

Village of Liverpool Planning Board  
Monday March 25, 2019  
7:00 PM

Present: Joseph Ostuni, Chairman  
Peter Osborne  
Bill Reagan, Codes Officer  
Sandra Callahan, Secretary

Jim Rosier  
Jim Taft, alternate  
John Langey, Attorney

**Call to Order**

Chairman Ostuni called the meeting to order at 7:00 PM and led those present in the Pledge of Allegiance.

**Minutes**

Chairman Ostuni asked for a motion to approve the minutes of January 28, 2019. Mr. Taft moved and Mr. Osborne seconded the motion to accept the minutes. Mr. Rosier abstained from voting as he was absent. Motion approved.

**New Business**

**Mary Parks and Steve Koti – 107 Iroquois Lane** - Public hearing on the application of Mary Parks and Steve Koti for a special permit request for the purpose of installing a 12' x 16' storage shed on a property located at 107 Iroquois Lane, tax map #009.-04-10.0

Mr. Koti submitted his plans and drawing for the shed along with the receipts from the certified letters sent.

Mr. Rosier moved and Mr. Taft seconded the motion to open the public hearing. Approved. There were no comments or questions. Mr. Rosier moved and Mr. Osborne seconded the motion to close the public hearing. Approved.

Mr. Koti stated the siding on the shed will match the siding on his house.

The referral was received from County Planning with no position. For purposes of SEQR this is a Type 2 unlisted action having no environmental impact.

Mr. Rosier moved and Mr. Osborne seconded the motion to issue the special permit to Mr. Koti for the purpose of installing the storage shed as below.

**RESOLUTION OF THE PLANNING BOARD  
OF THE VILLAGE OF LIVERPOOL**

**MARY PARKS and STEVE KOTI** (as Owners/Applicants) -- Application for a Special Permit to Construct a 12' x 16' Storage Shed at Owners' Premises Located at 107 Iroquois Lane (more commonly known as Tax Map # 009.-04-10.0), all in

the Single-Family Residential (R-1) District in the Village of Liverpool -  
**GRANTED WITH CONDITIONS.**

J. Rosier moved and P. Osborne seconded the following Resolution:

**WHEREAS**, Mary Parks and Steve Koti, as Owners/Applicants of property located at 107 Iroquois Lane (more commonly known as tax map # 009.-04-10.0) in Village of Liverpool (the “Property”), appealed to the Village of Liverpool Planning Board (the “Board”) on or about February 11, 2019 for a Special Permit to construct a 12’ x 16’ storage shed on the Owners’ Property located in the Single-Family Residential (R-1) District, all pursuant to §380-14(K) of the Zoning Law of the Village of Liverpool, as amended (the “Zoning Law”); and

**WHEREAS**, the Board has the power to grant such Special Permit approval upon the findings set forth in said §380-14(K) of the Zoning Law; and

**WHEREAS**, a public hearing on the application was held by the Board at its regular meeting on March 25, 2019, and after due notice by publication in the Post-Standard and due notice to the Owners/Applicants, neighboring landowners and Board members, in accordance with the law and the Zoning Law; and

**WHEREAS**, the Board previously determined the following with respect to the State Environmental Quality Review Act (“SEQR”):

1. the Planning Board will be lead agency;
2. the proposed action does not involve any federal or other involved agencies;
3. the proposed action is a Type II Action for purposes of SEQR review and no further environmental review is necessary; and

**WHEREAS**, the application was referred to the Onondaga County Planning Board (“OCPB”), as required by General Municipal Law Section 239-m for their review and comments;  
and

**WHEREAS**, the OCPB session having taking place, the OCPB determined in OCPB Case # Z-19-58, by a Resolution dated March 13, 2019 that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board; and

**WHEREAS**, the Owners' application was considered fully by the Planning Board and upon such consideration the Board found among other things regarding the proposed project:

1. The Owners have demonstrated that there will be no detriment to health, safety and welfare of the community since the use is residential in nature;
2. The proposed use is an allowed use in the district subject to the issuance of a Special Permit;
3. The proposed location of the accessory structure is appropriate for the lot and location;
4. The use is not unreasonably detrimental to neighboring properties, areas and districts
5. The use will not cause harm or deterioration of the premises and will be consistent with proper development; and
6. The use is otherwise in harmony with general purposes and intent of the Village of Liverpool Zoning Ordinance as the area is zoned for residential and accessory uses.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board hereby allows and grants the Owners' request for a Special Permit to allow for the construction of a 12' x 16' storage shed on the Owners' Property, all in specific accordance with the submitted application and plans conditioned, however, that the construction and siting of the 12' x 16' storage shed shall occur within the minimum rear and side yard setbacks; and

**BE IT FURTHER RESOLVED** that the Owners shall comply in all other respects with the Zoning Law; and

**BE IT FURTHER RESOLVED** that the Zoning Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution; and

**BE IT FURTHER RESOLVED** that this Resolution shall be effective as of the date of its filing with the Village Clerk and shall be subject to annual inspection for compliance; and

**BE IT FURTHER RESOLVED** that this Resolution shall be effective as of the date of its filing with the Village Clerk.

The question of the adoption of the foregoing Resolution was duly put to a roll call vote, which resulted as follows:

<b>James Taft, Alternate</b>	<b>Voted</b>	<b>Yes</b>
<b>John Eallonardo</b>	<b>Excused</b>	<b>-----</b>
<b>James Rosier</b>	<b>Voted</b>	<b>Yes</b>
<b>Peter Osborne</b>	<b>Voted</b>	<b>Yes</b>
<b>Joseph Ostuni, Jr., Chairman</b>	<b>Voted</b>	<b>Yes</b>

Chairman Ostuni then declared the Resolution to be duly adopted.

**JOSEPH OSTUNI, JR.**, Chairman of the Planning Board of the Village of Liverpool, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on March 25, 2019, a quorum being present.

---

**JOSEPH OSTUNI, JR., CHAIRMAN**  
**Village of Liverpool Planning Board**

**MARY ELLEN SIMS**, Village Clerk of the Village of Liverpool hereby certifies that the foregoing Resolution was duly filed in her office on \_\_\_\_\_, 2019.

---

**MARY ELLEN SIMS, Village Clerk**

**Lemrog Retreat** – Public hearing on the application of Lemrog Retreat for a site plan review for the construction of a handicap entrance ramp at a property located at 302 Vine St., tax map #004.-02-11.1

Adam Gormel was present and said they want to relocate the handicap entrance ramp to the door on the First Street side of the property. Currently, the handicap entrance is on the side of the building that leads in to the party room. Guests needing handicap access enter through the party room even if there is an event going on.

To better serve their customers and comply with the ADA requirements, they want to install the ramp on the First St. side of the building.

The ramp will encroach on the Village right of way and a revocable license agreement will need to be requested from the Village Board of Trustees.

A new site plan showing the exact property lines will need to be submitted. For SEQR purposes this is an unlisted action.

Mr. Rosier moved and Mr. Taft seconded the motion to recommend that the Village Board approve the request for the revocable license agreement. Approved. Clerk Callahan will submit a memo to the Village Board with this recommendation.

This will remain on the Planning Board agenda.

Chairman Ostuni asked Mr. Gormel if there were any updates for development plans on Lake Drive. Mr. Gormel said they are working on the plans and are working with the County to see if there are any tax breaks or grants available to assist with the proposed development.

**Brian Kempisty** – zone change request for property located on Tulip Street between Meyer Manor apartments and the NYS Thruway, tax map #001.-01-05.1

Mr. Kempisty is looking for guidance from the Planning Board to request a zone change for the property currently zoned as residential (R-1). This is a 1 acre property on Tulip Street that abuts the Thruway. He has not had success over the years trying to sell it as residential. Many years ago the County DOT did a curb cut and he put in a driveway. The land is undeveloped and is full of trees. He will be clearing the lot but will leave several of the larger trees. This is on the same side of the street as the Meyer Manor apartment development.

After reviewing the Village code, it was suggested by the Board that the best zone change would be to light industrial /business park district (L-I). Permitted uses as listed in Village code §380-60 Article X were discussed.

There were no other questions from the board.

Mr. Rosier moved and Mr. Osborne seconded the motion to recommend the Village Board of Trustees approve the zone change from R-1 to L-I for future development. Approved. Clerk Callahan will submit a memo to the Village Board with this recommendation. This will be on the Village Board agenda for the April 11 meeting.

**Old Business – Immediate Mailing Services, Warren Vanderpool, Jr.** – 245 Commerce Blvd. – No one was present. Public hearing remains open.

#### **Discussion on proposed Local Laws**

Chairman Ostuni began by reviewing Local Law A-2019 – “Filming Permits”

Mr. Osborne asked what prompted the need for this law. Mr. Reagan stated that the film school keeps requesting to close streets for filming, they are repeatedly using the same house for filming and they are

leasing the building to other companies to make movies. The new law would require a permit and insurance and enforce that they are complying with the “film school” special permit already issued.

The consensus of the Planning Board is they support this new local law.

**Local Law B-2019 – Trees**

The current section of the Village code is updated in this new local law. There were several comments and discussion regarding the proposed law from the Board.

Chairman Ostuni stated that this local law doesn’t address how best to deal with neglected or dangerous trees on Village property. He also stated that the term “community forest” should be defined in the definitions section.

The Tree committee meetings are public meetings and due notice should be published per the open meetings law.

We need to address the trees in the State right of way.

Mr. Reagan said this also deals with privately owned trees and that it is a civil matter. Our current law states the Village has authority to address the owner to remove dangerous or unhealthy trees.

The Planning Board feels this is overkill of the tree law. The public hearing is April 11 at the Village Board meeting.

There being no further business, Mr. Rosier moved and Mr. Osborne seconded the motion to adjourn. Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Sandra J. Callahan  
Deputy Clerk