

Village of Liverpool Planning Board
Tuesday May 28, 2019
7:00 PM

Present: Joseph Ostuni, Chairman
Jim Taft, alternate
John Eallonardo
Rich Andino, Attorney
Sandra Callahan, Secretary

Jim Rosier
Peter Osborne
Bill Reagan, Codes Officer
Greg Sgromo, Engineer

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 April 22, 2019. Mr. Rosier moved and Mr. Taft seconded the motion. Mr. Osborne abstained as he was absent. Motion approved.

Old Business – On the application of Limp Lizard for a site plan review for a property located at 201 First Street, tax map #004.-06-04.0. The owners were present to provide an update.

Parking - A new site plan drawing was submitted that showed a widened parking area to the neighboring property to allow trucks to turnaround and drive out the front. The dumpsters were shown on the plan.

The owners stated that the property owner next door said he will do whatever is needed to help them get this approved. He is willing to join the two parking lots.

The parking agreement with M&T Bank has been rescinded due to someone complaining to the bank.

Mr. Reagan said there are 180 parking spaces on the street within 500' of the property. The County parking lot is available at the Salt Museum.

Hours and Noise – The owners stated that the restaurant is only open until 11:00 p.m. or midnight and the deck will be used only for dining. There will be 24 seats and it will be closed on Tuesday nights for the open mic night inside.

Mr. Sgromo submitted a letter to the board stating his concerns and went over each item. He suggested creating a pedestrian walkway between the 2 properties. They would need to grade the area between the two parking lots.

The property owners will need to:

- Submit specifications for code compliant, shielded exterior light fixtures and revised lighting photo-metrics
- Reduce the buffer along south property line to 3 feet in width
- Supply details changing the buffer to swale, constructed to absorb water with plantings (if they will survive in a swale) or a 6 foot high wood fence.

- Show a ramped pedestrian access to the rear parking lot at 141 First St. within the striped area at the bottom of the driveway
- Increase parking spaces to 9 feet wide
- Increase driveway width to 20 feet for its full length
- Provide a time frame for paving the parking lot
- Provide easements for the driveway and ramped pedestrian access
- Indicate the easements for the driveway and ramped pedestrian access on the site plan
- Provide a long term parking agreement with 141 First St.

Mr. Reagan had concerns about drainage. Mr. Sgromo said the grading wouldn't need to change and the drainage would remain the same. He said in lieu of a berm, the area should be recessed inward.

Mr. Reagan said that there are options on either side of the property to alleviate drainage if it becomes an issue.

Chairman Ostuni asked for questions from the board.

Mr. Eallonardo would like to see new site plan drawings showing the changes to include joining the two parking lots.

Mr. Rosier likes the idea of connecting the two parking lots and agrees with Mr. Sgromo's assessment of the drainage.

Mr. Taft agrees with the idea of creating a pedestrian walkway between the two properties. It would be time consuming and costly to have to bring the 2 site plans in together to join the lots.

Mr. Reagan said the neighbor is interested in making improvements to his property and is waiting to see what changes Limp Lizard will make and then he will likely come before the Planning Board.

Mr. Andino said we would need a long term parking lease in place with Mr. Reardon.

The board is in agreement that we need to wait until the changes are made before approval.

John Gormel, owner of The Retreat was present and said he would like to see a copy of the current easement with Mr. Roerden. He also said that a 10 foot buffer is required in a commercial district that abuts to a residential district.

Mr. Reagan noted the entire area is zoned commercial/mixed use.

Mr. Reagan has a list of items to go over with the owners and they will remain on the agenda for the June meeting.

The Retreat – On the application of Lemrog Retreat for a site plan review for the construction of a handicap entrance ramp for a property located at 302 Vine Street, tax map #004.-02-11.1

The revocable license agreement was approved by the Village Board at their June 20th meeting.

Mr. Reagan said there are no issues with the plans as submitted. We need to complete the SEQR.

Mr. Andolino said for SEQR purposes this is an unlisted action with the Village Planning Board as the lead agency.

Mr. Andolino read the questions on the SEQR, all answers are no, having little or no environmental impact.

Mr. Rosier moved and Mr. Taft seconded the motion to approve the site plan as submitted. Motion approved.

SITE PLAN APPROVAL FOR DEVELOPMENT

RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF LIVERPOOL

LEMROG RETREAT -- Application for Site Plan Approval to construct a 3' x 34' concrete handicap ramp on the First Street side of the parcel known as Tax Map #004.-02-11.1 at the Premises Located at 302 Vine Street in the Village of Liverpool - GRANTED

May 28, 2019

Member Rosier moved and Member Taft seconded the following Resolution, which was carried unanimously:

WHEREAS, John Gormel, as Applicant, and Lemrog Reareat LLC as Owner of property located at 302 Vine Street (more commonly known as tax map #004.-02-11.1) in Village of Liverpool (the "Property"), applied to the Village of Liverpool Planning Board for site plan approval to construct a 3' x 34' handicap ramp on the First Street side of the Property; and

WHEREAS, a survey/site plan prepared by in-Architects Partners, dated February 6, 2019, as last revised, depicts the existing restaurant use on the Property with a portion of the proposed 3' x 34' handicap ramp encroaching into the Village of Liverpool's right-of-way; and

WHEREAS, by memorandum from the Planning Board to the Board of Trustees, dated March 26, 2019, the Planning Board unanimously voted to recommend that the Board of Trustees grant the Applicant a revocable license agreement to maintain the improvements within the Village right-of-way subject to certain conditions; and

WHEREAS, the Lemrog Retreat LLC and the Board of Trustees entered into a Revocable License Agreement subject to certain conditions contained within said Agreement; and

WHEREAS, a public hearing on the site plan application was held on March 25, 2019 and continued on April 22, 2019; and

WHEREAS, the Applicant has completed and submitted a Short Form Environmental Assessment Form and the same has been reviewed and considered by the Board along with the other submissions provided by the Applicant; and

WHEREAS, the application was fully considered by the Board pursuant to the requirements of the Code, and the Board finds, among other things that the proposed improvements will be appropriate for this site.

NOW THEREFORE, BE IT RESOLVED, that the Planning Board hereby declares itself lead agency for purposes of SEQRA and determines that the action is an Unlisted Action; and is further

RESOLVED, that this Board hereby determines that the proposed action will not have a significant adverse effect on the environment, and this resolution shall constitute a negative declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617; and it is further

RESOLVED, that the Board hereby allows and grants the Applicant's request for site plan approval to construct a 3' x 34' concrete handicap ramp on the Property, subject however to the following condition: that the Revocable License Agreement entered into by and between Lemrog Retreat LLC and the Village of Liverpool to allow for the proposed improvements to be located within the Village right-of-way, be maintained and in place at all times; and it is 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 subject to the above conditions; and it is 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:

Jim Rosier	Voted	YES
James Taft	Voted	YES
John Eallonardo	Voted	YES
Peter Osborne	Voted	YES
Joseph Ostuni, Jr., Chairman	Voted	YES

The Chairman, Mr. 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 May 28, 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 June __, 2019.

MARY ELLEN SIMS, Village Clerk

IMS – On the application of Immediate Mailing Services, 245 Commerce Blvd. for a 6500 sq. ft. addition to the building.

Mark Dyer was present for the applicant. He said they changes the plans to add more square footage. The new drawing shows 50' wide and 364' in length. They have appeared before the Town of Salina Planning Board and received a 15' variance and they have signed off on all building permits.

There is a drainage issue near the Thruway and the Thruway Authority will fix that area to allow for proper drainage.

All traffic will flow one-way around the building and the parking lot will be widened.

Mr. Sgromo addressed a letter to the board with his concerns. He went through the items.

- The applicant needs to show the actual parking calculations on the site plan
- They need to correct the ADA parking/loading spaces to comply with code
- They need to show stormwater drainage pipes/catch basis along south and west sides of the parking lot
- Show the new addition roof drain
- Show the pavement for the west driveway
- Correct the parking lot striping to accurately reflect all spaces including stacked parking
- Provide revised photo metrics

Mr. Sgromo will coordinate with the Town of Salina engineer to review the items.

They will remain on the agenda for the June meeting.

There being no further business, Mr. Osborne moved and Mr. Taft seconded the motion to adjourn. Approved. Meeting adjourned at 8:30.

Respectfully submitted,

Sandra J. Callahan
Deputy Clerk