specific regulations or the disposal of pet waste, Mr. Trybulski stated that he did not have the answers to those questions. Ms. Wheat requested Petsmart's operational regulations be provided to the Board. Additionally, the Board requested the interior square footage to be allocated for both the pet hospital and the groomer be provided to them. They also requested that an area of "green space" be designated as a pet walk for pets to relieve themselves. This should be an enclosed area to be monitored and maintained on a daily basis by Pet Smart Employees.

After a brief discussion, the Board agreed that the proposal is a great first start; it calls out a variety of architectural elements. While there is some continuity in terms of color schemes and materials adopted through the front elevations, its not detailed enough to give the Board a strong sense as to how the balance of the building elevation would otherwise be modified. The Board encourages the applicant to integrate this portion of the project harmoniously as they are cognizant that the Developer would be building around existing tenants. The Board suggested that they should call upon Carlie Hanson of QPK Design to review the proposed elevations and submit any comments, recommendations and, concerns to the Board.

Szczzech, John – DeVoe Rd. Lot Line Realignment

**TP# 019.-01-01.8
& Part of 006.-05-05.1**

John Szczzech appeared before the Board to present an application for a Lot Line Realignment for property located on DeVoe Road, zoned R-1.

The applicant is proposing the Lot Line Realignment in order to combine the two parcels into one as he has contracted to purchase the 20± acre parcel and 23.9± acres which is part of a 112± acre parcel currently owned by the Karasek's.

Mr. Curtin stated that the applicant has clearly defined the purpose for the Lot Line Realignment as it is initially for the conveyance and ultimately for the modification of the tax assessment map.

Ms. Wheat motioned to declare the Town of Camillus Planning Board as lead agency for this application. Mr. Flaherty seconded the motion and it was unanimously approved.

Ms. Wheat motioned to declare this application an unlisted action under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare that this application receive a negative declaration under SEQR. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the Lot Line Realignment for tax map parcel #019.-01-01.8 and part of tax map parcel # 006.-05-05.1 located on DeVoe Road as shown on the maps as submitted by Mr. Szczech. Mr. Fittipaldi seconded the motion and it was unanimously approved.

Ms. Wheat motioned to waive parkland fees for this application. Mr. Fittipaldi seconded the motion and it was approved unanimously.

**Viewpoint Estates - DeVoe Rd.
Sketch Plan**

**TP# 019.-01-01.8
& Part of 006.-05-05.1**

John Szczech appeared before the Board to present a sketch plan for subdivision of a 43± acre parcel of land located on DeVoe Road. The property is zoned R-1.

The applicant is proposing to subdivide the parcel into thirty-three residential lots, two (2) of which are proposed to be flag lots. The plan depicts one entrance point from DeVoe Road, which will service all lots. Public water, and private septic systems will service the property. When asked if any of the flag lots would have shared driveways, Mr. Szczech responded they would not. The plan also portrays a stub street that leads to the adjacent parcel to the south, which the applicant stated he had an option to buy. Also portrayed is a 30 ft. easement along the southerly property boundary that leads to a cell tower that the sellers are retaining.

When asked how public water would access the property, Mr. Szczech stated that this subdivision can access the West Hill Water District and he has proposed creating an extension to the water district specifically for this subdivision. When asked about the drainage detention, the applicant stated that it is preliminarily proposed north of Lot 1 and Lot 2 but ultimately the engineer would need to review the location for its consideration.

Ms. Wheat motioned to close the sketch plan application. Mr. Trombetta seconded the motion and it was approved unanimously.

**Greenfield Village
Sketch Plan**

TP# 018.-01-47.1

Jim Tarolli appeared before the Board to present a sketch plan for subdivision of a 70.85 ± acre parcel of land. The property is zoned R-3.

The applicant is proposing to subdivide the parcel into one hundred twenty eight (128) residential lots, serviced by public utilities to be completed in phases. As this sketch plan is for the extension of Greenfield Village, the plan depicts extending the existing roadways to service the subdivision. The developer is sensitive to this particular development as the property is located adjacent to Nine Mile Creek. Therefore, in order to eliminate some issues previously encountered, they have proposed to stop the lot line at the high water mark along Trotters Ridge Run. Additionally, the 20± acres located closest to the Nine Mile Creek aqueduct will not be developed. The applicant stated that they are considering conveying it to the Town of Camillus or creating a homeowners association to control the “greenspace”.

Mr. Curtin stated that Planning Board staff has worked diligently with the applicant and offered numerous ideas for the development of this parcel; some of which were to enlarge the lot size to reduce density and add greenspace. Because the area is environmentally sensitive, Mr. Tarolli was encouraged to design an area that would be an asset to the Town while encouraging community use through access pathways to Nine Mile Creek.

Mr. Logana inquired if the property was in the flood plain. Mr. Tarolli stated that the property is no longer located in FEMA’s designated flood plain. When asked if the existing sewers would be able to accommodate the increase, Mr. Tarolli stated that they would be able to handle the increase as the County has installed a forced main system, which flows directly to the County’s sewage treatment plant located on Hiawatha Blvd.

Mr. Czerwinski stated that the sewage pump station’s capacity is adequate and in order to be more effective, the County is in the process of installing an emergency generator that should be fully functional by this summer.

Ms. Wheat motioned to close the sketch plan application. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Fatcheric suggested contacting the Town Board and the Planning and Zoning Committee to see what their thoughts are about the green area. Mr. Curtin encouraged the applicant to move forward with the preliminary plat application.

**Blessed Virgin Mary Mother of God Church & Academy
Site Plan for Special Use Permit**

TP# 006.-02-34.0

Fr. Timothy Pfeifer appeared before the Board to present a site plan for a Special Use Permit for a 44± acre parcel of land located on Warners Road, zoned R-3. Blessed Virgin Mary Mother of God Church and Academy is proposing to conduct a school for grades K – 12, which would include the boarding of up to 30 male students in the former

Warners Road Elementary School. No changes to the building or the parking area are planned as the applicants are proposing to reuse the existing building and site.

The school does cater to both genders so when asked about the boarding, the applicant stated that on-site boarding would always be for single gender (boys) in grades 8 – 12. When asked how the students would get to school, Fr. Pfeifer stated that the children are bussed and when asked what the current enrollment was, he stated it was 115. The capacity of the original design of the school building allows for 750 students, according to the legend on the map.

Mr. Curtin stated that the primary purpose for this referral is for the Board to explore any site plan modifications and address any impact of this use on the site. As the use is consistent with prior design and uses of this site, there does not appear to be any adverse impact related to this application. As the applicant did mention the possibility of future site improvements, he was advised that any site modifications would need to come before the Planning Board for proper approval.

Ms. Wheat motioned for Mr. Curtin to draft a letter to the Zoning Board of Appeals stating that after a thorough review of the existing site plan, the Planning Board finds that the intended use is not otherwise inconsistent with the property and offers no comments or recommendations with regard to the application. Mr. Trombetta seconded the motion and it was approved unanimously.

OLD BUSINESS

Drake, Deana Preliminary Plat

TP# 035-02-17.0

Deana Drake appeared before the Board to present a preliminary plat for a two-lot subdivision now called Evans Landing. The property is zoned R-3.

Mr. Flaherty inquired if the applicant still owned the property at 103 Knowell Road. She stated that she still has a vested interest in the property as the property was sold subject to the completion of the subdivision.

Mr. Curtin advised the applicant that as she is no longer the owner, written consent of the current owner is required for this application. The current owner needs to submit a formal letter acknowledging that the application was previously filed and that consent is given to Ms. Drake to continue the application to obtain subdivision of the parcel.

Mr. Flaherty motioned to declare the Town of Camillus Planning Board lead agency for this application. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Mr. Flaherty motioned to refer this application to SOCPA for their review and recommendations. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Art Kanerviko appeared before the Board to present an amended site plan for Moe's Southwestern Grill located at the corner of West Genesee Street and Vanida Drive.

The access points to the site have not been modified or altered; the revised plan depicts the parking area to be relocated to the south side of the site adjacent to West Genesee Street. As the width of the building was reduced, it allowed for the reconfiguration of the parking creating better access for egress and ingress in addition to relocating the handicapped parking to be in closer proximity to the curb. As the revised plan portrays two parking areas along the southerly side of the site, both with 18 ft. driving aisles allocated for "one way traffic", stacking problems should be alleviated. Landscaped islands are proposed within the parking area inclusive of traffic directive decorative posts. Mr. Czerwinski stated that this plan improves the traffic flow around the building as it is less congested.

Mr. Kanerviko stated that two additional minor changes were made to the site. They were able to accommodate Moe's Southwestern Grill's request for an outside seating area as the sidewalk along the front was able to be increased to 10 feet and the dumpster area was able to be widened to 10 feet deep in order to improve traffic visibility around the rear of the site.

Mr. Flaherty inquired when the rear boundary improvements would be taking place. Mr. Kanerviko stated that all the landscaping and improvements should be completed prior to the property being turned over to the tenant, which is scheduled for May 15th.

Ms. Wheat voiced concern regarding the current traffic patterns within the Dunkin Donuts site. After a brief discussion, the Board recommended installing temporary directional signs until the permanent signage can be installed due to the site not being completely built out and people not aware of the Vanida Drive entrance/exit. It was also suggested that some type of temporary fencing (orange snow fence) be installed along the Dunkin Donuts drive aisle due to the pavement dropping to delineate where it ends. Ms. Wheat also voiced concern over the headlights shining into the property across from the Vanida Drive entrance. Mr. Czerwinski stated that he would review the issue and make any necessary recommendations to the Board.

Mr. Trombetta inquired about the pavement striping along West Genesee Street; Mr. Czerwinski advised him that it could not be completed until the spring.

Camillus Police Chief Winn has requested standard highway signage be placed on the calming island identifying local delivery only.

After a brief discussion, Chairman Fatcheric stated that Supervisor Coogan has requested the Planning Board review this site in 6 months and then again in 1 year after it is fully operational. When asked if he was receptive to this request, the applicant indicated that he was.

Mr. Flaherty motioned to approve the modified building plan last revised dated January 25, 2007 for Moe's Southwest Grill #477 as prepared by Holmes, King and Kallquist conditioned upon the right for further review and recommendations of the Engineer and Police Chief to be conducted in October 2007 and Spring 2008. Mr. Voss seconded the motion and it was approved unanimously.

DISCUSSION

Pointe West Minor Subdivision

Chairman Fatcheric stated that the Board had previously assessed Parkland Fees to the minor subdivision for two lots and it is his recommendation that the Board waive the fees as they will be coming back before the Board with a multitude of lots that won't be waived. Ms. Wheat motioned to waive the Parkland Fees for the Pointe West Minor Subdivision. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Guide Rail at Target

Mr. Czerwinski stated that Chief Winn approached him regarding a guardrail along West Genesee Street above the Target retail store site.

Camillus Police Chief Winn indicated that he has a safety concern for the new retaining wall being constructed on the north side of the Target retail store. In the past, there have been accidents on West Genesee Street and Onondaga Road where vehicles have slid down the grass hill in this area. While the grading of the slope has not changed, there is now a retaining wall of varying height near the bottom of the slope that poses a potential hazard.

The retaining wall is approximately 6.75 feet high and 32 feet from the edge of the West Genesee Street pavement at its closest location to the street. The top of the retaining wall is approximately 12 feet below the street. The wall moves slightly away from the street and the height decreases as you travel east on West Genesee Street.

Based on the site visit and review of the approved site plan, Mr. Czerwinski stated that he concurs with the Chief that there is a safety issue at the site. The situation can be remedied by installing a guide rail along West Genesee Street at the top of the slope. It has been estimated that approximately 400 feet of guide rail would be required to protect the public.

The Board instructed Mr. Czerwinski to contact Benderson Development, LLC to notify them of the safety concerns.

Fairmount Fair Development in Town of Geddes

Benderson Development, LLC has proposed erecting three buildings within the Town of Geddes. As the development does affect the parking for the remaining Fairmount Fair plaza and site issues such as drainage, etc. the Board instructed Mr. Curtin to contact the Town of Geddes. Chairman Fatcheric did state that it would be beneficial for the Board to be at the next Town of Geddes meeting.

West Hill Golf Course

Mr. Czerwinski stated that there are two issues regarding the drainage coming off the Westshire and Annesgrove Subdivisions. The quantity and quality have been impacting the West Hill Golf Course. The water quantity issue is regulations require that when water is discharged, it is done so at the same rate as predevelopment. Both of those developments have their stormwater systems designed that the flow rate off of their site are exactly as they were before but due to the disturbance and the increase in impervious areas the physical quantity of water is larger which floods the golf course.

Site Plan Applications

In reviewing completed site plan applications, Chairman Fatcheric has determined that Section III: Briefly Describe Project is often overlooked. In an effort for the Board to be proficient while reviewing the applications, he is requesting the application be revised.

MINUTES OF THE PREVIOUS MEETING

Ms. Wheat moved to approve the minutes of the meeting of January 22, 2007. Mr. Fittipaldi seconded the motion and it was approved unanimously.

CORRESPONDENCE

A voucher was received from Hummel's Office Plus for office supplies and Mr. Logana's nameplate for \$61.80. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from Hummel's Office Plus for office supplies for \$41.51. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Trombetta and approved unanimously.

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of December 2006 for \$1,850.00, \$700.00 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Trombetta, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from The Post Standard for the legal notification of the Gertrude Fatcheric Farm Subdivision Amended public hearing for \$19.80. Motion to approve payment was made by Mr. Flaherty, seconded by Mr. Trombetta, and approved unanimously.

A memo from Barton & Loguidice, PC pertaining to the construction drawings for the Country Creek subdivision was received.

COMMENTS OF THE ATTORNEY

Mr. Curtin had no comments this evening.

COMMENTS OF THE ENGINEER

Mr. Czerwinski had no comments this evening.

COMMENTS OF THE BOARD MEMBERS

Members of the Board had no additional comments this evening.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 9:29 pm, seconded by Mr. Fittipaldi and unanimously approved.

Respectfully submitted:

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
FEBRUARY 26, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat
John Williams

STAFF PRESENT

Paul J. Curtin Jr., Esq.
Paul Czerwinski
Dirk Oudemool, Esq.

GUESTS AND MEMBERS OF THE PUBLIC

Bob Feyl, ZBA Chairman
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor
Nine others

Chairman Fatcheric called the meeting to order at 7:02 PM, followed by the Pledge of Allegiance.

New Business

There was no new business before the Board this evening.

Old Business

**Gertrude Fatcheric Farm Subdivision Amended
Preliminary/Final Plat**

TP# 010.1-01-20.0

Chairman Fatcheric stated for the record that he has recused himself from this application. He then exited the Board Room.

Mr. Curtin stated that the property is a re-subdivision of a former two-lot subdivision. The applicant has proposed subdividing the 16.35± acre parcel into two additional lots, Lot 2 being 10.298± acres and Lot 3 being 5.687± acres. The plan depicts accessibility to Lot 3 from Winchell Lane, while Lot 2 would remain accessible from VanBuren Road. As the property is zoned R-3, the reconfigured lots conform to the Town's zoning requirements

Ms. Wheat motioned to declare the Town of Camillus Planning Board lead agency for this application. Mr. Trombetta seconded the motion and it was unanimously approved.

Mr. Trombetta motioned to declare this application an unlisted action under SEQR. Mr. Fittipaldi seconded the motion and it was unanimously approved.

Ms. Wheat motioned to declare this application a negative declaration under SEQR. Mr. Fittipaldi seconded the motion and it was unanimously approved.

Vice-Chairman Flaherty stated that correspondence from County Planning has been received that states the following: SOCPA recommends the following modifications to the proposed action prior to local Board approval of the proposed action:

1. The applicant must reserve a 60 ft. right of way on proposed Lot 2 to provide access to VanBuren Road to meet the requirements of the Onondaga County DOT for any future subdivision of proposed Lot 2; this right of way must be shown on the filed map. Any future subdivision of proposed Lot 2 must be accompanied by a plan showing full build-out. The Onondaga County DOT stated that to maintain traffic mobility and safety on the County road, the preferred options for future access for proposed Lot 2 would be on VanBuren Road located directly across from Dunn Road or would be to access Winchell Lane through proposed Lot 3.
2. Any future subdivision of proposed Lot 3 must be accompanied by a plan showing full build-out.
3. Proposed Lot 3 must be labeled "This parcel has not been reviewed by the County Health Department for residential development."
4. The final plan must correctly label the road shown on the east side of the final plan as Winchell Lane.

Mr. Curtin stated that the comments that SOCPA offered effect the potential future development of what has been designated as Lot 2, a 10.298-acre parcel. That is not before this Board, nor was any aspect of any future re-subdivision of that parcel even being considered by the applicant or the owner of the residual parcel #2. The County's comments are perfectly appropriate if in fact those initiatives were under consideration by this Board, but that is not the purpose of this referral. Parcels 2 and 3 have access to the roads that they immediately abut and neither one to the best of the knowledge of this Board is being considered for future re-subdivision. In taking the comments from SOCPA under advisement, the Board must consider overriding their recommendation because of the way they phrased the recommendations. Ms. Wheat motioned, seconded by Mr. Trombetta, to override SOCPA's comments. The motion was unanimously approved. Mr. Flaherty directed Mr. Curtin draft a response to SOCPA detailing the reasons why the Planning Board overturned their recommendation.

Mr. Fittipaldi motioned to approve the preliminary plat of the Gertrude Fatcheric Farm Subdivision Amended, part of Lots 44 & 56 – Town of Camillus, dated December 29, 2006 as prepared by Cottrell Land Surveyors, P.C. The motion was seconded by Mr. Trombetta and approved unanimously.

Mr. Fittipaldi motioned to approve the final plat of the Gertrude Fatcheric Farm Subdivision Amended, part of Lots 44 & 56 – Town of Camillus, dated December 29, 2006 as prepared by Cottrell Land Surveyors, P.C. The motion was seconded by Ms. Wheat and unanimously approved.

Ms. Wheat motioned to impose Parkland Fees of \$100.00 for one lot. The motion was seconded by Mr. Trombetta and unanimously approved.

**Country Creek Estates
Construction Drawings**

TP#010.-02-13.1

John Szczech appeared before the Board to present Construction Drawings for the Country Creek Estates Subdivision. Since the preliminary approval, Mr. Szczech stated that the plat has been reduced to 40 lots as Lot 28 has been combined with two lots to make one large lot.

The Board has received a letter from Barton & Loguidice, P.C. dated February 8, 2007 which stated that they have reviewed the revised information and verified that all of their previous comments have been adequately addressed. Therefore, they respectfully recommended approval of the construction documents as submitted.

Mr. Curtin requested that the proposed restrictive covenants be submitted for his review and the applicant agreed to do so.

Mr. Logana motioned to approve the Construction Drawings for the County Creek Estates, dated February 19, 2007 as prepared by Survey Systems conditioned upon review and approval of the proposed restricted covenants. The motion was seconded by Mr. Voss and unanimously approved.

**Holy Cross Church
Amended Site Plan**

TP#011.-01-08

Hal Romans, land surveyor, and Joseph W. Kolonko Sr., representing Holy Cross Church appeared before the Board to present an amended site plan for a "Parish Hall". The property is zoned R-3.

The proposal depicts erecting a 2,760± sq. ft., 32' x 80' meeting hall on the south side of the existing church, which would share a common breezeway entrance, not a common wall. Mr. Kolonko stated that there would not be any simultaneous use of the meeting hall while church services were conducted. When asked what the seating capacity of the church is, the applicant indicated 96. The church is also proposing to match the existing building with similar rooflines, colors, and materials.

The applicant also plans to expand the width of the driveway to 24 ft., and expand the parking area to allocate 64 parking spaces, 2 designated as handicapped. As the proposal indicates the entire parking area to be paved, the Board inquired about the grading of the site. It was also noted that the gravel drive that leads to the quiet reflection area would be paved with asphalt. The applicant stated that they have provided for a drainage swale to be along the perimeter of the parking area, which will drain toward the southeast. Additionally, it was noted that the existing septic system would not be disturbed.

As the plan depicts a 16' x 30' pavilion located on the southwest side of the parking area in front of the existing row of pine trees, the Board requested the elevations be submitted prior to approval. As the applicant did not have the requested information, they asked if the pavilion could be removed from the application at this time. The Board agreed with the applicants request.

Mr. Czerwinski stated that the applicant would need to review the impact of drainage created by the parking lot as he is concerned due to the increase in the amount of paved area. Although he does not believe the impact would be adverse to the project, there will be additional runoff from the paved area than the vegetative area, which may require temporary improvements to control and improve the quality. Mr. Romans asked if an abbreviated drainage report would be required. Mr. Czerwinski stated that it would be in order to ascertain where the drainage flows. Ms. Wheat inquired about the drainage on the front of the property. Mr. Czerwinski stated that some drainage does flow to the front of the site but it does not affect this proposal.

Mr. Logana inquired if the runoff would be handled by an open swale or if catch basins would be installed. Mr. Czerwinski stated that there would be a small amount of detention, but the calculations will determine what type of detention would be needed.

When asked if there was any proposed lighting for the additional parking area, the applicant stated that currently there are four sensory lights on the building. Mr. Flaherty asked if it would be in their best interest to have some lighting in the far corner of the parking lot. The applicant stated that they would review the request. When asked if there was any proposed landscaping, the applicant stated that a grass strip in front of the building is proposed.

Ms. Wheat motioned to refer this application to SOCPA. The motion was seconded by Mr. Trombetta and unanimously approved.

Snowbirds Landing II Sketch Plan

TP#015.-01-12.1 and 015.-01-13

Mr. Bill Morse appeared to update the Board on the status of the sketch plan. Previously, the Board had requested the applicant to inquire as to the possibility of acquiring property from Honeywell in order to access Bennett Road. Mr. Morse stated that they have contracted with Honeywell and are in the process of acquiring 60± acres to accomplish this request.

The preliminary density plan delineates 433 total units based on 150± acres, comprised of 112 single-family homes and 318 duplexes. Mr. Morse indicated that those numbers are subject to change due to wetlands being located on the parcel being acquired from Honeywell. The applicant indicated that the site would be developed in two phases, beginning with Phase 1 comprising of 121 lots, which connect to the Starlight Estate roadways. Mr. Czerwinski stated that he has reviewed the density based on the preliminary drainage and it appears that the proposed 121 lots could be developed in Phase 1 under the current zoning.

The layout has been modified slightly to indicate a connector road between Phase 1 and Phase 2. Additionally, the plan depicts three roads crossing the National Grid right of way. Mr. Morse indicated that as National Grid owns the right of way in fee, he is unsure that they will allow all the access points. Chairman Fatcheric indicated that the plan as presented displays a good continuity of a road network. Mr. Oudemool complimented the plan as it integrated the parcels.

When asked about the water connection, Mr. Morse indicated that the development would be served from the West Colony Point water tank. Mr. Czerwinski stated that the water authority had installed a tie in so that the Town's water system is tied into OCWA's water system in that area so there should not be any issues with the water flow in that area.

When asked of the timeframe for build out of Snowbirds Landing II, Mr. Morse stated that it would be at least 8 years.

Ms. Wheat motioned, seconded by Mr. Trombetta to close the sketch plan application. The motion was approved unanimously.

Mr. Morse distributed the initial SEQR and stated that it would need to be amended to add the Honeywell piece. Mr. Oudemool asked when the Board would be receiving the preliminary plat application. Mr. Morse stated that it would be soon. Mr. Oudemool stated that he would recommend authorizing the clerk to send notice to the other involved agencies as soon as the preliminary plat application and all fees were received and if responses were received by those agencies a scoping session could be scheduled at the next meeting.

Ms. Wheat motioned to authorize the clerk to send notification to all other involved agencies subject to the filing of the application and direct the clerk to withhold notification until she has the signed application with appropriate fees. The motion was seconded by Mr. Fittipaldi and unanimously approved.

DISCUSSION

Annesgrove Section C

TP#023.2-04-01

Chairman Fatcheric stated that on August 29, 2005, the Board approved the Annesgrove Section C amended final plat. As it should have been classified as the amended preliminary plat application, he recommended the minutes and resolution be amended as such.

Mr. Voss motioned to amend the August 29, 2005 minutes and the resolution to state to approve the amended preliminary plat of the Annesgrove Section C subdivision. The motion was seconded by Ms. Wheat and approved unanimously.

Chairman Fatcheric stated that on January 22, 2007, the Board approved the Annesgrove Section C amended final plat. As it should have been classified as the final plat application, he recommended to amend the minutes and resolution as such and conditioned upon the fully executed Subdivision Improvement Security Agreement and the conveyance to the Town for all highways and easements contemplated by the approval.

Ms. Wheat motioned to amend the January 22, 2007 minutes and the resolution to state to approve the final plat application conditioned upon the fully executed Subdivision Improvement Security Agreement and the conveyance to the Town for all highways and

easements contemplated by the approval. The motion was seconded by Mr. Voss and approved unanimously.

MINUTES OF THE PREVIOUS MEETING

Mr. Flaherty moved to approve the minutes of the meeting of February 12, 2007. Mr. Trombetta seconded the motion and it was approved unanimously.

CORRESPONDENCE

A memo from Carlie Hanson of QPK Design was received regarding the Fairmount Fair plaza.

A memo from B&L regarding the Target guide rail was received.

A voucher was received from Barton & Loguidice, P.C. for the services performed from December 31, 2006 thru January 27, 2007 for \$5,753.01, \$5,628.01 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Fittipaldi, and approved unanimously

A voucher was received from Dell Financial Services for the monthly notebook and projector fee for the months of February 2007 and March 2007 for \$159.68. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Fittipaldi, and approved unanimously.

COMMENTS OF THE ATTORNEY

Mr. Curtin had no comments this evening.

COMMENTS OF THE ENGINEER

Mr. Czerwinski had no comments this evening.

COMMENTS OF THE BOARD MEMBERS

Mr. Trombetta inquired if the approved site plan for Store America depicted a clock. The Board indicated that to their recollection, a clock was to be installed however; they do not believe that the entire site has been completed at this time.

Mr. Flaherty voiced disappointment with Benderson Development regarding the Camillus Commons site. Mr. Curtin stated that he would be speaking to Don Robinson, Vice President of Benderson Development and would share his concerns.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 8:09 pm, seconded by Mr. Fittipaldi and unanimously approved.

Respectfully submitted:

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
MARCH 12 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat
John Williams

STAFF PRESENT

Paul J. Curtin Jr., Esq.
Paul Legnetto
Dirk Oudemool, Esq.

GUESTS AND MEMBERS OF THE PUBLIC

Dave Callahan, 6th Ward Councilor
Bill Davern, 3rd Ward Councilor
Diane Dwire, 5th Ward Councilor
Bob Feyl, ZBA Chairman
Joy Flood, ZBA Vice-Chair
Mark Pigula, Highway Superintendent
Roger Pisarek, 1st Ward Councilor
Nine others

Chairman Fatcheric called the meeting to order at 7:01 PM, followed by the Pledge of Allegiance.

New Business

**Benderson Development – Michaels Fairmount Fair
Site Plan**

**TP# 048.-01-02
& 048.-01-01.1**

Bob Trybulski of Benderson Development Company, LLC appeared before the Board to present a site plan for the proposed changes in the façade for the new Michaels retail store located within the Fairmount Fair Plaza. The property is zoned CP.

The site plan depicts the proposed façade changes for the Michaels retail store, which is adjacent to the existing Marshall's retail store at the East End of the plaza. In that area, the applicant has proposed stone veneer along the width of the storefront enhanced by clear anodized aluminum framing along the façade. The plan also denotes an Exterior Insulation and Finish Systems (EIFS) band to be located on the top and on the cornice. The colors of the proposed project are earth tones, similar to what is proposed for Petsmart.

Mr. Trybulski was asked if he had the correspondence from Carlie Hanson of QPK Design dated March 12, 2007. He indicated it was. In that memo, Ms. Hanson prepared the following comments after reviewing the Michaels proposed front color elevation prepared by Lauerr-Manguso dated February 22, 2007:

1. Michaels and Petsmart Cultured Stone are different- recommend using a consistent stone throughout the center to avoid visual clutter. Sample of “Chardonnay Country Ledge” noted on Michaels elevation not received.
2. Michaels sign appears too large consider reducing letter height. Dimensioned sign drawings are recommended, as the tenant elevations are not consistent scales.
3. Recommend increasing the depth of the cornice to coordinate with length. This should be looked at in conjunction with reducing the sign text.
4. FINISH SAMPLES: elevation rendering does not match proposed colors-finish materials not provided. Provide samples of actual materials for block, brick and precast.
5. EIFS Colors – Recommend against China White for the sign area behind Michaels – this is a very bright white field, richer earth tones suggested (similar to Manor White). If a darker cornice is desired, recommend spectrum brown or similar in the same color family as manor brown.
6. It is assumed the metal canopy projects 5’ – 0” from the building face.
7. Provide information on sidewalk plantings proposed in concept elevation and sidewalk plan. These are strongly encouraged.
8. General comments on overall concept elevation:
 - The overall shopping center elevation presents a great inconsistency in signage presence, size, and height.
 - Marshall’s elevation articulation and sign extents should be considered throughout the center.
 - Dick’s sign area has been brought down to a more appropriate size and scale with the remainder of the center.

Mr. Curtin stated that as Michaels is being proposed on the most eastern end of the existing center, it would, as a result of the location of the entrance create additional pedestrian and vehicular traffic. Meanwhile, the applicant is simultaneously considering development of the parking field to the east located in the Town of Geddes. He encouraged the Board to take into consideration all of what is proposed for the plaza including the circulation, available parking area, and pedestrian access and egress. As another storefront is being proposed closer to the proposed new development, these issues become more critical.

After reviewing the proposal and Ms. Hanson’s comments, the Board commented that the proposal is lacking continuity in terms of color schemes and materials adopted through the front elevations, and feel the developer has not provided enough detail to give them a strong sense as to how the balance of the building elevations would otherwise be modified. The Board had previously encouraged the applicant to integrate the project harmoniously as they are cognizant that the developer would be building around existing tenants. Therefore, the Board requested an overall concept for the redevelopment of the entire plaza and a work session.

Old Business

Benderson Development – Petsmart Fairmount Fair Site Plan

**TP# 036.-01-02
& 048.-01-01.1**

Bob Trybulski of Benderson Development Company, LLC appeared before the Board to present a site plan for the proposed changes in the façade for the new Petsmart retail store located within the Fairmount Fair Plaza. The property is zoned CP.

As previously suggested, the developer called upon Carlie Hanson of QPK Design to review the proposed elevations and submit any comments, recommendations, and concerns to the Board. Ms. Hanson prepared the following comments after reviewing the Michaels proposed front color elevation prepared by Lauerr-Manguso dated February 22, 2007:

1. St-1 Cultured Stone was received.
2. CMU base was deleted as suggested but it appears top of the exposed concrete footing will be visible? Provide a finish coating for concrete and minimize height of exposed.
3. Overall concept elevation still indicates stone or brick veneer. Stone veneer is understood at the proposed finish.
4. The sidewalk plan has been revised to coordinate with the proposed elevations. STRONGLY recommend street trees be added in areas where covered walkway has been removed. There appears to be an opportunity for this in front of the cultured stone wall between PetSmart and Old Country Buffet and on opposite side adjacent to unknown tenant.
5. Sign area not reduced-overall pattern proposed in sign area. Recommend secondary signs be located in (EIFS-2) band below, allowing PetSmart sign elevation to be lower consistent with other tenants-suggested on February 22, 2007 review-no change.

Dwight Jordan, Director of the Petsmart retail store located in Clay, New York answered specific questions relative to the daily operation of the store. Retail store hours of operation are 9:00 am to 9:00 pm Monday through Saturday, and 10:00 am to 6:00 pm Sunday. Veterinary office hours are typically 7:00 am through 9:00 pm Monday through Saturday. When asked if any animals would be housed overnight, he stated that generally there are anywhere from 20 – 40, comprised of hamsters, birds, guinea pigs, fish, etc. He added that Petsmart works with local shelters to help adopt dogs and cats, offering that the dogs are not housed overnight but the cats are. When asked if the walls would be soundproofed, Mr. Trybulski stated he did not have the answer to that question but would obtain it.

When asked about Petsmart's specific regulations or the disposal of pet waste, Mr. Jordan stated that there is a protocol for the disposal of pet waste and medical waste. The protocol for the medical waste disposal is similar to that of a hospital, while the waste from the grooming area is generally thrown out in the trash, as it is primarily dog hair. For the pet waste, Petsmart offers "oops" stations; four inside and one outside, which are monitored and maintained on a daily basis by PetSmart employees.

Michael Monart from the company who will be handling the installation of the Petsmart signage stated the following:

- The capital “P” in Petsmart is proposed to be a 54” letter.
- The dimensions for the Petsmart signage from the top to the bottom are 7.2’ in height by 29” across.
- The dimensions for the “Grooming” signage are 15” letters.
- All signage is LED internally lit lettering.

After a brief discussion, the Board suggested to downsize all signage as the plaza is far closer to West Genesee Street than we are accustomed to seeing and visibility is extraordinary.

Mr. Curtin stated that when Fairmount Fair was redeveloped 20 years ago, it may not have been done in a comprehensive fashion because of the turnover in tenants and the end result was something that was less than visually appealing. During the time this Board was entertaining the idea of the redevelopment of Camillus Commons, Don Robinson represented that whatever was done at Camillus Commons would be enhanced at Fairmount Fair; that Fairmount Fair would be a “showcase”.

The Board wants to make sure that a comprehensive plan is undertaken by Benderson from a conceptual standpoint. Currently, there is not one component part of the proposal that makes any sense as it relates to the next tenant.

In order for the Board to gain a sense of what may be presented to the Planning Board in the Town of Geddes, they encouraged Mr. Trybulski to share whatever plans he currently has for the continued development of the center inclusive of the outparcels. The Board will be asking for Board coordinated with the Town of Geddes’ review as parking and circulation are of concern.

After reviewing the proposal and Ms. Hanson’s comments, the Board commented that the proposal is lacking continuity in terms of color schemes and materials adopted through the front elevations, and the developer has not provided enough detail to give them a strong sense as to how the balance of the building elevations would otherwise be modified. The Board had previously encouraged the applicant to integrate the project harmoniously as they are cognizant that the developer would be building around existing tenants. Therefore, the Board requested an overall concept for the redevelopment of the entire plaza and a work session.

**Evans Landing (Drake, Deana)
Preliminary Plat/Final Plat**

TP# 035.-02-17.0

Deana Drake appeared before the Board to present a preliminary plat for a two-lot subdivision located at the corner of Knowell Road and Thornton Circle South now called Evans Landing. The property is zoned R-3.

Mr. Curtin advised the Board that he recently learned that one of his partners, Stephen Etoll represented the purchaser of the property and at the time of closing, it was assumed that there was a legally approved subdivision of the existing lot into what is

now to be Lot 1 and Lot 2. As that was not the case, an agreement between the buyer and seller was entered that stated that the seller has a referenced period of time to obtain all necessary approvals of subdivision. If those approvals were not received and approved during that time allowed, then the will to do so would lapse and the property would not be subdivided. A letter on behalf of Mr. Etoll's client, authorizing Ms. Drake to continue the application to obtain subdivision of the parcel, has been received by the Board.

The Board has received the recommendation from SOCPA who determined that that said referral will have no significant adverse inter-community or county-wide implications.

Mr. Curtin recommended that access to Lot 2 only be from Thornton Circle South, not Knowell Road, be a condition of the approval.

Mr. Trombetta motioned to declare this application an unlisted action under SEQR. Mr. Fittipaldi seconded the motion and it was unanimously approved.

Mr. Voss motioned to declare this application a negative declaration under SEQR. Mr. Trombetta seconded the motion and it was unanimously approved.

Mr. Fittipaldi motioned to approve the preliminary plat of the Evans Landing Subdivision, part of Farm Lot 35 – Town of Camillus, dated December 26, 2006, last revised January 19, 2007 as prepared by Ianuzi & Romans, P.C. conditioned upon access to Lot 2 only be from Thornton Circle South. The motion was seconded by Mr. Voss and approved unanimously.

Ms. Wheat motioned to approve the final plat of the Evans Landing Subdivision, part of Farm Lot 35 – Town of Camillus, dated December 26, 2006, last revised January 19, 2007 as prepared by Ianuzi & Romans, P.C. conditioned upon access to Lot 2 only be from Thornton Circle South. The motion was seconded by Mr. Fittipaldi and approved unanimously.

Mr. Flaherty motioned to waive Parkland Fees for one lot. The motion was seconded by Mr. Voss and unanimously approved.

**Malibu Hills Estates formally known as Snowbirds Landing II
Preliminary Plan TP#015.-01-12.1 and 015.-01-13**

Dave Hannig appeared before the Board to present the Preliminary Plan of the Snowbirds Landing II subdivision. The property is zoned R-2 and R-3.

Although Mr. Morse was not present at the meeting, he asked Mr. Hannig to share the following with the Board:

- He has not had a meeting with the County DOT regarding the intersection at Bennett Road and Warners Road
- The SEQR that is being completed for the entire property will be based on R-3 even though the Allied portion is zoned R- 2. Most likely they would ask for a

zone change at the time that it is actually built but the overall SEQR will be based on R-3. If there is not a zone change, then a reduction in the density would be requested in the future. Chairman Fatcheric stated that the SEQR submitted only included 82± acres. It didn't include the entire project. The Board will require the SEQR submission be based on the overall project.

Mr. Morse spoke to OCWA and water is available but the pressure on some of the lots is in question.

The density plan before the Board is for Phase 1. The developer has requested scheduling a work session where they could further discuss the density of the project. They would like to proceed with Phase 1 and the preliminary plan as soon as density issues are resolved. Mr. Hannig commented in order to complete the density plan; the wetland delineation needs to be completed, which are expected to be marked after April 15.

Mr. Oudemool commented that it is early in the process and the Board formally has to scope this project under SEQR. A formal SEQR scoping session has been scheduled for Monday March 19, 2007 at 1:00 pm at the County DOT's office with all involved parties. He stated that the SEQR would need to be completed on the entire site before addressing the details of the lot layout. He advised the Board that studies will need to be done that may affect the entire project and until those specialized studies are filed, there is no need to examine the specified way that the subdivision would be laid out.

The developer has proposed to develop this subdivision in three phases. Phase 1 proposes 43 duplex and 31 single-family homes. When asked what the total number of acres including the Allied property was, Mr. Hannig stated that it is 150± acres. Mr. Oudemool advised the Board that the applicant would be applying for a §278 cluster development and as they are not rezoning the property it would be classified as a §278 R-2 and §278 R-3 development.

As the Board is sensitive to the locale of the site location, they asked if the soil had been tested. The developer stated that it had not. Mr. Oudemool commented that the only work that has been done in that area is stripping soil for the capping of the landfill, there have been no deposits of any kind anywhere near this area.

Mr. Hannig inquired if the Board would continue with the preliminary plat application for Phase 1 even though they do not have enough information to develop the full SEQR plan. Mr. Oudemool stated that the full SEQR has to be completed prior to reviewing the preliminary plat application as the interior development is dependant upon SEQR and the Board needs to evaluate all the issues in conjunction with it. Mr. Oudemool stated that his position is that the application is incomplete.

Pointe West Construction Drawings

TP# 020.-05-01.2 & 020.-05-01.1

Dave Hannig and John Camp of C & S Companies appeared before the Board to present construction drawings for the Pointe West subdivision.

Mr. Hannig advised the Board that the Med West minor subdivision would need to be amended. The seller and buyer agreed that the portion of land remaining at the end of Northwood Way should remain with the existing storage building thus eliminating the need for Lot 35.

Mr. Camp stated that the drawings were revised based on the comments received from Barton & Loguidice, P.C. dated March 8, 2007. Those comments are as follows:

Roadway Plan and Profile

1. The roadway geometry should be shown on the plans
2. The grading proposed across the island area behind lots 27 – 30 should be revised to place the surface swale centered across the rear lots.
3. The drainage swale that discharges between lots 17 and 18 should be extended to the detention system. We recommend the swale to be located above the closed drainage piping.
4. Is there a swale between lots 493 and 494? If so, where does it go?
5. The newly graded bypass swale should be stabilized with jute mesh stabilization. What is the anticipated flow and velocity within this channel?
6. The size of the riprap outlet protection is not clearly indicated on the detail.
7. The spillway detail should be defined with additional dimensions indicating rock size and depth.
8. The material type for the steep drainage piping between structures CB3 to the outlet at ES1 should be changed from CPP to a concrete pipe to protect against pipe scoup.
9. The vertical curve at station 20+18.25 to 22+18.25 needs to be lengthened to produce a stopping sight distance of 200 feet minimum (LVC minimum = 267 feet, say 270 feet).
10. the vertical curve at station 15+43.22 to 18+43.22 needs to be lengthened to produce a headlight sight distance of 200 feet minimum (LVC minimum = 314 feet, say 320 feet).

Drainage Report

11. The closed drainage system sizing appears to be incorrect. Some of the downstream culverts are smaller than the upstream culverts. Please review the table and provide revisions, as necessary.
12. A copy of the NYSDEC acceptance and approval for the SPDES permit must be filed with the Town before a building permit is issued.

The developer stated that the main entrance has been adjusted slightly to the south in order to align closer to the centerline of Northfield Way. After some discussion, Mr. Oudemool requested an enhanced version of the intersection due to the close proximity

of houses on both sides and across the street. In order to determine if the previously identified concerns have been addressed, the Board needs to know exactly what that intersection is going to look like.

Mr. Oudemool also commented that he believes that equally as important to the entrance alignment is how that road is to be placed between those two houses on Sylvan Way. Additionally, the Board has the opportunity to recommend appropriate landscaping, green space, etc. that would mark the entryway into the development.

Mr. Oudemool stated that the Board could provide a conditional approval for this application conditioned upon the adjustment of the alignment of the last 100 ft. of road connecting to Sylvan Way.

Councilor Callahan voiced his concern that there are not two entrances servicing this development. He suggested considering an entrance from West Genesee Street. Chairman Fatcheric stated that the question has been asked and addressed numerous times throughout the process.

Mr. Flaherty motioned to approve the Construction Drawings of the Pointe West Subdivision, conditioned upon the adjustment of the alignment of the exact location of the roadbed for the easterly 100 feet from the intersection from this subdivision road to Sylvan Way. The motion was seconded by Mr. Fittipaldi and approved unanimously.

DISCUSSION

MS 4 Community

Mr. Oudemool explained that the Town is under a heavy burden to regulate the surface water discharge into a regulated waterway. He explained that all of our surface water ends up in Nine Mile Creek, which ends up in Onondaga Lake, then to the Erie Canal and eventually to the ocean.

As a part of this project, the Town of Camillus needs to satisfy the State that we have implemented all the regulations that they expect us to implement, which will accomplish the desired end result and that we are going to continue to monitor all of these facilities that are designed to retain water and only permit a measured outflow. The measured outflow is to be compatible to the overall program not producing a lot of dirty water and siltation running downstream.

It is an unusual site that the Planning Board approves that does not have some type of detention facility, and those are precisely what the Board needs to be concerned about. The Board needs to be concerned that they are properly designed and that they are properly constructed. Mr. Oudemool stated that the Town's Engineers verify both concerns for us. He stated that once a Certificate of Occupancy is issued, the Town has an ongoing duty to make sure that each facility functions as designed. The facilities cannot become impaired by siltation, alteration, or anything of that nature. Inspections must occur to confirm they are working properly and they will require periodic maintenance. Mr. Oudemool stated that all that being said, it is his position that the Town of Camillus should require of every site developer that they sign a covenant to run

with the land which would be recorded in the Court House and embodies the obligation of the property owner to maintain the design of the facility and to inspect and maintain it periodically.

Mr. Oudemool stated that he wants it recorded at the Court House so that each property owner is placed on notice of his or her legal obligation. Additionally, that documentation will also give us the right to go onto the site without notice and/or advise the property owner that they are falling short on their obligations take care of it, while allowing the Town to advise the property owner that if they fail to fulfill their obligation, the Town would take them to court or do the work and charge the property owner appropriately. He requested, beginning immediately where there is any type of such a facility, that a condition of the approval be that the property owner sign a covenant to run with the land, which embodies the agreement, which is their obligation to inspect and maintain the facility. He also stated that to implement all this, our Engineers have put together an inspection schedule, and it is his recommendation that the inspection schedule be part of the Planning Board's approval and be placed on the filed map.

As the DEC has issued its notification they are getting out of the business and are passing the responsibility for oversight to the Towns, Mr. Oudemool reiterated that the approved plan needs to have the inspection and maintenance schedule that the Planning Board engineer says must be done so there will be absolutely no question about the obligation that we are imposing.

Town of Geddes

The Board asked Mr. Curtin to contact the Town of Geddes to request the coordinated review of the Benderson Development, LLC Fairmount Fair parcel.

MINUTES OF THE PREVIOUS MEETING

Mr. Flaherty moved to approve the minutes of the meeting of February 26, 2007. Mr. Trombetta seconded the motion and it was approved unanimously.

CORRESPONDENCE

A voucher was received from Barton & Loguidice, P.C. for the services performed from January 28, 2007 thru February 24, 2007 for \$5,753.01, \$5,628.01 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Flaherty, seconded by Mr. Trombetta, and approved unanimously

COMMENTS OF THE ATTORNEY

Mr. Curtin commented that a work session should be scheduled with Benderson Development LLC on March 20th or 21st. He requested Carlie Hanson be there.

COMMENTS OF THE ENGINEER

Mr. Legnetto had no comments this evening.

COMMENTS OF TOWN OFFICIALS

Ms. Flood inquired about the proposed signage at Fairmount Fair. Chairman Fatcheric stated that the plaza is zoned CP and therefore all signage would be reviewed by the Planning Board.

Mr. Davern advised the Board that a first class fire control center is proposed adjacent to the Snowbirds Landing II site.

COMMENTS OF THE BOARD MEMBERS

Mr. Trombetta asked if Snowbirds Landing would be influenced by the wastebeds. Mr. Curtin stated that there are numerous clauses, which address the due diligence that the buyer has conducted an Environmental 1 audit and an Environmental 2 audit if deemed appropriate or desirable could be conducted. There will also be covenants that Allied will transfer advising the public or buyer, assuming no responsibility attached to the purchase offer, which address the Environmental Clause.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 9:07 pm, seconded by Ms. Wheat and unanimously approved.

Respectfully submitted:

Ann C. Clancy, Clerk

Malibu Hills Estates formally known as Snowbirds Landing II
Formal SEQR Scoping Session
March 19, 2007

A formal SEQR scoping session was conducted in the conference room of the Onondaga County Department of Transportation's office to discuss the Snowbirds Landing II subdivision. Notification was sent to all involved agencies. Those present were as follows:

Jim Stelter, OCDOT

Representing the Town of Camillus
Victor Grozdich

Paul Czerwinski, Engineer
John A. Fatcheric II, Planning Board Chairman
Kathy MacRae, 2nd Ward Councilor
Dirk J. Oudemool, Planning Board Attorney

Representing the Developer,

Paul J. Curtin Jr., Attorney
Dave Hannig, Surveyor
Bill Morse, Engineer

Mr. Oudemool clarified that the State Environmental Quality Review Full Environmental Assessment Form dated February 26, 2007 was the SEQR form being reviewed.

Mr. Morse stated that the entire density of the project is based on R-3 zoning. As the property is currently zoned R-2 and R-3, he indicated that the developer would most likely apply for a zone change on the adjacent Honeywell property. He stated that the Phase 1 density calculations have been approved by the Town Engineer.

Mr. Oudemool stated that if for SEQRA purposes we are considering an R-3 project, and if the zone change on the R-2 parcel is not granted, the SEQRA would still be valid because an R-2 use is less intensive and the impacts identified in SEQRA would therefore have less impact.

Mr. Stelter requested traffic impact studies inclusive of any/all mitigation suggested. He advised those present that the following intersections are requested:

- Belle Isle Road / Warners Road
- Hinsdale Road / Warners Road
- Bennett Road / Warners Road
- Thomas Ave. / Horan Road

After a brief discussion, Mr. Oudemool requested Mr. Morse obtain a copy of the traffic study conducted by the Cameron Group as he feels they may be able to expand on that traffic study.

Mr. Morse indicated that they would be instituting the project in phases. It was determined that Phase 1 and Phase 2 would have little to no impact on the current road systems. All agreed that the impact would begin with Phase 3, which incorporates the Bennett Road extension / Warners Road intersection. When asked if the Town had considered obtaining additional land to establish a road system connecting the Bennett

Road extension to Belle Isle Road, Mr. Oudemool indicated the Town Board did not seem supportive of that request.

When asked if the developer had addressed the adequacy of the water pressure and sewer system, Mr. Morse indicated they had not as they need to address whether an additional pump station in Greenfield Village would be necessary, as well as fire protection issues. There is a possibility that a booster pumping station may need to be installed.

After a brief discussion, Mr. Oudemool stated that the density of the project can not be determined until the wetlands are delineated for the full SEQR. Mr. Morse indicated that wetlands are a concern, as there are questions related to Starlight Estates improvements.

Ms. MacRae stated that the density of the project is her highest concern. She requested an informational meeting between the public and the developer be scheduled prior to re-appearing before the Planning Board.

Respectfully submitted:

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
MARCH 26, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Jay Logana
Martin Voss
Lynda Wheat
John Williams

NOT PRESENT

Donald Fittipaldi
John Trombetta

STAFF PRESENT

Paul J. Curtin Jr., Esq.
Paul Czerwinski

GUESTS AND MEMBERS OF THE PUBLIC

Dave Callahan, 6th Ward Councilor
Diane Dwire, 5th Ward Councilor
Joy Flood, ZBA Vice-Chair
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor

Nine others

Chairman Fatcheric called the meeting to order at 7:01 PM, followed by the Pledge of Allegiance.

New Business

**Elm Hill Plaza
Site Plan**

TP#037.-01-04.1

Rick Esposito, general contractor, appeared on behalf of the property owner, John Sposato, to present front elevation modifications to Elm Hill Plaza. The property is zoned C-2.

As a tenant has been found for 3,500 sq. ft. of the available 12,000 sq. ft., modifications to the existing elevations are required. The owner has proposed the addition of two (2) entry doors on the north elevation in the center of the plaza. Renovations include new insulated glass, new window frames and insulated doors. Mr. Esposito stated that the same theme would continue throughout the remaining renovations.

Chairman Fatcheric advised the Board that the applicant did state for the record that the theme would continue throughout the remaining renovations, inclusive of any additional doors. Mr. Curtin suggested to the Board that if they were to consider approving the site plan modifications as presented, they may want the resolution to reflect that what has been presented is the uniform standard that the owner/contractor will adhere to. All other similar submissions of this type could be referred to the Code Enforcement Office.

Mr. Flaherty advised the Board that the SEQR form needs to be corrected to reflect north side of the building, not south side.

Mr. Williams motioned to declare the Town of Camillus Planning Board as lead agency for this application. Mr. Flaherty seconded the motion and it was unanimously approved.

Ms. Wheat motioned to declare this application an unlisted action under SEQR. Mr. Williams seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare that this application receive a negative declaration under SEQR. Mr. Flaherty seconded the motion and it was approved unanimously.

Mr. Flaherty motion to approve the elevation modification as submitted by the application as prepared by Edwind Harrington III, P.C. dated February 26, 2007 with any further modifications depicting the changes to tenant space as proposed (primarily to the entrance door to the tenants space). Any further modifications to the building that are consistent with what is depicted on this proposal are to be immediately referred to the Code Enforcement Officer for building permits without review by the Planning Board. Ms. Wheat seconded the motion and it was approved unanimously.

Old Business

Target – Fairmount Fair Signage

TP# 048.-01-01.2

Kirk Wright of Sign Lighting Services appeared before the Board to verify the proposed signage for the Target retail store is identical to what the Board approved on June 12, 2006.

The Board requested details of the proposal be discussed, therefore, Mr. Wright indicated that the following signage was being proposed:

Front Elevation:

12' circular "Bull's-eye"

30" x 13" x 10" "Target" lettering located underneath the "bull's-eye"

24" x 17" x 10" "Pharmacy" lettering located to the left of the "bull's-eye"

Rear Elevation:

12' circular "Bull's-eye"

Right Side Elevation:

12' circular "Bull's-eye"

30" x 13" x 10" "Target" lettering located underneath the "bull's-eye"

Mr. Curtin stated that the signage is consistent with the location and massing with what was previously reviewed by the Board.

Mr. Curtin indicated that the "target" Target monument sign has been detailed on the plan. When asked how the backdrop would be integrated into the monument, Mr. Wright stated that it would be an aluminum backdrop connected by "J" bolts. Mr. Curtin clarified that the overall width of the signage portion on the monument would be 20", the width of the base would be 32" being constructed of brick, and the brick base would be 3'6"± from grade.

When asked how the sign would be illuminated, Mr. Wright indicated that the background would be opaque while the red portion of the sign would be internally illuminated. Mr. Curtin suggested that the engineer review and approve the lighting specifications due to the proximity of the sign with an intersection.

Ms. Wheat motioned to approve the signage as depicted on the elevations prepared by RSP Architects dated May 2, 2006, showing the front elevations, two side elevations, and rear elevations of the Target building, the monument sign proposed at the intersection of West Genesee Street and Onondaga Road and the monument sign proposed at the entrance to Fairmount Fair depicting Target as the primary tenant as well as board strips for additional tenants of the strip center. Mr. Flaherty seconded the motion and it was approved unanimously.

Petsmart and Michaels - Fairmount Fair Site Plan

TP# 048.-01-02 & 048.-01-01.1

Don Robinson, Sr. Vice-President of Benderson Development Company, Inc. and Jim Rumsey, Architect for Benderson Development Company, Inc. appeared before the Board. Mr. Robinson stated that his appearance this evening is part of an ongoing effort to move gradually forward with the redevelopment of the Fairmount Fair Plaza. Mr. Robinson stated that during the Target site plan approval; he was asked for the record, what their plans were for the rest of the plaza. At that time, he stated Benderson Development Company Inc.'s plan was for a gradual renovation of the front elevations for all of the stores, most likely being done incrementally in order to deal with "re-tenanting" of the center.

After an extensive discussion, the developers stated they have been working diligently with Carlie Hanson, R.A., who has requested a strong architectural design theme be instilled within the plaza. Mr. Rumsey stated that it would be a few years before the plaza was completed, and in keeping with the architectural design theme, common architectural guidelines are to be carried throughout the plaza.

Mr. Curtin requested the developer walk through those architectural design components that are going to be consistently adhered to highlighting the special themes that the applicant is trying to create. It would help the Board envision the center beyond what is being presented. Mr. Rumsey stated the materials proposed are consistent throughout the plaza. While keeping within the theme, the storefronts are to be individualized with the use of paint materials within the dimensions. Each façade is to have brick, EFIS, cornices and lighting. The brick is to blend with what was approved for the Target retail store; the EFIS colors are to be within the color pallet recommended by Ms. Hanson, the cornices are to have the flat detailed look with slightly more depth, more of a contemporary look, and the lighting will be carried throughout the plaza. They are trying to keep the main components fairly simple, using the storefronts and materials as shown. He also advised the Board that design guidelines would be given to all prospective tenants. When asked what was to be done with the rear of the plaza, the developer stated that they would propose to paint the rear elevations with earth-toned colors.

After more discussion, the Board requested the developer submit the following:

- A full set of drawings
- Dimensional drawings
- Lighting plan
- Landscaping plan
- The elevation inclusive of a memo that adequately describes the common architectural guidelines that create the theme of the plaza
- Information on the “pet relief” zones

Mr. Robinson requested the Board’s opinion on what has been presented thus far. Mr. Curtin suggested the Board be informally polled as to their opinions.

Petsmart

Mr. Voss - interested in Ms. Hanson’s comments
Mr. Logana - interested in Ms. Hanson’s comments
Mr. Fatcheric - interested in Ms. Hanson’s comments
Mr. Flaherty - comfortable with the presentation
Mr. Williams - comfortable with the presentation
Ms. Wheat - comfortable with the presentation

Michael’s

Mr. Voss – interested in Ms. Hanson’s comments
Mr. Logana – interested in Ms. Hanson’s comments
Mr. Fatcheric – interested in Ms. Hanson’s comments
Mr. Flaherty – comfortable with the presentation
Mr. Williams - comfortable with the presentation
Ms. Wheat - comfortable with the presentation

Mr. Rumsey stated that he would present the requested information in 2 weeks.

**Rinaldi Top Soil
Site Plan Extension**

TP#010.-02-05.1

Mr. Logana stated for the record that he has recused himself from this application. He then exited the Board Room.

The Board received correspondence from Jamie Rinaldi-Logana requesting a six-month extension for the approval dated October 23, 2006, of the site plan to erect a coverall building. The extension is requested due to weather conditions and the availability of the product.

After a brief discussion, Mr. Voss motioned to grant the extension until October 23, 2007. Mr. Williams seconded the motion and it was approved unanimously.

DISCUSSION

Pioneer Farms, Section 7E

Ray Luber of Hazelwood Development Co. Inc., appeared before the Board to update the Board on the status of Pioneer Farms Section 7E. He stated that a contract has been entered to erect a dwelling on Lot 12 and they wish to draw a building permit. As the final map has not been filed, the permit would be drawn using the full tax map number. The lot would then be transferred for liability reasons to Luber Homes by a meets and bounds description. Upon filing of the final map, transfer to the purchaser would take place.

Chairman Fatcheric stated that a letter was received from the Town of Camillus Highway Superintendent stating that he is concerned about adding to the flow of storm drain water going in a northerly direction towards 211 Starksboro Drive. Currently they are having problems at the discharge points on Fireside. This problem needs to be addressed before there are any further additions of storm water going into this system. Mr. Czerwinski stated that he will discuss the drainage issues with Mr. Pigula.

The Board thanked Mr. Lubar for his presentation.

Snowbirds Landing II – SEQR Scoping Session Update

Chairman Fatcheric stated that a formal SEQR scoping session was held on March 19, 2007. The minutes have been distributed.

MINUTES OF THE PREVIOUS MEETING

Mr. Flaherty moved to approve the minutes of the meeting of March 12, 2007. Mr. Williams seconded the motion and it was approved unanimously.

Chairman Fatcheric stated that numerous inquiries have been made regarding a section of the February 26, 2007 minutes in which during the Snowbirds Landing II presentation, the following was stated:

“When asked about the water connection, Mr. Morse indicated that the development would be served from the West Colony Point water tank. “

After contacting Mr. Morse, he indicated that he meant to stay West Colony Point water system as West Colony Pointe gets water from Camillus Consolidated Water District, with storage provided by the Skyview tank.

Therefore Ms. Wheat motioned to amend the minutes from February 26, 2007 to read as Mr. Morse meant to state, that the development would be served from the West Colony Point water system. Mr. Williams seconded the motion and it was approved unanimously.

CORRESPONDENCE

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of January and February 2007 for \$4,630.00, \$1,843.75 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Williams, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from Dell Financial Services for the monthly notebook and projector fee for the months of April 2007 for \$79.84. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Logana, and approved unanimously.

A memo was received from Mr. Curtin to Mr. Price requesting the status of the Cricket site plan application.

A letter was received from Mr. Curtin to Mr. Robinson regarding conditions pertaining to Camillus Commons.

COMMENTS OF THE ATTORNEY

Mr. Curtin had no comments this evening.

COMMENTS OF THE ENGINEER

Mr. Czerwinski stated that previously he and Camillus Police Chief Winn concurred that there was a safety concern for the new retaining wall being constructed on the north side of the Target retail store. In the past, there have been accidents on West Genesee Street and Onondaga Road where vehicles have slid down the grass hill in this area.

It was determined that the concern could be remedied by installing a guide rail along West Genesee Street at the top of the slope, therefore one is being designed and should be installed shortly. It has been estimated that approximately 400 feet of guide rail would be required to protect the public.

COMMENTS OF TOWN OFFICIALS

The Town Officials assembled did not have any comment this evening.

COMMENTS OF THE BOARD MEMBERS

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 8:47 pm, seconded by Ms. Wheat and unanimously approved.

Respectfully submitted:

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
APRIL 9, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
Martin Voss
Lynda Wheat
John Williams

STAFF PRESENT

Paul J. Curtin Jr., Esq.
Paul Czerwinski

GUESTS AND MEMBERS OF THE PUBLIC

Bill Davern, 3rd Ward Councilor
Roger Pisarek, 1st Ward Councilor

NOT PRESENT

Nine others

John Trombetta

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**5256 – 5268 West Genesee Street Subdivision
Preliminary Plat**

TP#035.-05-23.1

Patrick Donegan of Kandon LLC appeared before the Board to present a preliminary plat application for a two-lot subdivision. The property is zoned C-2.

Chairman Fatcheric clarified the purpose for this application is to comply with the Town ordinance; being one primary structure per parcel. Mr. Curtin suggested the Board consider waiving the public hearing for this application, as it is a minor subdivision that presents nothing new or controversial, and is being offered by the applicant in order to conform to the Town's ordinance. It was also noted that it is not necessary to refer this application to SOCPA for the same reasons. Additionally, SOCPA has previously reviewed and commented upon the overall development plan.

Mr. Flaherty motioned to declare the Town of Camillus Planning Board as lead agency for this application. Mr. Williams seconded the motion and it was unanimously approved.

Mr. Williams motioned to declare this application as an unlisted action under SEQR. Mr. Flaherty seconded the motion and it was approved unanimously.

Mr. Flaherty moved to declare a negative declaration for this action under SEQR. Mr. Williams seconded the motion and it was approved unanimously.

Mr. Williams motioned to waive the public hearing for the minor subdivision. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Mr. Flaherty motioned to approve the preliminary plat for 5256 – 5268 West Genesee Street Subdivision as prepared by Lehr Land Surveyors dated February 19, 2007. Mr. Voss seconded the motion and it was approved unanimously.

Mr. Fittipaldi motioned to approve the final plat for 5256 – 5268 West Genesee Street Subdivision as prepared by Lehr Land Surveyors dated February 19, 2007. Mr. Flaherty seconded the motion and it was approved unanimously.

Mr. Williams motioned to waive parkland fees for this application. Mr. Logana seconded the motion and it was approved unanimously.

**John Dennis Ragan
Site Plan**

TP#047.-04-14.0

Paul Anderson representing JD Ragan LLC and Mike Decicco the tenant appeared before the Board to present a site plan for the construction of a 7' x 9' double steel entry door on the rear elevation of 3550 West Genesee Street Suite II. The property is zoned C-2.

Mr. Anderson stated JD Ragan LLC has secured a new tenant for the retail space previously occupied by Tuxedo Junction, the nature being the display for the sale of spas, portable hot tubs, and minor spa accessories, necessitating larger doors to accommodate the delivery of merchandise. When asked if any inventory would be stored on site, Mr. Decicco indicated that one or two spas and some minor accessories would be on site, otherwise all other warehousing is done in East Syracuse.

When asked if the applicant had proposed any additional lighting fixtures adjacent to the rear entry door, Mr. Decicco stated none has been proposed. After a brief conversation, Mr. Curtin advised the applicant that from a public safety and general safety standpoint, the Board recommends a lighting fixture be added to the rear elevation of the building. Mr. Czerwinski, the Town Engineer, would need to review the tear sheet or specifications to verify it complies with the Town's guidelines.

Mr. Fittipaldi made a motion to declare the Town of Camillus Planning Board lead agency for this application. Mr. Williams seconded the motion and it was unanimously approved.

Mr. Fittipaldi motioned to declare this application as an unlisted action under SEQR. Ms. Wheat seconded the motion and it was approved unanimously.

Mr. Williams motioned to declare a negative declaration for this action under SEQR. Ms. Wheat seconded the motion and it was approved unanimously.

Mr. Fittipaldi motioned to approve the site plan for the installation of a 7' x 9' double steel entry door and one light fixture on the rear elevation of 3550 West Genesee Street

Suite II conditioned upon engineering review and approval of a proposed exterior light fixture. Mr. Williams seconded the motion and it was approved unanimously.

Old Business

Holy Cross Church Amended Site Plan

TP#011.-01-08

The applicant contacted the clerk to request a continuance of this application.

Chairman Fatcheric stated that the Board has received the referral recommendation from SOCPA, which recommended the following modifications to the proposed action prior to local board approval of the proposed action:

1. The applicant must consult with the Onondaga County Health Department to determine whether the existing septic system is adequate for the potential increase in flow from the proposed addition.
2. A lighting plan must be developed to ensure that no glare or spillover is allowed onto the adjacent properties and the county right of way, and the plan must be approved by the Town Engineer
3. The applicant must submit a landscaping plan to the town for approval

After a brief discussion, the Board requested Mr. Curtin contact Karen Kitney to request an opportunity to meet with County Planning to establish a higher level of dialogue, as they are receiving more resolutions from them that contain references that are not relevant to the applications before them.

Viewpoint Estates Preliminary Plat

TP#019.-01-01.8 & Part of 006.-05-05.1

John Szczech appeared before the Board to present the preliminary plat for a 33-lot subdivision located on Devoe Road. The property is zoned R-1.

As suggested previously by the Board, the applicant adjusted the plan to allow access to the cell tower from Barn Swallow Lane. Additionally, the applicant has proposed granting a landscape easement of 25' to 30' to the abutting property owners of Lots 18, 19, 20, 21 and 23: being the Thomas's, the Ruggireo's, and the Cazzolli's. The easement would be included in the covenants, which would allow those specific landowners the ability to plant landscape on the adjacent parcels prior to building permits being issued. When asked if the applicant was establishing any type of standard for the plantings, Mr. Szczech stated he was not as the purpose of the easement is to allow those property owners the ability to install visual buffering prior to a building permit being issued.

Mr. Flaherty asked, as there is a standard for planting trees within new developments, should the standard be maintained for this development also. Mr. Curtin stated that the standards for new development govern plantings in the front of the property, as there are none that address the rear screening. In the past, Austrian pines of no less than 6' in height have been requested or required as the standard to create visual buffering between residential and commercial development.

Chairman Fatcheric clarified that it was at the discretion of the abutting property owner to plant landscaping until the time a building permit was issued. If those owners choose not to plant the landscaping prior to the building permit being issued, then they will not be allowed.

Mr. Curtin stated that the developer is requesting buffering between two residential parcels. As the Board would normally require landscaping plans or some type of detail be provided for their review, he recommended that as this has become a part of the plan it seems appropriate to set a minimum standard, as the Board would be approving it.

Mr. Flaherty inquired if landscaping and buffering should be imposed upon the developer. Mr. Curtin stated that this is not normally required as the property is located in the same zoning district and the land use is the same. In essence what the developer is trying to accomplish is to segregate the existing homes from the new development by creating an additional buffer, thus creating a sense of privacy.

When asked if the water pressure was going to be an issue, Mr. Szczech stated that the pressure is anticipated to be 59lbs.

Ms. Wheat motioned to declare the Town of Camillus Planning Board lead agency for this application. Mr. Fittipaldi seconded the motion and it was unanimously approved.

Ms. Wheat motioned to set the public hearing for May 14, 2007 at 7:00 pm. Mr. Voss seconded the motion and it was approved unanimously.

Ms. Wheat motioned to refer this application to SOCPA. Mr. Logana seconded the motion and it was approved unanimously.

**Petsmart - Fairmount Fair
Site Plan**

TP# 048.-01-02 & 048.-01-01.1

Jim Rumsey and Bob Trybulski appeared before the Board to present the Petsmart site plan for Fairmount Fair plaza. The property is zoned CP.

As previously requested, the applicants have submitted the following for the Board's review:

- A full set of drawings
- Dimensional drawings
- Lighting plan
- Landscaping plan
- The elevation inclusive of a memo that adequately describes the common architectural guidelines that create the theme of the plaza
- Information on the pet relief zones

Mr. Voss indicated that the Board is concerned with the "Oops Station" particularly the necessity and likeliness of use based on the location and size of the island. Chairman Fatcheric also indicated that the Board would need to have some recourse as to how

often the “Oops Station” premises is monitored, maintained, and disposed. Mr. Curtin stated that this ultimately becomes a maintenance issue as to the nature, scope, timing, frequency and so forth of that maintenance so that it does not become in any way shape or manner a nuisance or detract otherwise from the plaza. For the time being, there is a food restaurant that would be contiguous to this site and so due to the close proximity of a food restaurant, this proposal proposes a health issue that needs to be properly dealt with. Therefore, a schedule of maintenance for the “Oops Station” needs to be in place and adhered to. If it is not, Code Enforcement needs to have the ability by agreement, to cite the operator. As this is too public of an area, the Town cannot allow this to be unmaintained.

Mr. Rumsey indicated that the schedule of maintenance for the “Oops Station” would be included in the lease agreement, as the area would need to be policed hourly for maintenance. Mr. Curtin suggested their legal department draft a special covenant subject to attorney review, which includes the language that the tenant agrees to the maintenance as stated.

After a brief discussion, Chairman Fatcheric clarified that the Board is not reviewing or approving signage at this time.

Ms. Wheat motioned to declare the Town of Camillus Planning Board lead agency for this application. Mr. Logana seconded the motion and it was unanimously approved.

Ms. Wheat motioned to declare this application as an unlisted action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare a negative declaration for this action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the elevations for the site plan for Petsmart per the elevations submitted by Benderson Development LLP crafted by Jim Rumsey and reviewed by Carlie Hanson which includes an “Oops Station” which has been identified as an off-site “Oops Station” and the Board would approve that portion of the modification of site plan to include that subject to the tenant agreeing in writing that that station and the general area in the vicinity be maintained on an hourly basis so that at no point in time any animal waste be left in, on or about the common areas of Fairmount Fair for any period of time beyond one hour and further that if the Town of Camillus receives complaints concerning the lack of or poor maintenance of this area, the tenant will be referred to Code Enforcement and the Town Court for violation of the covenant and be subject to a potential fine and any other legal recourse as required. Mr. Logana seconded the motion and it was approved unanimously. The Board requested Mr. Curtin to draft the resolution.

Ms. Wheat motioned to access professional fees for this application in the amount of \$1,500.00. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Jim Rumsey and Bob Trybulski appeared before the Board to present the Michaels site plan for Fairmount Fair plaza. The property is zoned CP.

Mr. Trybulski presented an overview of the proposed landscaping. After a brief discussion, Ms. Wheat motioned to approve the landscaping plan from the proposed Petsmart retail store easterly to the proposed Michaels retail store. Mr. Williams seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare the Town of Camillus Planning Board lead agency for this application. Mr. Flaherty seconded the motion and it was unanimously approved.

Ms. Wheat motioned to declare this application as an unlisted action under SEQR. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare a negative declaration for this action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the elevations for the site plan for the Michaels retail store located at Fairmount Fair per the elevations submitted by Benderson Development LLP crafted by Jim Rumsey and reviewed by Carlie Hanson of QPK Designs. Mr. Flaherty seconded the motion and it was approved unanimously.

MINUTES OF THE PREVIOUS MEETING

Ms. Wheat moved to approve the minutes of the meeting of March 26, 2007. Mr. Williams seconded the motion and it was approved unanimously.

CORRESPONDENCE

A memo was received from Barton and Loguidice regarding the traffic impact study for the Home Depot site. Mr. Czerwinski stated that the drainage report and traffic impact study that had been completed originally for that site back in the late 1990's had been reviewed. He surmised that the traffic impact study was unbelievably accurate in the projections of what the traffic in that corridor would be today.

A letter was received from Barton & Loguidice regarding the drainage report for Snowbirds Landing Subdivision Phase 1.

COMMENTS OF THE TOWN OFFICIALS

Councilor Davern inquired about detention basins and how they are to work, in particular, the Westshire Subdivision basin. Mr. Czerwinski stated that there are three different types of systems, however, Westshire Subdivision is a retention basin, which was made to maintain a certain amount of water within it.

Additionally, Councilor Davern shared that the old Office Max store is turning in to a health sports fitness center.

COMMENTS OF THE ATTORNEY

Mr. Curtin stated that Jed Rotella has requested meeting with the Planning Board staff to discuss ongoing drainage issues. In order to explore what the issues are and determine what the Town can do to proactively meet them, he has suggested scheduling a work session. He commented that the meeting would be exploratory at the very least as he believes there would be some legal issues that need to be provided, by way of deeds, as this may not be a Town problem but a State problem due to modifications that were previously made in which they may have rights of overflow. Mr. Curtin stated he would set the time and date for the meeting.

COMMENTS OF THE ENGINEER

Mr. Czerwinski had no comments this evening.

COMMENTS OF THE BOARD MEMBERS

Mr. Flaherty believes that there is a covenant on the Home Depot property regarding if restaurants are an allowable use. Chairman Fatcheric requested the clerk to research the file.

Mr. Fittipaldi clarified that the Pointe West subdivision is now called the Shaker Heights subdivision.

Chairman Fatcheric acknowledged and encouraged Mr. Logana as he has expressed interest in creating the power point presentations for the meetings.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 8:47 pm, seconded by Mr. Logana and unanimously approved.

Respectfully submitted:

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
APRIL 23, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Lynda Wheat
John Williams

NOT PRESENT

Martin Voss

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Christopher Ucen
Referral from the ZBA for a Special Use Permit**

TP#006.-04-12.4

The application was referred to the Planning Board by the Zoning Board of Appeals as the applicant seeks permission to construct an accessory building on a non-agricultural lot, which does not have a principal structure. The property is zoned RR and R-1.

Christopher Ucen appeared before the Board to present a site plan for a special use permit to build an 80' x 36' building on approximately 22.43± acres. The proposed building will be used to keep equipment for operations in managing the property and as a work shop/wood shop. For security measures, the applicant is proposing to install attached lighting near the exits of the building. When asked if any portion of the building would be used for commercial use, the applicant stated none would. He added that he anticipates breaking ground on construction of a house within the next year.

Mr. Ucen stated that the proposed building would be located in a slight valley approximately 242 ft. from the road and 25 ft. from the side yard with 15-20 blue spruce trees as a buffer. The building would blend with the character of the neighborhood. The proposed building would be earth tones in color, have a gable roof with three overhead doors.

Chairman Feyl clarified why the ZBA referred this application to the Planning Board, as it needed a Special Use Permit due to a residence not being on the property. A Special Use Permit was granted by the ZBA in 2006 based on the basis of a two garage and

metal roof barn type building. The ZBA made the decision to refer this application back to the Planning Board to make sure this application meets the requirements for site plan review, as the current proposal is considerably different from what was originally approved.

After some discussion, the Board determined that there are no significant site plan issues regarding this application and requested Mr. Curtin to draft a referral back to the Zoning Board of Appeals.

**Eckerd Drugs – Camillus Commons
Site Plan**

TP#066.-01-10.1

Bob Trybulski appeared before the Board to present the Eckerd Drugs site plan for the existing store located in the Camillus Commons. The property is zoned CP.

Eckerd Drugs is proposing development of a new pharmacy drive through located on the southwest corner of the existing building. This would include the installation of a new remote delivery kiosk. As the kiosk will not be attached to the building, underground tubing will be utilized to service the cliental, similar to what are used at banking institutions. The kiosk comes with its own security lighting and a two-way camera that are federally mandated and regulated. Customers will be directed to enter from the south side of the site nearest Kasson Road, directly across from the Bank of America entrance and exit two car lengths from the Kasson Road exit. Due to the close proximately of that exit to the Kasson Road exit, the Board suggested the applicant review a “right turn only” exit, as they are concerned with potential stacking issues. The Board also stated that directional signage will be extremely important.

Mr. Trybulski stated that a 12’ sidewalk would be installed at the radius as well as landscaping inclusive of pear trees, hedge maples and a burning bush.

Mr. Flaherty has noticed an issue with vehicles parking in the driving aisle in front of Eckerd Drugs and inquired if Benderson Development Company LLC could offer a solution to deter it. Mr. Trybulski stated he would review the request.

In addition to the drive through, the applicant has also proposed rehabilitating the façade of the existing Eckerd Drugs by adding a standing seam hunter green metal roof, new EIFS along the east and south elevations inclusive of wall sconces, brick piers, windows, and awnings. Mr. Flaherty inquired if this could also be continued to the west elevation. Mr. Trybulski stated he would look into it.

After reviewing A2.0 prepared by Benderson Development Company, LLC dated 4-12-07 Carlie Hanson of QPK Design offered the following observations and recommendations:

1. General:

- Provide actual Material Samples for review in context with adjacent approved buildings to verify compatibility and consistency with the pallet and vocabulary established with Lowe’s, Wal-Mart, Bank of America and Bon Ton.

- Clarify “Cherry Velour” brick – size and manufacturer.
- Provide light fixture cut
- Material and Color designations do not appear to be pointing to correct items on the elevations. Review and Correct.
- Provide 3 dimensional rendering for review and comment as requested on previously reviewed projects.
- Indicate project location on key plan – not identified.

2. East Elevation:

- Large scale EIFS “Blocks” at main entrance appear out of scale and character with the proposed façade – consider alternate façade treatment in this area.
- Consider matching the adjacent Bank of America hip roof material at proposed entrance. This is the third sloped roof material/color proposed for the center.
- Will there be a gutter at perimeter of hip roof over entry?
- Clarify paint color at split face CMU – looks brown, called out as “Cherry Velour”. Consider extending brick to sidewalk, eliminating split face at pilasters and extend brick veneer full height to spectrum brown “cap” between windows.
- Clarify Awning Material and expected lifespan. Vinyl or Plastic is discouraged.
- Clarify glass – clear? Spandrel?

3. West Elevation:

- Extend cornice full-length exterior wall on West elevation. This is a primary elevation visible from Kasson Road.
- Provide colored elevation for review.

4. South elevation:

- Consider additional brick pilasters to get a total of 4 to break up this façade. Match height of pilaster at southeast corner. This is a primary entrance to the center. See comment above on extending brick full height of pilaster.

Mr. Trybulski stated that he would address Ms. Hanson’s comments prior to the May 14, 2007 meeting.

Old Business

Holy Cross Church Amended Site Plan

TP#011.-01-08

Stephen Zalewski, and Joseph W. Kolonko Sr., representing Holy Cross Church appeared before the Board to present an amended site plan for a “Parish Hall”. The property is zoned R-3.

As previously requested by the Board, the applicant indicated that lighting fixtures were added for the parking area and will be regulated by sensors. Mr. Czerwinski stated that he would need to review the tear sheet or specifications to verify that it complies with the Town’s guidelines.

Mr. Czerwinski stated he reviewed the Drainage Report for the project. While there is a negligible increase in the flow rate for the one and two year storm events, Barton &

Loguidice finds the system designed to be acceptable. He required that the applicant provide details for the detention basin outfall structure prior to the start of construction.

Ms. Wheat motioned to declare the Town of Camillus Planning Board lead agency for this action. Mr. Williams seconded the motion and it was approved unanimously.

Mr. Fittipaldi motioned to declare this application as an unlisted action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat moved to declare a negative declaration for this action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Trombetta motioned to approve the amended site plan for Holy Cross Church as prepared by Ianuzi & Romans, P.C. dated April 29, 2007 conditioned upon engineering and legal review. Ms. Wheat seconded the motion and it was approved unanimously.

Ms. Wheat motioned to assess professional fees for this application in the amount of \$375.00. Mr. Trombetta seconded the motion and it was approved unanimously.

Starlight Estates Phase 2 Revised Grading Plan

TP#015.1-01-08

Amy Daimen of Clough Harbor and Associates appeared before the Board to present a revised grading plan for Starlight Estates Phase 2.

Mr. Czerwinski stated that he has reviewed the revised Grading sheet (Sheet C-12) for Starlight Estates Section 2 prepared by CHA with revision date of 4/16/07 and has supplied the following summary of comments:

1. An angled bench 15 feet in width should be placed beginning at the top of slope behind lot 20 running northwest to the top of the slope behind lot 17
2. Temporary erosion control blankets should be installed on the 3:1 slope surface to assist in preventing erosion until the turf is established
3. A copy of the NYSDEC mining permit covering the proposed work should be provided to the Town
4. The proposed routing of truck traffic should be provided to the town. If it is intended to haul materials across the roadways constructed as part of Phase I, the Town should consider asking for an increase in roadway securities to cover the potential damage that may be caused by the heavy truck traffic. The existing securities are in place to cover the portion of Phase 1 roadway system that is already showing signs of deterioration.

After a brief conversation, Mr. Czerwinski clarified his concern is that additional truck traffic may affect the road as currently only the binder course has been laid. As Phase 1 is currently well built out, he would expect sometime later this spring or early this summer an inspection would be performed which would establish a punch list of items that would detail items that need to be repaired. Once completed, a top coat could be put on. Obviously, if heavy truck traffic is to be using the roads, the Town would not want to top coat the road and would recommend that the Town increase the security

agreement amount to ensure that the roads would be adequately repaired. He stated that he would review the information and provide an estimate to the Town Attorney.

When asked about the mining permit, specifically the how many cubic yards of dirt would be relocated and to where, the applicant stated that approximately 30,000 cubic yards would be relocated to a site in Solvay.

Mr. Czerwinski stated that he was unsure if the removal of dirt would affect the SEQR findings. He requested Mr. Curtin review the SEQR findings to make that determination.

Ms. Daimen stated that they would address the questions/issues and supply the additional information requested.

MINUTES OF THE PREVIOUS MEETING

Mr. Fittipaldi moved to approve the minutes of the meeting of April 9, 2007. Mr. Logana seconded the motion and it was approved unanimously.

CORRESPONDENCE

A voucher was received from Barton & Loguidice, P.C. for the services performed from February 25, 2007 thru March 24, 2007 for \$3,189.00, \$2,851.00 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Flaherty, seconded by Ms. Wheat, and approved unanimously

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of March and April 2007 for \$2,535.99, \$1,504.74 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Trombetta, and approved unanimously.

A voucher was received from Dell Financial Services for the monthly notebook and projector fee for the month of May for \$79.84. Motion to approve payment was made by Mr. Logana, seconded by Ms. Wheat, and approved unanimously.

A voucher was received from Hummel's Office Plus for office supplies for \$13.45. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Fittipaldi, and approved unanimously.

A voucher was received from Ann C. Clancy for mileage to the Snowbirds Landing scoping session for \$9.70. Motion to approve payment was made by Mr. Flaherty, seconded by Mr. Fittipaldi, and approved unanimously.

COMMENTS OF THE ENGINEER

Mr. Czerwinski had no comments this evening.

COMMENTS OF THE BOARD MEMBERS

Mr. Flaherty inquired when construction would begin on Moe's Southwestern Grill. Chairman Fatcheric commented that he has been informed they want to open sometime in June.

Mr. Trombetta stated that it was good to be back.

With no further business before the Board, Mr. Flaherty motioned to adjourn the meeting at 8:11 pm, seconded by Mr. Fittipaldi and unanimously approved.

Respectfully submitted:

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
MAY 14, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat

NOT PRESENT

John Williams

STAFF PRESENT

Paul J. Curtin, Esq.
Paul Czerwinski
Dirk Oudemool, Esq.

GUESTS AND MEMBERS OF THE PUBLIC

Bill Davern, 3rd Ward Councilor
Diane Dwire, 5th Ward Councilor
Bob Feyl, ZBA Chairman
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor
Tom Price, Code Enforcement Officer
Ten others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

Public Hearing

Viewpoint Estates

TP#019.-01-01.8 & Part of 006.-05-05.3

Mr. Flaherty motioned to waive the reading of the notification of publication and legal description as advertised for the Viewpoint Estates Subdivision. Mr. Trombetta seconded the motion and it was approved unanimously.

Developer, John Szczech presented a proposal for the subdivision of a 43±-acre parcel of land located on Devoe Road, zoned R-1. The proposal depicts subdividing the parcel into thirty-three one-acre lots, which would be serviced by public utilities. One entrance road leading from Devoe Road would provide accessibility to the entire subdivision. Also depicted on the plan are two future flag lots along the northeast corner of the property, a stub street that leads to the adjacent parcel to the north and a 30 ft. easement along the northerly property boundary that leads to a cell tower that the sellers are retaining. Mr. Szczech disclosed that he has an option to purchase the adjacent parcel.

Mr. Voss inquired as to the average square footage of the homes and the number of builders who would be involved in this project. Mr. Szczech indicated the square footage would be upwards of 2,300 sq. ft. and 3 to 4 builders would be involved, he being one of them.

Mr. Curtin commented that while reviewing the sketch plan application; the applicant had discussed offering landscaping easements for the benefit of the adjacent landowners of Lots 19, 20 and 21 and inquired as to their status. Mr. Szczech stated that he property owners are no longer interested in obtaining the landscaping easements due to the Board indicating that they would place restrictions as to the size and species of the plantings on those easements. Mr. Curtin clarified that any buffering that is going to be undertaken will be done by the present property owners residing on Devoe Road, within their own properties and will not be part of this project.

When asked if Mr. Stelter of the County Department of Transportation had reviewed the location of Viewpoint Lane, Mr. Szczech stated that while officially no, he had reviewed the plans as submitted along with aerial photographs, and based on that review indicated that there appears to be sufficient site distance and should be no issue as to the location.

When asked if all lots conformed to the Town's requirements in terms of size and setback requirements, Mr. Szczech stated they did.

Mr. Curtin stated that the applicant noted on the initial submission that these lots were to be serviced by on site septic systems, now the applicant has revised that portion of the application to indicate that service to all lots would be by a municipal sewer system. When asked where the point of origin of the sewer district is proposed, the applicant stated that the sewers would enter the subdivision from Devoe Road, travel along Devoe Road to a parcel owned by the developer, attach to the Waterbridge Estates subdivision and then travel to Van Alstine Road to a pump station where it would then be pumped down VanAlstine Road to the manhole on Newport Road. All of which will be done at the developers cost.

Kathy MacRae, 2nd Ward Councilor stated that as she has conducted two informational meetings regarding water service to the area, she did not send any notification for this public hearing to the residents. It was noted that the public hearing for the establishment of the water district would be conducted next week.

The Board received the referral recommendations back from the Onondaga County Planning Board who recommended that the application be disapproved for the following reason(s):

1. The Board cannot properly evaluate the subdivision referral without one site plan showing the entirety of the lots being subdivided and full build-out with all lots and residual lands numbered.
2. The preliminary plan shows a single access road on Devoe Road, however, the final full-build subdivision plan must show a second access road to meet the requirements of the Onondaga County Department of Transportation to provide the necessary access for emergency vehicles.
3. The preliminary plan does not show on-site stormwater detention for the proposed subdivision. The stormwater detention shown on the sketch plan would be located on an adjacent parcel that would be part of the future proposed subdivision.
4. The sketch plan shows proposed lots that would require direct access to Devoe Road. No direct access to Devoe Road will be permitted for any proposed lots;

all access from proposed lots shall be from a new local road as per the Onondaga County Department of Transportation.

5. The preliminary plan and sketch plan show an area of land just north of proposed Lots 5 and 6, and its unclear if this is a separate tax parcel or lease parcel.
6. Lot lines should not intrude on the county road right of way.
7. The applicant must contact Duane Coughenour at the Syracuse-Onondaga County Planning Agency for approval of the proposed subdivision name and any proposed street names prior to filing the subdivision.

Chairman Fatcheric asked the developer to respond to those comments. Mr. Szczech responded as follows:

1. This preliminary plan of 45± acres that is in front of the Board is what should be reviewed and if a parcel is not in front of the Board, he does not know why it is being reviewed by County Planning. He believes an application should be reviewed when it becomes an application that is before the Board. The extension in question is a separate tax parcel.
2. Mr. Stelter from County DOT indicated that one access point was adequate and frankly he does not know where an additional access point could be placed. The road does meet the Town's specifications.
3. Stormwater is shown on an adjacent parcel, which the developer has an option to purchase those lands from the seller.
4. There are two lots along Devoe Road, one being a building lot and the other is a 3-acre parcel that is being retained by the sellers, as there currently is a barn on it.
5. The cell tower is under lease by a utility company that will be included in the extension to this subdivision. It will be labeled as a non-buildable lot.
6. The lot line will be corrected.
7. The names have already been approved.

As the proposal depicts an off-site stormwater detention, Mr. Flaherty inquired if it is acceptable. Mr. Curtin indicated that a right of way and easement agreement would need to be submitted as a part of the final approval for it to be acceptable.

When asked if there was a way to enhance the single egress/ingress to this development, Mr. Szczech stated that there is not a large enough area to widen the street without losing a Lot.

As there were no comments from the public, Mr. Fittipaldi motioned to close the public hearing for the Viewpoint Estates Subdivision. Mr. Trombetta seconded the motion and it was approved unanimously.

New Business

Golden Meadows Section V Sketch Plan

TP# 010.1-03-29

Developer, John Szczech presented a proposal for the subdivision of a 14±-acre parcel of land located on the corner of Winchell Road and VanBuren Road, zoned R-3.

The proposal depicts subdividing the parcel into two lots, one being 2.00± acres and the other 4± acres, which will be serviced by public water and gas and private septic systems. The remaining lands would be deeded to the current property owners along Armstrong Road to be merged with their existing parcels. None would become new building lots. When asked if this proposal was already arranged with the property owners along Armstrong Road, Mr. Szczech stated that it was not as he was waiting for the Board's opinion/approval before approaching any of the owners. Ms. Wheat asked what would happen if the landowners did not want the land to be deeded or merged. Mr. Szczech stated that he would then come back before the Board to revise the plan.

When asked about the locations of the driveways, Mr. Szczech stated that they would be along Winchell Road. He stated that the locations have been approved and he would forward a letter from the County DOT stating such.

Mr. Trombetta inquired as to the drainage of the property. The developer stated that he is not proposing any additional drainage as the lots are large and the method and direction of surface drainage would not be altered.

Mr. Trombetta motioned to close the sketch plan application. Ms. Wheat seconded the motion and it was approved unanimously.

**Frank's Franks (Home Depot)
Temporary Site Plan**

TP#017.-04-48.2

Frank Greiner appeared before the Board to present a temporary site plan for a hot dog cart to be located at the Home Depot site on Milton Ave. The property is zoned CP.

Mr. Greiner stated that the hot dog cart is proposed to be located in a 10' x 10' area within the footprint of the building perimeter. The hot dog cart is completely self sufficient, cooking with propane. There is no electrical or lighting components on the cart and trash is removed daily. When asked the hours of operation and the number of employees, Mr. Greiner stated that the hours of operation are 8:30 am through 4:00 pm and he always has two (2) employees.

Frank's Franks cater to "walk up" clientele, primarily exiting from the building. During the am hours, the proposal depicts the hot dog cart to be located on the west side of the store near the contractor's entrance, at approximately 1:30 pm, the hot dog cart would then be moved easterly, to be located between the contractor's entrance and the center entrance. When asked if he was planning on advertising, Mr. Greiner stated he was not.

After a brief discussion, Mr. Curtin requested a letter, signed by an appropriate party consenting to the use of the property. The letter should indicate the specific timeframe while also identifying the areas designated for use, as it is not fully disclosed.

Mr. Curtin advised the Board that this application is not required to be submitted to SOCPA for their review as the application is not for a permanent structure and as it is a seasonal application and is consistent with zoning and will not adversely affect traffic or

drainage and will not change the elevations of the building and as there has been no demonstrated intra or inter municipal or community wide implications.

Mr. Flaherty motioned to declare the Town of Camillus Planning Board as lead agency. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare this application as an unlisted action under SEQRA. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare a negative declaration for this application under SEQRA. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the temporary site plan for Frank's Franks located at Home Depot on the corner of Milton Avenue and Hinsdale Road to be conducted April 1st through November 1st from 8:30 am through 4:00 pm, Monday through Saturday conditioned upon a letter from the landlord identifying the exclusive areas that are designated for use and review of the temporary site plan after six (6) weeks of operation. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Old Business

Viewpoint Estates – Devoe Road Preliminary Plat

TP#019.-01-01.8 & Part of 006.-05-05.3

After a brief discussion, Mr. Curtin advised the Board that the full EAF has been completed appropriately while adequately describing the nature and scope of the project. Please note that in proposing to develop 33 single family building lots on the property, all lots will conform with existing zoning requirements and constraints.

After reviewing the full EAF, Ms. Wheat motioned to issue a negative declaration overall for this application under SEQRA. Mr. Trombetta seconded the motion and it was approved unanimously.

In response to County Planning's comments, Mr. Curtin offered the following comments:

1. It is only appropriate to view what is before the Board today, not what may be before the Board tomorrow. Therefore he disagrees with their first comment as the Board does not have any jurisdiction and it is inappropriate to offer additional commentary.
2. Our Engineer as well as County DOT has reviewed the single access road for the 33 lots and found the location of the curbcut for the road servicing the subdivision appropriate. A letter stating that would be a condition of this approval. The road falls within the treshholds of what has been previously approved.
3. On-site stormwater – Mr. Szczech will provide a right of way and easement agreement for the stormwater detention and management, which will be off-site.
4. The lot line that is protruding is located in a county right of way. It is a deed line that will be merged and County will be advised accordingly that it will not be part of the overall subdivision
5. The name has been reserved by the developer

Mr. Curtin advised the Board that during his presentation, the applicant adequately addressed County Planning's comments. Ms. Wheat motioned to override County Planning's referral recommendation. Mr. Flaherty seconded the motion and it was approved unanimously. Mr. Curtin was requested to draft a response advising of the reasons behind the override to County Planning.

Ms. Wheat motioned to approve the preliminary plat of the Viewpoint Estates subdivision part of Military Lot 66, Town of Camillus, dated May 10, 2007 as prepared by LJR Engineers. Mr. Logana seconded the motion and it was approved unanimously.

Malibu Hills Estates (formally Snowbirds Landing) TP#015.-01-12.1 and 015.-01-13 Preliminary Plat

Bill Morse of W-M Engineers and Victor Grozdich, developer appeared before the Board to present a preliminary plat application. Mr. Morse indicated that the overall density for this project has been reconfigured to 423 units.

After reviewing the wetland report, Mr. Czerwinski stated that it is very comprehensive and thorough. He believes that the report addresses all the issues. There doesn't seem to be any DEC wetlands within the site. He believes that they are "Army Corps" wetlands, which do not require any buffer. The plan shows a few building lots where the buildings infringe on the wetlands. He indicated that the report would be submitted to the Corps for their review. He did disclose that there is a possibility that they could come back and disagree with the findings based on the report.

Mr. Oudemool asked for the applicant to clarify the total potential number of units for this project as his recollection was that when the applicant first came forward, he had hoped that the Town Board would consider a zone change on the R-2 lands, changing to R-3. Based upon that, the Town Board requested the developer to come in with the biggest number. Since then, the Town Board has made it very clear to the applicant's representatives that they will not entertain a zone change application for this project and that this application has to be considered as an R-3 and R-2 project. When asked if the yield had been recalculated, Mr. Morse commented that it had not. He did state that if they did not get the zone change, approximately 60 lots would be lost. Mr. Oudemool advised that as the Board moves forward, the project has the total potential yield of approximately 360 units without a zone change.

With regard to the traffic study, James Napoleon, traffic engineer advised the Board that a total of 434 units was used to determine the projected traffic count. Projecting the complete build out of Starlight Estates, the projected development along Hinsdale Road inclusive of the revisions to the interchange and then adding the existing traffic count he derived the impacts. As the actual traffic count counted the contractors and construction traffic for Starlight Estates, Mr. Napoleon believes that they are over projecting that number of 434. Mr. Czerwinski commented that a traffic report letter has been submitted and they feel that the report is fairly well documented as to what is projected and he does not have any issues with it.

After a brief discussion, Mr. Fittipaldi noted his concern regarding the intersection at Bennett Road and Warners Road and questioned the necessity of a traffic signal. Mr. Flaherty inquired if this intersection was on the list for improvements by the proposal of the new development along Hinsdale Road by the Cameron Group. Mr. Oudemool stated that it is not on the list as it is not a part of the State of New York's required improvement list that was presented to the Cameron Group.

As the Board voiced numerous concerns regarding the potential of issues at the intersections, they discussed the need to look forward to think about the impact of what they are considering now, not just on the application before them but in the context of all development within the area.

Mr. Oudemool stated that the Town's obligation is to take into account everything and not be short sighted in their review. The reality is that the applicant does not have a legally enforceable agreement with Honeywell for their lands and suspects that it would take months for this applicant to try and work out the issues. From the Town's perspective and the Planning Board's perspective, they have to focus very sharply on the application that is here, in terms of the SEQRA. All that is before the Board is an application for a preliminary plat approval for the Rusniak parcel. The applicant has done what has been asked of him, which is to provide as much information to the Board so the Board would not be short sighted. At this time, Mr. Oudemool does not feel there are answers to the functionality of the intersections at Bennett Road/Warners Road or Hinsdale Road/Warners Road.

Mr. Oudemool recommended that the Planning Board limit their focus to what is before the Board, which is the Rusniak parcel. He recommended that the Board's approach with the developer is to focus on the front 2/3 of that parcel and hold in reserve the third piece; the piece that is contiguous to the Anaren parcel.

Mr. Morse stated that the overall density plan for Phase 1 is 115 lots. Mr. Czerwinski stated that they have reviewed the density due to the wetland delineation and the density would not change due to that delineation. When asked how many phases the development would be developed in, Mr. Morse stated that there would be three phases.

After a brief discussion, Mr. Czerwinski advised the Board that the existing water and sewer districts in this area would adequately service the additional development.

Mr. Oudemool advised the Board that the application for Phase 1 is complete but he would like to develop time sequence of building out of the area that is being presented. In other words, can the Board focus on the center piece and the easterly parcel? Mr. Grozdich stated that they are looking to start on the center and easterly parcel: Venus Path to the east.

The Board requested the applicant provide a copy of the plan to the Town Highway Superintendent and the fire department for their review.

Councilor MacRae informed those present that an Informational meeting has been scheduled for May 21, 2007.

Mr. Fittipaldi motioned to set the public hearing for this application for June 11, 2007 at 7:00 pm. Ms. Wheat seconded the motion and it was approved unanimously.

Ms. Wheat motioned to refer Phase 1 of the Malibu Hills Estates subdivision to SOCPA. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Czerwinski stated that Barton & Loguidice has received a revised drainage report, which they are in the process of reviewing and should have written comments available shortly.

**Eckerd Drugs – Camillus Commons
Site Plan**

TP#066.-01-10.1

Bob Trybulski stated that he has received Carlie Hanson's most recent comments regarding the Eckerd Drugs drive through and addressed them accordingly. In an effort to gain contrast with the elevation of the building, he has offered to apply an EIFS application that would further enhance the look of the pier while avoiding the installation of the foundations. Chairman Fatcheric stated that the Board is not approving signage at this time but the applicant will need to apply for signage above the awnings at some later time.

Ms. Wheat made a motion to declare the Town of Camillus Planning Board as lead agency. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare this application as an unlisted action under SEQRA. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare a negative declaration for this application under SEQRA. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the site plan for the Eckerd Drugs at Camillus Commons by Benderson Development conditioned upon the south side EIFS additions to be reviewed/approved by Tom Price and Paul Czerwinski. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to assess professional fees for this application in the amount of \$650.00. Mr. Fittipaldi seconded the motion and it was approved unanimously.

**Petsmart
Signage**

TP# 048.-01-02 & 048.-01-01.1

A representative from Kieffer & Co., Inc. appeared before the Board to present a revised drawing for the Petsmart signage.

After a brief discussion, the representative stated that the signage has been downsized as suggested previously by Carlie Hanson on behalf of the Board.

Ms. Wheat motioned to approve the signage as prepared and submitted by Kieffer & Co., Inc plan dated January 31, 2007, revised May 10, 2007 entitled Petsmart Store#

1580 Syracuse, New York. Mr. Fittipaldi seconded the motion and it was approved unanimously.

DISCUSSION

Annesgrove

Mr. Oudemool stated TDK Engineering & Associates working on behalf of Annesgrove approached the Supervisor's office. They are interested in converting a service road that goes to the tank site into a public highway and he asked if there was an application pending before the Board. Mr. Oudemool stated that the concern is that the Highway Superintendent and the Town Engineer will say no to converting this maintenance road into a town highway. The question is should the Town Board be moving this question forward or is it premature? As the request has not been presented to the Board, they feel that the request is premature. Mr. Oudemool stated that he would copy the Planning Board with the communication for them to respond to the Supervisors Office as to if this is an issue that the Town should address.

Fresno's Restaurant Temporary Site Plan

TP#042.-07-11.1

Mr. Carl Benz, managing partner of Fresno's restaurant located at 4002 West Genesee Street appeared before the Board to present a temporary site plan application. Fresno's would like to have a "Camillus Summer Music Festival" in the front parking lot adjacent to West Genesee Street. The proposal is to erect a 30 x 60 foot tent in which bands would perform. Mr. Curtin stated that as the property is zoned C-3 this would be a permissible use subject to Planning Board review and approval.

Mr. Benz stated that the Camillus Summer Music Festival would provide live entertainment, Wednesday's from 5:30pm – 8:30 pm for 6 weeks, June 13 – July 25. The musicians would perform from 5:30 pm – 8:30 pm, playing three 40-minute sets and taped music would play until 9:00 pm.

Mr. Benz has verbally made agreements with the owner of Autozone to use their parking facilities for employee parking. Fresno's would like to hire off-duty Camillus police officers for crowd and traffic control. Mr. Benz will contact the Police Chief to make the necessary arrangements.

The tent itself will have electrical power outlets that will be installed by an electrician. The tent area will be mostly standing room only but there will be "high top" tables inside for the customers to set food on. An outside barbeque pit is also proposed, which will be approximately 6 x 3 feet staged alongside the front of the building. According to Mr. Benz there will be approximately 20 to 25 staff in the area, at all times.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Fittipaldi made the motion to declare this application an unlisted action under SEQRA. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application a negative declaration under SEQRA. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to approve the temporary site plan for the Camillus Restaurant Properties – Fresno’s subject to the following limitations:

1. The duration of the music event be live music from from 5:30 pm – 8:30 pm and taped music from 8:30 pm – 9:00 pm.
2. The Festival to run for no more than 6 weeks on Wednesdays beginning June 13, 2007 and ending July 25, 2007
3. Two (2) off duty Camillus police officers be provided by the applicant at his own cost and expense in order to maintain traffic control and pedestrian safety
4. A letter from the property owner of Autozone to be received by the Board prior to June 13, 2007 indicating their willingness to allow their property to be used as a satellite parking facility
5. The Board will retain jurisdiction over this application on an incremental basis and to receive comments of designated Town officials; those being Chief Winn, Tom Price, and Councilor Davern. Any modifications that are needed to be made to the plan as presented, the Board can make those changes as to the interest of public safety and welfare.

Mr. Trombetta seconded the motion and it was approved unanimously.

**Cricket – 4300 W. Genesee St.
Site Plan**

TP#042.-04-11.0

Mary Armani, owner of 4300 West Genesee Street appeared before the Board on behalf of her tenant. She stated that she does not agree with the Boards position that the paint color changes to the façade of the building require Planning Board review.

Chairman Fatcheric clarified that Mrs. Armani’s tenant was brought before the Board due to the color change of the building without approval. Through legislation, the Planning Board has the ability to look at color and texture of the building. Mrs. Armani’s tenant appeared before the Board with an application and was willing to work with the Board and he has not responded since. His last communication with the Planning Board was that he was more than willing to take the green off the building.

After an extensive discussion, Mrs. Armani stated that she wanted to leave the building as it is, with the front elevation painted green. Mr. Curtin stated that Mrs. Armani has a few options; if she wishes to amend the application that is before this Board and instruct the Board as to the color to paint the building, otherwise the Code Enforcement Officer may cite the owner as being in violation. Mrs. Armani departed without a resolution to the issues.

Starlight Estates Apartments

TP#015.1-02-03

Mr. Czerwinski stated that he has reviewed the revised Construction Drawings for Starlight Estates Apartments that were received on May 8, 2007. Clough Harbour &

Associates LLP prepared the drawings with the most recent revision date of October, 2006.

The drawings have addressed the items identified by the Planning Board at their meeting on June 26, 2006, which were

- The fire emergency vehicle drive off access adjacent to apartment building 2B to be included in Phase 1
- The exact location of the fire hydrants to be determined
- The modification of the radius in the vicinity of the pool to be striped

Therefore, he respectfully recommended that the Planning Board grant final approval of the construction drawings for the Starlight Estate Apartments.

Mr. Fittipaldi motioned to approve the Construction Drawings for Starlight Estates Apartments that were received on May 8, 2007, as prepared by Clough Harbour & Associates LLP with the most recent revision date of 10/06. Mr. Trombetta seconded the motion and it was approved unanimously.

MINUTES OF THE PREVIOUS MEETING

Ms. Wheat moved to approve the minutes of the meeting of April 23, 2007. Mr. Logana seconded the motion and it was approved unanimously.

CORRESPONDENCE

A voucher was received from Continuum for the maintenance agreement for the VW-210 Voicewriter 210 for July 1, 2007 through July 1, 2008 for \$74.55. Motion to approve payment was made by Mr. Flaherty seconded by Mr. Trombetta and approved unanimously.

A voucher was received from the Post Standard for the legal notice for Viewpoint Estates for the public hearing notification for \$18.98. Motion to approve payment was made by Mr. Flaherty seconded by Mr. Trombetta and approved unanimously.

A voucher was received from QPK Design for professional services performed from March 14, 2007 through April 13, 2007 for \$775.20, all of which is recoverable. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Logana and approved unanimously.

COMMENTS OF THE ATTORNEY

Mr. Curtin had no comments this evening.

COMMENTS OF THE ENGINEER

Mr. Czerwinski had no comments this evening.

COMMENTS OF THE CODE ENFORCEMENT OFFICER

Mr. Price asked Mr. Czerwinski to review the calming island proposed for Vanida Drive.

COMMENTS OF THE BOARD MEMBERS

Chairman Fatcheric commended Mr. Logana on the power point presentation.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 10:12 pm, seconded by Mr. Fittipaldi and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
MAY 31, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat
John Williams

STAFF PRESENT

Paul J. Curtin, Esq.
Paul Czerwinski

MEMBERS OF THE PUBLIC

Ten others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Shope Financial Services
Site Plan**

TP#040.-09-16.0

Robert Eggleston, on behalf of James and Steve Shope made a presentation regarding the application for site plan review to convert an existing single-family residence into an office building. The property is located at 5014 West Genesee Street and zoned LBO.

The office building will be used to house two financial planners, James and Steve Shope, and one administrative employee. The office hours are proposed as Monday – Friday, 8:00 am – 5:00 pm, with occasional night appointments. Much of their business is conducted over the phone, on the internet or at off site meetings, typically only two appointments per day would be on site. Mr. Eggleston then read a narrative into the record.

This proposal depicts minimum changes to the existing building, adding a handicapped ramp to the front entry. Six parking spaces are shown on the plan, five spaces being located in the front of the building, stacked vertically from the street (one being handicapped) and one space being located in the existing garage. The applicant stated that although the current ordinance states nine parking spaces would be required per the square footage of the building, they feel six parking spaces would adequately service the site. The existing driveway size and location were not altered.

After reviewing the proposal, Mr. Voss inquired if adequate space would be available within the parking area for a vehicle to turn round and exit facing in the proper direction. Mr. Eggleston stated that there would be adequate space.

As public sewer is available at the site, Mr. Fittipaldi inquired if this would be an appropriate time to hook up to the sewer district. After a brief discussion, Mr. Curtin explained that currently there is a local law that requires hook-up to the existing municipal sanitary sewer when there is a change in use. As the use of the property is changing from residential to commercial, this applicant would be required to do so.

Based upon the plan submitted, it appears that the leach field is located within the proposed rear buffer area. According to the zoning ordinance, there is a minimum requirement of a 25 ft. buffer area to be placed between a residential and LBO zoned district and the only allowable structures to be located within the buffer area are plantings and fences.

When asked if the sign would be illuminated or if any additional light sources were proposed for the site, the applicant responded that the sign would not be illuminated and the addition of low voltage site lighting is proposed.

After more dialog, the Board advised the applicant that within a LBO zoned district, there is a minimum requirement for 20,000 sq. ft. per lot. As the application before them indicates the lot size to be 12,800 sq. ft., the Board informed the applicant that a separate application to the Zoning Board of Appeals for an Area Variance would be required in order for the Town to grant relief from the ordinance requirements. As the applicant questioned the requirement, Mr. Curtin clarified that this property presently is a prior non-conforming residential lot within a LBO district. The change of use to commercial evokes the imposition of the zoning requirements. As the Planning Board reviews the intensity of use, the intensity of parking and all the intended uses associated with that use, the Board is required to conform to the zoning requirements within the LBO district due to those changes.

Regarding the request for parking relief, the Board clarified that they do not have the jurisdiction to grant the variance, but they do have the ability to make a positive recommendation to the Zoning Board of Appeals for consideration for site plan purposes.

Mr. Czerwinski commented that in order to meet the Town ordinance requirement for two-way traffic, the driveway would need to be widened to a driving aisle of 24'. Currently the driveway itself is only 16'. Additionally, he requested the revised parking plan display the full build out.

Mr. Flaherty motioned to declare the Planning Board lead agency for this application. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Mr. Flaherty motioned to refer this application to SOCPA. Mr. Fittipladi seconded the motion and it was approved unanimously.

Mr. Trombetta recommended a positive recommendation be made to the Zoning Board of Appeals for the purposes of granting a variance for the relief of the parking and the positive treatment for an area variance reducing the requirement from 20,000 square feet to the existing 12,800 square feet as the applicant is not providing an intensity of use nor

are they expanding the habitable space that presently exists on the site. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Hinsdale Plaza Phase III -Widewaters- Milton Ave Company LLC
Site Plan

TP#017.-04-48.3

Marco Marzocchi representing the Widewaters Group appeared before the Board to present a site plan for the expansion of the Hinsdale Road Plaza, to be considered the third and final phase of the Home Depot site. The property is zoned C-3.

Mr. Marzocchi advised the Board that in 1999, the Widewaters Group was issued approval for the overall project, which included this phase, Phase 3. At that time, the approval indicated the addition of a total of 33,000 square feet. Since then, the developer has revised the plan to indicate the addition to be 23,400± sq. ft., a reduction of approximately 9,800 square feet.

The plan presented depicts erecting three (3) additional storefronts, approximately 7400± sq. ft., along the existing in-line strip plaza. On the east end of the site, the proposal indicates two freestanding structures, one 12,747± sq. ft. and the other 3200± sq. ft. Two restaurants are proposed in that area, one in the 3200± sq. ft. structure, and one utilizing approximately 6,000 sq. ft. of the 12,747 sq. ft. structure.

When asked about traffic, the applicant stated that it would essentially remain the same, accessing from Hinsdale Road and Milton Avenue. According to the applicant, all traffic improvements were originally designed, constructed, and built to accommodate the entire development at full build out, as was drainage, which will be directed to the existing drainage facility located to the east of the site.

With regard to the three (3) storefronts along the existing in-line space, the applicant stated the intention is to match the design, colors and signage of the existing structure along the front, side and rear elevations. The applicant disclosed that a banking institution inclusive of a drive through has been proposed for the end storefront.

With regard to the two (2) freestanding structures, the applicant indicated that the design would be modified somewhat, as they are not proposing to erect a canopy filled with signage and the color schemes may vary depending upon the tenant.

When asked about signage, the applicant responded that the intention is to maintain the same ratio that is currently in place, as they would be requesting the same. Incidentally, he believes that a variance was obtained for the size of the signs and the number of signs allowed per business.

After a brief discussion, the Board voiced concern regarding pedestrian safety as the proposal depicts two (2) restaurants and two (2) drive throughs; one for the bank and one for one free standing parcel. Mr. Flaherty commented that he was on the Board in 1999; he recalls the discussions that took place at that time regarding restaurants and knows what the traffic is like getting in and out of the plaza, including the Home Depot section. He requested a full traffic study inclusive of the new development that is proposed in the near future. At the very least, a traffic count inclusive of the number of

cars entering and exiting the plaza is needed, as the one done in 1999 is out of date. In response, the applicant stated that the site is properly zoned for the intended use. He indicated that when the original traffic study was compiled, it was done at full build out. He believes the Engineer has reviewed the study and supplied the Board with a letter.

Mr. Czerwinski reviewed the original design reports for the Home Depot site that were submitted prior to the initial development of the site. The reports were reviewed and it has been determined that the traffic forecasts projected in the Home Depot Traffic Impact Study are generally consistent with the forecasted 2007 traffic volumes stated in the Access Modification Report. He does not feel the traffic numbers in terms of this site are an issue, but that the internal traffic is more of the issue as the traffic tends to bottleneck at the railroad crossing while trying to exit the plaza. After additional discussion regarding the traffic and public safety for the site, the Board voiced numerous concerns and requested the clerk to provide copies of the minutes from the original approval.

Mr. Curtin commented that the current zoning ordinance states that the primary uses proposed for this site are allowable uses as a right within the zoning district. However, the current zoning ordinance excludes drive through pickup service restaurants. As the proposal is to include a restaurant with a drive through pickup service, a Use Variance for the drive through would be required. Due to the overall project, inclusive of this phase, being approved in 1999, the applicant inquired if this might be a "grandfathered use" and requested future dialogue with the attorney.

After a brief discussion as to if any restrictions were placed on the original project, the applicant stated that the one and only restriction placed on the development was that restaurants would not be allowed unless the developer was able to show that adequate parking could be provided, meeting the restaurant-parking ratio. Mr. Curtin requested a copy of the restrictive covenant be supplied to the Board.

After an extensive discussion, Mr. Curtin requested the Board to review only the site plan for the expansion of the in-line structure and the potential location of two new buildings on the east end of the site. All the while, looking at the potential that there may be two restaurants within those footprints, while taking into consideration the traffic circulation and infrastructure of the site, and what impact those would have upon it. In his opinion, the elevations for the out parcel buildings should not be reviewed until actual tenants have been signed and the elevations determined. The applicant was in agreement with this proposal.

**Michaels Retail Store
Signage**

TP#048.-01-02 & 048.-01-01.1

John Lafaro, attorney appeared before the Board to present the signage for the Michaels retail store located in the Fairmount Fair plaza. The property is zoned CP.

After a brief discussion, Mr. Fittipaldi motioned to declare the Planning Board lead agency for this application. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Trombetta motioned to declare this application an unlisted action under SEQRA. Ms. Wheat seconded the motion and it was approved unanimously.

Mr. Flaherty motioned to declare this application a negative declaration under SEQRA. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the location of two signs for Michaels, without any additional verbiage, one located on the front and one located on the easterly side of the building toward the rear, internally illuminated letters, conditioned upon the Engineers review of the sign standards previously adopted by the Board. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Old Business

There was no old business before the Board.

Discussion

Camillus Commons Crosswalks

A meeting was held with representatives from Benderson Development to discuss the Camillus Commons crosswalks, as they have not been functioning properly due to heaving, cracking, etc. and as the installation was poor and the product did not hold up adequately. As a variety of products have been proposed, those assembled recommended the use of stamped asphalt. The application of stamped asphalt heats the asphalt after its in place, then stamps it and rolls over it with a roller, creating a ½ inch depression in the asphalt placing a prefabricated pattern on it. After which, a polyurethane product is melted into the pours of the asphalt, bonding with it giving the same effect as the pavers, with longer durability and lower maintenance.

Mr. Czerwinski recommended the stamped asphalt's use for the Vanida Drive calming island as it is relatively maintenance free and has a useful life of no less than 10 years.

Minutes of the Previous Meeting

Mr. Fittipaldi moved to approve the minutes of the meeting of May 14, 2007. Mr. Logana seconded the motion and it was approved unanimously.

Correspondence

A voucher was received from Barton & Loguidice, P.C. for the services performed from March 25, 2007 thru April 28, 2007 for \$7,465.17, \$7,090.17 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Flaherty, seconded by Ms. Wheat, and approved unanimously

A copy of a letter from Mrs. Armani to her tenant was received.

Comments of the Attorney

Mr. Curtin had no additional comments this evening.

Comments of the Engineer

Mr. Czerwinski stated that Golden Meadows residents have complained about the drainage. As the residents felt that the issues were not being address in a timely fashion, they contacted the DEC, who are now overseeing the issues.

Comments of the Board Members

Ms. Wheat commented that it was time for the Board to review the traffic at the intersections of West Genesee Street/Myrtis Road and West Genesee Street/Office Max Plaza. The Clerk was instructed to request the accident summaries for those intersections and any recommendations and/or concerns Chief Winn may have.

With no further business before the Board, Mr. Logana motioned to adjourn the meeting at 9:15 pm, seconded by Mr. Trombetta and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
JUNE 11, 2007
7:00 PM**

PRESENT

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat
John Williams

STAFF PRESENT

Paul Czerwinski
Dirk J. Oudemool, Esq.

MEMBERS OF THE PUBLIC

Bob Feyl, ZBA Chairman
Joy Flood, ZBA Vice Chairperson
John Friske, Water Superintendent
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor
Tom Winn, Chief of Police
Approximately 60 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

Public Hearing

Malibu Hills Estates

TP#015.-01-12.1 and 015.-01-13

This public hearing is to consider the subdivision for Malibu Hills Estates. Ms. Wheat motioned to waive the reading of the notification of publication and legal description as advertised for the Malibu Hills Estates Subdivision. Mr. Trombetta seconded the motion and it was approved unanimously.

The complete transcript of this public hearing as prepared by a public stenographer is attached.

Mr. Fittipaldi motioned to close the public hearing for the Malibu Hills Estates Subdivision. Mr. Trombetta seconded the motion and it was approved unanimously.

New Business

**St. Pauly Textile Inc. – Camillus Elks Lodge
Special Use Permit**

TP#006.-01-25.0

Mr. Flaherty has recused himself from deliberations on this application.

Joe DeGeorge representing St. Pauly Textile Inc. appeared before the Board to present a site plan for a Special Use Permit to place a clothing drop off shed on the Camillus Elks Lodge property. The property is zoned R-1.

Mr. DeGeorge stated that the nature of the business is collecting used clothing and small household goods that are redistributed nationally and in third world countries. The business is for profit however, St. Pauly Textile Inc. locates their collection sites only at not-for-profit organization locations. Donations are tax deductible and receipts are available.

The proposal depicts placing an 8' x 16' shed on the northwest corner of the parking area to be used as a clothing drop off location. The shed is constructed of wood with two sets of entry doors and an aluminum chute, which has been sandblasted to eliminate any shine. The shed is to be placed upon blocks and painted neutral in color, tan and dark brown. Electricity and/or lighting will not be supplied to the shed.

The shed itself is designed to hold a maximum capacity of 8,000± garments. Pick up from the location would depend upon the volume of donations. When asked how many employees would service the site, the applicant responded that there would be none, as the not-for-profit organization would monitor the operation in return for monetary compensation. When asked the hours of operation, Mr. DeGeorge indicated 7 am – 9 pm.

Due to the close proximity to the utility pole, Mr. Williams asked the applicant to consider relocating the shed at least 30 ft. away from the pole in the interest of public safety.

After a brief discussion, Mr. Oudemool stated that the applicant should be the Camillus Elks Club, not St. Pauly Textile Inc. As the Camillus Elks Club has a Special Use Permit, the permit is issued to them, it is their activity, and they can raise funds any way they would like. He advised the Board that legally, no one other than the Camillus Elks Club could operate a business on their property however; they can operate a fund raising effort as part of their organization and the fact they have a business relationship with Mr. DeGeorge is not the Towns concern. He emphasized that the activity being conducted must be the Camillus Elks Club activity. Mr. Oudemool re-emphasized that the applicant must be the Camillus Elks Club.

Bob Feyl, ZBA Chairman advised the applicant that the Public Hearing would be conducted on July 19, 2007. He indicated that he does not believe there would be any issues regarding the application but advised the applicant that it would be critical that he be present for that meeting. Additionally, he advised the applicant that no other signage would be allowed for the site as all allowable square footage has been utilized.

Chairman Feyl asked the Board to take into consideration the existing residence neighboring the site when considering a buffer area. After a brief discussion, the Board determined that there was adequate buffering between properties. Chairman Feyl asked the Board to include that verbiage in their recommendation.

Mr. Oudemool advised the Board that as they are a referring agency, advisory in nature, the format of the application would not be affected by the modification to the application and the Board could make their recommendation to the Zoning Board of Appeals.

As modifications to the application are necessary, Chairman Fatcheric inquired if Chairman Feyl and Mr. Oudemool would guide this applicant. Both responded they would. As the applicant appeared confused, Chairman Feyl instructed him that they would modify the application to read Camillus Elks Club/ St. Pauly Textile Inc., as a new application would not be required. A formal notification would be mailed to the applicant notifying that the matter would be scheduled for the ZBA meeting of July 19, 2007. Legal council stated that the written recommendation would be received from the Planning Board to the Zoning Board of Appeals prior to that date.

The Planning Board has determined that there are no significant site plan issues regarding this application.

**St. Pauly Textile Inc. – Christ Community Church
Special Use Permit**

TP#017.-04-48.1

Joe DeGeorge representing St. Pauly Textile Inc. appeared before the Board to present a site plan for a Special Use Permit to place a clothing drop off shed on the Christ Community Church's property. The property is zoned LBO.

Mr. DeGeorge stated that the nature of the business is collecting used clothing and small household goods that are distributed nationally and in third world countries. The business is for profit however, St. Pauly Textile Inc. locates their collection sites only at not-for-profit organization locations. Donations are tax deductible and receipts are available.

The proposal depicts placing an 8' x 16' shed on the easterly side of the parking area, near the dumpster, to be used as a clothing drop off location. The shed is constructed of wood with two sets of entry doors and an aluminum chute, which has been sandblasted to eliminate any shine. The shed is to be placed upon blocks and painted neutral in color, tan and dark brown. Electricity and/or lighting will not be supplied to the shed.

The shed itself is designed to hold a maximum capacity of 8,000± garments. Pick up from the location would depend upon the volume of donations. When asked how many employees would service the site, the applicant responded that there would be none, as the not-for-profit organization would monitor the operation in return for monetary compensation. When asked the hours of operation, Mr. DeGeorge indicated 7 am – 9 pm.

After a brief discussion, Mr. Oudemool stated that the applicant should be the Christ Community Church, not St. Pauly Textile Inc. As the Christ Community Church has a Special Use Permit, the permit is issued to them, it is their activity, and they can raise funds any way they would like. He advised the Board that legally, no one other than the Christ Community Church could operate a business on their property however; they can operate a fund raising effort as part of their organization and the fact they have a business relationship with Mr. DeGeorge is not the Towns concern. He emphasized that the activity being conducted must be the Christ Community Church activity. Mr. Oudemool re-emphasized that the applicant must be the Christ Community Church.

Bob Feyl, ZBA Chairman advised the applicant that the Public Hearing would be conducted on July 19, 2007. He indicated that he does not believe there would be any issues regarding the application but advised the applicant that it would be critical that he be present for that meeting.

Mr. Oudemool advised the Board that as they are a referring agency, advisory in nature, the format of the application would not be affected by the modification to the application and the Board could make their recommendation to the Zoning Board of Appeals.

As modifications to the application are necessary, Chairman Fatcheric inquired if Chairman Feyl and Mr. Oudemool would guide this applicant. Both responded they would. As the applicant appeared confused, Chairman Feyl instructed him that they would modify the application to read Christ Community Church/ St. Pauly Textile Inc., as a new application would not be required. A formal notification would be mailed to the applicant notifying that the matter would be scheduled for the ZBA meeting of July 19, 2007. Legal council stated that the written recommendation would be received from the Planning Board to the Zoning Board of Appeals prior to that date.

The Planning Board has determined that there are no significant site plan issues regarding this application.

Old Business

There was no old business before the Board.

Discussion

Fairmount Fair Plaza

Chairman Fatcheric stated that as Mr. Curtin was not present to update the Board on this development, the item would be placed on the next agenda.

Minutes of the Previous Meeting

Ms. Wheat moved to approve the minutes of the meeting of May 31, 2007. Mr. Voss seconded the motion and it was approved unanimously.

Correspondence

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of April 2007 for \$1,718.75, \$406.25 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Trombetta, and approved unanimously.

Comments of the Attorney

After a brief discussion, Mr. Oudemool commented that there are various concerns with the proposal and suggested the Board schedule a work session with the developer to discuss those concerns.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Board Members

The Board members had no further comments.

With no further business before the Board, Mr. Logana motioned to adjourn the meeting at 9:07 pm, seconded by Mr. Voss and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

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STATE OF NEW YORK COUNTY OF ONONDAGA
PLANNING BOARD TOWN OF CAMILLUS

7

In the Matter of
MALIBU HILLS ESTATES

10

11

PUBLIC HEARING in the above matter
conducted at the Camillus Town Hall, 4600 West
Genesee Street on June 11, 2007 at 7:00 p.m.

14

PRESENT:

15

Chairman JOHN A. FATCHERIC

16

PB Member MARTIN VOSS
PB Member DON FITTIPALDI
PB Member JAY LOGANA
PB Member RICHARD FLAHERTY
PB Member JOHN TROMBETTA
PB Member LYNDA WHEAT
PB MEMBER JOHN WILLIAMS (Alternate)
Town Engineer: PAUL CZERWINSKI
PB Attorney DIRK J. OUDEMOOL, ESQ.
PLANNING Clerk: ANN CLANCY

FOR THE APPLICANT: WILLIAM MORSE, Engineer
VICTOR GROZDICH, Applicant

23

24

Reported by:
JOHN F. DRURY, CSR, RPR
Court Reporter 471-7397

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INDEX TO SPEAKERS

SPEAKER	PAGE
Councilor MacRae	45
Chief Winn	47
Bob Metz (Homeowners Assoc)	48 & 71
Jim Hockey	56
Victor D'Amico	58
Karen Skardinski	60
John Grim	64
Bob Riley	66
Susan Patterman	69
Don Scanlon	70
Jim Cerio	72
Jean Metz	73
Mr. Walker	76
Mr. Neuvine (phonetic)	79

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2
3
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Chairman

CHAIRMAN FATCHERIC: Good evening.

I would ask if anyone in the audience has a cell phone or pager that you please silence it. We've got a lot of people in the room and it's going to be hard to hear each other speak.

The first item on the agenda this evening is a public hearing for Malibu Estates. It's a public hearing to consider the preliminary plat. And at this time I would ask for a motion to waive the reading of the notice of the publication and legal description as advertised.

MS. WHEAT: So moved.

MR. TROMBETTA: Second.

CHAIRMAN FATCHERIC: All in favor?

(All responded aye). Opposed? So carried. I'll have the applicant come forward and give his entire presentation for the benefit of this board and the public. When he's through with his application presentation we will go through our board members and our staff

1 Engr Morse
2 for any additional questions and
3 comments, then we will go to you, the
4 public. I would ask that you keep your
5 response to three minutes and I'll ask
6 you to give your name and address for
7 the record. We do have a stenographer
8 (court reporter) here tonight, so we
9 can only have one person speaking at a
10 time.

11 So if the applicant would come
12 forward and give his presentation,
13 please. Bill, can you give your and
14 Victor's name for the record?

15 ENGR. MORSE: My name is Bill Morse
16 with WM Engineers; Victor Grozdich,
17 developer. This is, the development
18 we're talking about for the preliminary
19 plan is 115 lots, it's part of a larger
20 proposal, I think 422 units or about
21 360 depending on the zoning that's
22 proposed for a total of about 151 acres.
23 However some of that is dependent on
24 acquisition of land that has not yet
25 been finalized yet.

1 Engr Morse
2 We have presented the board with a
3 sketch plan for the entire development
4 so they can understand if the whole
5 thing proceeds how this would all tie
6 together. What we're here for tonight
7 on the public hearing is just Phase 1.
8 Phase 1 is 115 units, talking 31 single
9 units, 42 duplex units or duplex
10 buildings for a total of 84 units;
11 which gives you 115. That's on about
12 40 acres of land, at the eastern
13 two-thirds of the Rusyniak piece. And
14 it's directly north of Starlight.

15 We're talking about a road coming
16 in off of Belle Isle Road and then
17 connection to Venus Path that was
18 considered when the Starlight develop-
19 ment was originally designed.

20 And at a previous informational
21 meeting there were some concerns about
22 construction access. We have now on
23 the plans designated that the access
24 for Venus Path would be closed until
25 the binder course is complete. So

1 Engr Morse
2 during the utility construction and the
3 heavy road construction the access,
4 construction access would be off of
5 Belle Isle Road. The intent is also
6 for during home construction for the
7 delivery vehicles, concrete, lumber
8 trucks, to use that construction
9 access, to continue to use that for the
10 construction access.

11 And I think the idea would be once
12 the homes are built that the people
13 getting to the homes would in fact
14 access using Venus Path, the homeowners
15 in this section.

16 Victor, if you want to discuss the
17 homes you're talking about.

18 MR. GROZDICH: I'm not sure what
19 other details you'd like to hear or
20 what else we can fill in.

21 CHAIRMAN FATCHERIC: As much as you
22 can give for an entire presentation.
23 All information is useful.

24 MR. GROZDICH: I can't think of --

25 ENGR. MORSE: Going like to square

1 Grozdich
2 footage and price range.

3 MR. GROZDICH: Square footage, we
4 don't have any specific limitations as
5 far as the minimum or maximum. We are
6 setting - our lot prices will be in the
7 50s and up. We anticipate that the
8 homes will be no less than, definitely
9 not any smaller than what's already
10 existing in the Starlight Estates
11 development directly below. 1,800 feet
12 and up. I don't anticipate much more
13 than 3,000 feet on the upper level.

14 As far as the price range: 250,
15 350, something. The market is going to
16 determine a lot of what happens up there
17 to the projections. But depending on
18 the absorption rate and the health of
19 the real estate market in general we'll
20 see what the specific outcome will
21 bring us.

22 ENGR. MORSE: There will be a
23 homeowners association?

24 MR. GROZDICH: Right.

25 ENGR. MORSE: That's going to be

1 Grozdich
2 responsible for - you're talking about
3 yard maintenance?

4 MR. GROZDICH: Right, exterior
5 maintenance, yard, grass, landscaping
6 and snow plowing. It's a similar
7 organization that exists now in the
8 Starlight Estates.

9 The restriction in terms of other
10 various restrictions in the CNR, they
11 will be similar, they will be a
12 minimum, at the very minimum equal to
13 if not more restrictive than what
14 already exists at Starlight Estates.

15 ENGR. MORSE: The target market is
16 going to be primarily retirees or
17 probably not going to appeal too much
18 to people with children, again because
19 of the maintenance is all included. So
20 that the main market is going to be
21 either empty nesters or you know, start
22 up couples who do not yet have
23 children, both have jobs and don't want
24 to worry about maintenance.

25 CHAIRMAN FATCHERIC: That's it?

1 Grozdich - Wheat
2 Ms. Wheat, would you like to start

3 questioning?

4 QUESTIONS BY MS. WHEAT:

5 Q. Question could you both explain
6 your dream, what brought you here, why
7 here, why that area, when you came and
8 decided to move here and build here.

9 Let the audience know where you're
10 coming from, what your dreams are, why
11 us?

12 MR. GROZDICH: I initially came out
13 here and purchased a 72 unit senior
14 apartment complex in Lakeland, it's
15 called Snowbirds Landing, about two
16 years, just over two years ago. And
17 became interested in senior housing,
18 it's in my estimate a very expanding
19 market based on demographics and
20 national trends. There is a great need
21 for senior housing.

22 And at the time I purchased the
23 apartment complex I acquired some of
24 the land and continued to acquire
25 additional land with the view to offer

1 Grozdich - Wheat
2 this kind of housing on a larger scale.

3 My personal reason, my daughters
4 are, you know, graduated from school,
5 and they're going to Boston school, so
6 I thought I'd move to the east and this
7 was something I thought I chose to do.

8 MS. WHEAT: Where is your
9 development there, if anybody wants to
10 buy, the quality of things?

11 MR. GROZDICH: It's on State Fair
12 Boulevard, 758 State Fair Boulevard
13 called Snowbirds Landing. I did not
14 build that, I acquired it from the
15 developer. It was about a year old
16 when I got it.

17 Q. Do you have anything in Geddes,
18 apartment complexes also that you did?

19 A. In Lakeland.

20 Q. That's where that address is?

21 A. Yes.

22 Q. How are you going to maintain the
23 control over the construction trucks?

24 Why don't you kind of run through what
25 you will build, what it's like, what

1 Grozdich - Wheat
2 kind of trucks, and building equipment,
3 earth moving equipment that's going to
4 be permanently up there once it gets
5 there, tell people exactly what they're
6 going to go through, what will be
7 moving in, who will be in Belle Isle,
8 make sure they're using those roads, a
9 little bit about your employees, how
10 you're going to do this?

11 A. Well, the initial plan or layout in
12 designing this project we sought to
13 minimize the movement of dirt and to -
14 for obvious reasons for cost but also
15 for design. The streets are sort of
16 curved, and we sought to preserve as
17 much of the existing variation in
18 topography.

19 So the site improvement that is
20 required will be completed utilizing
21 Belle Isle, because that is the only
22 point of access right now for that.
23 And there is, you know, adequate access
24 area to accommodate that.

25 In terms of the actual work, you

1 Grozdich - Wheat
2 know, it will be done with earth moving
3 equipment, excavators, trucks moving
4 equipment back and forth. But again
5 none of it will ever -- we're going to
6 see a permanent blockage there that's
7 not -- it's not a gate that's operable,
8 it's just cement, you know, blockage
9 that will not permit any kind of egress
10 or ingress. So really the only way in
11 and out is through here, which is more
12 than adequate.

13 ENGR. MORSE: And we will be
14 putting a stabilized construction into
15 the stone, the stone road coming in
16 there, so that the trucks can travel
17 it. The layout of the roads is, you
18 know, we tried to follow the contour to
19 minimize cut and fill.

20 But if you're familiar with the
21 site there is a lot of grade on the
22 site. We're still going to be doing a
23 fair amount of earth moving. We're
24 going to try to get that done early and
25 get the site stabilized. As you may be

1 Trombetta - Grozdich
2 aware right now the site doesn't have a
3 lot of grass cover on it. And one of
4 the first things we're going to do is
5 try to get the earth moved and then get
6 everything seeded.

7 In terms of actually developing it,
8 in terms of building lots that's going
9 to depend on the market. But the
10 intent is to try to get the grading
11 done for the entire site initially so
12 we can get, you know, get grass
13 established and get it stable.

14 MS. WHEAT: Thank you, that's all.

15 CHAIRMAN FATCHERIC: Mr. Trombetta.

16 QUESTIONS BY MR. TROMBETTA:

17 Q. I'm going to keep my questions
18 general so you can go in the direction
19 you want in answering. There is
20 several letters that were sent to the
21 board concerned traffic congestion.

22 Can you generally speak to that?

23 A. (Grozdich) Well, with respect to
24 traffic congestion in the initial
25 phase, obviously until this road is

1 Trombetta - Grozdich
2 opened there won't be any. Once it is
3 opened we did a, we hired a professional
4 firm to do a traffic study. That study
5 incorporated or took into account a
6 maximum development of the entire area
7 and it included the full development of
8 Starlight Estates as well as a large
9 commercial project down by on Hinsdale,
10 I'm not sure what the name of it is.

11 But given all the worst case
12 scenarios the report showed that the
13 impact will be quite reasonable and
14 well within standards or you know, the
15 capacity and whatnot.

16 Currently this first phase has two
17 means of ingress and egress. Eventually,
18 assuming the rest of it is built we
19 will have three, one at Bennett, one
20 here and a third one here. Traffic
21 will flow basically through those three
22 points.

23 ENGR. MORSE: The traffic study
24 looked at, actually spoke on the
25 intersections where this traffic would

1 Trombetta - Morse
2 get to the main roads. The
3 intersection on Belle Isle Road, which
4 actually is fairly lightly traveled now.
5 And even with the additional traffic
6 there that intersection phase is a good
7 level of service.

8 They looked at the traffic going
9 through Starlight and coming to
10 Stellium Drive, and again that is
11 still, because there is not that much
12 traffic now that intersection continues
13 to function well. We looked at Bennett
14 Road or I say Jim Napoleon did the
15 study, looked at Bennett Road, future
16 intersection and assuming the rest of
17 this is developed indicated that there
18 wouldn't need to be improvement in
19 terms of realigning that intersection.
20 Also looked at the intersection of
21 Belle Isle and Warners --

22 CHAIRMAN FATCHERIC: Bill, I'm
23 sorry, can you speak up a little bit
24 we've got people that can't hear.

25 ENGR. MORSE: Also looked at the

1 Trombetta - Morse
2 intersection of Belle Isle and Warners
3 Road; and Hinsdale and Warners Road.
4 Those are C level now and their level
5 of service declined somewhat, but it's
6 still well within the allowable levels
7 for the intersection. The intersections
8 will still continue to function without
9 needing additional signal space.

10 Q. Just one other question then I'll
11 pass it along. Another letter that we
12 received said that residents of
13 Starlight Estates Phase 1, we waited
14 patiently for the resolution of the
15 drainage issues as well as the top-coat
16 on our roads, which we understand would
17 be delayed indefinitely if Starlight
18 Estates becomes an access road into
19 Malibu Estates. Will you talk to that?

20 A. (Morse) I don't know that I can
21 really talk to that, that's up to you.
22 It would be up to your highway
23 department. I don't know if Paul can.

24 CHAIRMAN FATCHERIC: Mr. Czerwinski,
25 can you address that question?

1 Czerwinski
2 ENGR. CZERWINSKI: Right now the
3 plan is that the Starlight has some
4 defects and imperfections in the road
5 and the road subbase, they have been
6 marked down. We met with the developer
7 and his contractor. They're planning
8 on starting to do those repairs
9 hopefully later this week or early next
10 week and get started on that and bring
11 it up to the subbase level.

12 And then once that's done after
13 that at some point in time later this
14 year would anticipate that the top
15 course of asphalt would be put on; that
16 will resolve a lot of the drainage
17 problems as well. Some of the drainage
18 rim elevations were set at the final
19 pavement elevations so they're too high
20 now. There are a couple structures
21 that are also a little bit higher than
22 that that needs to be reset. The
23 developer is aware of all those issues
24 and is planning on addressing those in
25 the very near future.

1 Czerwinski - Morse
2 Based on conversations I've had
3 with the attorney and the developer, I
4 think we would suggest that we wait
5 until maybe later in the summer to do
6 the top course of asphalt. But it
7 should be done this year before the
8 plants close and the snow flies.

9 ENGR. MORSE: That's one reason why
10 we have changed to have our construction
11 access coming in off Belle Isle. So I
12 can sympathize with the people in
13 Starlight, I have driven through it and
14 seen the dust problems. We don't want
15 to contribute to that. And I think
16 they will be a lot better off getting
17 the top down.

18 MR. TROMBETTA: Thank you very much
19 for covering those two important issues
20 thank you.

21 CHAIRMAN FATCHERIC: Mr. Flaherty?

22 QUESTIONS BY MR. FLAHERTY:

23 Q. Bill, early on you noted in one of
24 your presentations I think in the
25 sketch that the road network there will

1 Morse - Flaherty
2 cross the Niagara Mohawk easement in
3 three different points. At that time
4 you did not have those easements from
5 National Grid. What is the status of
6 that, particularly the Phase 1 crossing?

7 A. (Morse) For Phase 1 we're not
8 crossing their right-of-way. The only,
9 we're crossing, they have a power line
10 here that is an easement that crosses
11 similar to - it crosses in Starlight as
12 well. But that's just an easement. So
13 really their concern there is just
14 maintaining separation from the lines.
15 And we've designed our road to be in a
16 slight cut at that point. So we will
17 have a greater distance, horizontal --
18 vertical clearance from the line. In
19 the future we would have, you know,
20 potentially three crossings.

21 Q. Those are the ones I'm talking
22 about.

23 A. Right, Dave has had some initial
24 discussions with National Grid. Again,
25 their main concern there was well, they

1 Morse - Flaherty
2 wanted a 50 foot distance from pavement
3 to their towers. And they had a
4 minimum vertical clearance, I can't
5 recall what that was, but he has
6 checked, he's gone out and taken shots
7 on the lines to make sure we even in
8 fact have vertical clearance. And we
9 do have vertical clearance and we
10 appear to be okay on horizontal
11 clearance.

12 But we don't have that - I'm sure
13 there is going to be additional
14 discussions with them over the
15 agreement to finalize the road.

16 Q. The reason I ask, the continuation
17 of that road network coming from Belle
18 Isle is dependent upon getting across
19 that National Grid right-of-way. You
20 expect that's going to happen?

21 A. Based on the initial discussions
22 there doesn't seem to be anything that
23 would prevent that happening. Again,
24 having experienced this in other
25 subdivisions where you're crossing the

1 Morse - Flaherty
2 land that's owned in fee by them, they
3 usually have some assurance provisions,
4 you know, to - so that the developer
5 takes the liability and they will also
6 - actually this is why it's good to
7 have more than one crossing, they often
8 have the provision that they may have
9 to shut down the road if they have to
10 work on the power line, they want the
11 ability to do that.

12 So we don't want just one of these
13 at least single entrances we want
14 multiple access so that can be done.

15 Q. Regarding the amount of cutting and
16 filling, more particularly removal,
17 could you hazard a guess as to how much
18 is going to have to be removed off-
19 site in numbers of truck loads and if
20 so where is it going to go once it goes
21 off Belle Isle Road?

22 A. Right now we're not talking about
23 removing anything from the site.

24 MR. GROZDICH: We're not importing
25 or exporting. It's a balanced project.

1 Morse - Flaherty

2 Q. All cutting and fill?

3 A. (Morse) All cutting and fill

4 within the site.

5 Q. And Phase 1 is expected to, what do

6 you think on total, 115 units?

7 A. 115 units.

8 Q. Do you have a time frame? Depending

9 on the market of course?

10 A. Talking three years.

11 MR. GROZDICH: The market absorption

12 will dictate but we're hoping anywhere

13 from one to three years.

14 MR. FLAHERTY: And of course Phase

15 2 is dependent upon the success of

16 Phase 1?

17 (Mr. Morse nodded in the affirmative).

18 CHAIRMAN FATCHERIC: Rich, thank

19 you. Jay Logana.

20 QUESTIONS BY MR. LOGANA:

21 Q. The ponds shown on the map, are any

22 of them existing or is that something

23 that's going to be incorporated as the

24 progress goes?

25 A. (Morse) Well, there is an existing

1 Morse - Logana
2 old farm pond on the site, which based
3 on the Wetlands Report is potentially a
4 federal wetland. So we're intending to
5 not disturb that area. If they decide
6 it's not jurisdictional we might go in
7 to try to dress it up to make it look
8 nice. But we're not including that as
9 part of our stormwater management.

10 So we're talking about two new
11 ponds. And they're low areas now but
12 they're not holding, you know, permanent
13 pools of water. However under the new
14 DEC regulations we have to establish
15 stormwater quality treatment. So the
16 intent is to build these as permanent
17 ponds. They would be maintained by the
18 homeowners association.

19 At least it's our intention, as has
20 been done in other projects in the
21 town, have a drainage district formed
22 so that the town could assure for
23 whatever reason the homeowners
24 association wasn't adequately taking
25 care of them the town would go in and

1 Grozdich - Fittipaldi
2 make sure they get taken care of and
3 charge the money back to the district.
4 Sort of like we have done that in other
5 subdivisions just as a back up.

6 MR. LOGANA: That's it, thank you.

7 CHAIRMAN FATCHERIC: Mr. Fittipaldi?

8 QUESTIONS BY MR. FITTIPALDI:

9 Q. Going to use up 42 lots for the
10 duplexes, so you must have some
11 conceptual plans for these duplexes
12 already, you know what they're going to
13 look like, the plans for them, the
14 construction of them and everything?

15 A. (Grozdich) They would be various
16 styles. It's very similar to the
17 duplexes that exist in Starlight Estates.
18 We plan to stagger them to avoid, you
19 know, similarity or repetition, curb
20 streets will also help that.

21 Q. So pretty much you know how many
22 square feet are going to be, generally
23 speaking in each duplex?

24 A. Patio homes at the low end 1,800.
25 Upper end 25, 2,800. Depending if they

1 Morse - Fittipaldi
2 have a walkout.

3 ENGR. MORSE: A number of them,
4 again because of the grades of the
5 site, and we have prepared a detailed
6 grading plan that's going to be
7 submitted to Paul for his review, but a
8 number of these, because of the grade
9 are going to wind up being split
10 vertically on the duplexes, just, you
11 know, because as you're trying to
12 follow a road grade down you can't set
13 the pad all the same elevation. Where
14 they are not being split vertically the
15 intent is to split them horizontally,
16 again to create a better line-of-sight
17 so it's not all right in a row.

18 Q. I'm just concerned because I think
19 we can project pretty much what the
20 value of these are going to be based on
21 the square footage. So that takes away
22 some of the concerns that I saw in some
23 of these questions that were asked.

24 Mr. Morse, show me exactly where
25 the road is going to come in from Belle

1 Morse - Fittipaldi
2 Isle?

3 A. (Morse) Well, it's coming in,
4 really on the south end of the area
5 that Rusyniak has cleared. Just south
6 of his buildings, as you know that's
7 an access rode, it goes up to the
8 tower. That's just a short ways north
9 of that.

10 Q. And that's going to be a new road
11 going into your development, correct?

12 A. Right. And understand our intent,
13 and partly because of where the sewers
14 are, sewer availability is that we
15 would actually start, and it's
16 primarily because of the earth moving
17 too, start developing the central
18 section, but with the construction
19 access road from Belle Isle.

20 Then develop the top of the hill,
21 again leaving that construction access
22 road. And then that road would be
23 finished as the final section because
24 then at that point we wouldn't have to
25 have the construction vehicles coming in.

1 Morse - Voss
2 MR. FITTIPALDI: The reason why I
3 ask that I want to alleviate any
4 concerns about traffic through the
5 existing development up there. And I
6 would like to see a commitment to use
7 that as much as possible. In fact
8 exclusively if possible during
9 construction to avoid problems for the
10 people that already live there. Other
11 than that I have no more questions at
12 this time.

13 CHAIRMAN FATCHERIC: Mr. Voss.

14 MR. VOSS: Bill or Victor, can you
15 walk me through the time line of the
16 road opening on Venus Path. I mean
17 you're going to develop using the Belle
18 Isle access road primarily as best you
19 can. And obviously we would like to
20 see if there is a way you can do some
21 sort of commitment to using that road.
22 Is there a - at what point will you
23 have to trigger opening Venus Path for
24 the residents, is it two houses, is it
25 five houses, is it ten? Or is it one?

1 Morse - Voss
2 ENGR. MORSE: I think once we get a
3 certificate of occupancy that would
4 trigger opening that road.
5 Q. (Voss) Now, once that's opened --
6 A. (Morse) Because again, this is
7 intended to be a construction access.
8 It would be improved to the point where
9 it would probably be available to
10 emergency vehicles but I don't think we
11 want cars driving on it.
12 Q. Forget cars for a second. When you
13 start developing the parcels you're not
14 going to be, you're not going to be the
15 exclusive developer, you're going to
16 sell the lots to other developers
17 potentially to build the houses
18 possibly?
19 MR. GROZDICH: Possible.
20 Q. So you could have roofers,
21 plumbers, anybody in there, framers
22 building the houses, with their own
23 vehicles. Is there a mechanism to
24 require them to use the Belle Isle
25 access road instead of coming through

1 Morse - Voss
2 Venus Path?

3 A. (Morse) You're asking a legal
4 question of an engineer.

5 Q. The question is, is there a
6 willingness on your part to look at
7 something like that? We haven't heard
8 from the public yet but I'm sure you're
9 going to hear that tonight.

10 A. Understand the problem is once you
11 have a certificate of occupancy, once
12 it's opened to the public I don't know
13 how you could control access by the
14 workmen on the site. You know,
15 obviously to the extent he can control
16 construction vehicles, and that can
17 probably be more for, cement trucks,
18 lumber delivery, they can be instructed
19 to use this. Trying to control workmen
20 appearing on the site is going to be
21 much more difficult.

22 MR. VOSS: All right, that's all I
23 had.

24 CHAIRMAN FATCHERIC: Mr. Williams?

25 MR. WILLIAMS: Thank you, John.

1 Morse - Williams
2 Bill what are water pressures going to
3 be on that last end of that Phase 1? I
4 know we talked about this early on when
5 we looked at this sketch. Have we come
6 up with a pressure gradient drop/loss
7 minus for fire protection on the end of
8 that Phase 1?

9 ENGR. MORSE: And I apologize, I
10 haven't done that. I know Eric Pond,
11 Paul's office was looking into that.
12 In terms of static pressures, you're
13 interested in fire flow though. They
14 indicated they would have in excess of
15 500 gallons a minute. I don't know if
16 it was in excess of 500 gallons a
17 minute. I'm talking the top of the hill.
18 Q. (Williams) Any intent to increase
19 that? Because Paul and I have done the
20 calculations here, we're roughly looking
21 at a 20 pound pressure drop in just
22 elevation.

23 So what I'm saying is, the fire
24 department from a public safety stand-
25 point is going to look at a minimum

1 Morse - Williams
2 fire flow in there. Are we going to be
3 deficient to start with or is that
4 going to be corrected right off the bat
5 for us?

6 A. Well, you're comparing this to
7 Starlight.

8 Q. No, I'm looking at the topos you're
9 giving us. I'm looking at the far end
10 of Phase 1. If you haven't changed
11 your topos which you're telling me you
12 haven't, you have gone from a 510
13 elevation to a 610 elevation, which is
14 10 percent grade on Malibu Hills Drive
15 and I'm roughly figuring a 10 percent
16 pressure loss in just elevation.

17 A. Right, but that's being served off
18 Skyview, pressure reading of Skyview,
19 which I believe is - John said it's
20 like 820, something like that. So
21 we've still got a couple hundred feet
22 static that we've got pressure drop
23 coming across the bypass.

24 But I think, you know, static will
25 be well in excess of 40 pounds,

1 Morse - Williams
2 actually higher than that probably.

3 The concern, and that's why Martin
4 Loguidice was looking at the capacity
5 of the line across the bypass is really
6 under fire flow conditions where we
7 start to drop more pressure. But under
8 static conditions we'll be fine.
9 Because we're coming off of Skyview.

10 Q. I just don't want us to get into a
11 scenario where we have something on
12 Warners Road and all of a sudden we
13 have a problem in Victor's development
14 and all of a sudden now we're stealing
15 water from one of the other pipes to
16 fight a fire. Which in this case we're
17 going to be deficient in Victor's
18 project, we're okay on the bottom.
19 There again, it's a one in a million
20 scenario, but it's liable to happen.

21 A. Well, you remember Warners Road is
22 served off a different systems.

23 Q. That's correct, and it should be
24 increased hopefully with a new 12 inch.
25 But I'm just saying for you guys

1 Morse - Williams
2 planning right now, we're thinking of
3 you, as far as the fire safety and
4 public safety for the rest of us.

5 The last question I have, Mr.
6 Chairman, is there any, been any
7 thought of the opening of Belle Isle
8 Road being larger than the normal width
9 i.e. give us a drive up on curve, give
10 us a boulevard type entrance in there.

11 We have a new hundred foot aerial
12 ladder truck and it maneuvers very well
13 but I think if we could open that
14 boulevard up to three or four lanes
15 width, cut the curbs back to drive on
16 curbs, give us a boulevard entrance
17 into that bigger wide turning radius it
18 would encourage, Number 1, that public
19 access to going in and out of Belle
20 Isle Road, Bill, and also make it
21 easier for us to being - that's going
22 to be primary access for us at least a
23 year or two into that development off
24 Warners Road.

25 A. We can certainly take a look at

1 Czerwinski
2 that.

3 MR. WILLIAMS: Would you? Appreciate
4 that. That's all I have John, thank you.

5 CHAIRMAN FATCHERIC: Mr. Czerwinski?

6 ENGR. CZERWINSKI: I don't think I
7 have any questions for the developer.
8 I do have a couple things I would just
9 like to remind the board of.

10 To answer Mr. Williams question, we
11 did look at the water pressure, and
12 fire flows, John, and I don't recall
13 off the top of my head what those
14 numbers are. But we have investigated
15 that along with the water authority
16 because part of the system is fed by
17 their system. I will be able to report
18 that to you and to the rest of board
19 members.

20 There has been a lot of discussion
21 about the drainage tonight. WM has
22 prepared a drainage report that we have
23 reviewed and commented on and they are
24 making adjustments to that report. It
25 has not been finalized yet but as soon

1 Czerwinski
2 as it is we will make sure that all the
3 issues and concerns are addressed.
4 Some of Jay's questions regarding the
5 ponds are in there. Those issues still
6 have to be resolved.

7 The developer did do a wetlands
8 delineation report and identified the
9 wetlands up there. We have reviewed
10 that and recommended that he forward it
11 to the corps of engineer for them to
12 make a determination of jurisdiction to
13 see if they concur with the findings of
14 the engineer as far as what the wetland
15 are and aren't.

16 So I think the a lot of the back-
17 ground things that they have been
18 required to do by the town's codes and
19 regulations are being followed and
20 we're still in the process of reviewing
21 a lot of that information at this time.

22 CHAIRMAN FATCHERIC: Thank you,
23 Paul. Mr. Oudemool?

24 MR. OUDEMOOL: Do you have a legal
25 position, Victor, on the remaining

1 Oudemool - Grozdich
2 lands of Mr. Rusyniak, in terms of an
3 option to purchase or something of that
4 nature?

5 MR. GROZDICH: Yes, I have right of
6 first refusal on the remaining I think
7 approximately 10 acres that he holds
8 there.

9 Q. (Oudemool) If you were to acquire
10 that 10 acres how might you develop
11 that? Would it be as a separate stand
12 alone development or would you seek to
13 integrate that to some extent into what
14 you're showing us tonight?

15 A. (Grozdich) Integrate, yes. I mean
16 as you can see you know we're kind of
17 going around him really. If I had that
18 I could - it would be a more easier
19 flow and work better but I wasn't able
20 to obtain that property at the time.

21 MR. OUDEMOOL: As you come in off
22 of Belle Isle Road after four duplexes
23 you now come to a street that runs
24 southwesterly. Is that going to be
25 privately owned.

1 Oudemool - Morse
2 ENGR MORSE: Yes, that's a private
3 drive.
4 Q. So that's a private drive. Now as
5 you go up along Malibu Hills Drive and
6 now you've got two duplexes, that's a
7 private drive by that detention
8 facility or whatever you've got there?
9 A. (Morse) Yes.
10 Q. Now, you go up past that and you go
11 up to the top and now you've got
12 another road that cuts in, runs
13 southerly, with one, two, three, four,
14 five, six duplexes on it. That's
15 private also?
16 A. That's private.
17 Q. And then if you go up off of the
18 top of Venus Path just below that
19 detention facility that's a private
20 road also?
21 A. That's correct.
22 MR. OUDEMOOL: By my calculation
23 once you come in your entryway and you
24 pass the four duplexes that are on the
25 south side of Malibu Hills Drive, you

1 Oudemool
2 now go all the way up to about 800 feet
3 with no residential structures fronting
4 Malibu Hills Drive. And that concerns
5 me that's going to become a raceway.

6 You have an 800 foot strip with no
7 houses on either side of the road and
8 it's a long sweep. And we have
9 difficulty with excessive speeds in
10 neighborhoods in various spots in this
11 town. And I think that is potentially
12 a very bad situation, because now all
13 of a sudden you come into an area where
14 you have one, two, three, a whole bunch
15 of duplexes, where there is children or
16 no children, I can imagine that in that
17 800 foot stretch you're going to see
18 considerable increase in speed.

19 So I would suggest that we look at
20 a street-calming facility of some kind
21 or something to be done in that area
22 that's going to discourage anybody from
23 increasing their speed or we're going
24 to have a lot of headaches I think by
25 complaints.

1 Oudemool
2 Now if you get the other 10 acres
3 and you cut into there some stubs of
4 private roads or, you know, streets,
5 but that could be a number of years
6 down the road. And I think we're going
7 to have an immediate problem with
8 trying to calm that section of roadway
9 and keep the speed down to appropriate
10 residential, what we want and expect in
11 the neighborhood. So I think that's an
12 issue that ought to be discussed.

13 I agree with what John just said, I
14 think you ultimately with you're
15 aspirations here, you're talking over
16 300 units that are all going to be tied
17 in from here to Warners Road on the
18 west. And it would seem to me to give
19 yourself a nice ample beautiful
20 entryway with a boulevard with maybe
21 some plantings and really a wide mouth
22 so the fire department can get in and
23 maybe two lanes for exiting traffic,
24 two lanes for entering traffic, which
25 would give the fire trucks plenty of

1 Oudemool - Morse
2 room to swing their big rigs. And
3 would also make for a nice beautiful
4 entryway to mark your neighborhood. I
5 would think ought to be something that
6 the planning board ought to encourage
7 you to add to your design.

8 The immediate build-out, you know
9 you're going to do this in sections or
10 are you going to do it all at once?

11 ENGR. MORSE: Well, the utility
12 construction would be, you know,
13 somewhat continuous. But in terms of
14 plotting the map it would be in terms
15 currently anticipated to be in three
16 sections.

17 Q. (Oudemool) Three sections, what
18 would the first section be, second
19 section be?

20 A. (Morse) First section would be
21 Venus Path and the Malibu Hills Road to
22 the basically the top of the hill
23 coming east.

24 The second section would be going
25 up the hill to the top of the hill with

1 Oudemool - Morse
2 single family units. Again, all that
3 can be served by existing sewers within
4 Starlight.

5 And then the third section would be
6 the top of the hill going out to Belle
7 Isle Road, we've got to extend the
8 sewers from West Colony Pointe up Belle
9 Isle to get to that point. Again, the
10 hope is that by that time if Victor has
11 gotten the rest of the Rusyniak piece
12 -- right now the grades along this road
13 are not ideal. If possible we would
14 like to relocate that a bit to the
15 north. But again that's - we can't
16 control that at this point.

17 MR. OUDEMOOL: Mr. Chairman, what
18 concerns me is the connection to the
19 north, at this point we have no idea
20 whether that's ever going to happen.
21 And what you have in the westerly end
22 of this development by my calculation
23 is about 1,700 feet in highway serving
24 27 single family houses with only one
25 entryway to it.

1 Oudemool
2 And you know, this in theory, those
3 27 houses, if this thing is built out
4 the way we're seeing it, can, you know,
5 they can go north up Venus, they can go
6 out south out Venus or they can go
7 straight out to Malibu Hills.

8 Obviously the developer has got to
9 ask this board for a substantial waiver
10 on the length of that cul-de-sac because
11 your regulations have a recommended
12 length of 700 feet. So you're looking
13 at a very substantial waiver of a
14 requirement that's public safety
15 oriented.

16 And I would wonder if the -
17 depending upon what happens in the
18 negotiations with the lands to the
19 north, that if we don't get into that
20 at all that maybe there ought to be a
21 look as to a redesign of the westerly
22 third so it connects with the Anaren
23 Microwave parcel in some way.

24 Now I understand that grades is a
25 tough issue there but I think we've got

1 Oudemool
2 to be concerned about public safety here.
3 And until we can get more certainty as
4 to what the applicant is able to put
5 together by way of a total land mass I
6 would suggest that more prudent course
7 might be to limit in some manner the
8 amount of houses that are built out
9 into this westerly phase and ask the
10 developer to develop to the east and
11 wait and see how this all comes through
12 in his negotiations.

13 Do you have any time-table as to
14 when you expect you might conclude
15 negotiations with what is it, Honeywell
16 that you're dealing with?

17 MR. GROZDICH: I don't have
18 anything solid. It could be a short
19 period of time, it could be a long
20 period of time. Right now we're just
21 looking to move ahead with this piece.

22 MR. OUDEMOOL: Well, from a
23 development standpoint, Bill, is it
24 impossible to connect the westerly
25 third of this land with the Anaren

1 Oudemool - Morse
2 parcel in some way?

3 ENGR. MORSE: Well, we had initially
4 looked at that and the problem is
5 basically you've got a maximum 10
6 percent road grade going up the hill.
7 If you then go back the hill you've got
8 a maximum 10 percent road grade. But
9 the other problem is when you combine
10 those two, 10 percent up and 10 percent
11 down, in terms of sight distance you
12 need an extremely long vertical curve
13 to make that work, to maintain sight
14 distance so the people going over the
15 hill, you know, you don't have a kid
16 chasing the ball on the far side of the
17 hill and the guy coming over the hill
18 can't see.

19 And with that long vertical curve
20 you just, you know, you wind up eating
21 up a lot of cut and fill to make it
22 work. That was the problem.

23 MR. OUDEMPOOL: But you could cut
24 and fill and help that.

25 ENGR. MORSE: We've already got

1 MacRae
2 steep grades here, so that we're, you
3 know, we're building houses on one side.
4 To do that and the other side of the
5 hill is just, you know, extremely
6 economic to the project. That was why
7 we decided to do it this way.

8 MR. OUDEMOOL: That's all I have.

9 CHAIRMAN FATCHERIC: Thank you,
10 Dirk. Are there any town officials in
11 the audience would like to comment on
12 this application? Kathy.

13 COUNCILOR MacRAE: Yes. Kathy
14 MacRae, Second Ward councilor, I
15 represent the area that you folks live
16 in and the area that is the proposed
17 development if brought forth. We have
18 met with the developers and the members
19 homeowners association to try to
20 address one of your concerns.

21 I think one of the issues that was
22 not addressed tonight that was brought
23 forward in a letter that multiple
24 people submitted was public, the public
25 safety issue and the multiple entrances.

1 MacRae
2 So I did ask the police chief, who
3 is in the back of the room to address
4 that issue for you, because I know that
5 that was a significant concern.

6 Also I guess the other thing that I
7 would talk to you about a little bit is
8 the concerns seem to be about the road
9 issues and drainage issues for Starlight.
10 And I think the engineer has explained
11 that many of those issues have been or
12 will be taken care of this summer.

13 If there are issues relevant to
14 Starlight I would like very much if you
15 bring those to me so that I can
16 maintain some better oversight on what's
17 going on in that development. And I
18 can assure you that the oversight for
19 the Malibu Estates project will be
20 considerable.

21 So Chief, if you could just talk
22 about the entranceway a little bit I
23 would appreciate it.

24 CHIEF WINN: First of all, I want
25 to find out who the engineer for the

1 Chief of Police
2 heating and cooling is. Now there was
3 a comment made to one of the homeowners
4 association, I think board of officers,
5 from one of our sergeants, who stated
6 that it would be less crime if there
7 was less entrances into a development.

8 And I started looking into that to
9 try to find statistical data to find
10 out if that was true. And because of
11 the variables and the types of
12 development and housing it was nearly
13 impossible to determine if that was a
14 true statement or not.

15 I can only tell you from what we
16 see in Camillus there are many neighbor-
17 hoods in Camillus that have one way in
18 and one way out. And crime is substan-
19 tially more than other areas in the
20 Town of Camillus. Then there are areas
21 that have a lot of entrances and crime
22 is less than other areas of the Town of
23 Camillus. So I don't know if one way
24 in means less crime. And I hope that
25 answers the question whoever wrote that

1 Bob Metz
2 to the town Planning Board.

3 CHAIRMAN FATCHERIC: Thank you,
4 Chief. We'll now go to the audience.
5 I will ask that you give your name and
6 address for the record and you limit
7 your comments to three minutes. Is
8 there anyone in the audience wishes to
9 speak on this application?

10 BOB METZ: 3937 Venus Path adjacent
11 to Victor's development and also an
12 officer of the homeowners association.
13 I might indulge and might have more
14 than three minutes worth of comments
15 because I have six pages long double
16 spaced, so it should go quick. But on
17 top of that I think the number of the
18 issues that are in my notes here have
19 been at least addressed here this
20 evening but I just want to go back
21 through it and re-emphasize our
22 position as a homeowners association.

23 The other thing I would like to
24 present to the board is the petitions
25 from the homeowners association. And

1 Bob Metz
2 I'll read it to you. "We hereby
3 request the Starlight Estates remain a
4 self contained community. With this
5 request we propose that Stellium Drive,
6 Pegasus Circle and Venus Path not be
7 used as access road into Malibu
8 Estates. And the extension of Venus
9 Path effectively creates a cut-through
10 route from Warners Road, from 695
11 through the center of Starlight Estates
12 and into Malibu." This is signed by
13 all the residents of Starlight Estates.

14 Just a note here, I'd like to
15 acknowledge the efforts of Kathy and
16 Victor. We've had a couple of meetings,
17 very productive, they've helped us
18 understand the position of the
19 development and how it's going to
20 affect the town.

21 Recently I was asked if I under-
22 stood Planning 101. I think I do. And
23 the point being here is that you create
24 a course of action for compliance. And
25 then you work with it and you come up

1 Bob Metz
2 with a consensus.

3 In the case of the residents of
4 Starlight Estates, we're the clients.
5 And for the time that we've had the
6 plan, we've had a very small window of
7 time to look at it. We look at a map
8 like that doesn't have street names on
9 it, doesn't mean much to us. So to me
10 it's not a plan. It's more of a
11 process to maybe, you know, justify the
12 development.

13 So to carry that theme forward, the
14 first residents arrived in Starlight
15 Estates about two and-a-half years ago,
16 and have been subjected to the constant
17 dust, the mud in the roadways, standing
18 water. We've been through that litany
19 tonight.

20 And at the public hearing we were
21 told that by a planning board member
22 and I'll paraphrase this, I want to
23 make sure I don't totally misquote:
24 You hold off the top coat of Starlight
25 Estates until Malibu was in a position

1 Bob Metz
2 to do the whole thing at once. You
3 know candidly that's unacceptable.
4 That's two and-a-half years, that's
5 long enough.

6 Subsequently we've seen some
7 movement with the road markings to
8 identify the remediation issues. We
9 don't want to delay that process. We
10 want to facilitate the process. And
11 the way to do that is to put some
12 shovels in the ground and make it work.
13 We need to demonstrate action with the
14 shovels in the ground.

15 Additionally, take the opportunity
16 to visit Starlight Estates. As board
17 members you find people that use these
18 roads as resource for walking on an
19 ongoing basis. Since the trail that
20 was supposed to be in the plan,
21 approved by the town, is nothing more
22 than a huge liability issue. It goes
23 up the side of a hill. We can't walk
24 it.

25 One of the reasons to purchase a

1 Bob Metz
2 residence of Starlight Estates was an
3 investment of significant assets and to
4 actually protect our residency and grow
5 in value. The option was prevented by
6 the developers and realtors while
7 selling Phase 1 showing a contained
8 development. I have a copy of that map
9 that was used initially to sell
10 residents, the configurations that they
11 could expect by buying Starlight
12 Estates. That development made it
13 happen but didn't show any additional
14 traffic coming through the development.

15 So one might ask how the town kind
16 of under the radar agreed to change the
17 use of Venus Path as it connected. I
18 think one answer is simple. Once the
19 sales of that development started to
20 move smoothly and the interest in the
21 northern property from a developer
22 would change the road connection.

23 At the informational meeting,
24 according to the traffic study, infor-
25 mation presented to the residents we

1 Bob Metz
2 were told that it would have minor
3 impact. Well, minor means certain
4 things to certain people. When we take
5 the impact of the yet to be completed
6 apartments, 96 cars, add 115 units
7 times probably a couple cars per house
8 that's 230. That's not minor anymore.
9 And plus you have the private road
10 going to the church that dumps traffic
11 down there on a continual basis, almost
12 nightly now.

13 So now the other thing is when you
14 come out onto Warners Road it's a tenth
15 of a mile to the connector. You've got
16 a problem. We don't need to come back
17 here a year from now and talk about
18 traffic. Because then we can start
19 talking about, well, we under-estimated
20 the impact or that might be a county
21 problem or maybe we should have gotten
22 the state involved. You know, we don't
23 need to pass the buck. We need to
24 solve the problem now. Do some
25 strategic planning and eliminate the

1 Bob Metz
2 current issues by not linking Starlight
3 Estates.

4 A second question that has come up
5 to me lately is why have we picked on
6 the new developer? And unfortunately
7 for Victor, and I expressed this to him
8 the other night, we're not picking on
9 Victor, he's just in kind of a tight
10 spot right now.

11 The current situation of a developer
12 is based on what's going on in
13 Starlight Estates today. There is a
14 lack of enforcement on the drainage.
15 We went through that tonight. There
16 hasn't been any action. All we've
17 gotten is people walking around looking
18 at it and no action. I have a letter
19 personally written to me January 15th
20 of '07 stating some remedial action.
21 To date, almost five months later to
22 the day, zero. No action. Not even a
23 conversation.

24 Those examples, you know, along
25 with the mud, it's just, it's a, you

1 Bob Metz
2 know, how do we explain it to people?
3 That we make the rules but we don't
4 enforce them? And that's the problem.
5 So given the opportunity to provide an
6 access road to Phase 2, where no one
7 resides, lately there was a change I
8 believe in the Phase 2 of Starlight
9 Estates when they put in the cottage
10 plan.
11 There was an opportunity to put a
12 road in there. Didn't happen. Why?
13 Was it because his legal team fought it
14 and won? You people decide that.
15 Maybe we should have put a road in there.
16 You had the opportunity. Nobody lives
17 on that road yet. You could have sold
18 it that way. But it's easier to sell a
19 cul-de-sac than it is a street.
20 So in conclusion I think this, you
21 know, tonight personally, and as a
22 representative of Starlight Homeowners
23 Association, I'm standing here and it
24 disheartens me really to have to argue
25 for the quality of life. We talked to

1 Hockey
2 the planning, the town planners, the
3 town board, representatives of the
4 residents. We wonder sometimes.

5 We're addressing our board with our
6 concerns as taxpayers; we pay between 6
7 and \$10,000 per unit. We vote. We
8 expect something in results. As
9 planners you get to establish a course
10 of action. As planners you also get to
11 make adjustments to the plan. We ask
12 that you take this plan and restore
13 Venus Path to the way it was, a turn-
14 around in the initial plan. Thank you.

15 CHAIRMAN FATCHERIC: Thank you, Mr.
16 Metz. Anyone else? Give your name and
17 address for the record please.

18 JIM HOCKEY: My name is Jim Hockey,
19 my wife Judy is with me and we reside
20 at 3732 Pegasus Circle. Our concern
21 has to do with the construction road
22 that will be coming off Belle Isle Road.
23 And what - there is approximately eight
24 residential homes there, that is the
25 back yards that would be the east

1 Hockey
2 property line of Starlight Estates.
3 We're looking at the area where the
4 construction road would be in. And
5 we're going to be faced with the noise,
6 dust, the visual pollution that's going
7 to be going on during the construction
8 phase of all the vehicles and
9 construction vehicles coming in.

10 And what I would hope is that some
11 way the developer can minimize the
12 effects on us by putting in some type
13 of a visual barrier such as pine trees
14 or something to that effect along what
15 would be the east property line of
16 Starlight Estates, so that we're not
17 faced with this for the next who knows
18 how many years. Probably longer than
19 most of us are going to live.

20 CHAIRMAN FATCHERIC: Victor or Bill?

21 JIM HOCKEY: It would be a long
22 time and definitely going to be a lot
23 of drainage issues that have to be
24 addressed. Not here to try to block
25 your pick, I'm just asking that these

1 D'Amico
2 issues be addressed and the effects
3 minimized by some type of a barrier of
4 trees, pine trees, arborvitaes
5 something to that effect. I'd like to
6 see something go in that's, you know,
7 along that entire east line. And I
8 would hope it would be of a size and
9 close enough together that it would
10 create some type of a screen for us in
11 that area.

12 CHAIRMAN FATCHERIC: Thank you.

13 VICTOR D'AMICO: Victor D'Amico,
14 3709 Pegasus Circle. I heard some-
15 thing, a term used of certificate of
16 occupancy. Somehow or another when
17 that land was given, I'm not sure when
18 it was given, you're then able to use,
19 if you got permission, Venus Drive.
20 When at that time you'll still have
21 construction going on, you'd have
22 electricians and plumbers coming in
23 that entrance. You no longer would
24 have to use the construction entrance.
25 Is that what you were saying?

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D'Amico - Morse

ENGR. MORSE: We would still be

using the construction entrance for the

heavy construction vehicles. Once you

allow access, okay, once you open up

the street for public access --

Q. (D'Amico) When would that occur?

A. (Morse) Again at the time that the

certificate of occupancy is issued.

And I don't know --

Q. What does that mean, when is that

given?

A. When somebody moves into the house.

Q. You mean one house is sold then all

of a sudden you've got occupancy?

A. Yes.

Q. That's going to be a lot of

construction going on after that coming

up that street.

A. And again, controlling public

access to the street at that point is

difficult.

Q. Easy, just put a barrier up there

and don't let them come through. I

mean that doesn't seem reasonable, one

1 Skardinski
2 house is now going to have - everybody
3 will use that entrance coming in
4 probably. They won't use the other one.

5 CHAIRMAN FATCHERIC: Is there
6 anyone else in the audience wishes to
7 address?

8 KAREN SKARDINSKI: Karen Skardinski
9 3721 Pegasus, on the east side of the
10 property where those ponds are. I'm
11 just wondering are those going to be
12 like stagnant ponds? Are they going to
13 have fountains? Like what would
14 control mosquitos and things in those
15 ponds?

16 ENGR. MORSE: The intent would be
17 to have, I don't know about a fountain
18 but at least there are barriers, area
19 barriers, we have the same concern.
20 We've got homes that are going to be
21 fronting on those ponds, in order to
22 make those attractive we need to keep
23 the ponds from being stagnant. So yes.
24 Q. (Skardinski) I mean is there
25 someone who enforces that in the town?

1 Skardinski
2 I mean the other pond in our
3 development was stagnant forever. And
4 we have horrible mosquitoes up there,
5 and from the pond up above too. You
6 can't sit outside from that farmer's
7 pond there is so many mosquitos out
8 there.

9 A. (Morse) The problem we have on
10 that is if that is under the
11 jurisdiction of the Army Corps of
12 Engineers we can't touch it. But for
13 our pond the intent would be to not
14 have it stagnant. And we could put
15 that as part of the stormwater
16 prevention plan which, you know, would
17 give us enforcement capabilities.

18 KAREN SKARDINSKI: Who does enforce
19 that if there is an issue, a problem?

20 CHAIRMAN FATCHERIC: Mr. Czerwinski,
21 that would fall under the new
22 regulations?

23 ENGR. CZERWINSKI: Right now today
24 it's under the purview of the New York
25 State DEC. But with the new regulation

1 Skardinski
2 for municipalities which the Town of
3 Camillus falls under, it will become
4 the town's responsibility by the end of
5 this calendar year.

6 MR. OUDEMOOL: No, no, hold it.
7 That's not the case. These ponds,
8 these ponds I don't think are going to
9 be town facilities. I think these are
10 facilities that the homeowners
11 association is going to be responsible
12 for the maintenance of. These
13 basically serve this neighborhood and
14 do not generally serve the town or off-
15 site.

16 So it's my position as attorney for
17 the town that these should come under
18 the purview of the powers of the
19 homeowners association to maintain.
20 And there will be an agreement that
21 specifies how that maintenance is to be
22 conducted and not - and there will be
23 inspections conducted by the town to
24 make sure that the homeowners
25 association is taking care of those

1 Skardinski - Oudemool
2 ponds as they should be taken care of.

3 But the town is not in the business
4 of maintaining these types of facilities
5 which are solely for the benefit of a
6 particular neighborhood.

7 KAREN SKARDINSKI: I guess my
8 concern is that's not my neighborhood
9 though, that's his neighborhood.

10 MR. OUDEMOOL: I understand that
11 but the town has oversight. And
12 under - Paul mentioned there is a new
13 MS 4 legislation out there which in
14 theory puts the burden on the town to
15 make sure that everybody does what
16 they're supposed to do. And so we have,
17 just in the process of implementing new
18 laws that will provide for oversight by
19 the town to make sure that the people
20 in the neighborhoods are taking care of
21 these facilities.

22 And in the event that they are not
23 properly taken care of we will have
24 recourse against the people that should
25 be taking care of them.

1 Grim - Chairman
2 CHAIRMAN FATCHERIC: Is there
3 anyone else in the audience? Yes, in
4 the back.

5 JOHN GRIM: John Grim, 3815 Neptune
6 lane. Two or three times tonight you
7 mentioned access roads being Belle
8 Isle, Bennett, and a third road which I
9 don't know where it goes, what its name
10 is. And if it runs through Starlight
11 I'm upset.

12 First question. Where is that third
13 access road? Second question is, why
14 can't you make access roads either
15 Belle Isle or Bennett going into Malibu
16 rather than you use Starlight at all?

17 MR. OUDEMOOL: Mr. Chairman, I
18 think we have to answer that.

19 CHAIRMAN FATCHERIC: I think we
20 have to go back to the beginning where
21 Starlight was laid out. It's been a
22 sound planning practice of the Camillus
23 Planning Board when we look at a
24 subdivision to look at outside areas of
25 the subdivision, not just the area of

1 Grim - Morse
2 the subdivision to see what potential
3 and what current zoning is there.

4 The road has always been an
5 advocate of having continuity through
6 its road design. Venus Path was never
7 intend to be just a turn-around. It
8 was put there to be an interconnector
9 to this, the lands to the north. So
10 that's a misconception that the public
11 has.

12 JOHN GRIM: Still haven't mentioned
13 Bennett Road as an access for construc-
14 tion vehicles, concrete, etc., etcetera.

15 CHAIRMAN FATCHERIC: Bill, if you
16 want to talk to the topography why you
17 would come off Bennett for one section
18 and off of Belle Isle?

19 ENGR. MORSE: Remember right now we
20 don't have - own the property that
21 would get access to Bennett Road. The
22 intent would be if the overall site, if
23 that property is purchased, if the
24 overall site is developed after this
25 section is built out, then we would

1 Riley
2 probably start bringing construction
3 access from Bennett Road for developing
4 the future portion of the site.

5 Q. (Grim) You can't run a road from
6 Bennett Road into Malibu until?

7 A. (Morse) We don't own the property
8 that runs it right now.

9 CHAIRMAN FATCHERIC: Anyone else?

10 Mr. Metz we'll come back to you.

11 Anyone else?

12 BOB RILEY: Good evening, my name
13 is Bob Riley, 3746 Pegasus. First off,
14 to all of you, thank you for your time,
15 I heard some thoughts on the questions
16 this evening that shows me the time and
17 energy you have all put into planning
18 things.

19 To many of us in this audience this
20 is the first planning board meeting
21 we've ever sat through and it is very
22 personal to us and we're trying to
23 figure out how to - how to interact and
24 how to impact the quality of life in
25 the homes that we did purchase and our

1 Riley
2 expectations.

3 First off, the notion about plant-
4 ings to separate the two neighborhoods
5 and keep the dust down makes great sense
6 to me. And I don't know the financial
7 impact, Victor, but it certainly would
8 go a long ways toward calming some skin
9 burns.

10 Secondly, the boulevard entrance
11 notion, if a ladder truck couldn't make
12 the turn off of Belle Isle into a
13 straight street I welcome the guys to
14 bring it up during training night and
15 try to come through our neighborhood.
16 Because at least this winter my four-
17 wheel drive was going sideways because
18 of the ice problems a few times. So
19 your point is well taken, sir, and I
20 appreciate your thoughtfulness to it.

21 Lastly, I did have the opportunity
22 to meet with Ms. MacRae and Victor the
23 other evening. And I do find him to be
24 a credible man with a good intention.
25 I believe his experiences and his past

1 Riley
2 practices in California will help him
3 disrupt less dirt and maybe have less
4 physical disturbance and some of the
5 things that we're all so darn sensitive
6 to. And I would hope that the board
7 would press him for his commitment to
8 that and then find some way to enforce
9 and monitor it, maybe a little bit more
10 closely than some of our concerns as
11 we've gone forward in our own
12 development.

13 So from that point of view Victor
14 thank you for meeting with us the other
15 evening. I hope that we can find a way
16 to all co-exist. And your engineer had
17 mentioned that you would build
18 primarily a make shift construction
19 road and then as soon as you had
20 occupancy start to use Venus Path.

21 And my understanding of our
22 conversation the other evening was that
23 they would both be parallel towards the
24 egress and water would run as it ran,
25 so to speak, and traffic would build

1 Pattermann
2 its own patterns. So if that could be
3 incorporated into that boulevard
4 entrance notion and public safety and
5 maybe in creating sort of the same kind
6 of entrances that you have into a
7 Radisson and sort of a neighborhood
8 feel I believe it would go a long ways
9 toward meeting some of our concerns,
10 keeping public safety and developing a
11 neighborhood that had its own identity,
12 wasn't simply hung off ours. Thank you
13 for your time.

14 CHAIRMAN FATCHERIC: Thank you. Is
15 there anyone else in the audience?
16 Yes, ma'am?

17 SUSAN PATTERMANN: Susan Pattermann,
18 3712 Pegasus Circle. You mentioned
19 your first build-out would come off
20 Venus Path, up that way. Are these
21 going to be - are you going to start
22 with single family homes? Because
23 there are already single family homes
24 there, and then go into the duplexes?
25 Or are you going to start sticking

1 Scanlon
2 duplexes right next to family homes.
3 ENGR. MORSE: All the lots that are
4 - until we start going up the hill, the
5 lots that are directly behind the homes
6 are all single families.
7 CHAIRMAN FATCHERIC: Yes?
8 DON SCANLON: Don Scanlon, 3770
9 Pegasus. Question regarding traffic.
10 When is the Camillus dump going to
11 close?
12 CHAIRMAN FATCHERIC: Dirk, I'll
13 defer to you on that.
14 MR. OUDEMOOL: There is no answer
15 to that, sir.
16 DON SCANLON: But that is traffic.
17 And if you've got the traffic going
18 into the dump and the traffic going
19 into his place - I don't know where his
20 survey came from - the police officer
21 here can tell you certainly the amount
22 of traffic coming off the expressway in
23 the morning going up to OCC is not one
24 or two cars.
25 And if you take the amount of

1 Scanlon & Metz
2 people that he's going to stick over
3 there in that development, and Victor
4 I'm not trying to stop your development,
5 you bought the land, you're welcome to
6 it. My concern is traffic. And unless
7 there is better plans they'll come out
8 Venus way and through our neighborhood.

9 And there is a hell of a lot of
10 traffic on Warners Road, the town has
11 seen fit to close Hinsdale and another
12 road for trucks to deliver to Wegmans,
13 am I correct? So you're going to have
14 all this additional traffic.

15 CHAIRMAN FATCHERIC: Thank you. Is
16 there anyone else in the audience
17 wishes to speak? Mr. Metz, go ahead.
18 If you can keep it to three this time.

19 BOB METZ: No problem, perfect,
20 less than three. This is the exhibit I
21 wanted to submit that kind of says
22 while I hear you I don't agree with you
23 on the intent of what Venus Path looked
24 like, the marketing approach.

25 UNIDENTIFIED FEMALE: Can you speak

1 Cerio
2 up a little bit, please?

3 BOB METZ: Sure. This diagram
4 shows a turn-around I guess is the
5 correct term at the end of Venus Path,
6 that's the way it was marketed, that's
7 the way it was sold. If the marketing
8 and the selling didn't catch up to the
9 engineering I guess we have a heck of a
10 disconnect.

11 So I'll submit this in case nobody
12 has seen it. You can have it. That's
13 the end of my three minute session.

14 CHAIRMAN FATCHERIC: Is there
15 anyone else? In the back in the red.

16 JIM CERIO: Jim Cerio, 5913 Venus
17 Path. People are creatures of habit
18 plus they play follow the leader. I
19 realize the construction concerns and
20 your land cost make a good idea to
21 build out the middle of the development.
22 But if Venus Path is the first open
23 road, when people start using it in the
24 beginning, as more people move in there
25 that's the one that's going to be used.

1 Cerio & Jean Metz
2 It might help our cause if Venus
3 Path wasn't opened as an access road
4 and you put your development in and
5 concentrated off Belle Isle Road until
6 you were a lot farther down in the
7 construction. And then the people that
8 have already built off Belle Isle, and
9 then quietly open Venus Path later on
10 when that street is more developed may
11 help our cause an awful lot.

12 CHAIRMAN FATCHERIC: Thank you. Is
13 there anyone else in the audience wish
14 to speak on the application? Yes,
15 ma'am.

16 JEAN METZ: Jean Metz, 5937, I
17 don't speak more than three minutes.
18 When you address the sewage and the
19 sewers, you said that you connect the
20 Venus Path. And the Venus Path ends at
21 the other side of our lot. So you
22 would have to dig up that road. If
23 they're going to put new roads in what
24 would happen to the repaving of our
25 road? The Venus Path, the sewage or

1 Jean Metz - Morse
2 the sewers end at the south end of our
3 property. And we're the last lot
4 before Malibu Estates.

5 ENGR. MORSE: The sewers are on the
6 other side of the road.

7 Q. (Jean Metz) No. They had to dig
8 up, they had to lengthen our sewer and
9 it was on the same side of the road as
10 ours.

11 A. (Morse) That means your sewer
12 lateral. I'm basing it off the record
13 construction drawings that I was given
14 that show the sanitary sewer manholes
15 on the other side of the road.

16 Q. Okay, so you have the person that
17 lives, building the home right across
18 from us and they're still going to dig
19 up the same road.

20 A. We're going to dig up along the
21 road in order to make that sewer
22 connection, yes.

23 Q. What does that have to do with the
24 Town of Camillus and repaving our roads?

25 A. Not digging up the pavement though,

1 Jean Metz & Czerwinski
2 that sewer is outside the pavement.

3 Q. How can it be outside the pavement
4 when all of the utility boxes are there?

5 A. Again, I'm basing it on the drawings
6 that I was given that shows the sanitary
7 sewer is outside the pavement, sanitary
8 manholes outside the pavement.

9 JEAN METZ: The drawings are wrong.

10 CHAIRMAN FATCHERIC: Do you have
11 anything, Mr. Czerwinski?

12 ENGR CZERWINSKI: I don't have the
13 drawings with me but it's my belief
14 that the sewer manhole is just outside
15 the pavement. That was the intention
16 when it was put and laid out in
17 conjunction with the road, so that if
18 future connections needed to be made or
19 routine maintenance needed to be made
20 by the town, the amount of disturbance
21 to the road would be minimized. I can
22 confirm that.

23 CHAIRMAN FATCHERIC: Ma'am, we'll
24 look into that and see if it's actually
25 been built to spec. Paul, could you

1 Walker
2 look into that? Thank you. Is there
3 anyone else in the audience wishes to
4 speak, way in the back.

5 MR. WALKER: Mr. Walker, 3705
6 Pegasus Circle. My back yard is
7 bordered on the southern line of your
8 new development. And I'm concerned
9 about the drainage in that area. I
10 don't have a problem now but that lot,
11 it drains toward the north. The other
12 lot drains back toward the street.

13 When you start moving earth off of
14 that hill it's kind of a dicey
15 situation there now, a lot of water
16 comes off that hill like a mountain
17 after the heavier rains. Right now we
18 have it contained, a little gully keeps
19 it from going into our property. So
20 that's kind of a tricky drainage
21 situation, I don't know what would
22 happen with that. What's your plan
23 there?

24 ENGR. MORSE: We are going to be
25 leaving the, that swale. You're talking

1 Walker - Morse
2 about the swale on the rear of the
3 property line.

4 MR. WALKER: Yes.

5 ENGR. MORSE: So that, we're
6 leaving that swale in place. We're
7 avoiding that with our grade.

8 Q. (Walker) Are you going to put a
9 pipe in there to keep it open or are
10 you going to build over it?

11 A. (Morse) No, what we can do is
12 stabilize that and put that in as part
13 of our erosion control plan so that you
14 have assurance that part of the plan
15 that that swale has to stay established
16 to intercept any water from going down
17 the hill. We'll be happy to do that.

18 Q. Right now you have probably seen
19 the little gully that goes down, the
20 water to the pond, going down to that
21 swale.

22 A. Right, but understand the outlet
23 from those, from that farm pond always
24 did flow to the south, historically.

25 Q. Looks like it went over the hill.

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Walker - Morse

A. Yes, that's the way it always flowed.

We can't disturb that drainage pattern,
again because it's a federal wetland.

Q. I want you to keep it that way.

A. But from that point going west to
Venus Path, you know, we are going to
have a swale there to prevent our water
from going over towards Starlight. And
like I say, I can add that to the
erosion control plain as a stabilizer.

CHAIRMAN FATCHERIC: Is there
anyone else? Mr. Metz, go ahead. If
there is no one else we'll have Mr.
Metz be the last speaker.

BOB METZ: I just have a question
could you outline the next steps that
you're going to follow before we leave
tonight?

CHAIRMAN FATCHERIC: No action will
be taken this evening. The next step
would be they would come in for a
preliminary plat approval.
Construction drawings would have to be
looked at, correct, Mr. Czerwinski?

1 Rusyniak
(Mr. Czerwinski nodded in the affirmative).

3 CHAIRMAN FATCHERIC: The drainage
4 report has not been finished yet. I
5 encourage you to come to our meeting.
6 You can't participate in the meeting
7 but you can certainly be there and
8 watch the process. Yes, sir?

9 MR. NEUVINE (phonetic): Mr. Neuvine,
10 6027 Belle Isle Road. My concern
11 you're going to put a high end
12 development in there. You have two
13 really crappy looking businesses,
14 Duke's plumbing and Rusyniak's. Do you
15 plan on buying those?

16 ENGR. MORSE: If you missed the
17 earlier question, Victor has the right
18 of first refusal on the Rusyniak piece.
19 So if that comes up for sale yes, the
20 intent was to buy that fix it up.

21 MR. NEUVINE: What about Duke's,
22 he's got about 50,000 wrecked cars
23 behind him?

24 CHAIRMAN FATCHERIC: Duke's is
25 under a special use permit and that can

1 Oudemool
2 be looked into by the code enforcement
3 officer. Ladies and gentlemen, I thank
4 you for your time. Is there a motion
5 to close this hearing?

6 MR. OUDEMOOL: John, could I just
7 state for the record, because I have in
8 hand a copy of all the letters that the
9 residents sent to the board on this
10 matter and there is one line in here
11 that I think clarification needs to be
12 made. And that is the statement is
13 made that precedents have already been
14 set with not connecting developments
15 such as Colony Point, Raspberry Lane
16 off of Scenic Drive and Wellington.

17 That is not true. Colony Point,
18 there is a proposed connector way up in
19 the far end of West Colony Pointe to
20 tie into the parcel to the north. The
21 Wellington also has a stub, way in the
22 back end, back in the - you've got to
23 go way back in. But that's similar to
24 the stub that was planned for this
25 project. So it has been a standard

1 Oudemool
2 practice in this town since I've been
3 involved for over twenty years that
4 when we have adjacent lands that are
5 vacant that could possibly be developed
6 for residential purposes, at least one
7 connection is always required by any
8 developer that comes forth.

9 Raspberry Lane I don't think there
10 is a stub up there. But the topography
11 is so severe in the Raspberry Lane
12 area, I don't think we could imagine
13 where there might be a possible
14 connection when that came through.

15 But the policy of this town has
16 been, and it's based upon public safety
17 at the outset, that there should be
18 interconnection, of all neighborhoods.

19 CHAIRMAN FATCHERIC: Thanks, Dirk.
20 Is there a motion to close this hearing?

21 PB MEMBER WHEAT: So moved.

22 PB MEMBER FITTIPALDI: Second.

23 CHAIRMAN FATCHERIC: Any discussion?
24 All in favor? Opposed. So carried.

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Oudemool
C E R T I F I C A T E

This is to certify that I am a
Certified Shorthand Reporter and Notary
Public in and for the State of New
York, that I attended and reported the
above entitled proceedings, that I have
compared the foregoing with my original
minutes taken therein and that it is a
true and correct transcript thereof and
all of the proceedings had therein.

John F. Drury, CSR, RPR

Dated: June 17, 2007

**TOWN OF CAMILLUS
PLANNING BOARD
JUNE 25, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Lynda Wheat
John Williams

Not Present

Martin Voss

Staff Present

Paul Czerwinski
Dirk J. Oudemool, Esq.
Tom Price, CEO
Daniel Shulman, Esq.

Members of the Public

Bill Davern, 3rd Ward Councilor
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor

Approximately 12 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Annesgrove Section C
Amend Final Plat**

TP#023.2-04-01

Jason Kantak representing the Pioneer Group appeared before the Board to present an amended final plat for Annesgrove Section C as they are requesting to erect a monument sign identifying the subdivision.

The monument sign is proposed at the boulevard entrance of Donnelly Street. The monument is to be made of red brick pilaster with a wrought iron element at the top. Signage in the name of "Annesgrove" is depicted in black lettering shown in times roman font at 6" high. A 1'7" high x 2'0" width "A" is proposed in the center of "Annesgrove". As the sign will not be illuminated, no lighting or electricity is proposed. Ownership and maintenance of the monument and the sign will be by the Homeowners Association.

Chairman Fatcheric clarified that the placement of the monument would not be allowed in the town highway's right of way. All ownership and maintenance of the monument will be the responsibility of the Homeowner's Association.

Mr. Flaherty motioned to amend the final plat of Annesgrove Section C to include a monument sign located on the 20' x 90'± boulevard island as submitted. Mr. Trombetta seconded the motion and it was approved unanimously.

**West Genesee Athletic Club
Temporary Site Plan**

TP#007.-01-14.2

Mike Losurdo, President of the West Genesee Athletic Club and Cory Ward of Wheelock Rides appeared before the Board to present a temporary site plan for the property located at 6415 Pottery Road. The applicant has proposed providing carnival rides during a weekend pep rally, September 15th and 16th. The rides would operate Friday, September 15th from 4:30pm to 9:30pm and Saturday, September 16th from 10:00am to 4:30pm. Although the event is primarily for members of the West Genesee Athletic Club, it will be advertised to the general public. The property is zoned R-3.

When asked about traffic control, Mr. Losurdo stated that the club would be contacting the Camillus Police Department to hire off-duty police officers to direct off site traffic, while volunteers of the West Genesee Athletic Club would direct the traffic on-site.

Mr. Ward stated that West Genesee Athletic Club has contracted with Wheelock to provide 6 to 10 carnival rides. In addition to the rides, Wheelock will provide food sales and games as well as overnight security. All food sales conducted by Wheelock will be items that the West Genesee Athletic Club concession stand does not provide and health permits will be obtained through the County.

All rides are to be trailer rides with outriggers that are inspected by NYS. There will be no tie downs or water barrels. Power will be supplied by two diesel fueled generators and the wiring will be above ground which is state regulated. Lighting will be provided on the rides only.

Mr. Price stated that he does not have any issues with the posters advertising the event as long as they are removed within ten (10) days.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Williams seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application a negative declaration under SEQR. Mr. Williams seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to approve the temporary site plan for the West Genesee Athletic Club for carnival rides to be conducted on September 15, 2007 from 4:30pm – 9:30pm and September 16, 2007 from 10:00am – 4:30pm. The carnival rides are to be disassembled and removed by no later than September 20, 2006 at 5:00pm and the advertisement signs to be removed within ten (10) days of the completion of the event. Mr. Trombetta seconded the motion and it was approved unanimously.

Joe Boylan representing the IHOP Developer, Hotcakes Camillus Venture, LLC appeared before the Board to present a site plan for the property located at 4002 West Genesee Street, zoned C-3. The developer is proposing to convert the existing Fresno's restaurant into an IHOP restaurant.

IHOP is a sit down family restaurant. As it does not have a liquor license, the hours of operation are typically 24 hours, employing 9 to 24 employees at any given time, depending upon the shift; peak times are generally mornings and weekends. When asked how often deliveries are made, Mr. Boylan indicated they were received daily and could be upwards to five daily, most always received in the morning. When asked what the seating capacity was, the developer stated it was 180.

Updates to the interior are proposed which include updates to the restrooms that will make them ADA compliant and a new kitchen and roof exhaust fan. After a brief discussion, the Board requested the manufacturer's specifications inclusive of the decibel levels of the exhaust fan.

The proposal depicts the addition of a portico element to the front entrance to enhance its identity. The existing brick wainscoting will remain on the building, however the clapboard will be removed and replaced with earth toned colored stucco and EIFS. The roof will be replaced with a metal blue roof which the developer has matched the color to the trim and roof of the portico. The color of cedar red is proposed for the upper trim and the coping above the doors. Solid blue canvass awnings are proposed above the windows, which would match the roof color. The proposal also depicts three signs, each 25 sq. ft., being located on the east elevation, the west elevation, and the south elevation. Ms. Wheat requested the applicant provide samples of the proposed colors and soften the color blue.

As the building is 5,008 sq. ft., the Municipal Code requires 78 parking spaces for the site presently there are 105. The applicant responded unfavorably when asked to consider increasing the buffer areas between the commercial and residential areas by eliminating some parking spaces. Mr. Oudemool stated that the buffer area is currently 13' rather than 25' which is the minimum required by the Municipal Code. He also stated that the Comprehensive Plan promotes the use of buffer areas to place as much separation as possible between uses. Chairman Fatcheric reiterated that it is a rare opportunity in which the Board obtains the ability to bring a site current with code and right now, the Board has the ability based on the number of parking spaces that the town requires, to bring this site current with code regarding the buffer area.

Mr. Price indicated that the survey defers to a two-story building and for clarification, the building is not a two-story building. He also indicated that if the applicant were planning to re-stripe the parking area, two additional handicapped parking spaces would need to be added, as four spaces are required.

After much discussion regarding the parking area, Mr. Czerwinski offered to take a count of how many parking spaces would be lost if the applicant increased the buffer area to the required 25'.

Councilor Davern stated that the neighbors are very appreciative of the consideration of an IHOP restaurant coming to the site.

After an extensive discussion, the Board instructed the applicant to provide the following items for their review:

- Manufacturer's information and specifications of the exhaust fans, inclusive of decibel levels
- Building materials and specifications sample boards inclusive of colors
- Soften the blue on the upper portion of the building
- Reduction of parking spaces
- Addition of two handicapped parking spaces for a minimum of 4 spaces

Old Business

Golden Meadows Section V Preliminary Plat

TP#010.1-03-29

Developer, John Szczech presented a proposal for the subdivision of a 14±-acre parcel of land located on the corner of Winchell Road and VanBuren Road, zoned R-3.

The proposal depicts subdividing the parcel into two lots, one being 2.00± acres and the other 4± acres, which will be serviced by public water and gas and private septic systems. The remaining lands would be deeded to the current property owners along Armstrong Road to be merged with their existing parcels. None would become new building lots. When asked if this proposal was already arranged with the property owners along Armstrong Road, Mr. Szczech stated that he has contacted the owners and they have agreed to the transfer of ownership. Access to the two lots would be from Winchell Road. As indicated in a letter received from the County DOT, those locations have been initially approved.

Ms. Wheat motioned to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to set the public hearing for July 9, 2007 at 7:00 pm. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat motioned to refer this application to SOCPA. Mr. Logana seconded the motion and it was approved unanimously.

Robert Eggleston, on behalf of James and Steve Shope made a presentation regarding the application for site plan review to convert an existing single-family residence into an office building. The property is located at 5014 West Genesee Street and zoned LBO. Mr. Eggleston stated that the plan had been revised according to the comments received from the meeting of May 31, 2007 and that they are agreeable to connecting to the public sewer system.

The Board also received confirmation from the Zoning Board of Appeals that the following variances were granted on June 19, 2007:

1. A variance of the total required lot area from 20,000 square feet to 12,800 square feet and the property width from 100 feet to 80 feet;
2. A variance reducing the number of required on-site parking spaces from nine to six spaces; and
3. Subject to the property's continued use and occupancy as a LBO business office use, a 14 foot variance as to the set back requirements for free standing signs to permit the location of a free standing sign one foot off the front property line on West Genesee Street.

Additionally, the following comments have been received from SOCPA:

1. The applicant must provide an engineering study to verify to County DOT that the proposed development would not create additional storm water runoff into the county's drainage system. If additional runoff created, the applicant shall be required to submit a mitigation plan to the county DOT for approval and implement any mitigation required.
2. The existing septic system must be crushed, filled or removed in accordance with the County Plumbing code, per the health dept.
3. The site plan configuration must encourage and permit cross-connection with adjacent commercial parcels to eventually permit access to Dunning Drive, and this should be noted on the site.

A memorandum from Paul J. Curtin in response to SOCPA's comments was received that indicated the following: The applicant is creating very little, if any, additional impervious surface and therefore the impact of this project on the County drainage system is deminimis. Secondly, the Board has already required the septic system to be disconnected and the applicant is in the process of connecting to the municipal sanitary sewer system. Third, interconnectivity of the site to contiguous properties, which are residential in quality and character, is impossible and not worthy of further consideration by the Town of Camillus Planning Board. After review of the memorandum, Ms. Wheat motioned to override SOCPA's recommendations and direct Mr. Curtin to draft a response regarding such. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application a negative declaration under SEQR. Mr. Williams seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the site plan for Shope Financial Services as submitted on the drawings prepared by Robert O. Eggleston, dated June 1, 2007 last revised June 20, 2007 incorporating the three (3) variances that were granted by the Zoning Board of Appeals on June 19, 2007. Mr. Williams seconded the motion and it was approved unanimously.

**Malibu Hills Estates
Preliminary Plat**

TP#015.-01-12.1 &TP#015.-01-13

Developer, Victor Grozdich presented a proposal for the subdivision of a 151 acre parcel of land located off Belle Isle Road, zoned R-2.

After an extensive discussion, the Board advised the applicant that the notes on the preliminary plat were incomplete as the following items were missing:

- The location of the two (2) boulevard entrances
- The setback requirements for each lot inclusive of the duplexes
- The labeling of the private roads

The Board also discussed the following:

- The specifications of the private roads are to be 28' wide being 24' paved with a 2' shoulder on both sides
- The requirement of a waiver for the length of the cul-de-sac as the proposal indicates the length to be over 900' as the standard is 750'
- The signage on the boulevard entrances to be placed on property maintained by the Homeowners Association, not within the Town's right of way

After a brief discussion, the Board reviewed the Long Environmental Assessment Form for Malibu Hills Estates and the following determinations were made:

WHEREAS, Snowbird Landing II, LLC is proposing to subdivide 151 acres into 360 single family dwelling units to be accomplished in 2 Phases- Phase 1 will consist of 45.44 acres and 115 homes and Phase 2 will involve 105 acres and the built out of 245 homes; and

WHEREAS, a long form environmental assessment form has been submitted; and

WHEREAS, on March 19, 2007 a scoping session with all involved agencies was conducted for the purpose of identifying environmental matters of particular concern; and

WHEREAS, a Wetland Delineation Report by the Collaboration Group, has been submitted; and

WHEREAS, a detailed drainage plan for Phase I dated May 2007 has been submitted; and

WHEREAS, a Traffic Engineering Report by Jim Napoleon and Associates has been submitted; and

WHEREAS, a public hearing was held on June 11, 2007 at which approximately 75 people appeared all of whom were given an opportunity to question the applicant and comment regarding the application; and

WHEREAS, the applicant has appeared before the Board on several occasions, and made detailed presentations of its proposed project and has responded pertinently to all questions posed to it by the Board; and

WHEREAS, the Board has considered all of the criteria set forth in 6 NYCRR § 617.7 and based thereon has determined as follows:

CRITERION 1

(a) Air Quality

Air quality impacts associated with construction and demolition activities on the site are expected to be typical in scope and temporary in duration. Excavated soils will be staged on site, and utilized for cut and fill operations and back fill as appropriate, with the excess, if any, removed for appropriate disposal. Dust creation and migration will be abated as the need arises.

(b) Ground and Surface Water Quality and Quantity

A Storm Water Pollution Plan will be developed by the applicant for each Phase and approved by the Planning Board before commencement of construction. A NYSDEC SPEDES permit is required for this project. This project may result in a temporary discharge of surface runoff during wet weather conditions. Any dewatering required during construction will be conducted in accordance with sound construction practice following guidance issued by the New York Guidelines for Urban Erosion and Sediment Control. Sediment traps, straw bale dikes, silt fencing, temporary swales and dikes will mitigate any potential construction related surface runoff impacts. Minor, temporary impacts to surface quality may result from construction. No substantial adverse long-term impact to ground water or surface water is anticipated from construction activity.

Wastewater discharges will be discharged into the existing public sewer system, which has more than adequate capacity.

There is no impact to the supply of public water because of the minimal consumption of it by the activities proposed on site.

(c) Traffic

The long form environmental assessment form has been supplemented by a traffic engineering report. The expert analysis set forth therein is predicated upon a build out of 434 homes on the Phase I site as well as the Phase II site. The methodology employed by the expert is proper and his conclusions appear to be supported by competent evidence. Although small but reasonable impacts to the area highways is anticipated, the project levels of service are acceptable and the existing highways will safely accommodate the new traffic to be generated by this project. However, Phase II will require the reopening of Bennett Road Extension and as to it there has not been any analysis of the projected level of service and the need for its realignment with the existing Bennett Road intersection at Warners Road. Because of the uncertainty of Phase II and the time when it may occur, it is impossible today to credibly analyze it and therefore such a study should be postponed until the applicant files for the preliminary plat approval of that Phase.

No substantial adverse change in existing safe traffic levels or patterns is expected to occur as a result of this project which cannot be mitigated as hereinafter provided for.

(d) Noise Levels

Land development noise will be typical of utilizing earth moving and other equipment. Noise levels associated with home construction will occur principally during daylight hours. While a minor adverse change in noise level is expected during the development and home construction period, it will be of temporary duration and is largely unavoidable.

No substantial adverse change in area noise level in the short or long term is expected.

(e) Solid Waste Production

Solid waste generated during construction will be hauled away periodically for proper disposal. Typical debris includes plywood, cardboard, scrap lumber, Styrofoam packing material, paper, etc. If any spoiled materials are generated during construction excavation activity, they will be categorized as fill, construction/demolition, or solid waste as defined under the NYSDEC Solid Waste Regulations and will be managed in accordance with applicable regulations.

(f) Erosion, Flooding, Leaching or Drainage Problems

Construction related activities during periods of wet weather are not expected to result in any significant site erosion and run off.

No substantial change or increase in the potential for erosion, flooding, or drainage problems is anticipated in the short or long term.

CRITERION 2

The site does not contain valuable wildlife habitats such as trees, brush or bodies of water, and except for a few transient species, is devoid of wildlife. No threatened or endangered species of animal or plant or the habitat of such a species has been identified on the site. There are federal and state wetland areas on the site as identified in the Wetland Delineation report and as such are subject to those governmental permit processes.

No substantial adverse effects to vegetation, animal populations, habitat areas, threatened or endangered species or other natural resources are expected.

CRITERION 3

The proposed project site is not within a Critical Environmental Area.

CRITERION 4

The project will not conflict with the Town's current plans or goals as officially approved or adopted.

CRITERION 5

There are no known structures or artifacts of historic, architectural, or aesthetic value on or in the vicinity of the site.

CRITERION 6

The existing National Grid electric and gas supply systems are adequate for supplying the electrical and natural gas demands of the project. The project therefore is not expected to significantly impact such services in the area.

CRITERION 7

Construction activities and project erection procedures will follow industry standards and OSHA guidelines. Construction and renovation hazards will be those typical of construction projects. There are no long term hazardous activities proposed to be conducted on the site.

CRITERION 8

The project site has not previously been utilized for any particular activity. No agricultural, open space or recreational resources will be affected by the project.

CRITERION 9

The use of this project site will not encourage or attract a large number of people to this site for more than a few days, compared to the number of people who would come to such place absent this project.

CRITERION 10

Each environmental element discussed herein above and the potential adverse change to such elements has been considered individually and in terms of its cumulative impact. No substantial adverse impact on the environment is expected to result from the simultaneous changes in individual environmental elements discussed herein above.

CRITERION 11

This review has considered the impact of the total project even though most of Phase 2 acreage is not yet owned by or under the control of the applicant. Each finding made herein is based upon the development of the entire contemplated project site of 151 acres and 360 single-family homes.

Ms. Wheat motioned to declare the Malibu Hills Estates Subdivision a Type 1 action under SEQRA. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Flaherty motioned that the proposed project will not result in any large and important impacts and, therefore, it is one which will not have a significant impact on the environment provided that the applicant agrees to study and make any necessary improvements to the intersection of Bennett Road Extension with Warners Road and the signalization thereof as may be required at the time he applies for Preliminary Plat Approval of Phase II, and therefore a conditional negative declaration is hereby made on this Type 1 action. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to grant §278 cluster development relief to the Malibu Hills Estates Subdivision. Mr. Flaherty seconded the motion and it was approved unanimously.

Mr. Flaherty motioned to waive the length of the cul-de-sac approximately 200'. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Discussion

Michaels – Signage

TP#048.-01-01.1

The Board received revised drawings for the Michaels retail store depicting the signage to read “Michaels The Arts & Crafts Store”.

At the Planning Board’s request, Mr. Czerwinski reviewed the revised proposed signage for the front side of the Michaels Retail Store for compliance with the guidelines established by Carlie Hanson, R.A., of QPK Design, as outlined in her memo to the Board dated April 23, 2007. The recommended area for a sign is to be no greater than 5% of the tenant frontage elevation.

The sign has been revised by reducing the letter size in order to include “THE ARTS & CRAFTS STORE” on the front of the building. Based on the revisions, the new sign is only marginally above the recommended area (less than one half of one percent).

Based on the above, Mr. Czerwinski respectfully recommends that the Planning Board approve the proposed revised signage, as indicated on the drawings by US Signs as revised on June 8, 2007.

Ms. Wheat motioned to amend the Michaels signage as indicated on the drawings prepared by US Signs as revised on June 8, 2007, based on Carlie Hanson, R.A., of QPK Design and Mr. Czerwinski's comments. Mr. Logana seconded the motion and it was approved unanimously.

Marshall's

TP#048.-01-01.1

Chairman Fatcheric advised the Board that an application for signage for the Marshall's retail store was received. Previously, the Board was notified that changes were to be made to the elevation and façade of the building and as the Board has not received any site plan applications for such, it was deemed that this application would be premature.

Accident Data - West Genesee/Myrtis Rd and W. Genesee / Office Max

Ms. Wheat thanked the Police Chief for gathering the information.

Minutes of the Previous Meeting

Mr. Fittipaldi moved to approve the minutes of the meeting of June 11, 2007. Ms. Wheat seconded the motion and it was approved unanimously.

Correspondence

Updated copies of Chapter 39 and 43 of the Municipal Code were received.

A memo informing the Board that the Fairmount Fair Plaza site plan was on the Town of Geddes Planning Board agenda for Wednesday June 27, 2007 was received.

A copy of the covenants and restrictions for the Country Creek Estates subdivision was received.

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of May 2007 for \$2,093.75, \$781.25 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Logana, and approved unanimously.

A voucher was received from QPK Design for the services performed from April 28, 2007 through June 13, 2007 for \$920.62 of which all is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from John F. Drury for stenographer services for the public hearing of Malibu Hills Estates of June 11, 2007 for \$341.50 of which all is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Fittipaldi, and approved unanimously.

A voucher was received from the Post Standard for the legal notice for the Malibu Hills Estates public hearing for \$19.80 of which all is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Williams, and approved unanimously.

A voucher was received from Dell Financial Services for the monthly rental of the notebook and projector for \$79.84. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Williams, and approved unanimously.

A voucher was received from Barton & Logudice, PC for the services performed for the month of May 2007 for \$6,552.56, \$6,427.56 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Williams, and approved unanimously.

Comments of the Attorney

Mr. Shulman asked if the Board would like him to attend the Town of Geddes Planning Board meeting Wednesday June 27, 2007. Chairman Fatcheric indicated they would appreciate him attending.

Comments of the Engineer

Mr. Czerwinski stated he had reviewed the traffic impact report for the Fairmount Fair Plaza as supplied by Benderson Development Corp. Although some pages of the report were missing, he was able to determine that parking will be an issue. After a brief synopsis, Chairman Fatcheric requested Mr. Czerwinski to call Bob Trybulski of Benderson to discuss the concerns.

Mr. Czerwinski also indicated that he clarified the status of the grading and erosion of Starlight Estates Phase 2 as Mr. Rocco misunderstood the status as he thought the Board had approved the revised grading plan, when in fact the Board requested additional information from him at the April 23, 2007 Planning Board meeting.

Comments of the Code Enforcement Officer

Mr. Price inquired if the Vanida Drive calming island was to be removed from the approved site plan. After a brief discussion, Chairman Fatcheric instructed Mr. Price to contact Mary Ann Coogan for additional information as the Town Board was determining the status of the calming island.

Comments of the Board Members

Ms. Wheat welcomed Mr. Shulman.

Mr. Flaherty indicated that he would not be present at the July 9, 2007 meeting.

Mr. Fittipaldi inquired about the November 12, 2007 meeting date as he stated that Veteran's Day is observed on that day.

With no further business before the Board, Mr. Logana motioned to adjourn the meeting at 9:01 pm, seconded by Mr. Williams and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
JULY 9, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat
John Williams

Not Present

Richard Flaherty, Vice Chairman

Staff Present

Paul Curtin, Esq.
Paul Czerwinski, P.E.
Dirk J. Oudemool, Esq.
Tom Price, CEO

Members of the Public

Dave Callahan, 6th Ward Councilor
Bill Davern, 3rd Ward Councilor
John Friske, Water Superintendent
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor

Approximately 12 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

Public Hearing

Golden Meadows Section V

TP#010.1-03-29

This public hearing is to consider the subdivision for Golden Meadows Section V. Ms. Wheat motioned to waive the reading of the notification of publication and legal description as advertised for the Golden Meadows Section V Subdivision. Mr. Williams seconded the motion and it was approved unanimously.

Developer, John Szczech presented the proposal for the subdivision of a 14±-acre parcel of land located on the corner of Winchell Road and VanBuren Road, zoned R-3.

The proposal depicts subdividing the parcel into two building lots, one being 2.00± acres and the other 4± acres, which will be serviced by public water and gas and private septic systems. The remaining lands would be deeded to the current contiguous property owners along Armstrong Road and to be merged with their existing parcels. None would become new building lots. When asked if this proposal was already arranged with the property owners along Armstrong Road, Mr. Szczech stated that he has contacted the owners and they have agreed to the transfer of ownership. Access to the two new building lots would be from Winchell Road.

Mr. Czerwinski noted that a letter has been received from the County DOT indicating the initial approval of the curb cut locations.

After a brief discussion, Mr. Curtin recommended that the Board place a contingency on those remaining lands to require all those properties to be merged into contiguous lots. Mr. Oudemool requested a written agreement be obtained from each individual prior to conveyance stating the acquired parcel will be merged with his or her principal lot. It was also noted to label each individual cursory lot as "Not a building lot".

Ms. Wheat motioned to close the public hearing for the Golden Meadows Section V Subdivision. Mr. Williams seconded the motion and it was approved unanimously.

Old Business

Starlight Estates Phase 2 Revised Grading Plan

TP#015.1-01-08.1

Mr. Czerwinski advised the Board that there were outstanding issues when the applicant first appeared before the Board. Those are:

- Drainage issues
- DEC mining permit
- Amount of material proposed to be taken off site
- Truck traffic route

In response to those concerns, Mr. Czerwinski advised the Board that the issues have been satisfied as follows:

- The drainage issues on the existing plateau behind the houses on the cul-de-sac were noted. Barton & Loguidice requested the developer build a bank to provide positive drainage.
- DEC mining permit – Barton & Loguidice notified the DEC that they were in agreement with the proposed grading plan. A site-specific mining permit would not be required, however a general permit would be required, and that general permit number has been provided.
- Amount of material proposed to be taken off site – The amount of proposed material to be taken off site was addressed in the original SEQR.
- The truck traffic route- The developer has agreed that all truck traffic for the removal of the soil is to be done through the Section 2 roads.

Mr. Czerwinski stated that all the engineering concerns raised have been satisfied.

Mr. Price was advised that the Code Enforcement Office would enforce the truck traffic route.

Ms. Wheat motioned to approve the revised grading plan as submitted subject to the Engineer's comments. Mr. Williams seconded the motion and it was approved unanimously.

New Business

SMSA Limited Partnership d/b/a Verizon Wireless Site Plan

TP#005.-03-07.1

Jared Lusk, Esq. representing SMSA Limited Partnership d/b/a Verizon Wireless appeared before the Board to present a site plan for property located on Newport Road, zoned Industrial, and R-3.

SMSA Limited Partnership d/b/a Verizon Wireless is proposing to lease an area of approximately .23 acre (100' x 100') of land owned by Rudy and Patricia E. Karasek to erect a 140' galvanized grey monopole and wireless communications antennas and a 12' x 30' equipment shed. The entire compound is to be surrounded by a chain link fence with wall pack security lighting placed upon the shed.

When asked the site distance from the monopole tower to the closest neighbor, the applicant indicated the following:

- Front distance - 284'
- Rear distance - 1300'
- Side distance - 675'
- Side distance - 632'

Based on the above distances, the Board determined that if the 140' monopole cell tower were to fall, it would fall out of the leased area. Mr. Lusk stated that the tower is constructed to fall in a "stacking" manor and not to tip completely. The Board requested a letter from a Structural Engineer regarding the "fall" specifications.

When asked how many antennas' the tower could accommodate, Mr. Lusk indicated that up to four (4) antennas could be co-located on the tower.

After reviewing the plan, the Board notified the applicant that barbed wire is not allowed and a curb cut would need to be obtained from the County DOT.

Ms. Wheat inquired if there would be any "Warning" signs and if so, suggested all signage to be multilingual.

Mr. Curtin asked if the Board considered the cell tower to be an adverse visual impact and if so, should a restriction on the height be placed upon the site plan. After an extensive discussion, it was stated that the Warners area is semi rural and as the tower would be masked by existing vegetation in the spring/summer months and as it is being constructed with gray galvanized steel, making it blend with the sky, the majority of the Board felt that it would not present a visual problem and that a height restriction should not be imposed.

The Board requested the applicant submit the following:

- Details of the front gate entrance
- Removal of the barbed wire located on the fence
- Warning signs to be multilingual in English and Spanish
- County DOT approval of the curb cut

Mr. Fittiapladi made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Voss seconded the motion and it was approved unanimously.

Mr. Fittipaldi motioned to refer this application to SOCPA. Mr. Logana seconded the motion and it was approved unanimously.

**Outdoor Power
Site Plan**

TP#007.-01-08.2

Edward Horne representing Outdoor Power appeared before the Board to present a site plan for the property located on Pottery Road zoned C-3.

Currently, an 80' x 30' open framed storage building is located to the rear of the main building. The building has no walls or electricity and the flooring is stone. The applicant is not proposing to make any modifications to the building; it will be left the way it is and will be used to house items out of the elements.

When asked if this issue came up through the purchase of the property, the applicant stated it did and was instructed by Mr. Price to obtain a site plan approval.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Williams made the motion to declare this application an unlisted action under SEQR. Ms. Wheat seconded the motion and it was approved unanimously.

Mr. Williams made the motion to declare this application a negative declaration under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Trombetta motioned to approve the site plan identifying the location of the 80' x 30' open framed storage building as shown on the map dated last revised January 19, 2007 as prepared by R.J. Lighton SR. Land Surveying. Mr. Voss seconded the motion and it was approved unanimously.

**JFW Properties – 5633 W. Genesee St.
Site Plan**

TP#029.-01-18.1

John Szczech appeared before the Board with Michelle Constentino and Jodi Valentine to present a site plan for the property located at 5633 W. Genesee Street zoned C-2.

Ms. Constentino and Ms. Valentine are proposing to operate the World of Wonders Child Care Center at the site. The childcare center operates Monday through Friday, 7:00 am – 6:00 pm, servicing children between the ages of 6 weeks to 12 years. When asked the number of children, Ms. Constentino stated that New York State has issued the childcare center a license capacity of seventy-seven (77).

The site plan depicts minimal modifications to be made to the site. The modifications proposed are the addition of three (3) exterior doors and a chain link fence along the front and side of the building. The main entrance to the childcare facility would be along the east elevation. Emergency doors are proposed to be added along the east and west elevations.

When asked where the children would play, Ms. Constantino stated they would play in the fenced area. The Board requested a gate be installed in the fencing to provide an additional access for emergency purposes.

When asked the number of parking spaces, the applicant indicated that there are a total of 131 parking spaces on the site, of which thirty-one (31) are located on the east side of the site adjacent to the main driving lane entrance from West Genesee Street. When asked where the primary parking for the childcare center would be, Mr. Szczech indicated they would use the thirty-one parking spaces located on the east side of the site and cross the main drive aisle to enter the center.

After an extensive discussion, the Board indicated a high level of concern regarding the safety of the children due to the parking area and asked the applicant what the intention for the remaining site was. Mr. Szczech indicated that the total square footage for the building is 9,500± sf the childcare center is leasing 6,000± sf and the remaining 3,500± sf would be leased, hopefully to an organization that will utilize the kitchen facilities. Due to the site being a mixed-use facility, the Board asked the applicant to review the site to address their safety concerns.

When asked if this mixed-use was an allowable use, Mr. Price indicated that it was.

After a brief intermission, Mr. Szczech suggested turning the stairs to run parallel with the building and installing a wood rail along the east elevation to allow parking in the rear of the site. He indicated that five parking spaces would be added adjacent to the southerly elevation and labeled as drop off/pick up. After some discussion, the Board was in agreement that the turning of the stairs and the installation of the wood rail, as well as designating a drop off and pick up area, collectively would address the Boards prior concerns.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Williams made the motion to declare this application a negative declaration under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the site plan for JFW Properties – World of Wonder Child Care Center subject to all revisions as stated and conditioned upon engineering review. Mr. Trombetta seconded the motion and it was approved unanimously.

**Fox Chase - Pottery Rd/Armstrong Rd
Sketch Plan**

TP#007.-02-06.4

Developer, John Szczech presented the proposal for the subdivision of an 80±-acre parcel of land located on the corner of Armstrong Road and Pottery Road, zoned R-3.

The proposal depicts subdividing the parcel into 138 residential building lots, four of which will be flag lots. The plan depicts two entrances: one accessing from Pottery Road and the other accessing from Armstrong Road. Municipal sewers and public water are proposed to service the development with the storm water detention basin located on Lot 75.

The developer stated that the wetlands have been delineated and the stream has been identified as a DEC regulated stream, although he is unsure if it is registered with the Army Corps of Engineers, he has incorporated the required 100' buffer. When asked what the intention for Lot 138 was, he stated that it was a residual piece not for building. The Board asked for it to be labeled "Not a building lot". The plan also identifies an existing 12" gas line, which is located along the eastern property line.

When asked if the development would be built in phases, the applicant indicated that it would be built in four phases over five to six years.

After reviewing the sketch plan, the Board asked the applicant to consider the following:

- Connecting Shetland Place and Big Bend Lane by extending Turkey Run Lane
- merging Lot 54 and Lot 55
- labeling Lot 75 as "not a building lot"

Ms. Wheat motioned to close sketch plan. Mr. Trombetta seconded the motion and it was approved unanimously.

Old Business

Waterbridge Terrace – VanAlstine Rd Preliminary Plat

TP# 019.-01-01.1

John Szczech appeared before the Board to present the preliminary plat for a 36-lot subdivision located on Devoe Road. The property is zoned R-1.

The proposal depicts subdividing the parcel into thirty-six lots, three of which will be flag lots. Municipal sewers and public water are proposed to service the development. One entrance road leading from VanAlstine Road would provide accessibility to the entire subdivision.

Ms. Wheat motioned to set the public hearing for July 23, 2007 at 7:00 pm. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to refer this application to SOCPA. Mr. Logana seconded the motion and it was approved unanimously.

Boylan Development Services Inc. – IHOP Restaurant Site Plan

TP#042.-07-11.1

Joe Boylan representing the IHOP Developer, Hotcakes Camillus Venture, LLC appeared before the Board to present a site plan for the property located at 4002 West

Genesee Street, zoned C-3. The developer is proposing to convert the existing Fresno's restaurant into an IHOP restaurant.

As previously requested by the Board, the applicant has provided the following items for their review:

- Manufacturer's information and specifications of the exhaust fans, inclusive of decibel levels
- Building materials and specifications sample boards inclusive of colors
- Soften the blue on the upper portion of the building
- Reduction of parking spaces
- Addition of two handicapped parking spaces for a minimum of 4 spaces

The Board has determined that the items are sufficient.

Mr. Czerwinski reviewed the existing parking at the proposed IHOP site in relation to the current zoning regulations concerning set backs and buffer strips. Based on his review of the zoning regulations, the buffer strip requirements are more stringent so that is what was applied. Even though the site has split zones, he applied the 25-foot buffer required for a commercially zoned parcel along the entire back line of the property (Section 1002, B). This includes the portion of the property line that runs parallel to both Columbus and Melrose Aves. If this buffer strip is applied to the site, a minimum of 28 existing parking spaces would be eliminated. It would also reduce the driveway behind the existing building to less than 10 feet wide. Based on Mr. Czerwinski's comments, the Board determined that the reduction of parking spaces to increase the buffer area was not a prudent decision.

Councilor Davern reiterated that the neighbors are very appreciative of the consideration of an IHOP restaurant coming to the site.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Mr. Logana made the motion to declare this application an unlisted action under SEQR. Ms. Wheat seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application a negative declaration under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the site plan for the IHOP Restaurant as submitted. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to assess professional fees in the amount of \$285.00. Mr. Trombetta seconded the motion and it was approved unanimously.

Discussion

Malibu Hills Estates

TP#015.-01-12.1 & TP#015.-01-13

Bill Morse and Victor Grozdich appeared before the Board to discuss the Malibu Hills Estates subdivision. In lieu of installing the boulevard entrance at Venus Path, the developer has proposed as a demarcation, lining the street with landscape buffering.

Traffic study revisions have been submitted which were prepared by James Napoleon. After reviewing those revisions, Mr. Czerwinski stated that the report indicates that after reviewing the traffic volume, the intersection located at Bennett Road and Warners Road does not fail. After a brief discussion, Mr. Morse recommended a possible four way stop sign to be located at that intersection.

It was noted that the water district for this development would be the Camillus Consolidated Water District.

The developer has proposed removing the access road from the westerly cul-de-sac located on Malibu Hills Blvd. After an extensive discussion, Mr. Williams stated that from a public safety standpoint, the fire department would have difficulty without the access road. Additionally, it was noted that the length of the cul-de-sac would require a waiver as it exceeds the maximum allowable length, per the Town ordinance. After a brief discussion, Councilor MacRae informed the Board that a public hearing would be conducted in August to eliminate the maximum length of a cul-de-sac and a block.

Mr. Czerwinski stated that the Board has not received comments from the Onondaga County Department of Transportation. He asked if the Board would like him to contact Mr. Stelter to obtain the comments, the Board indicated that they would.

Fairmount Fair Plaza

Mr. Curtin stated that Benderson Development LLC appeared before the Town of Geddes Planning Board in June. The number of claims of right to the area in question is numerous, as it appears that there are competing rights to the parking and thus a vast reduction of the proposal has been recommended due to the amount of parking available. It was noted that there may be a declaration of record that was approved by both the Town of Camillus and the Town of Geddes relative to the use of that parcel. Mr. Curtin stated those restrictions would be outlined in the title report of the property and the Board will need to question Benderson the next time they appear before the Board.

Marshall's

An application for signage has been received for Marshall's Home Stores. Chairman Fatcheric stated that the application is premature, as the elevations for Marshall's have not been received. Chairman Fatcheric asked Mr. Curtin to draft a response to Marshall's indicating the reason why the signage cannot be approved at this time.

Minutes of the Previous Meeting

Mr. Fittipaldi moved to approve the minutes of the meeting of June 25, 2007. Mr. Logana seconded the motion and it was approved unanimously.

Correspondence

A voucher was received from the Post Standard for the legal notice for the Golden Meadows Section V Subdivision public hearing for \$18.98 of which all is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Williams, seconded by Mr. Logana, and approved unanimously.

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of March 2007 for \$2,098.49, \$1,504.74 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Logana, seconded by Mr. Trombetta, and approved unanimously.

Comments of the Attorney

Mr. Curtin had no comments this evening.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Code Enforcement Officer

Mr. Price had no comments this evening.

Comments of the Board Members

Ms. Wheat stated that she would be furthering her Planning Board education, as she will be taking a course offered through Rutgers University.

Mr. Trombetta inquired about the Store America site plan approval. He stated that the clock tower has yet to be erected. Chairman Fatcheric asked the clerk to contact Mr. Price to follow up.

With no further business before the Board, Mr. Logana motioned to adjourn the meeting at 9:51 pm, seconded by Mr. Williams and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
JULY 23, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat
John Williams

Staff Present

Paul Curtin, Esq.
Paul Czerwinski, P.E.

Members of the Public

Diane Dwire, 5th Ward

Approximately 7 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

Public Hearing

Waterbridge Terrace

TP#019.-01-01.1

This public hearing is to consider the subdivision for Waterbridge Terrace. Ms. Wheat motioned to waive the reading of the notification of publication and legal description as advertised for the Waterbridge Terrace Subdivision. Mr. Trombetta seconded the motion and it was approved unanimously.

Developer, John Szczech presented the proposal for the subdivision of a 45± acre parcel of land located between VanAlstine Road and Devoe Road, zoned R-1. The proposal depicts subdividing the parcel into thirty-six one-acre lots, three of which will be flag lots. Municipal sewers and public water are proposed to service the development. One entrance road leading from VanAlstine Road would provide accessibility to the entire subdivision.

When asked who the builders of the development would be, Mr. Szczech indicated his corporation and two other builders.

After an extensive discussion regarding the proposed roadways and drainage, Mr. Czerwinski addressed the Board's comments. He began by stating that the developer would have to design all road profiles to the Town's standards, inclusive of all cross sections and curb detail. The developer would also have to design all drainage systems to meet the Town's standards. Barton & Loguidice, P.E. then reviews and oversees the drainage design and build out of the project infrastructure; the DEC has passed new regulations regarding drainage, which are more stringent as it relates to the storm water design for the closed drainage system and the detention basin. Additionally, the DEC regulates the erosion and sediment control design that will need to be implemented during the course of construction to ensure that the ground has been properly stabilized prior to any work being commenced.

Mr. Curtin stated that the covenants and restrictions that run with the land that are offered by the developer need to include the reference to the presence of the gun club that is proximate to this property. As an engineering study has been undertaken by LJR Engineers, which analyzes the noise levels originating from the gun club at the property line at various points in time. He requested a copy of that study be submitted to the Town Engineer and Planning Board clerk so that it is part of the public record. The applicant agreed to comply with this request.

Todd Kaley of 6077 VanAlstine Road voiced his disappointment that additional curbcuts were not considered along VanAlstine Road as he does not wish to look at the backyards of the proposed homes. He expressed his surprise that the Town is allowing hammerheads within the development as he feels it would be a safety factor. Lastly, he inquired as to the kind of protection he would have as to the drainage, specifically, the amount of run off accumulating on his property.

In response to the drainage concerns, Mr. Szczech indicated that the drainage system would be designed to the Town and DEC standards and would be reviewed by the Town Engineer.

In response to the hammerhead concern, Chairman Fatcheric stated that from a planning perspective, the Board always has required them in order to allow for future development of contiguous lands.

When Mr. Kaley asked about lighting covenants, Mr. Czerwinski indicated that there are lighting guidelines within the Town, which address the recommended types of fixtures and wattage allowed for residential housing developments.

When asked about the sole entrance from VanAlstine Road, Mr. Szczech indicated that eventually, Archstone Way would be extended to Devoe Road, creating a second entrance.

There being no further comments offered by the public, Mr. Flaherty motioned to close the public hearing for the Waterbridge Terrace Subdivision. Mr. Fittipaldi seconded the motion and it was approved unanimously.

New Business

Helen P. Preston – 212 & 214 Parsons Road Lot Line Realignment

TP#064.-01-01.2

Alicia Calagiovanni, Esq. appeared on behalf of her client, Helen P. Preston to present a lot line realignment for the property located at 212 Parsons Road, zoned R-3.

Ms. Calagiovanni stated that in 1988, the Preston's conveyed a triangular piece of land to the adjacent land owner and as there is a new set of owners for that property, are requesting to rectify and finally resolve the prior illegal lot line realignment in order to properly accommodate the adjoining owner's land use.

As there has been a diving board located on that triangular piece of land since 1988, the plan presented depicts conveying that piece of land to the adjacent landowners of 214 Parsons Road. The landowners of 214 Parsons Road have also expressed relocating the chain link fence along the exact property lines, once the lot line realignment has been properly addressed.

After a brief discussion, Mr. Curtin stated that as the property owners of 214 Parsons Road are proposing to relocate the fence to conform to the lot line in order to eliminate any claims of property rights. The Board inquired that if the pool was classified as a structure, the new property line may not conform to the setback requirements required by the Town. However, the Board expressed that they are prepared to approve the lot line realignment and if necessary recommend a positive treatment to the ZBA for the granting of a variance, as it is a pre-existing condition that was not a self created hardship by the applicant due to the turnover in ownership. Doing so would allow both properties would wholly conform and comply with the Town's regulations.

Ms. Calagiovanni was instructed to contact Mr. Price, the Code Enforcement Officer to determine if a variance would be required.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Trombetta made the motion to declare this application an unlisted action under SEQR. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application a negative declaration under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the lot line realignment for Helen P. Preston located at 212 and 214 Parsons Road as submitted on the actual survey dated August 31, 1987 prepared by P.M. Silvagiols conditioned upon the Planning Board attorney advising the ZBA, if required, that the Planning Board recommends the variance be positively reviewed. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Thompson's Landing Sketch Plan Review

TP#019-02-10

Developer, John Szczech presented the proposal for the subdivision of a 16± acre parcel of land located on the corner of Thompson Road and Warners Road, zoned R-3.

The applicant is proposing to subdivide the parcel into 32 residential building lots. The plan depicts two (2) entrances, both located on Thompson Road. The proposed road will be a horseshoe shape, encompassing the entire development, while curb cuts along Thompson Road will service Lots 20, 21, and 22. Municipal sewers and public water are proposed to service the development.

As the developer is aware of the close proximity of the property to Nine Mile Creek, and in an effort to increase the buffer area, he has offered to convey a portion of land

adjacent to the parcel owned by OCWA to the Town of Camillus. The Town has considered accepting the property.

Ms. Wheat motioned to close sketch plan. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Curtin advised the applicant to apply for the minor two-lot subdivision in order to convey the parcel to the Town.

Old Business

Golden Meadows Section V Preliminary Plat

TP#010.1-03-29

Developer, John Szczech presented the proposal for the subdivision of a 14± acre parcel of land located on the corner of Winchell Road and VanBuren Road, zoned R-3.

The proposal depicts subdividing the parcel into two building lots, one being 2.00± acres and the other 4± acres, which will be serviced by public water and gas and private septic systems. The remaining lands would be deeded to the current contiguous property owners along Armstrong Road and be merged with their existing parcels. None would become new building lots. Access to the two new building lots would be from Winchell Road.

The Board has received recommendations from SOCPA indicating the following modifications to the proposed action be made prior to local board approval:

- No access shall be permitted to VanBuren Road from proposed Lot 132 as per the Onondaga County Department of Transportation.
- Proposed Lots 132 and 133 shall be allowed a single driveway each on Winchell Road, which must be consolidated to meet the requirements of the Onondaga County Department of Transportation.
- The final plan must show proposed Lots A through J merged with the adjacent parcels as proposed to avoid the appearance of landlocked parcels.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application a negative declaration under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the preliminary plat of the Golden Meadows Section V subdivision, part of military lot 56, dated June 14, 2007 as prepared by Survey Systems. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the final plat of the Golden Meadows Section V subdivision, part of military lot 56, dated June 14, 2007 as prepared by Survey Systems contingent upon those remaining lands to be merged into the contiguous lots and

labeled as "Not a building lot". Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat motioned to assess parkland fees for two lots in the amount of \$400.00. Mr. Trombetta seconded the motion and it was approved unanimously.

Discussion

Chairman Fatcheric stated that the Planning Board has been requested to attend the Town of Geddes Planning Board meeting scheduled for Wednesday July 25, 2007 to discuss the Fairmount Fair Plaza.

Minutes of the Previous Meeting

Mr. Voss moved to approve the minutes of the meeting of July 9, 2007. Mr. Logana seconded the motion and it was approved unanimously.

Correspondence

A copy of a letter from Mr. Curtin to Mr. Szczech indicating that the Ryan Estates subdivision was not approved as submitted was received.

An email from SOCPA to the Onondaga County Planning Federation members was received. In that email, they requested that each local Planning Board and Zoning Board of Appeals provide a single vote, by responding to this message, to approve the following nominating:

- John Fatcheric, Planning Board Chairman, Town of Camillus
- Kevin Gilligan, Attorney for the Towns of Geddes, LaFayette, and Onondaga and the Villages of Solvay and Tully
- Walter Lepkowski, Planning Board Chairman, Town of Clay
- Doug Morris, Vice Chairman, Onondaga County Planning Board
- Dick Robb, Commissioner of Development and Operations, Town of DeWitt
- David Tessier, Director of Planning and Development, Town of Manlius, and Immediate Past President of the NYS Planning Federation
- Phil Tierney, Supervisor, Town of Skaneateles

Mr. Fittipaldi motioned to approve the recommendation as stated. Mr. Voss seconded the motion and it was approved unanimously.

A voucher was received from the Post Standard for the legal notice for the Waterbridge Terrace Subdivision public hearing for \$18.98 of which all is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Williams, seconded by Mr. Logana, and approved unanimously.

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of June 2007 for \$1,818.74, \$848.35 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Logana, seconded by Mr. Trombetta, and approved unanimously.

A voucher was received from Dell Financial Services for the monthly rental of the notebook and projector for \$79.84. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Flaherty, and approved unanimously.

Comments of the Attorney

Mr. Curtin inquired as to the status of the Cameron Group's application. Mr. Eldred was in the audience and responded that they intend to begin the application process within the next few months, starting with the zone change.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Board Members

Mr. Williams commented that McNamara's Pub, located in the village has inquired into renovating the building to create a banquet facility by removing the bowling alley.

Mr. Flaherty inquired about the landscaping agreement with Camillus Commons due to the Bank of America entrance looking less than acceptable.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 8:14 pm, seconded by Mr. Logana and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
AUGUST 13, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Lynda Wheat
John Williams

Not Present

Martin Voss

Staff Present

Paul Czerwinski, P.E.
Dirk J. Oudemool, Esq.
Tom Price, CEO

Members of the Public

Bob Feyl, ZBA Chairman
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor

Approximately 7 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Home Depot
Site Plan**

TP#017.-04-02.0

Ms. Wolf-Price appeared on behalf of Home Depot to present an amended site plan for the Home Depot site located at the corner of Milton Avenue and Hinsdale Road, zoned CP.

The applicant has proposed to amend the site plan to include two additional outside storage areas for (a) landscape (mulch) material storage and (b) an area for storage of rental trailers. The plan depicts converting a total of 18 parking spaces; 13 parking spaces along the east side of the garden center and 5 parking spaces along the far west side of the parking lot. The conversion would leave the site with 499 parking spaces. The square footage of the building is 132,003.

When asked the start and end date of the landscape (mulch) storage, the applicant indicated it would be during peak season as it would not be year round. When asked the height of the staking of mulch, the applicant indicated it would be a maximum of two (2) pallets tall, not exceeding 6 feet. When asked the type of trailer, the response was a landscape type trailer, relatively low to the ground. When asked how many, the applicant indicated there would be three (3) trailers. In order for the trailers to not affect the line of site while entering/exiting the site, the Board requested the applicant relocate the trailers farther north within the auxiliary parking area.

The Board requested the applicant review the rear screening of the property and provide landscaping that would soften the back of the building and create some architectural detail. After a brief discussion, Chairman Fatcheric stated that the rear buffering was a condition of the 2001 amended site plan and as it was never accomplished; the Board's position would be that it would have to be done. The applicant stated that Home Depot would need to follow up with the State for the approval to install rear buffering, due to the property being in close proximity to the 695 onramp.

After an extensive discussion, the applicant was requested to submit the following to the Board for its review:

- Photos of the trailers
- Dimensions of the trailers
- Detail regarding how the trailers are secured
- Detailed landscaping plan for the rear buffer screening of the site

Mr. Flaherty instructed the applicant to correct the map, as the property is located in Onondaga County.

Mr. Price addressed the reason why Home Depot appeared before the Board. As Home Depot has exceeded their outdoor storage and use, beyond what has previously been approved, he has done some enforcement action and notified them that if they would like to utilize the space they would need to obtain the proper approvals.

**Yager, Mary Jane
Sketch Plan**

TP# 010.-02-36.1

Mike Maltby, surveyor representing Mary Jane Yager appeared before the Board to present a sketch plan for subdivision of a 9.5± acre parcel located on VanBuren Road, zoned RR.

As there are two residential houses located on the parcel, the applicant is proposing to subdivide the property into two lots, Lot 1 being 3.884± acres and Lot 2 being 4.790± acres, accessible from one single driveway located from VanBuren Road. As the Board reviewed the sketch plan, they noted Lot 1 would be a non-conforming lot due to the road frontage as the property is zoned RR, current regulations state there is a minimum of 200'. The Board also inquired as to the status of the 0.785± acre parcel located behind the Helmer property. The applicant indicated those lands would be conveyed to the Helmer's.

Mr. Oudemool commented that the 0.785± acre parcel would need to be included in this application. He also stated that the driveways could be shared as long as the property owner's enter into a legally recorded shared driveway agreement. Although the parcels could be serviced by the shared driveway, the applicant was instructed to obtain a letter from the County DOT for Lot 1's curb cut.

After a brief discussion, Mr. Oudemool requested to review the conveyance of the land to Jamie L. Rinaldi as he had questions regarding the transfer.

**Syracuse SMSA Limited d/b/a Verizon Wireless
Referral from ZBA**

TP#015.-01-07.1

The applicant failed to appear.

Old Business

**SMSA Limited Partnership d/b/a Verizon Wireless
Site Plan**

TP#005.-03-07.1

The applicant failed to appear.

**Country Creek Estates
Final Plat**

TP#010.-02-13.1

John Szczech appeared before the Board to present the final plat for the Country Creek Estates subdivision. The applicant has proposed subdividing the 28.521± acre parcel of land located on Winchell Road into 40 residential lots. The property is zoned R-2.

The applicant stated that all utilities have been installed and the blacktopping of the roads has been scheduled to be completed within the next few weeks.

Mr. Oudemool commented that Mr. Curtin has requested a final review of the Declaration of Protective Covenants and Restrictions for the Country Creek Estates subdivision as he has proposed changes to be made.

Ms. Wheat made the motion to approve the Country Creek Estates Subdivision final plat as shown on the maps drawn by Survey Systems, dated July 2, 1007, subject to legal review of the Declaration of Protective Covenants and Restrictions for the Country Creek Estates subdivision and subdivision security agreements. Mr. Flaherty seconded the motion and it was approved unanimously.

Mr. Logana motioned to assess Parkland Fees for forty (40) lots in the amount of \$200.00 per lot for a total of \$8,000.00 for the Country Creek Estates Subdivision. Ms. Wheat seconded the motion and it was approved unanimously.

**Waterbridge Terrace – VanAlstine Rd
Preliminary Plat**

TP# 019.-01-01.1

John Szczech appeared before the Board to present the preliminary plat for a 36-lot subdivision located on Devoe Road. The property is zoned R-1.

The proposal depicts subdividing the parcel into thirty-six lots, three (3) of which will be flag lots. Municipal sewers and public water are proposed to service the development. One entrance road leading from VanAlstine Road would provide accessibility to the entire subdivision.

Chairman Fatcheric indicated that all comments received from the Onondaga County Planning Board have been addressed.

After a review of the full environmental assessment form, Mr. Trombetta motioned to declare this application a TYPE 1 Action under SEQR, Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat motioned to declare that this application receive a negative declaration under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

As requested by the Board, the applicant has formally submitted the Waterbridge Terrace Subdivision noise study conducted by LJR Engineering P.C.

Ms. Wheat motioned to approve the preliminary plat of the Waterbridge Terrace subdivision. Mr. Trombetta seconded the motion and it was approved unanimously.

**Hinsdale Plaza Phase III
Site Plan**

TP#017.-04-48.3

Sue Marja representing the Widewaters Group and Randy Bebob representing FRA appeared before the Board to present a site plan for the expansion of the Hinsdale Road Plaza, to be considered the third and final phase of the Home Depot site. The property is zoned C-3.

The plan presented depicts erecting three (3) additional storefronts along the existing in-line strip plaza and one out-parcel building. The addition would add approximately 7,400 sq. ft. to the retail strip center and the out parcel would be approximately 11,890 sq. ft., comprised of two retail tenants, being 7,550 sq. ft. and 1,110 sq. ft., and one restaurant being the remaining 3,230 sq. ft. The parking has been reconfigured to accommodate 161 parking spaces, six being handicapped. Mr. Price requested the applicant revisit the number of handicapped parking spaces proposed for the site.

Mr. Fittipaldi commented that issues and concerns regarding the traffic exiting onto Milton Avenue from the site and the potential for problems were previously addressed at the November 24, 1997 Planning Board meeting during the review of the Long Environmental Assessment Form, Section (c) Traffic. During that review the minutes reflect that "a traffic signal on Milton Avenue at the new rail crossing private drive for this site, which driveway would be aligned with one of the driveways accessing the ALDI's site, may be required in the future. State and County DOT and the Finger Lakes Railway Corporation all agree that such a traffic signal is not presently warranted nor required for public safety. In the event that such a traffic signal is warranted or required for public safety in the future, it is contemplated that Finger Lakes Railway Corporation as a condition of its at grade crossing permit, the County of Onondaga as a condition of its driveway permit and this Board as a condition of its site plan approval, will each require the installation of such a traffic signal at such a future time". Additionally, the minutes of the public hearing of November 24, 1997, Mr. Marzocchi stated that "So the key thing to remember here is that the policeman with the biggest stick right now is Finger Lakes Railway. We have the most at stake here. And they are requiring us, as a condition to our contract, and I believe Mr. Oudemool has a letter of Michael Smith of the railroad that states that we are to design, construct, and maintain that driveway according to industry standards acceptable to the railroad, taking into account not only current conditions but potential rail and future conditions. So I stand here this evening

willing to commit that in the event there are changes on this rail that require modifications to the safety equipment, included but not limited to a traffic signal, that we will make whatever necessary change are agreed upon between the county, the state, if need be of they're involved, and the railroad.”. Mr. Fittipaldi stated that the final approval dated December 8, 1997, granted by the Planning Board reiterated those conditions. Mr. Flaherty commented that the issue with the traffic cannot be forgotten.

Chairman Fatcheric commented that as this is a sensitive area, highly visible from Route 690, the Board is trying to accomplish a more aesthetically pleasing, softer look to the entire plaza by providing landscaping.

After an extensive discussion, the Board reiterated that there were numerous traffic and public safety issues associated with this application, specifically the entrance/exit(s) of the site.

Mr. Czerwinski commented that the outparcel on the east end of the site as the internal traffic flows better.

Mr. Oudemool recommended the Board require a traffic study. He also notified the applicant that as the Town has implemented MS4 regulations and in conjunction with the approval of this site, the following would be required:

1. A stormwater system management agreement
2. Covenants that run with the land, which specify the maintenance, sequencing and inspections schedule specified by the Town Engineer relating to the stormwater system management.

**Pioneer Farms Section 7E
Final Plat**

TP#028.1-01-21.1

Ray Luber of Hazelwood Development Corporation appeared before the Board to present the final plat for the Pioneer Farms Section 7E subdivision, which consists of 5 lots, Lots 11, 12, 13, 24, and 25. The applicant stated that all utilities have been installed.

Ms. Wheat motioned to approve the final subdivision of the Pioneer Farms Section 7E subdivision as shown on the maps drawn by Christopherson Land Surveying, subject to the fully executed subdivision security agreement. Mr. Williams seconded the motion and it was approved unanimously.

After a brief discussion, the applicant questioned the assessment of Parkland Fees, as no fees have been required of any prior section. Mr. Oudemool stated that he would review past practices relative to Parkland Fees for the Pioneer Farms subdivision.

**Malibu Hills Estates
Preliminary Plat**

TP#015.-01-12.1 & TP#015.-01-13.0

Bill Morse of W-M Engineers and Victor Grozdich, developer appeared before the Board to present a preliminary plat application for the Malibu Hills Estates subdivision.

The proposal depicts subdividing the parcel into seventy-three (73) units, comprised of forty-two (42) duplexes and thirty-one single-family homes. Municipal sewers and public water are proposed to service the development. The developer has proposed installing a boulevard entrance at Belle Isle Road and in lieu of installing the boulevard entrance at Venus Path; the developer has proposed to rotate the first two houses to face Venus Path, creating an entrance that is consistent with Starlight Estates. When asked if the developer would be installing a monument at the Venus Path entrance, he stated that they are in the process of addressing the issue.

As requested by the Board, the developer has connected the private drive between Venus Path and Malibu Hills Estates. They have also widened all private drives to 26 feet. Mr. Morse stated that all private drives would be given names for demarcation purposes.

Mr. Morse stated that the setbacks for the subdivision are as follows:

- Front Yard – 25'
- Rear Yard – 30'
- Side Yard – Duplex – 20' between adjacent units with 95' lot widths
Single Family – 15' between units and 75' lot widths

Mr. Oudemool stated for the record that landscaping buffering would need to be erected on the property line located adjacent to Starlight Estate, north of Pegasus Circle.

Ms. Wheat motioned to allow implementation of Town Law §278 which would allow cluster development for Malibu Hills Estates. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Williams motioned to waive the length of the cul de sac 200'. Ms. Wheat seconded the motion and it was approved unanimously.

Mr. Fittipaldi motioned to approve the preliminary plat of the Malibu Hills Estates subdivision conditioned upon a landscaping buffer be erected on the property line adjacent to Starlight Estate, north of Pegasus Circle and addressing the entrance located at Venus Path. Mr. Trombetta seconded the motion and it was approved unanimously.

Discussion

Frank's Franks (Home Depot)

TP#017.-04-48.2

As the business commenced on July 31, 2007, no issues have been witnessed. Mr. Price commented that the owner approached him to request moving the hot dog cart to the center door for the entire day, and no longer moving it midway through the day. Chairman Fatcheric stated that it is his position that the Code Enforcement Officer could address this issue.

Onondaga County Planning Federation

Chairman Fatcheric requested those Board members interested in attending the Fall 2007 Municipal Training Program submit their reservation request to the clerk this evening as there is a limited number of spaces available.

Minutes of the Previous Meeting

Ms. Wheat moved to approve the minutes of the meeting of July 23, 2007. Mr. Logana seconded the motion and it was approved unanimously.

Correspondence

A voucher was received from Hummel's Office Plus for office supplies for \$14.28. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from the Onondaga County Planning Federation for attendance at the 2007 Training Conference on September 25, 2007 for \$315.00. Motion to approve payment was made by Mr. Williams, seconded by Mr. Flaherty, and approved unanimously.

Comments of the Attorney

Mr. Oudemool stated that Karen Kitney of the Onondaga County Planning Board has asked him to speak at the January 2008 Onondaga County Planning Federation Conference.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Public Officials

Chairman Feyl asked if Syracuse SMSA Limited d/b/a Verizon Wireless was informed that they were on the agenda. He was advised that Jared Lusk, Esq., contacted the clerk advising that he may be late as he had a meeting with another town.

Councilor Pisarek commented that he was in favor of the additional screening of trees to be placed behind Home Depot and the adjacent strip plaza.

Comments of the Board Members

Ms. Wheat stated that she would not be attending the Onondaga County Planning Federation's fall training, as she will be out of town the last two weeks of September.

With no further business before the Board, Mr. Fittipaldi motioned to adjourn the meeting at 8:42 p.m., seconded by Mr. Flaherty and unanimously approved.

Respectfully submitted,
Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
AUGUST 27, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Lynda Wheat
John Williams

Not Present

Martin Voss

Staff Present

Paul J. Curtin Jr. Esq..
Michael Discenza, Esq.
Paul Legnetto

Members of the Public

Bill Davern, 3rd Ward Councilor
Bob Feyl, ZBA Chairman
Joy Flood, ZBA Vice-Chair
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor

Approximately 7 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Township 5 - Hinsdale Road Project
Referral from Town Board Zone Change**

The Town Board has referred this application for the consideration to change the zoning on 68± acres located on multiple parcels between Hinsdale Road and Bennett Road from Industrial and R-3 to PUD. If the zone change were granted, it would allow for the creation of a “lifestyle center”, which would include commercial, residential, hotel, theater, restaurant, and professional office facilities with parking.

Kevin Eldred of Cameron LLC and Greg Sgromo, Engineer appeared before the Board to present a conceptual site plan for the “lifestyle center”. When asked what a lifestyle center was, Mr. Eldred stated that the concept is to create a community within a community, allowing individuals to live, work and shop in the same area. Wikipedia defines a lifestyle center as “a [shopping center](#) or mixed-used commercial development that combines the traditional retail functions of a [shopping mall](#) but with [leisure amenities](#) oriented towards upscale consumers”.

After a brief discussion, Chairman Fatcheric advised the applicant that the Board would reserve their recommendation until the meeting of September 10, 2007 to allow adequate time to review the materials provided.

**Bed Bath & Beyond - Fairmount Fair Plaza
Site Plan**

TP# 048.-01-02 & 048.-01-01.1

Bob Trybulski of Benderson Development Company, LLC appeared before the Board to present a site plan for the proposed changes in the façade for the new Bed, Bath & Beyond retail store located within the Fairmount Fair Plaza. The property is zoned CP.

The proposal depicts the Bed, Bath & Beyond being located on the far west end of the plaza, occupying 19,984 sq. ft. of the vacant 76,000± sq. ft. storefront. The applicant stated that the only one entrance to the store would be located on the front, facing West Genesee Street. As Bed, Bath & Beyond requires one truck dock and one compactor to be located next to each other, the site plan depicts erecting a “dog house” extension, measuring approximately 17’ x 14’ on the rear of the building to accommodate the Tenant. When asked, Mr. Trybulski stated that they have evaluated the truck turning radiuses and the “dog house” does not affect any of the current accessibility for the new road behind the plaza. When asked if the “dog house” would interfere with fire safety or inhibit any driving lanes around the building, the applicant indicated it would not. After an extensive discussion, the engineer requested a larger scaled site plan to determine if there is an acceptable truck-turning radius for the westerly rear corner of the site.

The Board requested Mr. Trybulski to submit the proposed elevations to Carlie Hanson of QPK Design for her review and recommendations.

**Syracuse SMSA Limited d/b/a Verizon Wireless
Referral from ZBA**

TP#015.-01-07.1

Robert Berker, Esq. representing SMSA Limited Partnership d/b/a Verizon Wireless appeared before the Board to present a site plan for property located on Belle Isle Road zoned R-2.

The proposal depicts a plan to construct a 145-foot monopole, telecommunication tower on the property owned by Duke Plumbing. The purpose for the monopole, telecommunication tower is for Verizon Wireless to address the current gap in service as calls are being dropped in the area due to excessive usage on the towers, indicating a need for additional coverage.

Mr. Berker stated that some objections to the proposed site have been noted due to the proposed adjacent subdivision. He indicated that Verizon Wirelesses objective is to provide coverage to the area and is open to the relocation of the proposed cell tower site as their objective is to find a site that covers that cell coverage in a reasonable fashion without unreasonable costs associated with it. Verizon Wireless is open to reviewing alternative sites, including the “Sprint” tower location. The applicant indicated that they have previously reviewed the “Sprint” tower and although the site works with the coverage location, the tower itself is inadequate for their needs. The applicant stated that they would be open to leasing land from the Town to erect another facility adjacent to the existing tower.

Chairman Fatcheric stated that the proposal presented by the applicant would be a Town Board action. The application currently before the Planning Board is for the

property owned by Duke Plumbing and due to the photos submitted showing the computer-enhanced tower, the informal comments of the Board indicate that the Starlight Estates Subdivision and the new Malibu Hills Estates Subdivision would be negatively impacted and a positive referral back to the ZBA would not be made.

Chairman Fatcheric stated that the Board could not make a recommendation based on the alternate proposed location(s), as there is not a formal application before the Board.

The applicant stated they are hearing negative feedback with regard to the location of this site and although typically would withdraw this application, they would like to simultaneously apply for the alternative site in order to present both applications, at which time, the Town could determine which location to erect the tower.

Chairman Feyl stated that he has not been legally informed or formally informed by the Town Board that they oppose the location of the tower located on the Duke's property. A Public Hearing has been scheduled for September 18, 2007, and unless the ZBA is formally notified by the Town Board of their findings and/or the Planning Board formally rejects the Duke's Plumbing site and/or the application is withdrawn and a new application is filed the application will be on the ZBA agenda for that evening. Therefore, Chairman Feyl requested a formal response from Verizon to table the Duke Property application.

The applicant stated they would speak to the Town Board and submit a formal proposal for the "Sprint" tower. They would also send a formal request to the ZBA to table their current application.

Old Business

SMSA Limited Partnership d/b/a Verizon Wireless Site Plan

TP#005.-03-07.1

Robert Berker, Esq. representing SMSA Limited Partnership d/b/a Verizon Wireless appeared before the Board to present a site plan for property located on Newport Road, zoned Industrial, and R-3.

The applicant has submitted the following items and revisions as previously requested by the Board:

- Details of the front gate entrance
- Removal of the barbed wire located on the fence
- Warning signs to be multilingual in English and Spanish
- County DOT approval of the curb cut

Chairman Fatcheric stated the recommendation from the Onondaga Planning Board has been received and they determined that said referral will have no significant adverse inter-community of county- wide implications and may consequently be acted on solely by the referring board.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application subject to a negative declaration under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the site plan for the SMSA Limited Partnership d/b/a Verizon Wireless Project #2006184735 Warners Newport Road/13164 as shown on the map dated June 13, 2007, last revised July 28, 2007, as prepared by Costich Engineering. Mr. Williams seconded the motion and it was approved unanimously.

Ms. Wheat motioned to assess professional fees for \$500.00 for this application. Mr. Williams seconded the motion and it was unanimously approved.

Discussion

Chairman Fatcheric stated that a conflict was found and the meeting scheduled for November 12, 2007 would be changed to Wednesday November 14, 2007, in observance of Veteran's Day.

Minutes of the Previous Meeting

Mr. Flaherty moved to approve the minutes of the meeting of August 13, 2007. Mr. Logana seconded the motion and it was approved unanimously.

Correspondence

A voucher was received from Hummel's Office Plus for office supplies for \$13.45. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of July 2007 for \$1,755.13, \$626.5 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Logana, seconded by Mr. Trombetta, and approved unanimously.

A voucher was received from Dell Financial Services for the monthly rental of the notebook and projector for \$79.84. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from Barton & Logudice, PC for the services performed for the month of July 2007 for \$12,746.68, \$12,496.68 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Williams, and approved unanimously.

Comments of the Attorney

Mr. Discenza had no comments this evening.

Comments of the Engineer

Mr. Legnetto had no comments this evening.

Comments of the Board Members

The Board had no comments this evening.

With no further business before the Board, Mr. Fittipaldi motioned to adjourn the meeting at 8:42 p.m., seconded by Mr. Flaherty and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
SEPTEMBER 10, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Lynda Wheat
John Williams
Martin Voss

Staff Present

Paul Czerwinski, P.E.
Michael Discenza, Esq.

Members of the Public

Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor

Approximately 4 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Medical Center West
Site Plan**

TP#020.-05-01.1

Louis Fournier of Sutton Real Estate appeared before the Board on behalf of Medical Center West, LLC to present a site plan for the property located at 5700 West Genesee Street, zoned POD.

The applicant has proposed to erect a 10' x 30' (300') addition to the north elevation of the Medical Center West building near a doorway. The purpose for this addition is to create a MRI equipment room adjacent to the existing MRI Suite located in the lower level of the building, accessible from the interior only. As the addition encroaches onto the existing sidewalk, the Board inquired if any parking would be affected, to which the applicant replied none would. In an effort to blend with the existing structure, the applicant has proposed the addition to be constructed of brick.

After a brief discussion, the Board inquired if the applicant could eliminate the sidewalk area to the southwest of the addition. The applicant agreed with the elimination of the sidewalk and offered to landscape the area.

Mr. Fittipaldi made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Ms. Wheat seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Voss made the motion to declare this application subject to a negative declaration under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Ms. Wheat motioned to approve the site plan for the Med West-MRI Equipment Room, as shown on the map dated August 24, 2007, as prepared by Harmony Design Group Architecture-Planning conditioned upon the removal of the sidewalk area located adjacent to the addition and the addition of landscaping the area. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Old Business

Home Depot Site Plan

TP#017.-04-48.2

Kimberly Wolf-Price, Esq. and store manager, Crystal Sabatini appeared on behalf of Home Depot to present an amended site plan for the Home Depot site located at the corner of Milton Avenue and Hinsdale Road, zoned CP.

The applicant has proposed to amend the site plan to include two additional outside storage areas for (a) landscape (mulch) material storage and (b) a display area for trailers available for sale. The plan depicts converting a total of 18 parking spaces; 13 parking spaces along the east side of the garden center and 5 parking spaces along the far west side of the parking lot. The conversion would leave the site with 499 parking spaces. The square footage of the building is 132,003.

When asked the start and end date of the landscape (mulch) storage, the applicant indicated it would be during peak season as it would not be year round. When asked the height of the staking of mulch, the applicant indicated it would be a maximum of two (2) pallets tall, not exceeding 6 feet. Ms. Wolf-Price clarified that there would be five trailers displayed for sale along the west side of the site; the types being low to the ground landscape trailers and white covered contractor trailers, secured by cable wire and pad locks. As requested by the Board, the applicant has relocated the proposed location of the trailers farther north within the auxiliary parking area.

As previously requested, the applicant provided a detailed landscaping plan prepared by Greenberg Farrow, which details planting sixty (60) white pine trees along the rear property line being and five red maple trees long Hinsdale Road. After a brief discussion, Mr. Trombetta and Ms. Wheat questioned whether white pine trees were the most desirable species of tree to be planted and requested the landscape architect to review the plan and make any necessary changes and/or comments.

Mr. Williams requested the applicant maintain the 24 ft. fire lane for public safety.

Mr. Flaherty made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Trombetta made the motion to declare this application an unlisted action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Flaherty made the motion to declare this application subject to a negative declaration under SEQR. Ms. Wheat seconded the motion and it was approved unanimously.

Mr. Trombetta motioned to approve the amended site plan for the Home Depot outdoor display and storage areas, Project No. 20070313.2, as shown on the map dated July 9, 2007, last revised August 30, 2007, as prepared by Greenberg Farrow conditioned upon the Landscaped Architects review of the species of tree. Ms. Wheat seconded the motion and it was approved unanimously.

Bed Bath & Beyond - Fairmount Fair Plaza Site Plan

TP# 048.-01-02 & 048.-01-01.1

Bob Trybulski of Benderson Development Company, LLC appeared before the Board to present a site plan for the proposed changes in the façade for the new Bed, Bath & Beyond retail store located within the Fairmount Fair Plaza. The property is zoned CP.

The proposal depicts the Bed, Bath & Beyond being located on the far west end of the plaza, occupying 19,984 sq. ft. of the vacant 76,000± sq. ft. storefront. The applicant stated that the only one entrance to the store would be located on the front, facing West Genesee Street. As Bed, Bath & Beyond requires one truck dock and one compactor to be located next to each other, the site plan depicts erecting a “dog house” extension, measuring approximately 17’ x 14’ on the rear of the building to accommodate the Tenant. When asked, Mr. Trybulski stated that they have evaluated the truck turning radiuses and the “dog house” does not affect any of the current accessibility for the new road behind the plaza. Mr. Czerwinski stated that he has reviewed the truck traffic circulation plan and found it to be acceptable.

As requested, Mr. Trybulski submitted the proposed elevations to Carlie Hanson of QPK Design for her review and recommendations. Based on that review, Ms. Hanson offered the following comments relative to the Bed Bath and Beyond site:

- Provide light fixture cuts for all light fixtures
- Provide actual sample board for review and approval
- Bed Bath and Beyond storefront appears very tall with the scale of adjacent architecture. Suggest lowering storefront head and associated sign band.
- White EIFS band with recessed squares does not appear to relate to rest of façade. Review proportions and colors.
- If recessed squares are retained – consider extending theme on horizontal band along side elevation.
- Verify all rooftop units will be concealed.
- Pre-finish coping color called out as bone white-above Manor White EIFS – Consider using a darker finish on the metal to better coordinate with EIFS.
- Black Tile behind sign area proportions to be reviewed. Consider extending full width of fascia between pilasters – similar to side
- Clarify height of sidewalk curb in relation to drive aisle
- Identify material finishes on all elevations

The applicant stated that the reason for the Bed Bath and Beyond storefront appearing very tall with the scale of adjacent architecture is due to the existing peak on the building. After a brief discussion, the Board agreed not to compromise the integrity of the structure, the storefront should not be lowered due to the existing peak.

Mr. Trybulski indicated that he has provided the Fairmount Fire Department with a copy of the site plan and is awaiting their comments and/or concerns.

Mr. Voss clarified that any approvals for the signage would need to be through a separate application. The applicant inquired if the Board would consider approving signage, which has more square footage than what is used on the remaining plaza storefronts. Chairman Fatcheric directed the applicant submit the information to Ms. Hanson for her comments and/or recommendations.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Ms. Wheat made the motion to declare this application subject to a negative declaration under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Trombetta motioned to approve the site plan for Bed Bath and Beyond located in the Fairmount Fair Plaza, as conditioned upon the comments prepared by Carlie Hanson of QPK Design dated September 7, 2007, excluding the comment that stated that "Bed Bath and Beyond storefront appears very tall with the scale of adjacent architecture. Suggest lowering storefront head and associated sign band". Ms. Wheat seconded the motion and it was approved unanimously.

Ms. Wheat motioned to assess professional fees for the Bed, Bath and Beyond site plan application in the amount of \$950.00. Mr. Trombetta seconded the motion and it was approved unanimously.

Township 5 - Hinsdale Road Project Referral from Town Board Zone Change

The Town Board has referred this application for the consideration to change the zoning on 68± acres located on multiple parcels between Hinsdale Road and Bennett Road from Industrial and R-3 to PUD. If the zone change were granted, it would allow for the creation of a "lifestyle center", which would include commercial, residential, hotel, theater, restaurant, and professional office facilities with parking.

Chairman Fatcheric advised the applicant that the Board would reserve their recommendation until the meeting of September 24, 2007. He explained that this would give the Board the opportunity to hear any pertinent comments raised at the informational meeting scheduled for September 12, 2007.

Minutes of the Previous Meeting

Mr. Flaherty moved to approve the minutes of the meeting of August 27, 2007. Mr. Logana seconded the motion and it was approved unanimously.

Correspondence

A voucher was received from Rutgers University Bloustein Online Continuing Education for an online course to be taken by Lynda Wheat for \$270.00. Motion to approve payment was made by Mr. Trombetta, seconded by Mr. Fittipaldi, and approved unanimously.

A voucher was received from the New York State Planning Federation for one-day registration for John Trombetta to attend the conference for \$85.00. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Logana, and approved unanimously.

Comments of the Attorney

Mr. Discenza had no comments this evening.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Board Members

Mr. Flaherty inquired when the Camillus Commons would make the requested improvements. Mr. Czerwinski stated that a meeting had taken place recently in which all outstanding items were discussed.

Mr. Fittipaldi raised concerns regarding the southeast corner of the Bonton building as there are dumpsters hindering sight distance.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 8:30 p.m., seconded by Mr. Logana and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
SEPTEMBER 24, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
John Williams
Martin Voss

Not Present

Lynda Wheat

Staff Present

Paul J. Curtin, Esq.
Paul Legnetto

Members of the Public

Dave Callahan, 6th Ward Councilor
Joy Flood, ZBA Vice Chair
Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor

Approximately 6 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Entrée Vous
Site Plan**

TP# 047.-04-15

Susan Kasson and Lynn Harrington, co-owners of the Entrée Vous franchise appeared before the Board to present a site plan for a meal assembly/meal preparation facility located at 3600 West Genesee Street, zoned C-2.

The plan depicts painting the exterior of the building and existing sign post an "only natural" color and replacing the existing garage door on the east side of the building with double doors. All existing lighting would remain. Eleven (11) parking spaces are shown on the plan, one identified as handicapped.

When asked to explain the nature of the business, the applicants stated that Entrée Vous is a "make, take & bake" meal assembly service catering to today's active families, professionals and empty nesters that want the luxury of a home cooked meal without all the time and expense it takes to create one. Guests visit the Entrée Vous Meal Assembly web site and select entrees; once a session is selected, they would come to the facility to assemble their meal choice. This facility can accommodate up to twelve (12) guests at twelve (12) workstations.

When asked about the hours of operation, Ms. Harrington offered that Entrée Vous would be open Wednesday – Friday from 9:00 am – 9:00 pm, Saturday 9:00 am – 1:00 pm and Monday and Tuesday for pick-up and deliveries only. As they have contracted with Sysco Foods, deliveries will be received Monday afternoons. When asked the type of truck, Ms. Harrington indicated it would most likely be refrigerated and an 18-wheeler.

When asked the number of employees, Ms. Harrington stated that there would be two (2) employees at any given time. Employees would park off site behind the adjacent strip center owned by the same landlord. After a brief discussion, the Board inquired if there is adequate parking available. Mr. Curtin advised the Board that the site offers adequate parking, as the use is food preparation.

When asked of snow removal, the applicants indicated that they would most likely contract with the firm Mr. Ragan (the landlord) uses.

When asked of signage, Ms. Harrington advised that they have not determined the exact signage as they are still receiving quotes, but offered that they are proposing two (2) signs: one placed on the front soffit being channel lit and the other placed on the existing front sign pole. As no specifications were available, the Board advised that once they were available, have the Code Enforcement Officer review them to verify that they do not exceed the allowable size.

Mr. Curtin stated that the use is consistent with the current zoning. The applicants are only changing color of the exterior elevations and they are not modifying the existing curb cut or structure.

Mr. Flaherty made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Williams made the motion to declare this application an unlisted action under SEQR. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Flaherty made the motion to declare this application subject to a negative declaration under SEQR. Mr. Williams seconded the motion and it was approved unanimously.

Mr. Trombetta motioned to approve the site plan for Entrée Vous as submitted on the application package received by the clerk dated September 19, 2007 and the “only natural” color choice, conditioned upon review of the proposed signage by the Town of Camillus Code Enforcement officer. Mr. Williams seconded the motion and it was approved unanimously.

Bed Bath & Beyond - Fairmount Fair Plaza Signage

TP# 048.-01-02 & 048.-01-01.1

Bob Trybulski of Benderson Development, LLC appeared before the Board to present signage for the Bed Bath & Beyond retail store located in the Fairmount Fair plaza.

The proposal depicts two Bed Bath & Beyond signs, located on the front and side elevation, each totaling 196 sf. The letters are 7' x 28', comprised of stacked layout (white) self-contained channel letters.

Per the Planning Board's request, Carlie Hanson, R.A. reviewed the signage drawing and offered the following comments: “Benderson Development Corporation to provide a

summary of façade sq. ft. and sq. ft. of proposed sign to Planning Board along with accurate elevations and proposed sign, Proportion and scale of Bed Bath & Beyond sign is compatible with Architectural elevations”.

Mr. Williams made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Trombetta seconded the motion and it was approved unanimously.

Mr. Trombetta made the motion to declare this application an unlisted action under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Fittipaldi made the motion to declare this application subject to a negative declaration under SEQR. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Trombetta motioned to approve the signage for Bed Bath & Beyond as portrayed on the presentation dated May 25, 2006 prepared by Cummings Signs. Mr. Williams seconded the motion and it was approved unanimously.

Mr. Flaherty motioned to assess professional fees for \$1,000.00 for this application. Mr. Williams seconded the motion and it was approved unanimously.

Dick’s Sporting Goods – Fairmount Fair Plaza Site Plan

TP# 048.-01-01.1/1

Bob Trybulski of Benderson Development, LLC appeared before the Board to present a site plan for the Dick’s Sporting Goods retail store located in the Fairmount Fair plaza.

The façade renovations submitted depict five piers, which project from the building 16”. To create an eclectic design, the architect chose a slightly different color choice for the brick piers. Metal green awnings along the entry and pre-finished green light shields are proposed along the front elevation.

During discussion, the applicant inquired if the Board would entertain a modification to the proposed elevation. He commented that representatives from Dick’s Sporting Goods suggested placing sporting paraphernalia on the tops of the piers. Soccer balls, basketballs and golf balls were suggested. An additional request for a horizontal green band to be placed on the EIFS was also suggested. After a brief discussion, the Board concurred that the sport paraphernalia was not desirable and unnecessary as well as the green band, as the pre-finished light shields would create a soft green band in the evening.

Mr. Trybulski submitted the elevation plan for Dick’s Sporting Goods to Carlie Hanson, R.A. for review of the proposal. She provided the following comments:

1. Provide perspective view to clarify three-dimensional characteristics of proposed façade.
2. Provide plan at sidewalk to clarify three-dimensional characteristics of façade treatment.
3. Provide material sample board for ALL exterior materials.

4. Provide ALL Light fixture cuts.
5. Sign area appears out of scale with remainder of center. Recommend reducing height of letters and adjusting scale of placement in the façade sign area accordingly.

Mr. Fittipaldi made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Voss seconded the motion and it was approved unanimously.

Mr. Fittipaldi made the motion to declare this application an unlisted action under SEQR. Mr. Voss seconded the motion and it was approved unanimously.

Mr. Trombetta made the motion to declare this application subject to a negative declaration under SEQR. Mr. Fittipaldi seconded the motion and it was approved unanimously.

Mr. Voss motioned to approve the site plan for Dick's Sporting Goods, dated August 27, 2007, as prepared by Lauer-Manguso & Associates Architects conditioned upon Carlie Hanson, R.A. comments dated September 24, 2007. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Flaherty motioned to assess professional fees for \$700.00 for this application. Mr. Logana seconded the motion and it was approved unanimously.

**Medical Center West
Amend Final Plat**

TP#020.-05-01.1

Mr. Bob Porcello of D. W. Hannig, Surveyor appeared before the Board to present an amended final plat for the Med Center West subdivision.

Mr. Curtin stated that after the Board approved the amended final plat on January 22 2007, counsel for the seller requested additional lands be added to the storage building lot. During the same time, issues arose surrounding the existing financing of the property. As a lien needs to be released, the mortgage holder, Continental Wingate is requiring the release be specific to the mortgaged lands now labeled Lot 1A and Lot 2A.

Mr. Oudemool suggested that the Board revise the language in the resolution to state: RESOLVED, to approve the final plat of the Medical Center West four-lot subdivision subject to the ownership of Lot 4A consisting of an entity with an ownership interest in Lot 1A and further conditioned by the requirement that the use of Lot 4A is related to the operation and management of Lot 1A. He stated that the purpose of this language is to cover the situation that the two lots are not owned by the same entity but the restriction of the use of Lot 4A remains the same as it may only be used in conjunction with Lot 1A or it will be immediately converted to its current zoning, which is single family residential use.

Mr. Fittipaldi motioned to approve the amended final plat of the Medical Center West and to amend the wording of the final plat of the Medical Center West four-lot subdivision subject to the ownership of Lot 4A consisting of an entity with an ownership

interest in Lot 1A and further conditioned by the requirement that the use of Lot 4A is related to the operation and management of Lot 1A. Mr. Trombetta seconded the motion and it was approved unanimously.

As the applicant has provided the final maps for filing, Chairman Fatcheric inquired if they could be signed. Mr. Oudemool stated that he was awaiting the signed covenants.

Old Business

Township 5 Hinsdale Road Project Referral from Town Board Zone Change

As requested by the Board, Mr. Curtin drafted findings and recommendations for the Board's consideration. After review of those findings and recommendations, Mr. Fittipaldi motioned to approve those findings, seconded by Mr. Trombetta and approved unanimously as set forth as follows:

WHEREAS, the applicant, Hinsdale Road Group, LLC (hereinafter "Developer") has prepared and submitted a Petition for zone change to the Town Board of the Town of Camillus ("Town") for tax parcels that are listed on **Schedule "A"** attached hereto; and

WHEREAS, the lands that are the subject of this Petition are presently zoned for Industrial and residential uses under an R-3 classification; and

WHEREAS, the Developer has requested that the subject lands be re-zoned to PUD in order to best meet the Developers needs for a Planned Development that would include a wide variety of uses within the development inclusive, but not limited to, retail, office, commercial and residential uses all of which would be allowable if the subject lands were to be re-zoned to PUD; and

WHEREAS, the Town has referred consideration of the Petition to its Planning Board for purposes of obtaining an advisory opinion from the Planning Board as to the appropriateness of the Town's further consideration of same; and

WHEREAS, the Developer has presented a preliminary plan of development to the Planning Board and has advanced the consideration of the Petition supported by a variety of apparent facts; and

WHEREAS, the Town Planning Board has reviewed the referral and submits this recommendation and finding to the Town Board for its further consideration:

1. That the proposed project will be primarily serviced by way of a new connector road, to be constructed, that will also serve to tie Hinsdale Road directly into Bennett Road. This will enhance traffic circulation in and about the development area and benefit existing conditions.
2. The primary present land use classification for zoning purposes is Industrial and it is the Planning Board's opinion that it is highly unlikely that the subject properties could or would be used or developed for industrial

purposes at any time in the foreseeable future.

3. The residential properties that have been acquired by the Developer will serve to buffer the project and thus reduce the impact that it would have on those and surrounding properties.
4. The Developer proposes to introduce a mixed-use project that would provide services to the residents of the Town of Camillus that would not otherwise be available unless a project of this type and size is considered for the location in question.
5. The proposed zone change would allow for a great diversity of land uses that are not otherwise inconsistent with present land uses in the same general area of the Town of Camillus.
6. The mixed-use development or “Lifestyle Center” concept will allow for a greater diversification of land uses to be facilitated within a planned community, which would serve to enhance the quality of life in the Town of Camillus.
7. The proposed use, because of its unique diversification is not inconsistent with the comprehensive plan of the Town of Camillus.

For the foregoing reasons, it is the recommendation of the Town of Camillus Planning Board that the Town consider the Petition for zone change from Industrial and R-3 to PUD, in a favorable manner.

Minutes of the Previous Meeting

Mr. Williams moved to approve the minutes of the meeting of September 10, 2007 with the following revisions pertaining to the Med Center West site plan review: The applicant has proposed to erect a 10' x 30' (300') addition to the north elevation of the Medical Center West building near a doorway. Mr. Trombetta seconded the motion and it was approved unanimously.

Discussion

The Board received a copy of SOCPA's determination recommending disapproving the proposal to Amend the Camillus Municipal Code, Chapter 39-Subdivision Regulations, §39.32-Street Design Standards by repealing “Maximum length of cul-de-sac, except where in the judgment of the Planning Board, the cul-de-sac does not impose any problem and constitutes a positive Board, the cul-de-sac does not impose any problem and constitutes a positive design feature in low-density areas...700' and amend §39.34(B)-Design Standards by removing the 1200 foot limitation.

After a brief discussion, the Board recommended Mr. Curtin draft a recommendation to the Town Board recommending that they favorably override SOCPA's recommendation.

Correspondence

A memo was received from Barton & Loguidice, PC pertaining to the Christ Community Church, Warners Road lighting and drainage concerns.

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of August 2007 for \$2,058.57, \$686.25 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Logana, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from Dell Financial Services for the monthly rental of the notebook and projector for \$79.84. Motion to approve payment was made by Mr. Williams, seconded by Mr. Trombetta, and approved unanimously.

A voucher was received from Barton & Loguidice, PC for the services performed for the month of August 2007 for \$12,704.14, \$12,454.14 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Williams, seconded by Mr. Logana, and approved unanimously.

Comments of Town Officials

Councilor MacRae requested that the Planning Board conduct an informational meeting for Township 5 during the site plan review process.

Ms. Flood inquired if correspondence had been received regarding the Immanuel Church of the Nazarene drainage issues.

Comments of the Attorney

Mr. Curtin had no comments this evening.

Comments of the Engineer

Mr. Legnetto had no comments this evening.

Comments of the Board Members

The Board offered congratulations to Chairman Fatcheric on his recent marriage.

Chairman Fatcheric mentioned that the Planning Conference is Tuesday September 25, 2007 at the OnCenter and voting for the Board of Directors is in the morning.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 8:28 p.m., seconded by Mr. Williams and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
OCTOBER 10, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
John Williams
Martin Voss
Lynda Wheat

Staff Present

Paul J. Curtin, Esq.
Paul R. Czerwinski, PE

Members of the Public

Bob Feyl, ZBA Chairman
Joy Flood, ZBA Vice Chair
Approximately 6 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Christ Community Church
Special Use Permit Referral**

TP#017.-04-48.1

The Zoning Board of Appeals referred this application for the modified site plan to the Planning Board as the applicant desires to relocate the location of a previously approved proposed garage on the subject property.

On behalf of Christ Community Church, Chris Cammer presented the modified site plan for the property located at 3644 Warners Road, zoned LBO. The proposal depicts erecting a 32' x 32' freestanding two (2) stall garage, a minimum of 50' from the property line. The structure would be finished with gray vinyl siding and an asphalt shingled roof, to match the existing building.

When asked what would be stored within the garage, Mr. Cammer commented that a plow truck, salter, lawn mower, and maintenance materials would be housed in the garage, also indicating that there would be no utilities or electricity supplied to the structure. When asked if the applicant was going to install a road leading from the parking area to the structure, he commented they would be installing a gravel driveway from the existing pavement.

Mr. Fittipaldi inquired if the applicant had proposed any plantings for the rear of the structure. Mr. Cammer stated that as there is existing vegetation along the property line, none was being proposed, however, if additional buffering were requested, they would be amicable to the request. After a brief discussion, the Board advised that five (5) to six (6) arborvitae trees, being a minimum height of five (5) to six (6) feet tall, planted at staggered intervals of six to eight feet along the rear of the garage would be needed to instill proper buffering.

After a brief discussion, Mr. Czerwinski stated that based on the proposal, the drainage would not be affected.

As the Chair and Vice-Chair of the Zoning Board of Appeals were both present, Chairman Fatcheric asked if the Planning Board had addressed all items of concern, so the applicant would not have to reappear before this Board. Bob Feyl, Chairman of the Zoning Board of Appeals stated that he just had a couple of comments, those being:

- This application is not a referral with the idea of re-appearing before the ZBA because there is no need to make a change in the Special Use Permit.
- On the original drawings, the garage was placed at the other edge of the property. The only reason the application came to the Planning Board from the ZBA is due to a site plan change, which the Planning Board needs to approve.
- The Planning Board has addressed the buffering; knowing that the building is going to be placed 50' from the property line.
- To keep this simple, this does not come back to the ZBA. There is absolutely no need because the ZBA has already approved the Special Use Permit and the garage on the property. Because the Church has relocated the proposed location of the garage on the property, it is up to the Planning Board to approve the site plan.

Mr. Curtin advised the Board that because there is an existing Special Use Permit that is being modified, that being the size and location of the garage, he noted that as the size is not significant, and it doesn't present any site plan issues and the location is also contiguous to an existing residential district, the Board could consider approving the application.

Mr. Curtin instructed the Board that as this application is a modification to an existing site plan and as those modifications are insignificant, revisiting SEQR would not be required.

Ms. Wheat motioned to approve the amended site plan pursuant to the application prepared and submitted by Christ Community Church, referenced to the layout of site plan "SP1" prepared by Maxiam & Horst which is undated but attached to the application dated October 1, 2007, conditioned upon the installation of five (5) to six (6) arborvitae trees, being a minimum height of five (5) to six (6) feet tall, planted at staggered intervals of six to eight feet along the rear of the garage. Mr. Trombetta seconded the motion and it was unanimously approved.

**Viewpoint Estates
Construction Drawings**

TP# 019.-01-01.8 & Part of TP# 006.-05-05.1

John Szczech presented the Construction Drawings for Viewpoint Estates, located on DeVoe Road, and zoned R-1.

Mr. Czerwinski stated that Barton & Loguidice, P.C. has reviewed the developers' submittal for construction document approval as prepared by L.J. R. Engineering P.C. dated August 1, 2007, which included the construction drawings, Drainage Report,

Stormwater Pollution Prevention Plan (SWPPP), and District Plans for sewer and drainage districts and found them to be in accordance with Town standards.

Mr. Trombetta motioned to approve the Construction Drawings for Viewpoint Estates as prepared by Survey Systems, dated October 1, 2007. Mr. Logana seconded the motion and it was unanimously approved.

Old Business

Hinsdale Plaza Phase III Site Plan

TP#017.-04-48.3

Marco Marzocchi representing the Widewaters Group and Randy Bebop of FRA appeared before the Board to present a site plan for the expansion of the Hinsdale Road Plaza, to be considered the third and final phase of the Home Depot site. The property is zoned C-3.

Mr. Marzocchi stated that as this Board requested the intersection or driveway at Milton Avenue analyzed, they consulted with Stantec Consulting Services, Inc. A Traffic Operations Report for the Hinsdale Plaza site has been compiled and reviewed by Barton & Loguidice, P.C.

In a letter dated October 9, 2007, Barton & Loguidice, P.C. stated they generally concurred with the concepts conveyed in the report by Stantec Consulting Services, Inc., which indicated that a traffic signal is not required at this intersection based on the warrants outlined in the FHWA Manual of Traffic Control Devices; however, they offered the following comments:

Page 1 of 3

- It should be noted that the turning movement counts were taken during the week of Labor Day. It is usually suggested that the traffic counts not be taken during a holiday week. However, based on the data, it is unlikely that traffic forecasts based on counts taken during a non-holiday week would affect the numbers enough to warrant a traffic signal at this location.

Page 2 of 3

- The second paragraph states that the intersection would continue to provide "satisfactory levels if traffic operation". The forecasted delay and LOS should be stated.
- It should be clearly stated where the 11% growth forecast came from.

While Mr. Marzocchi addressed the above comments, Mr. Fittipaldi inquired how the 11% growth calculation was obtained, stating that the actual intensity of use could alter the calculation. Mr. Marzocchi indicated that it would probably be less than the 11%, explaining as a shopping center grows, the actual traffic percentage decreases due to a larger amount of cross traffic ie: shopping within a plaza. Mr. Czerwinski clarified that the number itself does not decrease but the percentage does and that the 11% increase being projected is based on 11% additional square footage, which is a very conservative estimate of additional traffic generated.

While reviewing the traffic accident information, the report indicates only seven accidents based on accident reports filed with the Camillus Police Department. Mr. Fittipaldi inquired if any additional departments had been questioned, such as the Sheriffs Dept. or the NYS Police Dept. Mr. Marzocchi responded that they contacted the Sheriff's Dept., who referred them to the Camillus Police Department. Mr. Fittipaldi requested the applicant contact the New York State Police for any additional accident reports.

After carefully reviewing the report prepared by Stantec Consulting Services, Inc., Mr. Flaherty requested some clarification of the report, specifically pertaining to the numbers reported and factored for the comparison traffic analysis.

After an extensive discussion pertaining to the entrance/exit of the site, Mr. Curtin stated that a Reciprocal Easement and Operation Agreement is in place, which grants the physical control of the entrance/exit of the site to the Home Depot portion of the site, which also affects the on-site parking. As the Widewaters Group does not own or control the access area, but for the reciprocal easement agreement that allows the traffic to go back and forth, they do not have the right or control to make any significant modifications to the entrance/exit.

Mr. Curtin advised the Board that the application is for an existing facility that had been previously approved with a maximum build-out. The applicant has proposed several thousand square feet less than the original approval and is not changing the configuration of the entrance and exits. In essence, the application is subject to the existing approvals, as the applicant is not creating a new entrance/exit. He advised the Board that they could deal with the potential impact of an additional 11% in traffic that may be generated as that impact might be on the infrastructure that currently exist onsite. He encouraged the applicant to listen carefully to the members of the Board as they have indicated that they are personally experiencing some fairly significant traffic control issues on the site and as traffic has been proposed to be increased by a level of 10-11% with the advent of build-out. Mr. Curtin suggested that as there has been a design feature pointed out which seems to present a difficulty in the circumnavigating on-site or that promotes problems on-site in the interior and impacts people's ability to access and egress to and from the site on Milton Avenue, the applicant may want to review the situation to find a solution which will enhance the circulation of the site. That being said, the Board can not change the site or alter the train track location as it was approved by all involved agencies at the time of the original approval. He is encouraged the applicant that if something could be done to ameliorate the difficult situation in an effort to gain better control of the traffic.

After a brief discussion, the Board requested the applicant review the site and the Reciprocal Easement and Operation Agreement to see if anything could be altered to gain better control of the traffic and internal circulation for public safety.

Ms. Wheat motioned to refer this application to SOCPA. The motion was seconded by Mr. Logana and unanimously approved.

Minutes of the Previous Meeting

Mr. Williams moved to approve the minutes of the meeting of September 24, 2007. The motion was seconded by Mr. Logana and unanimously approved.

Correspondence

A copy of a letter was received from Mr. Curtin to the Town Supervisor encouraging the Town Board to override the County's comments regarding the length of the cul-de-sac.

Several correspondences were received from B & L regarding Christ Community Church and Viewpoint Estates.

Updates on the Town Municipal Code, Chapter 26 and 39 were received.

Comments of Town Officials

Chairman Feyl commented on Store America, Duke Plumbing, and the Home Depot Plaza.

Ms. Flood stated that the constituent present this evening has obtained a very favorable opinion of the Board and gained appreciation for the Board's hard work.

Comments of the Attorney

Mr. Curtin had no comments this evening.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Board Members

Ms. Wheat stated that she would obtain the accident data from the Milton Avenue/Aldi's intersection on behalf of the Board.

Mr. Trombetta provided the Board with a summary from the NYS Planning Federation Conference held in Saratoga.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 8:43 p.m., seconded by Mr. Logana and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
OCTOBER 22, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
John Williams
Lynda Wheat

Staff Present

Paul J. Curtin, Esq.
Paul R. Czerwinski, PE
Michael Discenza, Esq.

Members of the Public

Approximately 3 others

Not Present

Martin Voss

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Thomas S. Kehoskie
Lot Line Realignment**

TP#016.-04-03.0

Thomas S. Kehoskie appeared before the Board to present an application for a Lot Line Realignment for the properties located at 3804 Warners Road and 120 Westfall Street zoned R-3.

Mr. Curtin provided a brief synopsis of the application stating that under current zoning regulations, the applicant owns two non-conforming lots. Those lots were acquired at the same time. The application before the Board is truly intended to make minor modifications to 3804 Warners Road (Lot 11). He stated that if approved, this application would create a more conforming lot, as 120 Westfall Street (Lot 57) currently exists.

When asked if he would consider merging the two lots into one, the applicant responded that as his intentions are to build a home on Lot 57, where he would reside, he would not.

Mr. Curtin advised the applicant that the legislative relief requested could only be granted by the Zoning Board of Appeals through an Area Variance. As it does not appear to be a self-created hardship and as it is a preexisting condition, the Zoning Board of Appeals would need to determine if an Area Variance could be granted. If the Area Variance were granted, the Planning Board may then be able to approve the subdivision.

Based on the Town's subdivision regulations, the Board is not allowed to approve non-conforming lots; therefore, the Board recommended the following as it would be a two-step process:

- Submit an application for a two-lot subdivision. As this application would in essence create non-conforming lots, it may require an area variance in terms of the overall size and depth of the lot, which would need to be referred to the Zoning Board of Appeals.
- Submit an application to the Zoning Board of Appeals for an Area Variance, which would be required for Lot 57 to be built upon.

The applicant was instructed to complete a preliminary plat application for a two lot minor subdivision and to apply to the Zoning Board of Appeals for an Area Variance.

James Dusart
Lot Line Realignment

TP#021.-01-19.2

James Dusart appeared before the Board to present an application for a Lot Line Realignment for the property at 5886 Ike Dixon Road zoned R-1.

Mr. Dusart stated that since the original subdivision, he has built a home on the property. When obtaining the driveway cut approval, he was instructed by the County that the driveway had to be placed farther to the south to accommodate for adequate site distance, which placed it on the adjacent property owned by his family. This application is to adjust the property line to allow the driveway to be wholly located on his property. The total area would be 1.532± acres.

Mr. Curtin stated that both parcels will be conforming in terms of zoning regulations and the balance of the property would not be rendered un-developable by the actions of this Board if it were to approve the application.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Trombetta seconded the motion and it was unanimously approved.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Fittipaldi seconded the motion and it was unanimously approved.

Mr. Williams made the motion to declare this application subject to a negative declaration under SEQR. Ms. Wheat seconded the motion and it was unanimously approved.

Ms. Wheat motioned to approve the lot line realignment for the Lands of Dusart conditioned upon a copy of the newly recorded deed to the subject property and a copy of the recorded map of the lot line realignment to be received by December 1, 2007. Mr. Trombetta seconded the motion and it was unanimously approved.

Old Business

Hinsdale Plaza Phase III Site Plan

TP#017.-04-48.3

Marco Marzocchi representing the Widewaters Group appeared before the Board to present a site plan for the expansion of the Hinsdale Road Plaza, to be considered the third and final phase of the Home Depot site. The property is zoned C-3.

Mr. Marzocchi stated that in response to the Board's comments, his representatives have provided additional information pertaining to the accident report information and clarification of the traffic analysis report. After a brief discussion, the Board concluded that they were satisfied with information provided.

Last week, members of the Board conducted a site visit with Mr. Marzocchi, where they observed internal traffic flow on the site. All concurred that modifications were needed, as drivers were not following the intended traffic patterns.

After reviewing the traffic flow on the site, Mr. Marzocchi offered the following traffic mitigation:

- Installation of a stop sign inclusive of a stop bar located on the pavement at the internal intersection of the plaza as it exits straight to Milton Avenue, prior to the train tracks.
- Installation of dash pavement markings delineating the exit and entry lanes along the outer ring road.
- Installation of concrete curbing and islands on the 1st and 4th parking aisle in the Staples parking area, in an effort to control the traffic flow and eliminate cut through.

The applicant submitted a letter from the Onondaga County Department of Transportation, which stated that upon their review of the recent Traffic Operations Report for the referenced proposal and its access to Milton Avenue, they find that additional traffic control will not be warranted. They also requested to clear and maintain the area between the existing parking lot and Milton Avenue, east of the driveway, to enhance its location.

Chairman Fatcheric advised the applicant that the Board was waiting for the County's comments and would place this application on the November 14, 2007 agenda.

Minutes of the Previous Meeting

Mr. Fittipaldi moved to approve the minutes of the meeting of October 10, 2007. The motion was seconded by Mr. Logana and unanimously approved.

Correspondence

A memo was received from Barton & Loguidice pertaining to the onsite parking area for Moe's Southwest Grill and AT&T. After a brief discussion, the Board requested Mr. Czerwinski to review the site.

A voucher was received from Dell Financial Services for the monthly rental of the notebook and projector for \$79.84. Motion to approve payment was made by Mr. Williams, seconded by Mr. Trombetta, and approved unanimously.

A voucher was received from John Trombetta for mileage, thruway tolls, and hotel accommodations from the NYS Planning Federation Conference for \$435.33. Motion to approve payment was made by Mr. Flaherty, seconded by Mr. Fittipaldi, and unanimously approved.

Comments of the Attorney

Mr. Curtin had no comments this evening.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Board Members

Mr. Flaherty inquired if Home Depot had begun planting the trees along Hinsdale Road and the onramp to the bypass. Mr. Williams commented that he noticed the plantings along Hinsdale Road.

Mr. Williams commented that he recently visited a "lifestyle center" in Philadelphia, Pa, and would be sharing photos with the Board as it pertains to an upcoming application.

Mr. Trombetta commented that he attended the roundtable seminar on windmills and found it very interesting.

With no further business before the Board, Mr. Fittipaldi motioned to adjourn the meeting at 8:05 p.m., seconded by Mr. Williams and approved unanimously.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
NOVEMBER 14, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
John Williams
Lynda Wheat

Not Present

Martin Voss

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

New Business

**Thomas S. Kehoskie
Preliminary Plat**

TP#016.-04-03.0

Thomas S. Kehoskie appeared before the Board to present a preliminary plat application for the properties located at 3804 Warners Road and 120 Westfall Street zoned R-3.

Mr. Curtin advised the Board that they had requested Mr. Kehoskie to make an application for a minor subdivision, recognizing the fact that currently he has two existing lots that he wants to re-subdivide that would create one non-conforming lot for building purposes. Under the Town ordinance, an area variance would be required and the Planning Board cannot grant the variance to the applicant, nor could the Board allow the applicant to realign the property line that was originally requested, as it was to create a non-conforming lot. Therefore, the applicant has been instructed to apply to the Zoning Board of Appeals for the area variances that would be otherwise necessary to re-subdivide these two parcels. Mr. Curtin reiterated that the matter would fall under the jurisdiction of the Zoning Board of Appeals. If they render a positive determination and allow for the variances, then the application will come back to the Planning Board, with the variances, for further consideration of the subdivision. Without the variances, the subdivision cannot go forward.

Chairman Feyl stated that the Zoning Board of Appeals would conduct the public hearing for this application at it's first meeting in December.

Township 5 - Hinsdale Road Group LLC Site Plan

Kevin Eldred and Joseph Goethe of the Hinsdale Road Group, LLC, and representatives Gregory Sgromo and William Walton, appeared before the Board to present a site plan for a "lifestyle center" entitled Township 5 located on 68± acres comprised of multiple parcels located between Hinsdale Road and Bennett Road, zoned PUD.

Mr. Eldred stated that the concept is to create a community within a community, allowing individuals to live, work and shop in the same area. The development would include commercial, residential, hotel, theater, restaurant, and professional office facilities. Wikipedia defines a lifestyle center as "a [shopping center](#) or mixed-used commercial development that combines the traditional retail functions of a [shopping mall](#) but with [leisure](#) amenities oriented towards upscale consumers".

The site plan depicts retail and residential facilities within the 68± acres. Apartments are proposed along the west side of the property and loft style apartments are proposed above some retail areas. When asked the number of apartment units, the developer responded 48 units comprised of 4 buildings with 12 units each. Parking garages will be available for the complex, while underground parking would be available for the lofts. The retail facilities are proposed in the center and easterly side of the site, consisting of multiple buildings. The parking areas surround the facilities.

The site plan depicts an access road between Hinsdale Road and Bennett Road adjacent to the Route 5 bypass, which would service the site as the main entrance. Mr. Eldred stated that the road would be built to State DOT specifications. When asked if the road would be a "town road", the applicant replied that after the road is completed, the developers would subdivide the parcel and deed it to the town. He offered that April 15, 2008 is the target date for the "paper" approval of the road and all curb cuts would be approved by the appropriate agency.

Chairman Fatcheric suggested work sessions between the Board and the applicant, as this application is in its early stage. Mr. Eldred agreed that work sessions would be beneficial and requested one be scheduled. After a brief discussion, Chairman Fatcheric scheduled the work session for Monday November 19, 2007 at 6:00 pm.

Old Business

Thompson's Landing Preliminary Plat

TP#019.-02-10

Developer, John Szczech presented a proposal for the subdivision of a 15±-acre parcel of land located on Thompson Road, zoned R-2.

The developer proposes the subdivision of the parcel into two lots, Lot 2 being 2.57± acres and Lot 1 being 12.83± acres. Mr. Szczech stated that his intention is to dedicate and deed Lot 2 to the Town of Camillus for recreational use as it abuts Nine Mile Creek. He did offer that Lot 1 would be further subdivided and developed at a later date.

Mr. Curtin commented that, as this property is located in an environmentally sensitive area, adequate separation from the wetland would be created as a 140',-145' buffer area between the wetland and Lot 2 would be established.

Ms. Wheat motioned to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Trombetta motioned to waive the public hearing for the Thompson Landing two lot minor subdivision. Mr. Flaherty seconded the motion and it was approved unanimously.

Mr. Fittipaldi motioned to refer this application to SOCPA. Mr. Logana seconded the motion and it was approved unanimously.

**Country Oaks formally known as Fox Chase
Preliminary Plat**

TP#007.-02-06.4

Developer, John Szczech presented the proposal for the subdivision of an 80±-acre parcel of land located on the corner of Armstrong Road and Pottery Road, zoned R-3.

The developer proposes the subdivision of the parcel into 132 residential building lots, three of which will be flag lots. The plan depicts two entrances: one accessing from Pottery Road and the other accessing from Armstrong Road. Municipal sewers and public water are proposed to service the development with the storm water detention basin to be dedicated to the Town of Camillus.

The developer stated that the wetlands have been delineated and no federal wetlands are located on the parcel. The required 100' buffer has been incorporated on the proposal. The plan also identifies an existing 12" gas line, which is located along the eastern property line.

Mr. Szczech stated that the development would be phased in four sections, starting along Armstrong Road. The subdivision will be serviced by the Camillus Consolidated Water District.

Mr. Williams motioned to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Logana seconded the motion and it was approved unanimously.

Mr. Fittipaldi motioned to set the public hearing for the Fox Chase Subdivision for November 28, 2007 at 7:00 pm. Mr. Williams seconded the motion and it was approved unanimously.

Mr. Fittipaldi motioned to refer this application to SOCPA. Mr. Logana seconded the motion and it was approved unanimously.

Marco Marzocchi representing the Widewaters Group appeared before the Board to present a site plan for the expansion of the Hinsdale Road Plaza, to be considered the third and final phase of the "Home Depot" site. The property is zoned C-3.

The Board received Onondaga County Planning Board's resolution, which stated that they determined that said referral will have no significant adverse inter-community or county-wide implications. Additionally, they offered the following comments; The applicant is advised of his/her commitment to honor the maintenance agreement for preserving and maintaining sight distance with relation to ingress and egress along that portion of land in the county right of way between Milton Ave and the adjacent railroad tracks, and is encouraged to meet with the County DOT to review the agreement.

Ms. Wheat made the motion to declare the Town of Camillus Planning Board as Lead Agency for this application. Mr. Trombetta seconded the motion and it was unanimously approved.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Trombetta seconded the motion and it was unanimously approved.

Mr. Fittipaldi made the motion to declare this application subject to a negative declaration under SEQR. Ms. Wheat seconded the motion and it was unanimously approved.

Mr. Trombetta motioned to approve the site plan for Hinsdale Plaza-Phase III, Milton Avenue & Hinsdale Road, Town of Camillus, New York, as shown on the drawings prepared by FRA, Project No. 07-4365, dated May 22, 2007, last revised October 16, 2007 conditioned upon review of the elevations. Ms. Wheat seconded the motion and it was unanimously approved.

Mr. Williams motioned to assess professional fees for \$2,500.00 for this application. Mr. Flaherty seconded the motion and it was unanimously approved.

Minutes of the Previous Meeting

Mr. Flaherty moved to approve the minutes of the meeting of September 24, 2007. The motion was seconded by Mr. Logana and unanimously approved.

Organizational for 2008

Chairman Fatcheric motioned to enter into Executive Session to discuss a personnel issue. Mr. Logana seconded the motion and it was unanimously approved.

Mr. Flaherty motioned to return to regular session. Mr. Williams seconded the motion and it was unanimously approved.

Mr. Williams motioned to appoint Ann C. Clancy as Clerk to the Planning Board. Mr. Fittipaldi seconded the motion and it was unanimously approved.

Ms. Wheat motioned to appoint Paul Czerwinski of Barton and Loguidice as Planning Board Engineer. Mr. Fittipaldi seconded the motion and it was unanimously approved.

Ms. Wheat motioned to appoint Paul J. Curtin Jr. of Shulman, Curtin, Grundner and Regan, P.C as Planning Board Attorney at the prevailing Town rates. Mr. Trombetta seconded the motion and it was unanimously approved.

Mr. Flaherty motioned to appoint Jay Logana as Vice-Chairman of the Planning Board for 2008. Chairman Fatcheric seconded the motion and it was unanimously approved.

The Planning Board is making the following recommendations to the Town Board:

Chairman Fatcheric recommended the reappointment of John Williams as the Alternate Planning Board member for a one-year term expiring December 31, 2008.

Ms. Wheat recommended the reappointment of Donald Fittipaldi for a five-year term expiring December 31, 2012. Mr. Flaherty seconded the motion and it was unanimously approved.

Mr. Fittipaldi recommended the reappointment of John A. Fatcheric II as Chairman of the Planning Board. Mr. Flaherty seconded the motion and it was approved unanimously.

Discussion

Ms. Wheat motioned to hire QPK Design to review the architectural renderings for the Township 5 site. Mr. Trombetta seconded the motion and it was unanimously approved.

Correspondence

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of September 2007 for \$2,000.00, \$878.00 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Trombetta, seconded by Ms. Wheat, and approved unanimously.

A voucher was received from Barton & Loguidice, PC for the services performed from September 30, 2007 through October 27, 2007 for \$5,699.33, \$5,449.33 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Flaherty, seconded by Mr. Trombetta, and approved unanimously

A voucher was received from Barton & Loguidice, PC for the services performed from September 2, 2007 through September 29, 2007 for \$8,368.34, \$8,118.34 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Logana, seconded by Mr. Trombetta, and approved unanimously

A voucher was received from QPK Design for the services performed from September 1, 2007 through October 13, 2007 for \$294.30, all of which is recoverable from fees or paid by developers. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Logana, and approved unanimously.

A voucher was received from the New York State Planning Federation for the 2008 Town Planning Board membership dues for \$75.00. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Trombetta, and approved unanimously

Comments of the Attorney

Mr. Curtin had no comments this evening.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Board Members

Mr. Flaherty questioned the progress of the Vanida Drive entrance into the Camillus Commons. Mr. Price stated that he would follow up with Benderson Development Corp.

After a brief discussion pertaining to the Moe's Southwest Grill, Mr. Czerwinski stated that he would be conducting a site visit to review the Board's concerns.

With no further business before the Board, Mr. Flaherty motioned to adjourn the meeting at 9:25pm, seconded by Ms. Wheat and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
NOVEMBER 28, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat

Not Present

John Williams

Staff Present

Paul J. Curtin, Esq.
Paul R. Czerwinski, PE
Michael Discenza, Esq.
Dirk Oudemool, Esq.

Members of the Public

Kathy MacRae, 2nd Ward Councilor
Roger Pisarek, 1st Ward Councilor
Approximately 30 others

Chairman Fatcheric called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

Chairman Fatcheric began the meeting by addressing those assembled, stating that as this evenings meeting is a regularly scheduled Planning Board meeting the Board would not be accepting any public comment pertaining to the Township 5 site plan. The public is more than welcome to stay and observe the presentation; however, the Planning Board is in the initial review of the project and has a long, thorough, and comprehensive review to go through. As always, the Board welcomes the public's comments, which can be submitted via mail or email to the Planning Board Clerk.

Public Hearing

Country Oaks formally known as Fox Chase Subdivision

TP#007.-02-06.4

This public hearing is to consider the preliminary plat for the Fox Chase Subdivision, which is located on the corner of Armstrong and Pottery Roads. Chairman Fatcheric asked if there was a motion to waive the reading of the notification of publication and legal description as advertised. Ms. Wheat motioned to waive the reading, seconded by Mr. Trombetta and approved unanimously.

Developer, John Szczech presented the proposal for the subdivision of an 80± acre parcel of land, zoned R-3, into 132 residential building lots, three of which will be flag lots. As two entrances are proposed, access roads to the subdivision will be constructed from both Pottery Road and Armstrong Road. Construction for the project is to be phased in four sections, the first phase starting along Armstrong Road. Municipal sewers and public water supplied by the Camillus Consolidated Water District are proposed to service the development.

According to the developer, the wetlands have been delineated and no federal wetlands are located on the parcel. The required 100' buffer has been incorporated on the proposal. The plan also identifies an existing 12" gas line, which is located along the eastern property line. Additionally, the developer advised the Board that he has proposed dedicating the storm water detention basin to the Town of Camillus.

Mr. Flaherty inquired if the Town's Engineer was satisfied with the drainage in this project. Mr. Czerwinski stated that once the Drainage Reports are received, they would be thoroughly reviewed; additionally, the developer will need to comply with all agency regulations for water quality and water quantity discharge.

As there were no comments from the public and the Board had no additional questions, Ms. Wheat motioned to close the public hearing for the Fox Chase Subdivision, seconded by Mr. Fittipaldi, and unanimously approved.

New Business

There was no new business before the Board this evening.

Old Business

Malibu Hills Subdivision Construction Drawings

TP#015.-01-12.1 & 015.-01-13

Guy Bersier, representing the developer for the Malibu Hills Subdivision appeared before the Board to request the approval of the Construction Drawings.

Mr. Czerwinski commented that the Construction Drawings have been reviewed and all previous comments have been adequately addressed.

Mr. Oudemool addressed the Board to advise them of drainage problems which have arisen involving the properties along the north side of Pegasus Circle. Due to the drainage being poor at best, Mr. Oudemool has explored what legal recourse, if any, the town has, which appears to be none. As the Town is sensitive to an otherwise difficult situation, it has requested Barton & Loguidice to review the construction drawings, and in talking to the Malibu Hills developer have come up with a proposal to install a drainage system common to both properties at the property lines. The Town has every expectation that such a system will in a substantial way, mitigate, and diminish, some of the drainage problems that have been experienced by property owners in the Starlight Subdivision.

As a result, the agreement and the design of this common drainage system are in these construction drawing plans. The developer will put in place a drainage system that has been approved by Barton & Loguidice; however, the town is willing to furnish certain materials to complete the installation of a proper system as there are some hard goods that have to come into this system which need to be carried away and dispose of in an appropriate way. As a result, the Town currently has a 20' drainage easement along the rear of the properties located along Pegasus Circle in Starlight Estates and Malibu Hills will give a 20' drainage easement along its southerly boarder. Essentially, the

Town will have a 40' area in which this new drainage system can be installed, and maintained in the future. This seems to be a very good resolution of what has been a troublesome issue for sometime.

Because of the drainage issues, the Town will require a subdivision improvement security agreement as well as a separate maintenance agreement between the Town and the developer by which the Town agrees to make available these pipes, catch basins, etc., that are required to be installed in this system, which will benefit both properties. He is also requesting that as a part of that maintenance agreement, the developer be required to put up a security for erosion control in such an amount to be determined by the Town engineer, inclusive of an amount to secure grading. Mr. Oudemool stated that a better system has been devised that will ensure that the grading of those critical areas of a tract are accomplished so that the overall drainage plan will work as approved by Barton & Loguidice, P.C.

Ms. Wheat motioned to approve the Construction Drawings of the Malibu Hills Subdivision, as prepared by W-M Engineers, P.C. dated October 17, 2007, last revised November 20, 2007 conditioned upon the developer executing a maintenance agreement inclusive of erosion control and lot grading. Mr. Logana seconded the motion and it was unanimously approved.

Township 5 - Hinsdale Road Group LLC Site Plan

Kevin Eldred and Joseph Goethe of the Hinsdale Road Group, LLC, and Gregory Sgromo, P.E. appeared before the Board to present a site plan for a "lifestyle center" entitled Township 5 located on 68± acres comprised of multiple parcels located between Hinsdale Road and Bennett Road, zoned PUD.

Chairman Fatcheric stated that most of the material being reviewed this evening was received by the Board within the hour. As such, the Board has not had adequate time to review it and the applicant needs to be aware that as most of the material will be seen for the first time, the questions may be limited and topics will come up again during work sessions and/or meetings.

Mr. Sgromo stated that the focus of the site plan for review this evening is the parking provided vs. needs; the truck turning / loading plans, and the open space plan.

Mr. Sgromo stated that the primary revision to the site plan is that the parking spaces have been increased from 8 ½ ft. to 9 ft., thus reducing the number of parking spaces from 2,495 to 2,345. He stated that the 9ft. utilized is the same size provided at the Fayetteville Towne Center. Although the town's parking statute calls for 10' x 18' parking spaces, Chairman Fatcheric reminded the Board that Section 904 (G) of the Zoning Ordinance states; the parking ratio for all Planned Unit Developments shall be in accordance with the Table of Parking Requirements (Table 3), as such uses are allowed by the Town Board pursuant to Section 502 (B) (2).

The developer then provided a parking demand study, which was based on the concept and data provided in Shared Parking by the Urban Land Institute, Second Edition and

professional observations for the Community Center. Parking demand adjustment factors were included for the time of day patterns for the various uses, the day of week patterns for the various uses and the monthly activity patterns for the various uses. Credits not utilized in this analysis were “non-captive adjustments” for patrons utilizing more than one use (ex. Office visit and shopping) and patrons using public transportation, ride sharing, etc.

After an extensive discussion pertaining to the open parking areas, the Board suggested the developer consider installing islands to create some “green space” within the parking area. Ms. Wheat also suggested rooftop parking. When asked if there would be any overnight parking, Mr. Sgromo responded that there would be overnight parking for the residents and hotel guests. Ms. Wheat inquired if 24 hour parking would be available in the center core of the site. Mr. Sgromo indicated that those spaces would be available 24/7 and when asked about snow removal, the developer stated it would be discussed and addressed at a later date.

After numerous questions pertaining to the Cineplex’s parking demand were raised, the Board requested the developer to “focus on” the parking requirements needed for the Cineplex at peak times.

In order to alleviate some of the interior movement on site, Ms. Wheat suggested the possibility of a mobile unit, people mover, or shuttle be made available for the public’s use within the site. After continued discussion pertaining to on-site pedestrian circulation, the Board suggested the possibility of installing pedestrian walkway “safe zones” within the parking areas, to encourage pedestrian safety. Mr. Voss also suggested installing a sidewalk from the apartments to the freestanding building located on the west of the site.

The developer proceeded to discuss the truck turning /loading plans. The plan depicts six (6) loading docks, each located in a key area of the site, each able to accommodate two (2) tractor-trailers at any given time as each dock would be utilized for regular deliveries, including garbage and refuse pickups, as there would be a limited number of dumpsters visible.

Mr. Sgromo stated that a computer-generated template for the truck-turning radius has been conducted and it has been concluded that the driving aisles would accommodate a 53’ tractor-trailer inclusive of a sleeper cab. A fire truck turning plan template was also conducted, which concluded that ample accessibility for fire safety service was available.

When asked if there were any additional questions or comments, Mr. Logana commented that after reviewing the truck turning plan, he strongly recommends the use of granite curbing as it is more durable.

Mr. Sgromo commented on the open space of the site. He stated that the main arterial street would be lined with trees. There would also be specific pedestrian drop off locations, separate from the main thoroughfare. Pedestrian friendly activities are proposed on Lindsey Square, which is a 200’ open area located on the east side of the site.

Mr. Eldred requested to schedule a work session with the Planning Board to review additional outstanding issues. Chairman Fatcheric scheduled the work session for Thursday December 13, 2007 at 6:00 pm.

Minutes of the Previous Meeting

Mr. Fittipaldi moved to approve the minutes of the meeting of November 14, 2007. The motion was seconded by Mr. Logana and unanimously approved.

Meeting Dates for 2008

Ms. Wheat motioned to approve the 2008 Planning Board meeting schedule as follows: 7:00 pm on the second and fourth Mondays, with the exceptions as noted with (*), being January 14 and 28; February 11 and 25; March 10 and 24; April 14 and 28; May 12 and 28*; June 9 and 23; July 14 and 28; August 11 and 25; September 8 and 22; October 15* and 27; November 12* and 24; December 8 and 22. The motion was seconded by Mr. Fittipaldi seconded the motion and it was unanimously approved.

Discussion

Chairman Fatcheric suggested that as no new applications have been received for the December 3, 2007 meeting, the Board consider canceling that meeting. Mr. Voss motioned to cancel the December 3, 2007 meeting based on the above comments. Ms. Wheat seconded the motion and it was unanimously approved.

Correspondence

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of October 2007 for \$2,312.50, \$687.50 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Logana, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from Dell Financial Services for the buyout of the notebook and projector for \$725.63. Motion to approve payment was made by Mr. Flaherty, seconded by Mr. Trombetta, and approved unanimously.

A voucher was received from Hummel's Office Plus for office supplies for \$15.37. Motion to approve payment was made by Mr. Voss, seconded by Mr. Trombetta, and approved unanimously.

A voucher was received from The Post Standard for the legal notification of the Public Hearing for the Fox Chase Subdivision for \$19.80, of which all is recoverable. Motion to approve payment was made by Ms. Wheat, seconded by Mr. Fittipaldi and unanimously approved.

Comments of the Attorney

Mr. Curtin had no comments this evening.

Comments of the Engineer

Mr. Czerwinski apologized the he had not had an opportunity to conduct a site visit to the Dunkin Donut/ Moe's Southwest Grill site. He commented that he would be conducting a site visit to review the Board's concerns.

Comments of the Board Members

Mr. Flaherty requested the Board review the temporary site plan approval for the location of the temporary trailer located at the Hess gas station, as he believes the trailer has been placed in the wrong location.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 9:05pm, seconded by Mr. Trombetta and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

**TOWN OF CAMILLUS
PLANNING BOARD
DECEMBER 17, 2007
7:00 PM**

Present

John A. Fatcheric II, Chairman
Richard Flaherty, Vice Chairman
Donald Fittipaldi
Jay Logana
John Trombetta
Martin Voss
Lynda Wheat
John Williams

Staff Present

Paul R. Czerwinski, PE
Michael Discenza, Esq.

Members of the Public

Roger Pisarek, 1st Ward Councilor
Approximately 8 others

Chairman Fatcheric called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance.

New Business

There was no new business before the Board this evening.

Old Business

**Thompson's Landing
Preliminary Plat**

TP#019.-02-10

Developer, John Szczech presented a proposal for the subdivision of a 15±-acre parcel of land located on Thompson Road, zoned R-2.

The developer proposes the subdivision of the parcel into two lots, Lot 2 being 2.57± acres and Lot 1 being 12.83± acres. Mr. Szczech stated that his intention is to dedicate and deed Lot 2 to the Town of Camillus for recreational use as it abuts Nine Mile Creek.

In response to the comments received from the Onondaga County Planning Board, a memorandum was received from Mr. Curtin stating that he has received and reviewed the Resolution that was adopted by the Onondaga County Planning Board on or about December 5, 2007 and offered the following commentary for both the benefit of the Board during the course of its review of the pending subdivision application.

1. A sixty (60) foot right of way will be established at some point in time in the foreseeable future, when a further subdivision plan for Lot 1 is advanced by the applicant. Thus, a reservation of a sixty (60) foot right of way is not now necessary,
2. The comment is self-evident and the Board need not respond to it because a further application for Lot 1 has not been submitted.
3. It is not recommended that a deed restriction be included in the proposed transfer of Lot 2 to the Town of Camillus. It is our specific understanding that the

intention for the use of the property is for the municipal recreational purposes and the Town need not be so further restricted.

4. The comment that neither Lot 1 nor Lot 2 are residential building lots under Onondaga County Health Department is appropriate and in the event that Lot 1 was developed as a single parcel, certainly a septic disposal plan must be submitted to County Health. Therefore, comment number 4 is appropriate.
5. Reminding the Town of Camillus Planning Board that permanent structures can not be built upon existing twenty (20) foot wide easements is not necessary. The Planning Board is well aware of that fact.

The memorandum concluded with a recommendation to override the comments numbered 1, 2, 3, and 5 for the reasons referenced above and adopt the language suggested in Number 4 as may be appropriate. The Board may further wish to direct the Planning Board's attorney to correspond with Jeffery Harrop, Staff Planning, in order to advise of the reasons of the override.

Based upon the above recommendations, Ms. Wheat motioned to override the County's comments. Mr. Logana seconded the motion and it was unanimously approved. The Board requested Mr. Curtin to draft a response to the County Planning Department outlining the reasons for the override.

Mr. Flaherty made the motion to declare this application an unlisted action under SEQR. Ms. Wheat seconded the motion, which was unanimously approved.

Ms. Wheat made the motion to declare this application subject to a negative declaration under SEQR. Mr. Fittipaldi seconded the motion, which was unanimously approved.

Ms. Wheat motioned to approve the Preliminary Plat for the Thompsons Landing minor 2-lot subdivision as shown on the map prepared by Ianuzi & Romans Land Surveying, P.C., dated November 6, 2007. Mr. Fittipaldi seconded the motion, which was unanimously approved.

Ms. Wheat motioned to approve the Final Plat for the Thompsons Landing minor 2-lot subdivision conditioned upon the completion of the final plat application and receipt of all application fees. Mr. Fittipaldi seconded the motion, which was unanimously approved.

In lieu of the developer dedicating and deeding Lot 2 to the Town of Camillus, Mr. Flaherty motioned to waive Parkland Fees on the Thompsons Landing minor 2-lot subdivision. Mr. Logana seconded the motion, which was unanimously approved.

**Country Oaks formally known as Fox Chase
Preliminary Plat**

TP#007.-02-06.4

Developer, John Szczech presented the proposal for the subdivision of an 80±-acre parcel of land into a 132 residential subdivision, located on the corner of Armstrong and Pottery Roads, zoned R-3.

As municipal sewers have been proposed to service the subdivision, the developer has incorporated a pump station to be located within the subdivision, being placed approximately between Lots 71 and 72. Camillus Consolidated Water will provide the water service to the development. The plan depicts two entrances: one accessing from Pottery Road and the other accessing the project from Armstrong Road. Development of the project is to be in four phases, the first phase starting along Armstrong Road.

Mr. Szczech stated that upon receiving preliminary plat approval, they will begin working on the Stormwater Pollution plan and submit all inclusive of the wetland to the DEC for the SPEDIES approval.

Nicholas Desantis requested to address the Board as he had some questions and was not present at the public hearing. Chairman Fatcheric advised that the Planning Board held a Public Hearing for this subdivision on November 28, 2007, at that time; the public was able to address the Board with any and all comments. He then instructed those present that as this request was highly unusual, as the public hearing was conducted and closed, as a matter of courtesy, the Board would allow Mr. Desantis' to comment.

Mr. Desantis comments focused on the federal wetlands located on the property and any delineation of such. In response to Mr. Desantis' statements, Mr. Czerwinski advised that the actual delineated report would be submitted to the DEC and the Corps of Engineers. After reviewing the report, they would make any determinations as to whether any identifying lines located on the maps need to be changed. His other question pertained to whether the property was located in the flood plain, as it was not identified on the map. Mr. Szczech stated that he would verify the 100-year flood plain area with his professionals.

Mr. Czerwinski stated that the developer had indicated that the wetland study had been completed and Barton & Loguidice is waiting to receive those findings. Typically, Mr. Szczech submits the report to Barton & Loguidice after the comments are received back from the DEC and the Corps of Engineers. Based on the comments provided by Mr. Desantis pertaining to the flood plan, Mr. Czerwinski stated that they would re-review the placement of the proposed pump station.

In response to the comments received from the Onondaga County Planning Board, a memorandum was received from Mr. Curtin stating that he has received and reviewed the Resolution that was adopted by the Onondaga County Planning Board on or about December 5, 2007 and offered the following commentary for both the benefit of the Board during the course of its review of the pending subdivision application.

1. Even though this proposed subdivision will have 132 lots as it is presently configured, there has been no prior showing that Pottery Road is a substandard road and inadequate for purposes for vehicular conveyance. If the Planning Board requires a traffic study, it should be limited and the applicant's submission should be supplemented with the traffic report.
2. The comment is completely inappropriate in that it is always required that the applicant not add more storm water run off into the County's drainage system than that which is already being discharged into same. Providing a separate

engineering study is not only superfluous, but is costly and not necessary at this time.

3. It is my understanding that no access is being proposed on the lots that abut same. In any event, it is strictly within the purview of the County Department of Transportation to determine what curb cuts may be allowed and where they may be located.
4. It is my understanding that the developer proposes that a storm water detention system be dedicated to the public and be contained and overseen by a drainage district, which should meet and exceed the requirements of comment number 4.
5. DEC permits are always required and we need not be reminded of that at this point in time.
6. I do not have a basic problem with the observation, but I do believe that this has already been verified by our Planning Board Engineer.
7. I believe that the approval for the name was given to the developer years ago, therefore, this comment is applicable.
8. Although the comment may be appropriate, this has nothing to do with any inter-municipal issues that this proposal presents.
9. We always work on deed restrictions and/or covenants and that is a requirement of the Town Planning Board and not one that needs to be dictated to by the County Planning Department.
10. I am not sure why Mr. Szczech's final subdivision plan must label the unlabeled adjacent county parcel for "future trail development". However, that may be done if it is deemed appropriate by the Planning Board.
11. The final comment has to do with pedestrian access to the adjacent County parcel and how that may be achieved, if at all.

The Planning Board is not aware that the County is intending a "trail development" in or about this area and it is for that reason that access was not an issue. The Board may want to raise the issue with Mr. Szczech to see if and how he would like to respond to same. After a brief discussion, the Board voiced concern that if the County were to ever establish a "trail system" they would not want to encourage or introduce visitors to a residential street that was not designed or laid out to have additional vehicles parked along the side of the road; doing so would create additional traffic issues. As such, Mr. Czerwinski stated that the County may want to get involved to find a place where they could establish a designated off road parking area. Mr. Flaherty asked if Mr. Szczech would be inclined to ask the County if they would like the small area along Pottery Road conveyed to them for a designated off road parking area. Mr. Szczech indicated that he would inquire with the County.

The memorandum concluded with a recommendation to override most of the comments with the exceptions of those noted above. The Board may further wish to direct the Planning Board's attorney to correspond with Jeffery Harrop, Staff Planning, in order to advise for the reasons of the override.

Based on the above recommendations, Ms. Wheat motioned to override the County's comments numbered 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11. Mr. Logana seconded the motion, which was unanimously approved. The Board requested Mr. Curtin to draft a response to the County Planning Department outlining the reasons for the override.

Chairman Fatcheric advised the Board that the name of the subdivision has been changed to Country Oaks based on the recommendation from the Town Attorney Dirk J. Oudemool.

Ms. Wheat made the motion to declare this application an unlisted action under SEQR. Mr. Trombetta seconded the motion, which was unanimously approved.

Mr. Fittipaldi made the motion to declare this application subject to a negative declaration under SEQR. Mr. Flaherty seconded the motion, which was unanimously approved.

Mr. Flaherty motioned to approve the Preliminary Plat for the Country Oaks, formally known as Fox Chase subdivision, as shown on the map prepared by Survey Systems Land Survey & Development, dated November 5, 2007. Mr. Logana seconded the motion, which was unanimously approved.

Minutes of the Previous Meeting

Mr. Fittipaldi moved to approve the minutes of the meeting of November 28, 2007. The motion was seconded by Mr. Voss and unanimously approved.

Discussion

It was noted that professional fees for the Township 5 project had not been assessed; therefore, Ms. Wheat motioned to assess professional fees for Township 5 for \$25,000.00, and for the account to be reviewed monthly.

After reviewing the account listing prepared by the Planning Board Clerk which reflects numerous outstanding charges that have not been paid or reimbursed to the Town for active projects, Mr. Fittipaldi motioned to adopt a resolution authorizing Mr. Curtin to contact the developers or their representatives who are delinquent and notify them that unless immediate payment is made, appropriate action will be taken. Furthermore the Board will direct the Town Code Enforcement Officer to not issue any more Building Permits and/or Certificates of Occupancy, unless and until all outstanding accounts with the Town are paid in full. Mr. Voss seconded the motion and it was approved unanimously.

Correspondence

The Onondaga County Planning Federation January 2008 Municipal Training Conference registration was received. Chairman Fatcheric advised those interested in attending to complete the registration form early, as space is limited.

A voucher was received from Shulman, Curtin, Grundner & Regan, P.C. for the services performed for the month of November 2007 for \$2,600.25, \$475.25 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Trombetta, seconded by Mr. Flaherty, and approved unanimously.

A voucher was received from Barton & Loguidice, PC for the services performed from October 28, 2007 through November 24, 2007 for \$4,427.87, \$4,302.87 of which is recoverable from fees or paid by developers. Motion to approve payment was made by Mr. Voss, seconded by Ms. Wheat, and approved unanimously.

Comments of the Town Officials

Councilor Pisarek extended holiday greetings.

Comments of the Attorney

Mr. Discenza had no comments this evening.

Comments of the Engineer

Mr. Czerwinski had no comments this evening.

Comments of the Board Members

The Board exchanged holiday greetings.

With no further business before the Board, Mr. Voss motioned to adjourn the meeting at 7:43 pm, seconded by Mr. Logana and unanimously approved.

Respectfully submitted,

Ann C. Clancy, Clerk

5

5256-5268 W. Genesee St Subdivision Preliminary Plat	42
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A

Accident Data Discussion	170
Annesgrove Discussion	63
Annesgrove Section C Amended Final Plat	4, 160
Discussion	22
Aupperle, Matthew Sketch Plan	2

B

Bed Bath & Beyond Signage	206
Site Plan	196, 202
Blessed Virgin Mary Mother of God Church & Academy Site Plan for Special Use Permit	12
Boylan Development Services Inc	See IHOP

C

Camillus Commons Crosswalks	71
Camillus Commons - Benderson Development Discussion	6
Christ Community Church Special Use Permit	212
Clancy, Ann C. Clerk	225
Country Creek Estates Construction Drawings	20
Final Plat	190
Country Oaks Preliminary Plat	223, 234
Public Hearing	227
Sketch Plan	177
Cricket - 4300 W. Genesee St Site Plan	64
Curtin Jr., Paul J. Attorney	225
Czerwinski, Paul Engineer	225

D

Dick's Sporting Goods Site Plan	207
Drake, Deana	See Evans Landing
Dusart, James Lot Line Realignment	218

E

Eckerd Drugs - Camillus Commons Site Plan	50, 62
Elm Hill Plaza Site Plan	36
Entree Vous Site Plan	205
Evans Landing Preliminary Plat	13
Preliminary/Final Plat	27

F

Fairmount Fair Development Town of Geddes	15
Fairmount Fair Plaza Discussion	180
Fatcheric III, John A. Chairman	225
Fatcheric, Gertrude Farm Subdivision Amended Preliminary Plat	3
Preliminary/Final Plat	18
Public Hearing	9
Fittipaldi, Donald Member Term	225
Fox Chase	See Country Oaks
Frank's Franks (Home Depot) Discussion	193
Temporary Site Plan	58
Fresno's Restaurant Temporary Site Plan	63

G

Golden Meadows Section V Preliminary Plat	163, 185
Public Hearing	173
Sketch Plan	57
Greenfield Village Sketch Plan	12

H

Hinsdale Plaza Phase III Site Plan	69, 191, 214, 219, 224
Holy Cross Church Amended Site Plan	1, 20, 44, 51
Home Depot Site Plan	188, 201

I

IHOP Site Plan	162, 178
-------------------	----------

J

JFW Properties - 5633 W. Genesee St See World of Wonders Child Care Center
Site Plan 176

K

Kehoskie, Thomas S.
Lot Line Realignment 217
Preliminary Plat 221

L

Logana, Jay
Vice-Chairman 225

M

Malibu Hills Estates
Construction Drawings 228
Discussion 180
Formal SEQR Scoping Session 34
Preliminary Plat 28, 60, 165, 192
Public Hearing 73, 78
Sketch Plan 21
Marshall's Retail Store
Discussion 170, 180
Medical Center West
Amend Final Plat 208
Amended Final Plat 5
Site Plan 200
Meeting Dates 2008 231
Michael's Retail Store
Signage 70, 169
Site Plan 24, 38, 47
Moe's Southwestern Grill
Amended Site Plan 14
MS 4 Community
Discussion 31

O

Organizational 2008 224
Outdoor Power
Site Plan 176

P

Petsmart - Fairmount Fair
Signage 62
Site Plan 10, 26, 38, 45
Pioneer Farms Section 7E
Discussion 40
Final Plat 192
Pointe West
Construction Drawings 6, 30
Minor Subdivision 15
Preston, Helen
Lot Line Realignment 183

R

Ragan, John Dennis
Site Plan 43
Rinaldi Top Soil
Site Plan Extension 39

S

Shope Financial Services
Site Plan 67, 164
Site Plan Applications
Discussion 16
SMSA Limited Partnership d/b/a Verizon Wireless See Verizon Wireless
Snowbirds Landing II See Malibu Hills Estates
St. Pauly Textile Inc. - Camillus Elk's
Special Use Permit 73
St. Pauly Textile Inc. - Christ Community Church
Special Use Permit 75
Starlight Estates
Discussion 6
Starlight Estates Apartments
Construction Drawings 64
Starlight Estates Phase 2
Construction Documents 4
Revised Grading Plan 52, 174
Szczecz, John (Devove Road)
Lot Line Realignment 10

T

Target
Guide Rail 15
Signage 37
Thompson's Landing
Preliminary Plat 222, 233
Sketch Plan 184
Township 5
Professional Fees 237
Site Plan 222, 229
Zone change 195, 203, 209

U

Uczen, Christopher
Special Use Permit 49

V

Verizon Wireless - Belle Isle road
ZBA Referral 196
Verizon Wireless - Newport Road
Site Plan 174, 197
Viewpoint Estates
Construction Drawings 213
Preliminary Plat 44, 59
Public Hearing 55
Sketch Plan 11

W

Waterbridge Terrace	
Preliminary Plat	178, 190
Public Hearing	182
West Genesee Athletic Club	
Temporary Site Plan	161
Westhill Golf Course	
Discussion	16
Widewaters	See Hinsdale Plaza Phase III

Williams, John	
Alternate member	225
World of Wonders Child Care Center	
Site Plan	176

Y

Yager, Mary Jane	
Sketch Plan	189