

Village of Liverpool Planning Board
Tuesday May 29, 2018
7:00 PM

Present: Joseph Ostuni, Chairman
John Eallonardo
Mike LaMontagne
Wendy Lougnot, Attorney
Sandra Callahan, Secretary

Peter Osborne
Jim Rosier
Bill Reagan, Codes Officer, absent
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 23, 2018. Mr. Rosier moved and Mr. Osborne seconded the motion to adopt the minutes as submitted. Approved

Meyer Manor Apartments – Continued public hearing and SEQR completion

Steve Calocerinos, Engineer for the developer was present to provide the latest updates.

Enhanced Landscaping – After consulting with Northern Nurseries, the latest plan submitted shows the landscaping at the north end of buildings 3 & 4 to include 10-12 ft. trees.

Stormwater Plan - The stormwater plan has been finalized pending review by the Village engineer. It is on wet pond and part dry pond. Mr. Sgromo said it appears the plan will work fine. They need to finalize the exact size and location of the stormwater pond.

Fence - The fence has been noted on the plan and would be a PVC vinyl, weather-resistant fence in an almond or natural color.

Chairman Ostuni asked for questions from the board.

Mr. Osborne said it looks like more trees were removed from the last plan. Mr. Calocerinos said there was but the new landscaping includes larger trees. He also said that most of the larger trees cannot be preserved due to their current state and there is a lot of underbrush.

Mr. Eallonardo asked about the size of the trees on the plant list as they are listed as being 8-12'. Mr. Calocerinos said the size of the trees will be dependent on what is available the season they are to be planted. He also asked why there were no trees on lots 31 & 32, Mr. Calocerinos said it is because that is the stormwater embankment area and trees aren't typically planted there. He asked what the mix of 1 & 2 bedroom apartments would be. Mr. Calocerinos said there would be five 1-bedroom apartments and four 2-bedroom apartments per floor in each building.

Chairman Ostuni said the updates provided were a result of the last meeting's discussion while completing the SEQR question 18-e. The trees and fence will mitigate the impact.

Mr. Osborne said it mitigates it to the point where it is not an issue but that it will still have an impact.

Mr. LaMontagne said relative to question 18 there are other things surrounding the area beside residential, he cited the Thruway and the industrial business.

Mr. Rosier agrees with Mr. Osborne that the mitigation makes it acceptable.

Question 18-e was answered as having moderate to large impact.

Peg Salvatore – 211 Sheridan asked why are they stopping the planting of trees at a certain area as shown on the site plan?

Chairman Ostuni said the changes were made based on what the Johnson Tract residents would view and it was determined that adding a fence along the entire property line would be sufficient in shielding the lights. We need to room to maintain the aquatic shelf and can't plant trees in that area.

Ms. Salvatore also asked about overflow parking and where would the cars park? Chairman Ostuni said there would be no vehicle access from Donald Place and that the parking requirements meet the Village code.

Chairman Ostuni said the Planning Board has done a careful and thorough review of the environmental impact and thanked the residents who voiced their opinions during the public hearing. He said that because of their concerns and opinions, the project has been changed from its original plan to one that we can all be satisfied with.

Chairman Ostuni asked for a motion to approve the resolution to adopt the SEQRA as having a negative declaration with findings on the site plan review as follows:

RESOLUTION OF THE PLANNING BOARD

OF THE VILLAGE OF LIVERPOOL

SEQRA Resolution and Negative Declaration

With Findings on the Site Plan Review

MARVIN MEYER, VIRGINIA M. (MEYER) KLINK AND MARLYN M. SCHAMU

(AS OWNERS) AND TACOZA DEVELOPMENT (AS APPLICANT)

FOR SITE PLAN APPROVAL TO CONSTRUCT AND OPERATE

A MULTI-UNIT APARTMENT COMPLEX TO BE LOCATED AT 1229 TULIP STREET

(Tax Map Nos. 001.-01-04.2 and 001.-01-29.1)

DATED: May 29, 2018

The following resolution was offered by Mr. LaMontagne, who moved its adoption, seconded by Mr. Rosier, to wit:

WHEREAS, previously on or about August 3, 2015, an application for a proposed site plan approval, pursuant to the provisions of the Village of Liverpool Zoning Law, has been made by the Owners of property located at 1229 Tulip Street (Tax Map Nos. 001.-01-04.2 and 001.-01-29.1) in the Village of

Liverpool, which site plan approval would accommodate a multi-unit apartment complex to be located on the subject parcels (being more particularly described as a proposed four (4) 3-story apartment building complex on a combined 7± acre site with a total combined number of 108 apartment units and associated structures with parking); and

WHEREAS, on December 18, 2017, the Village of Liverpool Board of Trustees enacted Local Law 3-2017 for a zone change, specifically an amendment of the Zoning Map of the Village of Liverpool to change the zoning designation of certain lands located at 1225 Tulip Street (Tax Map No. 001.-01-04.2) from its present zoning designation of Single-Family Residential (R-1) to Multiple-Family Residential (R-3), as that term is defined and regulated pursuant to the provisions of the Code of the Village of Liverpool; and

WHEREAS, Volume 6 NYCRR Sections 617.3 and 617.6 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), require that as early as possible and within twenty (20) days after submission of a complete application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, previously, the Village Board of Trustees of the Village of Liverpool at its regularly scheduled meeting held on November 16, 2015 reviewed a Short Environmental Assessment Form submitted by the applicant and subsequently a Full Environmental Assessment Form, and determined that:

1. This project, which anticipated a Zone Change from R-1 to R-3 and anticipates the construction and operation of a multi-building apartment complex required SEQRA review;
2. The proposed action is an unlisted action;
3. That the following are involved/interested agencies:
 - **Village of Liverpool Planning Board**, 310 Sycamore Street, Liverpool, NY 13088;

- **Town Board of the Town of Salina**, 201 School Road, Liverpool, NY 13088;
 - **Town Board of the Town of Clay**, 4401 Route 31, Clay, NY 13041;
 - **New York State Thruway Authority & Canal Corp.**, Syracuse Division, 290 Elwood Davis Road, Suite 250/2nd Floor, Liverpool, NY 13088-0308;
 - **New York State Canal Corp.**, Attn: Mark Miller, PO Box 189, Albany, NY 12201;
 - **New York State Department of Environmental Conservation, Region 7**, 615 Erie Boulevard West, Syracuse, NY 13204
 - **U.S. Army Corps of Engineers**, New York District Public Affairs, 26 Federal Plaza, Room 2113, New York, NY 10278;
 - **The Onondaga County Department of Water Environment Protection**, 650 Hiawatha Boulevard West, Syracuse, NY 13204;
 - **The City of Syracuse (3 Mile Limit)**, Department of Zoning, 201 East Washington Street, Room 512, Syracuse, NY 13202.
4. That the Village Board of Trustees would assume Lead Agency status in connection with the SEQRA review for this project and would undertake an *uncoordinated review*;
 5. That the Village Board of Trustees directed that a Lead Agency notification letter be circulated among the various involved/interested agencies, together with the distribution package including the proposed site plan approval application, the Environmental Assessment Forms, drawings/maps, a legal description, proposed site plans, and such other information as has been prepared and submitted to date by the applicant; and

WHEREAS, the Village Board of Trustees conducted public hearings on the proposed action on December 21, 2015 and again on September 18, 2017 and received written and verbal comments related thereto; and

WHEREAS, the Village Board of Trustees stated it was cognizant of the scope of the proposed project and was undertaking its review of the environmental impacts of the proposal, as a whole, including both the proposed Zone Change request as then sought, as well as the full proposed development of the project as a multi-unit apartment complex on 7± acres of land, which would include lands zoned R-3 and then zoned R-1 (subject to the requested Zone Change); and

WHEREAS, the Village Board of Trustees stated its desire to avoid a segmented review of the action, such that the Village Board of Trustees determined to undertake an extensive environmental review of the entire proposal (including Zone Change and Site Plan Approval for the multi-unit apartment complex) for purposes of SEQR for the instant action and further undertook an extensive review of the materials, studies, reports, objections and data relating to the project, as a whole; and

WHEREAS, the Village Board of Trustees engaged the services of its consulting engineer, Dunn & Sgromo Engineers, to assist in an evaluation of the various potential significant negative environmental impacts of the project, as identified by the Village Board of Trustees and by residents of the Village and the Town of Salina; and

WHEREAS, the Village Board of Trustees on November 20, 2017 reviewed all of the materials submitted by the applicants and its' consulting engineer, Calocerinos Engineering, P.L.L.C., the Short and Full Environmental Assessment Forms, the traffic impact assessment study prepared by G.T.S. Consulting, dated February 26, 2016; from the Village's consulting engineer, Dunn & Sgromo Engineers, dated May 12, 2017 (to S. Calocerinos regarding the availability of sanitary sewers), May 22, 2017 (to the Village of Liverpool Planning Board re: drawing review), June 26, 2017 (to the Village of Liverpool Planning Board re: drawing review) and September 18, 2017 (to Mayor White re: review of traffic impacts); response by Calocerinos Engineering, P.L.L.C., dated June 15, 2017; comments from the Town of Salina's Town Engineer Douglas Wickman, P.E.; comments from the Town of Salina Town Board through its legal counsel; and

WHEREAS, on said November 20, 2017, the Village Board of Trustees as Lead Agency undertook a full and thorough discussion of each of the various areas of environmental concern, as identified pursuant to the regulations and the Full Environmental Assessment Form and has fully considered,

analyzed and discussed said areas of concern, including project modifications and mitigations, with the assistance of its consulting engineers; and

WHEREAS, the Village Board of Trustees of the Village of Liverpool on December 18, 2017, after careful review of the site plan improvement application, the request for a Zone Change and the Short and Full Environmental Assessment Forms (including the Full Environmental Assessment Form completed for the requested site plan approval), as well as a review of all comments and concerns brought to the Board's attention, determined that the requested Zone Change would not have a significant negative effect on the environment (taken in context with the overall plan for a multi-unit apartment complex) and that it would issue a Negative Declaration for the project, as proposed and amended for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the NYCRR Section 617.3; and

WHEREAS, pursuant to the Regulations, the Village of Liverpool Planning Board, as an involved agency, has the power to adopt its own set of SEQR Findings relative to the project incidental to the granting or denial of the requested site plan for the project; and

WHEREAS, the Village of Liverpool Planning Board hereby has determined to exercise its right to undertake and adopt its own specific environmental findings relative to the environmental impact of the proposed project; and

WHEREAS, the Village of Liverpool Planning Board has undertaken a review of: the site plan improvement application; the Full Environmental Assessment Form associated with the site plan approval; all submitted studies and project information provided by the applicant and the applicant's design professionals and consultants; the entire file accumulated on the Zone Change project, as reviewed by the Village of Liverpool Board of Trustees; and

WHEREAS, the Village of Liverpool Planning Board further conducted a public hearing on the site plan on February 26, 2018, which public hearing was continued on March 14, 2018 and March 26, 2018; and

WHEREAS, the Village of Liverpool Planning Board has further utilized the services of its consulting engineer, Dunn & Sgromo Engineers, to assist in the evaluation of all of the various potential significant negative environmental impacts of the project as identified by the Planning Board, the residents of the Village and the residents of the Town of Salina; and

WHEREAS, the Village of Liverpool Planning Board has further reviewed the environmental findings adopted by the Village of Liverpool Board of Trustees on December 18, 2017 and has considered same as part of its independent review of the environmental impacts associated with the request for site plan approval for the proposed project; and

WHEREAS, on March 14, 2018 and March 26, 2018, the Village of Liverpool Planning Board undertook a full and thorough discussion of each of the various areas of environmental concern, as identified pursuant to the regulations and the Full Environmental Assessment Form and has fully considered, analyzed and discussed each of the said areas of concern, including project modifications and mitigations, with the assistance of its consulting engineers.

NOW, THEREFORE, BE IT RESOLVED, that Village of Liverpool Planning Board, after careful review of the site plan improvement application, the Full Environmental Assessment Forms, as well as a review of all comments and concerns brought to the Board's attention, hereby determines that the requested site plan will not have a significant negative effect on the environment (taken in context with the overall plan for a multi-unit apartment complex) and that this resolution shall constitute a Negative Declaration for the project, as proposed and amended for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the NYCRR Section 617.3 for the following reasons and findings:

Proposed Request and Site Characteristics

- The proposed use, a multi-unit apartment complex, to be located on a combined approximately 7± acre parcel off of Tulip Street required and has been granted a Zone Change of Tax Map No. 001.-01-04.2 (presently 0.90± acres) from *R-1* to *R-3* and thereafter combined with Tax Map No. 001.-01-29.1 (presently a 6.02± acre parcel);
- The overall proposed development: The proposed Site Plan would consist of the construction of four (4) three-story multi-family residential buildings totaling 108-units, required parking, and utility infrastructure improvements consisting of water, sewer, stormwater, electric and natural gas facilities to serve said units. Existing sanitary sewer, water, electric and natural gas utilities will be extended into the site. Stormwater management facilities will be constructed to mitigate increases in stormwater runoff from development of the project. Vehicular and pedestrian traffic is proposed to access the project via Tulip Street;
- Uses allowed in the *R-3* District include the following as per §380-27 of the Village Zoning Law:
 - Permitted Uses:
 - A. **Multiple-family dwellings.**
 - B. One- and two-family dwellings.
 - C. Buildings and structures accessory to Subsections A and B above.
 - Specially Permitted Uses:
 - A. Schools.
 - B. Religious facilities.
 - C. Utility structures.
 - D. Day-care facilities.
 - E. Family day-care home.
 - F. Care home.
 - G. Bed-and-breakfast.
 - H. Home occupations in one- or two-family dwellings.
 - I. Buildings and structures accessory thereto.
 - J. An accessory structure to a dwelling unit which exceeds 150 sq. ft. in building area.
- *R-3* Zoning uses have the following bulk regulations for residential lot and structure requirements for multiple-family dwellings:
 - (1) Lots and densities:
 - (a) Area, minimum: 20,000 sq. ft.
 - (b) Width, minimum: 100 feet.
 - (c) Coverage, maximum: 40%.
 - (d) Unit density per lot, minimum: 2,000 sq. ft. of lot area per dwelling unit.
 - (2) Principal buildings:
 - (a) Front yard setback: 35 feet.
 - (b) Side yard setback, each side: 20 feet.
 - (c) Rear yard setback: 30 feet.
 - (d) Maximum height: 35 feet.
 - (e) Distance between principal buildings, minimum: 25 feet.

- The proposed use is outlined in the following drawings, plans and specifications as prepared by Calocerinos Engineering, PLLC and includes the following plans and drawings, as last revised:
 - Site Plan Drawings for Meyer Manor Apartments, 2016, revised May 16, 2018, and including:
 - Sheet G-001, Title Sheet, February 2016, Revised May 2018;
 - Sheet G-101, General Notes & Legend, dated 09/13/2016, as last revised 12/18/2017;
 - Sheet V-101, Existing Topographic Survey, dated 09/13/2016; as last revised;
 - Sheet C-101, Site Layout & Utility Plan, dated 09/13/2016, as last revised 05/16/2018;
 - Sheet C-102, Grading Plan, dated 09/13/2016, last revised 05/16/2018;
 - Sheet C-103, Landscape Plan, dated 09/13/2016, last revised 05/16/2018;
 - Sheet C-104, Erosion & Sediment Control Plan, dated 09/13/2016, last revised 05/16/2018;
 - Sheet C-501, Site Details, dated 09/13/2016, last revised 01/12/2018;
 - Sheet C-502, Site Details, dated 09/13/2016, last revised 01/12/2018;
 - Sheet C-503, Site Details, dated 01/3/2017, last revised 01/12/2018;
 - Sheet C-504, Erosion & Sediment Control Details, dated 09/13/2016, last revised 05/16/2018;
 - Sheet C-505, Pump Station Details, dated 04/4/2017, last revised 01/12/2018;
 - H. E. Williams, Inc., Tulip Street Site Lighting Plan, title sheet, dated 08/17/2016, sheet 1 of 2;
 - H. E. Williams, Inc., Tulip Street Site Lighting Plan, photometric plan sheet, dated 08/17/2016, sheet 2 of 2;
 - Front Elevation sheet;
 - Product Information Sheet for proposed CertainTeed Bufftech Privacy Fencing.
- Additional documentation received by the Planning Board includes the following:
 - Onondaga County Department of Transportation letter of acceptance dated July 19, 2017;
 - March 24, 2017 OCWA Correspondence Letter;
 - E-Mail from Michael K. Jauch, P.E., New York State Thruway Authority, Syracuse Division, with comments relative to the proposed project;

- November 3, 2015 correspondence from Nicholas Conrad, New York State Department of Environmental Conservation, Division of Fish, Wildlife and Marine Resources.
 - Aquatic Resources Delineation Report, dated April 1, 2016, by Environmental Solutions & Innovations, Inc.;
 - Traffic Impact Assessment, dated February 26, 2016, by G.T.S. Consulting;
 - Draft Stormwater Pollution Prevention Plan (SWPPP) dated September 12, 2016, revised February 12, 2018, by Calocerinos Engineering, PLLC;
 - Letters of Request for Comment to the Liverpool Fire Department, Inc., Liverpool Police Department, and Liverpool Central School District, all dated January 14, 2016 and carbon copied to the Village of Liverpool Code Enforcement Officer;
 - Memo from Liverpool Police Department Chief Donald Morris indicating no substantial anticipated increase in police calls.
- The proposed project is bounded to the east by portions of Tulip Street; bounded to the north by the jurisdictional border of the Village of Liverpool and the Town of Salina (including an established residential neighborhood known as the “Johnson Tract” and a stub road inbounding the most northeasterly portion of the parcel (Donald Place)); and bounded to the south by the New York State Thruway.
 - The premises contain substantial areas of federal wetlands (previously delineated by Environmental Solutions & Innovations, Inc.).
 - The proposed use originally presented to the Village included a total of 134 apartment units (five (5) 3-story complexes).
 - The original proposal additionally included a single-story rental office with laundry facility.
 - The present proposal by the applicant is for four (4) stand-alone apartment unit buildings, for a total of 108 apartment units and a single-story rental office with laundry facilities.
 - The proposal further anticipates approximately 162 parking spaces situated throughout the 7± acre site.
 - The Village of Liverpool has previously submitted the proposal for review by the Onondaga County Planning Board pursuant to the General Municipal Law Section 239-m.
 - By resolution of the Onondaga County Planning Board, dated December 23, 2015, the application was returned to the Village advising of their recommendation of the following modifications:
 1. The Village and applicant must contact the New York State Thruway Authority to provide a drainage study and plans to mitigate run-off from this development, and this study may need to include the Thruway drainage south and west of this site.
 2. A site lighting plan must be provided to the New York State Thruway Authority for review, and site lighting must be designed so as not to affect Thruway patrons.

3. The Village and applicant must continue to coordinate with the Onondaga County Department of Transportation regarding the scope of the traffic study, proposed access to Tulip Street, and any permits for driveways and/or work in the County right-of-way. The applicant must complete any appropriate mitigation as may be determined by the Department, and the plan must be modified to reflect all Department requirements.

4. The municipality must submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.

5. The applicant must submit a lighting plan to be approved by the Onondaga County Department of Transportation to ensure there is no glare or spillover onto the County right-of-way.

The Board also offers the following comments and the Village is encouraged to resubmit a site plan referral for the project as plans are revised and finalized:

1. The Village and applicant are advised that the Thruway Authority will not install any noise abatement for developments built after the Thruway was constructed, so consideration should be made by the developer to mitigate Thruway noise for the proposed development.

2. The Village and applicant are advised that any plans for signage for this development may require an Ad Device Permit from the New York State Thruway Authority.

3. The Village is strongly advised to require a viable wastewater disposal plan for this site prior to approving any site plans, and the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.

4. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.

5. The Board recommends that the applicant contact the U.S. Army Corps of Engineers and the New York State Department of Environmental Conservation to determine the location of wetlands, endangered species and/or associated habitats on site in order to ensure that the proposed project avoid negative environmental impacts to the extent possible, and/or to obtain appropriate permits as necessary, prior to the Village approving any plans for this project.

6. The Board strongly advises the Village to consider a full cross-connection between the proposed apartment complex and Donald Place, in order to improve mobility and increase interconnectivity between residential developments.

7. The Board further encourages site planning which takes into consideration bicycle and pedestrian connectivity to nearby transit, landscape buffering for adjacent residential parcels and along the Thruway to minimize noise and visual impacts, green infrastructure to minimize impervious surfaces, and the incorporation of usable open space for residents.

8. The Village and applicant are encouraged to continue coordinating with the Town of Salina during the site planning process and to provide notice of the public hearing as required by General Municipal Law.

- A subsequent County referral was made in February of 2018 to the Onondaga County Planning Board due to various project modifications and proposed mitigations.
- By resolution of the Onondaga County Planning Board, dated March 21, 2018, the application was returned to the Village with a determination that the action would have no significant intercommunity or county wide implications and did provide the following comments:
 1. The Onondaga County Department of Water Environment Protection also asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.
 2. Per the Onondaga County Department of Water Environment Protection, for all privately owned wastewater pump stations, the municipality should require that the developer provide performance bonds and/or surety instruments (similar to condominium property management maintenance trust) to fully fund future maintenance and/or replacement costs. The municipality should also require that the developer construct the pump station and conveyances to all the standards listed in the Recommended Standards for Wastewater Facilities (2004), including performance and leak testing of the system.
 3. The applicant and Village are encouraged to maintain as much existing tree cover as possible, utilize green infrastructure, and consider additional landscaping beyond what is shown on submitted plans, for screening, noise abatement, aesthetics, and to aid in stormwater retention and water quality. For more information on green infrastructure for stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.
 4. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations are met for the proposed project:
 - a. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.
 - b. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011

(www.ongov.net/wep/uselaws.html) where applicable. The applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

c. Federal Wetlands Approval – The applicant is advised that any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers. The applicant is also advised to contact the Corps to determine whether permits are necessary for the proposed project and obtain any applicable permits.

d. Threatened or Endangered Species – Per the New York State Department of Environmental Conservation (NYS DEC), if a proposed project is in an area containing threatened or endangered species and/or associated habitats, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional NYS DEC Division of Environmental Permits office.

e. Notice of Public Hearing – Per GML §239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality. Such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing.

- The original application and proposal contemplated utilization of the Town of Salina sewer system; however, project modifications have resulted in the abandonment of the proposed Town of Salina sewer connection and the applicant currently proposes to utilize the Village’s existing sewer facilities running southbound from Tulip Street.
- That the following modifications to the project have been proposed since the initial submission of the Zone Change request and Site Plan application:
 - Total Number of Units - reduction from 135 total units (as allowed under zoning) in three (3) buildings, to 108 total units in four (4) buildings;
 - Building size - reduction in overall building footprint from 12,000± sf each to 9,000± sf each, and building width from 180' (±) to 150' (±);
 - Total Height of Structure Measured from Grade reduced from 45' (±) to a maximum of 35';
 - Use of Village Sewers as opposed to Town of Salina Sewers;
 - Increasing setback of buildings adjacent to existing residential properties from 20' (min) to predominantly 40' or greater;
 - Re-orienting buildings at Johnson Tract neighbor requests to have narrowest building face (ends) facing existing residences;

- Adding architectural features to proposed buildings to create more character, including sliding glass doors and false balconies, blending vertical and horizontal siding elements and stonework;
- Elimination of a primary and/or secondary access point via Donald Place;
- Enhancing site landscaping to provide additional screening;
- Additional setback of proposed buildings 3 and 4 per request of the Town of Salina town Engineer (5' and 10' respectively).
- Relocation of the storm sewers outfall from the south end of building 4 to the north end of building 4;
- Testimony of representatives of the Liverpool Fire Department noting the requirement for a 6" waterline and available fire hydrants;
- Addition of a 6' vinyl privacy fence along the northerly property line between the project and the Johnson Tract, and along the easterly property line between the project and adjacent properties fronting Tulip Street.
- Additional modifications provided by the Applicant, including further and additional provided setbacks as requested by the Planning Board, accommodation of the Board's request to provide additional and revised screening, fencing and berming to those portions of the project which abut the adjoining residential uses, and revised stormwater management areas with infiltration basins.
- In addition, upon the Board's review of Part 2 of the Full Environmental Assessment Form, the following determinations and environmental findings were made with regard to a potential for significant negative environmental impacts on the property:
 - **Impacts on Land.**
 - The overall action will involve construction on and a physical alteration of the land surface of the proposed site. It is noted however, that the proposed action does not involve actual construction of buildings on those areas of land where the depth of water is less than 3' and that required physical separation from wetland areas have been proposed. It was determined that this impact was therefore small.
 - The existing land use generally consists of wooded with scrub-brush undergrowth. Of the total site area of approximately 7.2 acres, approximately 5.0 acres will be cleared for development. Upon completion of development, approximately 2.4 acres (34%) of new impervious surfaces, and 3.5 acres (48%) of lawn, landscaped and stormwater management area will be created. Approximately 1.2 acres (18%) will remain undisturbed.
 - The Board determined that there will be no construction on slopes of 15% or greater.
 - It is hereby determined that the proposed action will not involve construction where bedrock is exposed or generally within 5' of the existing ground surface.

- While the proposed action will potentially involve excavation or removal of more than 1,000 tons of natural materials. No mining activities are involved in such removal and no Mineral Land Reclamation Permit is required. Such activities are not expected to create a significant negative environmental impact and most of the material will be reutilized onsite. Further, the materials are anticipated to be removed and relocated over an extended period and on an intermittent basis.
- While the proposed action will involve construction, which potentially would continue for more than 1 year and occur in multiple phases (and therefore be considered a moderate to large impact), it is noted that the construction itself for each phase should be completed in less than 12 months from the time that each phase is undertaken and will not be substantially different from a regular phased project. The proper staging of construction periods and use of appropriate construction measures will mitigate this concern. It was acknowledged that this could include noise impacts to the neighborhood. Further, it was acknowledged that such impacts would be temporary in nature and that construction could be limited between the hours of 7:30 a.m. to 7:30 p.m., Mondays through Saturdays, to preserve the character of the adjoining residential neighborhood.
- The Board notes that while the proposed action could result in increased erosion, whether from physical disturbance or vegetation removal, that the Applicant will use acceptable erosion control measures including silt fencing and will operate the project under an approved Stormwater Prevention Pollution Plan (SWPPP), which must be completed, accepted and filed prior to the commencement of construction. No discharge will occur onto adjacent parcels. It is noted that the applicant has submitted a SWPPP to the Village Engineer. The Board notes that the project is not located within any coastal erosion area and did not identify any additional impacts to land. No steep slopes are found on the site. Therefore, those measures will mitigate any potential moderate to large impact.
- The Board also finds that the use of a screening fence will assist in mitigating concerns with the loss of some vegetation as perceived by neighboring properties.
- To address concerns on long-term impacts to lands, the applicant will be required to provide an annual report on the erosion control facilities and to post an appropriate bond for repair and maintenance.
- **Impacts on Geological Features.**
 - The Board hereby determines that there are no significant negative environmental impacts relative to the project with regard to impacts on geological features as there has been no identification of any potential for destruction of or inhibition of access to any unique or unusual land forms on the site. The site is a relatively flat site adjacent to the New York State Thruway, is significantly distanced from Onondaga Lake, and contains no cliffs, dunes, known

minerals, fossils or caves. In addition, the site is not adjacent to any geological feature listed as a Registered National Natural Landmark. The Board thereby determined that this project would have no impact on geological features.

○ **Impacts on Surface Water.**

- The Board has discussed whether the project would have any potentially significant negative impacts on one (1) or more wetlands or other surface waterbodies, including streams, rivers, ponds or lakes. The Board notes that the site itself contains significant portions of delineated federal wetlands, as demonstrated on the proposed project maps. The applicant has offered mitigations to any potential impacts to wetlands through the placement of buildings, structures and disturbance outside of any required buffer areas, as suggested by New York State Department of Environmental Conservation Regulations and Federal Regulations. In addition, there will be no overall change in the water runoff onto adjacent parcels or waterways.
- The Board concludes that all impacts to surface water (other than potential erosion impacts during construction) would be small or are mitigated by appropriate stormwater control practices. While it was acknowledged that the construction of the site may cause some soil erosion, it was noted that such erosion would be temporary in nature and that the developer has proposed to implement acceptable soil erosion mitigation measures, install appropriate silt fencing and otherwise abide by the Village's and State's (local and State) stormwater regulations. It was noted that the proposed construction will not affect the water quality of any waterbodies downstream from the site and that the action will not involve the utilization of pesticides or herbicides in or around any body of water. In addition, while the proposed action will not require the construction of new or expansion of any existing wastewater treatment facilities, it was noted that the project will create flows into the Metropolitan Syracuse Wastewater Treatment Plant and that the Village's consulting engineers have proposed mitigations to the anticipated additional sewage to be generated from the site. The Board further determines that the action will not result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water. Further, there will be no dredging occurring on the site nor will the action or all of the construction occur within and adjoining freshwater or tidal wetland nor in the beds or banks of any other waterbody.
- The Board hereby determines that there would be no action which would create permanent turbidity conditions in any waterbody or create upland erosion runoff or disturbance of bottom sediments.

- Furthermore, while the project will result in the generation of wastewater above existing levels, existing infrastructure is available and has available capacity to serve the project per the Metropolitan Syracuse Wastewater Treatment Plant. The Applicant has, and continues to coordinate with the Village, to investigate and identify any deficiencies in receiving systems and participate in implementing any needed repairs. Following investigation by the Village Engineer, it was determined that the existing sanitary sewer needs an upgrade to handle additional flows from the apartments. This should include in-situ lining, at the cost of the Developer, from the point of connection to the first downstream manhole south of the New York State Thruway.
- Finally, the submitted Stormwater Pollution Prevent Plan indicated all appropriate stormwater measures will be implemented to mitigate any concerns.
- **Impacts on Groundwater.**
 - The Board hereby further considers and determines that the proposed action will not result in any significant or additional use of groundwater or any negative impacts in new or additional use of groundwater or have the potential to introduce contaminants into groundwater or the aquifer. In so determining, the Board considered the following factors:
 - The project will result in an increased demand for potable water. Existing infrastructure is available adjacent to the site, and the anticipated levels will not result in the need for additional capacity. The Applicant has coordinated with the Onondaga County Water Authority (OCWA), and water distribution network improvements in the immediate area and adjacent neighborhood are anticipated as a result of the project.
 - The proposed action will not require a new water supply well or create a demand on supplies from existing water supply wells as the project will utilize publicly available water.
 - The water supply demand from the proposed action, as fully built, will not exceed safe and sustainable water withdrawal capacity rates of the local supply of water. OCWA has indicated it will construct the necessary public water supply lines to the project.
 - The proposed use as a multi-unit apartment complex will not have negative impacts on current or potential residential uses in the area, which do not have private water or sewer services as they will utilize the public water supply source.

- In addition, the proposed action will not include or require wastewater discharge into groundwater as there will be a public sewer connection to the facility. Further, the proposed construction will not involve the creation of water supply wells at locations where groundwater is or suspected to be contaminated, nor will the proposed action involve bulk storage of petroleum or chemical products over groundwater or at identified aquifers.
- **Impacts on Flooding.**
 - The Board has determined that there is no expected potentially moderate to large impact from flooding on the developed lands.
 - Stormwater impacts due to an increase in impervious surfaces are anticipated and will be mitigated through the implementation of stormwater management facilities designed in accordance with NYSDEC regulations within the project. A SWPPP has been prepared by the Applicant and indicates conformance with state and local regulations.
 - The Board noted that the proposed action is not in a designated floodway nor is it in a 100-year floodplain or a 500-year floodplain.
 - In addition to the above, the Board further considered that there will be no requirement to modify existing drainage patterns on the site, which is relatively flat and presently provides appropriate drainage with the proposed drainage improvements as designed for the project.
 - There are no dams located on the premises.
 - A green area has been established on the plans to address snow storage and to avoid flooding on parking lots.
- **Impacts on Air.**
 - There are no anticipated air emissions, pollutants or odors anticipated to be generated by the project. Therefore, the Board determined that the proposed action will have no potentially negative impact to air quality and there will not be an operation which is a State regulated air emission source.
- **Impacts on Plants and Animals.**
 - The Board determined that while there will be a loss of potential flora and fauna, such loss would be temporary in nature and would not be a significant negative environmental impact under the circumstances, noting the following:
 - The proposed action will not cause a reduction in the population or loss of any individuals of any threatened or endangered species, as listed by New York State or the

Federal government, that use the site, or are found on, over or near the site. The applicant has submitted correspondence to US Fish & Wildlife Service relating to threatened and endangered species.

- A discussion occurred regarding the potential presence of brown bats in this area of Central New York. It was noted that upon any confirmation of the presence of any such species, appropriate mitigations in the form of selective trimming and removal of trees will be made as a mitigation to any approval, including only cutting between November and April and a limitation on cutting of larger trees. Further, it was noted that there has been no record of such species on the subject site and no presence of causes on the site for winter roosting.
- The Board determines that the action will not result in a reduction or the degradation of any habitat used by any rare, threatened or endangered species as listed by New York State or the Federal government.
- The proposed action will not cause a reduction in the population or loss of individuals of any species of special concern or conservation need, as listed by New York State or the Federal government, that uses the site, or are found on, over or near the site.
- The proposed action will not result in a reduction or degradation of any habitat used by any species of special concern or conservation need, as listed by New York State or the Federal government.
- The NYS Cultural Resource Information System has been consulted relative to such impacts.
- While certain species are found on the site, the proposed construction and operation activities will avoid impact of larger portions of the existing habitat and other adjacent habitats are available.
- The Board notes that there has been no identification of any registered National Natural Landmark on the site.
- The proposed action will not result in the removal of, or ground disturbance in, any designated significant natural community.
- While the proposed action may interfere with the nesting/breeding, foraging or over-wintering habitat for the predominant species that occupy or use the project site, these

would be temporary impacts to native species such as deer and like animals -- being species of least concern; however, there is sufficient natural habitats adjoining the proposed site. Further, the site itself is in large part bounded by the New York State Thruway with significant prior disturbances occurring in that area. Therefore, these impacts are mitigated by appropriately planned construction practices.

○ **Impacts on Agricultural Resources.**

- The Board determined that there would be no potentially significant negative environmental impacts with regard to agricultural resources based upon the following findings:
 - The site contains no soils classified within soil group 1 through 4 of the NYS Land Classification System.
 - The proposed construction will not sever, cross or otherwise limit access to agricultural land and have not been used as agricultural land in the past, as no such lands have been identified in the immediate area.
 - The proposed action will not result in the excavation or compaction of the soil profile of active agricultural land as there are no active agricultural lands on the site.
 - The proposed action will not irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District as such lands are not located within any State-certified Agricultural District.
 - The proposed action will not tend to disrupt or prevent installation of an agricultural land management system as there are none proposed for this area.
 - The proposed action will not result directly or indirectly in an increased development potential or pressure on farmland as the proposed complex has been carefully planned to avoid such impacts.

○ **Impacts on Aesthetic Resources.**

- It is hereby determined by the Board that the proposed action, *i.e.* the construction and operation of a multi-structure, multi-unit apartment complex will not have a potentially moderate or large negative impact on identified aesthetic resources based upon the following findings:
 - While the land use proposed does differ somewhat from, it is not in sharp contrast to the current land use patterns

between the proposed project and other surrounding uses which are residential to the north and east and to the New York State Thruway to the south. None of the land area in question has been identified as a listed scenic or aesthetic resource to the Village. However, it is recognized that some impacts will occur with regard to the location of multiple units of multi-storied buildings in this area. It is noted however that the area itself is diverse in nature, as noted above, and that the majority of the property considered for the site is zoned for multi-unit apartment complex habitation.

- Further, since the Applicant's initial application, the Applicant has prepared and presented several plan layouts and revisions to work to accommodate comments from neighboring property owners and the Village Planning Board. Initial applications showed up to five (5) three-story buildings with a total unit yield of 134 units, and with various building locations and orientations. The project plans currently show a total of four (4) three-story buildings with a total of 108 units, which have been oriented to result in the least obtrusive visual impact to adjacent properties to the maximum extent practical, and consistent with neighboring property owner requests.
- The project has also been modified to offer some mitigation to the neighboring residential subdivision to the north (the Johnson Tract) by shortening the buildings, eliminating the need for height variances, reorientation of the buildings to soften their appearance (the final building heights/elevations will be similar to the existing residential building heights in the adjacent area, taking grade into account). Tree preservation practices will be employed to prevent unnecessary cutting. Fencing and tree placement, including the addition of larger trees along the north property line, will be designed to mitigate light impacts from driveways and cars to the maximum extent practicable.
- The building architectural elevations have also been revised over the course of the Planning Board's review to increase aesthetic appeal by adding character lines (building "bump-outs"), and varying exterior finishes to include stone and siding oriented both vertically and horizontally.
- Extensive landscaping has furthermore been incorporated into the project to offset the impact of the removal of existing trees and vegetation from the site to construct the project. Landscaping, including berming and plantings, has been

incorporated to provide some visual screening of the proposed buildings as well as vehicular traffic within the proposed project site.

- The proposed action is not visible from any officially designated State, Federal or local scenic or other aesthetic resources.
- The proposed action will not result in the obstruction, elimination or significant screening of one (1) or more officially designated scenic resources as there have been none identified in this area.
- The proposed action will be visible from publicly accessible vantage points, either seasonally or year-round, this being the New York State Thruway.
- The activity most likely occurring for which viewers are engaged while viewing the proposed action would be by either vehicle travel along the New York State Thruway (with a posted speed limit of 65 mph), vehicle travel along Tulip Street (with a posted speed limit of 30 mph) or from adjacent neighboring residential owners and nearby commercial property owners.
- The proposed action will not cause a diminishment of the public's enjoyment and appreciation of any designated aesthetic resource.

○ **Impacts on Historic and Archeological Resources.**

- While the Board hereby determines that the proposed action may have a potentially moderate impact to adjacent historic or archeological resources, there will be no potentially large negative impact to same.
- The applicant has advised it will conduct an archeological study of the area prior to any final request for site plan approval. It is acknowledged by the applicant that an acceptable study will be necessary for New York State Department of Environmental Conservation approval of the necessary stormwater permit. Therefore, this potential impact would be mitigated.
- Furthermore, the Board has determined that upon further consideration, each potential impact enumerated in the Full Environmental Assessment Form at Part II, Question 10 would only be a potentially small impact.

○ **Impacts on Open Space and Recreation.**

- The Board hereby determines that the proposed construction of a multi-structure, multi-unit apartment complex will not result in a

loss of recreational opportunities or a reduction of an open space resource as designated in any municipal open space plan, as there is no such plan and the premises have not been used as a potential recreational site in the past and such was not planned for the future.

○ **Impacts on Critical Environmental Areas.**

- The Village of Liverpool has not designated any Critical Environmental Areas within the confines of the Village, including the proposed site and, therefore, there will be no significant negative impact on a Critical Environmental Area.

○ **Impacts on Transportation.**

- The Board hereby determines that while it is anticipated that transportation will create an impact to the surrounding area neighborhood, there will be no potentially large significant negative impact regarding transportation systems based upon the following findings:

- The Traffic Impact Assessment prepared by G.T.S. Consulting, dated February 26, 2016, concluded the following:

“The additional traffic generated by the proposed Meyer Manor Apartments on Tulip Street will have no notable impact on traffic operations in the area. The increase in traffic generated by the site is relatively minor and will generally not even be noticeable to existing motorists in the area. There are more than sufficient gaps in traffic on Tulip Street, adequate sight lines in both directions from the proposed driveway location and no operational concerns that may impact safe ingress and egress from the site. There are no off-site mitigation measures recommended.”

- Confirmation of the G.T.S. Traffic Impact Assessment by the Village Engineer Greg Sgromo, P.E.
- Access to the site from the existing Donald Place, a Town of Salina roadway which terminates at the project property line, has been removed at the request of adjacent residents and the Town of Salina Town Board 1st Ward Councilor.
- Verbal testimony of the Town of Salina’s Town Engineer, Douglas Wickman, P.E.
- Correspondence received from the Onondaga County Department of Transportation, dated 1/11/16, stating that the proposed access

point at Tulip Street meets the County Department of Transportation's sight distance requirements.

- Previous correspondence of the Onondaga County Department of Transportation dated 11/10/14.
- While there was discussion that the projected traffic increase would exceed the capacity of the existing road network, there was no objective evidence to support a moderate to large impact to this resource.

○ **Impacts on Energy.**

- The proposed action will not cause a significant increase in the use of any form of energy. The Board noted that there will be a non-substantial increase in the use of electricity, natural gas or propane services for the new multi-structure, multi-unit apartment complex; however, such use will not require the construction of a new or upgraded substation.
- The proposed action will not utilize more than 2,500 MW of electricity per year. However, it may involve heating and/or cooling of more than 100,000 sq. ft. of buildings (approximately 110,000 sq. ft.).

○ **Impacts on Noise, Odor, and Light.**

- While the Board acknowledges that there will be some impact resulting from noise, odor and outdoor lighting, such impacts are small and are mitigated by current project modifications, including the use of downward, shielded lighting associated with the buildings and parking areas as demonstrated on the submitted photometric schematics supplied by the applicant and reviewed by the Village's consulting engineer.
- More particularly, the exterior of the buildings will be illuminated where necessary and only with the consent of the Village Planning Board and Code office. Only portions of the parking lot and access points will be illuminated and will utilize shielded downcast light fixtures, and no exterior lighting of other areas of the property will be permitted without permission from the Village.
- A site lighting photometric plan has been prepared by the Applicant and shows no increases in illumination levels at the property boundaries. Landscaping incorporated into the project will further reduce any potential lighting impacts from site lighting and vehicular lighting.
- The proposed use is a compatible residential use and noise impacts are not anticipated to be measurably greater than that which already exists in and around the project site. Additionally, the project may

result in providing a more substantial barrier to existing highway noise from the adjacent New York State Thruway.

- Further, the Village of Liverpool has an adopted Noise Ordinance. Noise levels occurring above the levels established by the Ordinance would be prosecuted by the Codes Enforcement Office.
- In addition, the following mitigations have been offered by the applicant to address such impacts:
 - Screening: adding additional deciduous and conifer trees on berms and along property lines shared with existing residences to improve screening, as well as identifying and marking for preservation existing mature deciduous and conifer trees situated along common property lines with existing residences;
 - Height of buildings: all buildings will be within current zoning requirements of 35-feet in height or less;
 - Lighting fixtures: proposed lighting will utilize to the maximum extent practical dark-sky compliant fixtures. All lighting will be projected downward, and pole-mounted site lighting typically utilized in parking and pedestrian areas will be mounted at heights of no greater than 20’;
 - The applicant has also offered to utilize the erection of stockade fencing as necessary at the site plan stage of approval to address light and noise impacts.
- There is expected to be no odors emanating from the site as the proposed use has had no identified odors associated with them.

○ **Impacts to Water Consumption.**

- There have been no identified issues with any potential impacts on water consumption.

○ **Impacts on Human Health.**

- There have been no identified issues with any potential impacts on human health.

○ **Consistency with Community Plans.**

- It has been discussed that the proposed action of a multi-structure, multi-unit apartment complex is not inconsistent with any adopted Community Plan but is consistent with the existing R-3 zoning of the adjacent parcel which allows, by site plan, appropriate location of a multi-structure, multi-unit apartment complex.
- Modifications to the original proposal, including suggested modifications to the proposal offered by the Planning Board, the

Village Engineer, the Town Engineer and members of the public will collectively act to mitigate any potentially large impacts.

- The potential for a permanent increase to the Village population in excess of 5% is speculative and would not likely create any issues with police protection as confirmed by the Liverpool Police Chief.
- There are no known sections of any County or regional plans indicating the proposed action would be inconsistent with their recommendations.
- Furthermore, upon review of the proposed actions by the Onondaga County Planning Board, no negative comments were received as to inconsistency with any community plans and the project was deemed to have no County side implications.

○ **Consistency with Community Character.**

- While the Board recognizes that a new multi-structure, multi-unit apartment complex located adjacent to the Town line and nearby an existing and established residential neighborhood (the Johnson Tract) will provide some alteration to the established community character, it is not expected that this impact will be irreversible or significant. The project's underlying zoning anticipates development of this nature and the applicant has proposed numerous mitigations and alterations to the original project plan, including providing additional setbacks, reorientation of buildings away from the nearby Town neighborhood and avoidance of obtaining any height variances for the project.
- Further, a review of the proposed plans as to height, building setbacks and other bulk regulations are similar to the R-3 regulations and none of the proposed structures will require any area variances due to project mitigations and modifications, including the lowering of the height of principal buildings. Such impacts are small and will not change the overall character of this area as it is and has been zoned R-3.
- The following mitigations have been added to the plans to address these concerns:
 - Changes to the building height;
 - Softened look of each building;
 - Additional architectural features for residential use;
 - The project has the feel of a self-contained community that is bound by the NYS Thruway on one side and commercial on the other side and is separated from the residents of the Johnson Tract and screening has been provided.

- The Board has also considered the fact that the proposed action may be inconsistent with the predominant architectural scale and character of the community. While such may result in a moderate impact, such impact has been mitigated by the addition of fencing and taller trees and/or screening.
- The Board has also considered the fact that the proposed action will not replace or eliminate any existing facilities, nor will the proposed action create a demand for additional community services and that the proposed action will not displace affordable low-income housing where there is a shortage of such housing.
- The Board has also been notified by the Liverpool Police Chief that there would be no anticipated substantial increase in police calls.
- Further, the use as an apartment building complex allowed for residential style-use as an acceptable transition for a parcel located adjacent to the NYS Thruway.
- The Board has also considered that there will be no interference by the use with any officially recognized or designated public resources.

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:

James Rosier	Voted	Yes
Peter Osborne	Voted	Yes
John Eallonardo	Voted	No
Michael LaMontagne	Voted	Yes
Joseph Ostuni, Jr., Chairman	Voted	Yes

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 May 29, 2018, 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 __, 2018.

MARY ELLEN SIMS, Village Clerk

Chairman Ostuni asked for a motion to close the public hearing. Mr. Rosier moved and Mr. Osborne seconded the motion to close the public hearing. Motion carried.

Chairman Ostuni said we have done a careful analysis and reviewed the comments from the County Planning Board referral regarding the site plan. He asked if the Board was ready to vote to approve the site plan, all members said they were.

Chairman Ostuni asked for a motion to approve the site plan with the review by the Village engineer as follows:

**RESOLUTION OF THE PLANNING BOARD
OF THE VILLAGE OF LIVERPOOL
SITE PLAN APPROVAL FOR
MARVIN MEYER, VIRGINIA M. (MEYER) KLINK AND MARLYN M. SCHAMU
(AS OWNERS) AND TACOZA DEVELOPMENT (AS APPLICANT)
FOR SITE PLAN APPROVAL TO CONSTRUCT AND OPERATE
A MULTI-UNIT APARTMENT COMPLEX TO BE LOCATED AT 1229 TULIP STREET
(Tax Map Nos. 001.-01-04.2 and 001.-01-29.1) - With Conditions**

DATED: May 29 2018

Mr. Osborne moved and Mr. LaMontagne seconded the following Resolution, which was carried as recorded below:

WHEREAS, previously on or about August 3, 2015, an application for a proposed site plan approval, pursuant to the provisions of the Village of Liverpool Zoning Law, has been made by the Owners of property located at 1229 Tulip Street (Tax Map Nos. 001.-01-04.2 and 001.-01-29.1) in the Village of Liverpool, which site plan approval would accommodate a multi-unit apartment complex to be located on the subject parcels (being more particularly described as a proposed four (4) 3-story apartment building complex on a combined 7± acre site with a total combined number of 108 apartment units and associated structures with parking); and

WHEREAS, on December 18, 2017, the Village of Liverpool Board of Trustees enacted Local Law 3-2017 for a zone change, specifically an amendment of the Zoning Map of the Village of Liverpool to change the zoning designation of certain lands located at 1225 Tulip Street (Tax Map No. 001.-01-04.2) from its present zoning designation of Single-Family Residential (R-1) to Multiple-Family Residential (R-3), as that term is defined and regulated pursuant to the provisions of the Code of the Village of Liverpool; and

WHEREAS, the Applicant has submitted a site plan and associated documents, including the following drawings, plans and specifications as prepared by Calocerinos Engineering, PLLC and includes the following plans and drawings, as last revised:

- Site Plan Drawings for Meyer Manor Apartments, 2016, revised May 16, 2018, and including:
 - Sheet G-001, Title Sheet, February 2016, Revised May 2018;
 - Sheet G-101, General Notes & Legend, dated 09/13/2016, as last revised 12/18/2017;
 - Sheet V-101, Existing Topographic Survey, dated 09/13/2016; as last revised;

- Sheet C-101, Site Layout & Utility Plan, dated 09/13/2016, as last revised 05/16/2018;
- Sheet C-102, Grading Plan, dated 09/13/2016, last revised 05/16/2018;
- Sheet C-103, Landscape Plan, dated 09/13/2016, last revised 05/16/2018;
- Sheet C-104, Erosion & Sediment Control Plan, dated 09/13/2016, last revised 05/16/2018;
- Sheet C-501, Site Details, dated 09/13/2016, last revised 01/12/2018;
- Sheet C-502, Site Details, dated 09/13/2016, last revised 01/12/2018;
- Sheet C-503, Site Details, dated 01/3/2017, last revised 01/12/2018;
- Sheet C-504, Erosion & Sediment Control Details, dated 09/13/2016, last revised 05/16/2018;
- Sheet C-505, Pump Station Details, dated 04/4/2017, last revised 01/12/2018;
- H. E. Williams, Inc., Tulip Street Site Lighting Plan, title sheet, dated 08/17/2016, sheet 1 of 2;
- H. E. Williams, Inc., Tulip Street Site Lighting Plan, photometric plan sheet, dated 08/17/2016, sheet 2 of 2;
- Front Elevation sheet;
- Product Information Sheet for proposed CertainTeed Bufftech Privacy Fencing; and

WHEREAS, the following additional documentation has been received by the Village Board of

Trustees:

- Onondaga County Department of Transportation letter of acceptance dated July 19, 2017;
- March 24, 2017 OCWA Correspondence Letter;
- E-Mail from Michael K. Jauch, P.E., New York State Thruway Authority, Syracuse Division, with comments relative to the proposed project;
- November 3, 2015 correspondence from Nicholas Conrad, New York State Department of Environmental Conservation, Division of Fish, Wildlife and Marine Resources;
- Aquatic Resources Delineation Report, dated April 1, 2016, by Environmental Solutions & Innovations, Inc.;
- Traffic Impact Assessment, dated February 26, 2016, by G.T.S. Consulting;
- Draft Stormwater Pollution Prevention Plan (SWPPP) dated September 12, 2016, revised February 12, 2018, by Calocerinos Engineering, PLLC;
- Letters of Request for Comment to the Liverpool Fire Department, Inc., Liverpool Police Department, and Liverpool Central School District, all dated January 14, 2016 and carbon copied to the Village of Liverpool Code Enforcement Officer;

- Memo from Liverpool Police Department Chief Donald Morris indicating no substantial anticipated increase in police calls; and

WHEREAS, the site plan depicts a proposed use of the combined premises as a multi-unit apartment complex with a total of 108 apartment units and a single-story rental office with laundry facilities, along with proposed parking areas to be improved on the site; and

WHEREAS, the premises as combined and rezoned are proposed for a use which is allowed under the Village's Zoning Ordinance, *i.e.* R-3 multi-unit dwellings; and

WHEREAS, the Village Board of Trustees makes the following findings with respect to the proposed site plan use:

Proposed Request and Site Characteristics

- The proposed use, a multi-unit apartment complex, to be located on a combined approximately 7± acre parcel off of Tulip Street required and has been granted a Zone Change for Tax Map No. 001.-01-04.2 (presently 0.90± acres) from *R-1* to *R-3* and thereafter combined with Tax Map No. 001.-01-29.1 (presently a 6.02± acre parcel);
- The overall proposed development: The proposed Site Plan would consist of the construction of four (4) three-story multi-family residential buildings totaling 108-units, landscaping, required parking, and utility infrastructure improvements consisting of water, sewer, stormwater, electric and natural gas facilities to serve said units. Existing sanitary sewer, water, electric and natural gas utilities will be extended into the site. Stormwater management facilities will be constructed to mitigate increases in stormwater runoff from development of the project. Vehicular and pedestrian traffic is proposed to access the project via Tulip Street;
- Uses allowed in the *R-3* District include the following as per §380-27 of the Village Zoning Law:
 - Permitted Uses:
 - D. Multiple-family dwellings.**
 - E. One- and two-family dwellings.
 - F. Buildings and structures accessory to Subsections A and B above.
 - Specially Permitted Uses:
 - K. Schools.
 - L. Religious facilities.
 - M. Utility structures.
 - N. Day-care facilities.

- O. Family day-care home.
 - P. Care home.
 - Q. Bed-and-breakfast.
 - R. Home occupations in one- or two-family dwellings.
 - S. Buildings and structures accessory thereto.
 - T. An accessory structure to a dwelling unit which exceeds 150 sq. ft. in building area.
- R-3 Zoning uses have the following bulk regulations for residential lot and structure requirements for multiple-family dwellings:
 - (3) Lots and densities:
 - (e) Area, minimum: 20,000 sq. ft.
 - (f) Width, minimum: 100 feet.
 - (g) Coverage, maximum: 40%.
 - (h) Unit density per lot, minimum: 2,000 sq. ft. of lot area per dwelling unit.
 - (4) Principal buildings:
 - (f) Front yard setback: 35 feet.
 - (g) Side yard setback, each side: 20 feet.
 - (h) Rear yard setback: 30 feet.
 - (i) Maximum height: 35 feet.
 - (j) Distance between principal buildings, minimum: 25 feet.
 - The proposed use is outlined in the following drawings, plans and specifications as prepared by Calocerinos Engineering, PLLC and includes the following plans and drawings, as last revised:
 - Site Plan Drawings for Meyer Manor Apartments, 2016, revised May 16, 2018, and including:
 - Sheet G-001, Title Sheet, February 2016, Revised May 2018;
 - Sheet G-101, General Notes & Legend, dated 09/13/2016, as last revised 12/18/2017;
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 - Draft Stormwater Pollution Prevention Plan (SWPPP) dated September 12, 2016, revised February 12, 2018, by Calocerinos Engineering, PLLC;
 - Letters of Request for Comment to the Liverpool Fire Department, Inc., Liverpool Police Department, and Liverpool Central School District, all dated January 14, 2016 and carbon copied to the Village of Liverpool Code Enforcement Officer;
 - Memo from Liverpool Police Department Chief Donald Morris indicating no substantial anticipated increase in police calls.
- The proposed project is bounded to the east by portions of Tulip Street; bounded to the north by the jurisdictional border of the Village of Liverpool and the Town of Salina (including an established residential neighborhood known as the “Johnson Tract” and a stub road inbounding the most northeasterly portion of the parcel (Donald Place)); and bounded to the south by the New York State Thruway.
- The premises contain substantial areas of federal wetlands (previously delineated by Environmental Solutions & Innovations, Inc.).
- The proposed use originally presented to the Village included a total of 134 apartment units (five (5) 3-story complexes).

- The original proposal additionally included a single-story rental office with laundry facility.
- The present proposal by the Applicant is for four (4) stand-alone apartment unit buildings, for a total of 108 apartment units and a single-story rental office with laundry facilities.
- The proposal further anticipates approximately 162 parking spaces situated throughout the 7± acre site.
- The Village of Liverpool has previously submitted the proposal for review by the Onondaga County Planning Board pursuant to the General Municipal Law Section 239-m.
- The original application and proposal contemplated utilization of the Town of Salina sewer system; however, project modifications have resulted in the abandonment of the proposed Town of Salina sewer connection and the Applicant currently proposes to utilize the Village's existing sewer facilities running southbound from Tulip Street.
- That the following modifications to the project have been proposed since the initial submission of the Zone Change request and Site Plan application:
 - Total Number of Units - reduction from 135 total units (as allowed under zoning) in three (3) buildings, to 108 total units in four (4) buildings;
 - Building size - reduction in overall building footprint from 12,000 sf (±) each to 9,000 sf (±) each, and building width from 180' (±) to 150' (±);
 - Total Height of Structure Measured from Grade reduced from 45' (±) to a maximum of 35';
 - Use of Village Sewers as opposed to Town of Salina Sewers;
 - Increasing setback of buildings adjacent to existing residential properties from 20' (min) to predominantly 40' or greater;
 - Re-orienting buildings at Johnson Tract neighbor requests to have narrowest building face (ends) facing existing residences;
 - Adding architectural features to proposed buildings to create more character, including sliding glass doors and false balconies, blending vertical and horizontal siding elements and stonework;
 - Elimination of a primary and/or secondary access point via Donald Place;
 - Enhancing site landscaping to provide additional screening;
 - Additional setback of proposed buildings 3 or 4 per request of the Town of Salina town Engineer (5' and 10' respectively).
 - Relocation of the storm sewers outfall from the south end of building 4 to the north end of building 4;
 - Testimony of a representations of the Liverpool Fire Department noting the requirement for a 6" waterline and available fire hydrants;
 - Addition of a 6' vinyl privacy fence along the northerly property line between the project and the Johnson Tract, and along the easterly property line between the project and adjacent properties fronting Tulip Street.

- Additional modifications provided by the Applicant, including further and additional provided setbacks as requested by the Planning Board, accommodation of the Board's request to provide additional and revised screening, fencing and berming to those portions of the project which abut the adjoining residential uses, revised stormwater management areas with infiltration basins; and

WHEREAS, separately, on this date of May 29, 2018, the Village Planning Board determined that the proposed project will not have a significant environmental impact and therefore a Negative Declaration was issued; and

WHEREAS, the application was fully considered by the Planning Board pursuant to the requirements of the Code, and the Board finds, among other things, that the project as proposed and conditioned herein has and will meet the criteria of Article XIV of the Liverpool Zoning Ordinance for the following reasons:

1. The proposed use of the premises as a 108-unit apartment complex, with associated parking and landscaping, is in compliance with all applicable regulations of Chapter 380 of the Village of Liverpool Code and is in compliance with all other applicable local, state and federal regulations;
2. The proposed use, site layout and design are hereby determined to be consistent with the intent of the corresponding District (R-3) purpose statement, it being understood that multi-unit apartment buildings are an allowed use subject to the granting of a Site Plan Approval by the Planning Board. Further, the Board determines that the proposed parking arrangement, along with the modification to the landscaping and the proposed ingress/egress will facilitate safe access and use of the site;
3. The proposed use (as conditioned herein) will not pose a material adverse impact upon adjoining or nearby properties and will not result in a clearly adverse aesthetic impact as proposed and as specifically conditioned herein, including the requirement for additional fencing and other landscaping measures;
4. The proposed use as a multi-unit apartment complex will not have an adverse impact on the character and integrity of any land use within the immediate neighborhood and there are no unique cultural or historic geographical architecture or other special characteristics in this portion of the neighborhood;
5. The proposed use has been developed in such a way as to ensure maximum amenities available to the site based upon the site plan and the functional requirements of the proposed use. It is noted by the Planning Board that the proposed plan has undergone multiple modifications at the request of the public

and the Town of Salina, as well as the Planning Board throughout the review process which has been undertaken for over 28 months;

6. The proposed use is physically and visually compatible with and will not impede the development or redevelopment of the general neighborhood or adversely affect the existing land use in the proximity to the subject site since the project is located adjacent to the New York State Thruway; is located on lands which have otherwise been vacant and unused; and is located on land which the vast majority of had been zoned for apartment complex use. In addition, the requested additional setbacks and consideration of the proposed building, the requested screenings in the form of fencing, plantings and bermings have been added to the project scope, which will better acclimate the overall project to the neighborhood into which it would be situated;
7. The proposed use is provided with adequate support services, including existing available fire and police protection, public and private utilities and other supporting governmental services;
8. The Board further finds that the project has been designed and laid out for vehicular and pedestrian movement, which will provide for the safety of the general public and occupants, employees, attendants and other persons whose benefit the use is intended. It is noted that the project has been reviewed by the Village's Consulting Engineer, as well as the Town of Salina's Consulting Engineer, including the traffic study prepared and submitted by the Applicant. It is further noted that the Onondaga County Planning Board indicated no significant impacts in this regard. Further, the proposed application includes adequate parking for the use and it is anticipated that appropriate traffic signage will be erected for the ingress/egress of the site;
9. As noted above, the proposed use will not generate any adverse environmental impacts to surrounding properties. The Board further finds that the use is consistent with the intent of the Village of Liverpool Comprehensive Plan, the Village Design Guidelines and is consistent with the uses intended in the R-3 District. Further, the proposed use is consistent with the geometric characteristics of all structures and other proposed related improvements and is also consistent with surrounding aesthetic characteristics, including appropriate site improvements consistent with the lot size, shape, elevation, topography and natural and proposed vegetation.

NOW THEREFORE, BE IT RESOLVED, that the Village of Liverpool Planning Board hereby allows and grants the Applicant's request for site plan approval for the construction and operation of a multi-unit apartment complex with associated parking and landscaping improvements, all as depicted upon the plans for its premises located at 1229 Tulip Street (Tax Map Nos. 001.-01-04.2 and 001.-01-29.1) in the R-3 Zoning District, subject however to the following conditions:

1. The use and improvements shall be conducted in strict conformance with the plans submitted, including the following:
 - Site Plan Drawings for Meyer Manor Apartments, 2016, revised May 16, 2018, and including:
 - Sheet G-001, Title Sheet, February 2016, Revised May 2018;
 - Sheet G-101, General Notes & Legend, dated 09/13/2016, as last revised 12/18/2017;
 - Sheet V-101, Existing Topographic Survey, dated 09/13/2016; as last revised;
 - Sheet C-101, Site Layout & Utility Plan, dated 09/13/2016, as last revised 05/16/2018;
 - Sheet C-102, Grading Plan, dated 09/13/2016, last revised 05/16/2018;
 - Sheet C-103, Landscape Plan, dated 09/13/2016, last revised 05/16/2018;
 - Sheet C-104, Erosion & Sediment Control Plan, dated 09/13/2016, last revised 05/16/2018;
 - Sheet C-501, Site Details, dated 09/13/2016, last revised 01/12/2018;
 - Sheet C-502, Site Details, dated 09/13/2016, last revised 01/12/2018;
 - Sheet C-503, Site Details, dated 01/3/2017, last revised 01/12/2018;
 - Sheet C-504, Erosion & Sediment Control Details, dated 09/13/2016, last revised 05/16/2018;
 - Sheet C-505, Pump Station Details, dated 04/4/2017, last revised 01/12/2018;
 - H. E. Williams, Inc., Tulip Street Site Lighting Plan, title sheet, dated 08/17/2016, sheet 1 of 2;
 - H. E. Williams, Inc., Tulip Street Site Lighting Plan, photometric plan sheet, dated 08/17/2016, sheet 2 of 2;
 - Front Elevation sheet;
 - Product Information Sheet for proposed CertainTeed Bufftech Privacy Fencing;
2. All lighting proposed for the project shall be reviewed and approved by the Village's Consulting Engineer following construction for the purpose of eliminating spillage onto neighboring properties and in order to minimize glare to abutting residences and roadways, it being understood that the Applicant will utilize recessed lighting devices and shielding for lighting;
3. In order to mitigate any demonstrated concerns relating to noise in the area, Applicant will comply with applicable Village Noise Ordinance and shall further comply with the following construction schedule: Mondays through Saturdays from 7:30 a.m. to 7:30 p.m.;

4. Prior to the issuance of any land disturbance permits or building permits, Applicant shall enter into a Stormwater Maintenance Agreement with the Village Board of Trustees as approved by the Village's Attorney. Said Agreement shall be recorded in the Onondaga County Clerk's Office and any required bonds posted therefore;
5. Applicant shall comply with the Onondaga County Planning Board's comments as set forth in its resolution dated March 21, 2018, including the following items:
 - “1. The Onondaga County Department of Water Environment Protection also asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.
 2. Per the Onondaga County Department of Water Environment Protection, for all privately owned wastewater pump stations, the municipality should require that the developer provide performance bonds and/or surety instruments (similar to condominium property management maintenance trust) to fully fund future maintenance and/or replacement costs. The municipality should also require that the developer construct the pump station and conveyances to all the standards listed in the Recommended Standards for Wastewater Facilities (2004), including performance and leak testing of the system.
 3. The applicant and Village are encouraged to maintain as much existing tree cover as possible, utilize green infrastructure, and consider additional landscaping beyond what is shown on submitted plans, for screening, noise abatement, aesthetics, and to aid in stormwater retention and water quality. For more information on green infrastructure for stormwater management, visit the Onondaga County “Save the Rain Program” website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.
4. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations are met for the proposed project:
 - f. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.
 - g. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 (www.ongov.net/wep/uselaws.html) where applicable. The applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.
 - h. Federal Wetlands Approval – The applicant is advised that any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers. The applicant

is also advised to contact the Corps to determine whether permits are necessary for the proposed project and obtain any applicable permits.

i. Threatened or Endangered Species – Per the New York State Department of Environmental Conservation (NYS DEC), if a proposed project is in an area containing threatened or endangered species and/or associated habitats, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional NYS DEC Division of Environmental Permits office.

j. Notice of Public Hearing – Per GML §239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality. Such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing.”

6. Applicant is further required to comply with the Onondaga County Planning Board’s prior resolution and incorporate the following recommendations and modifications as set forth by the Onondaga County Planning Board resolution dated December 23, 2015, as applicable under the current proposed plan:

“1. The Village and applicant must contact the New York State Thruway Authority to provide a drainage study and plans to mitigate run-off from this development, and this study may need to include the Thruway drainage south and west of this site.

2. A site lighting plan must be provided to the New York State Thruway Authority for review, and site lighting must be designed so as not to affect Thruway patrons.

3. The Village and applicant must continue to coordinate with the Onondaga County Department of Transportation regarding the scope of the traffic study, proposed access to Tulip Street, and any permits for driveways and/or work in the County right-of-way. The applicant must complete any appropriate mitigation as may be determined by the Department, and the plan must be modified to reflect all Department requirements.

4. The municipality must submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.

5. The applicant must submit a lighting plan to be approved by the Onondaga County Department of Transportation to ensure there is no glare or spillover onto the County right-of-way.

The Board also offers the following comments and the Village is encouraged to resubmit a site plan referral for the project as plans are revised and finalized:

9. The Village and applicant are advised that the Thruway Authority will not install any noise abatement for developments built after the Thruway was constructed, so consideration should be made by the developer to mitigate Thruway noise for the proposed development.
 10. The Village and applicant are advised that any plans for signage for this development may require an Ad Device Permit from the New York State Thruway Authority.
 11. The Village is strongly advised to require a viable wastewater disposal plan for this site prior to approving any site plans, and the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
 12. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.
 13. The Board recommends that the applicant contact the U.S. Army Corps of Engineers and the New York State Department of Environmental Conservation to determine the location of wetlands, endangered species and/or associated habitats on site in order to ensure that the proposed project avoid negative environmental impacts to the extent possible, and/or to obtain appropriate permits as necessary, prior to the Village approving any plans for this project.
 14. The Board strongly advises the Village to consider a full cross-connection between the proposed apartment complex and Donald Place, in order to improve mobility and increase interconnectivity between residential developments.
 15. The Board further encourages site planning which takes into consideration bicycle and pedestrian connectivity to nearby transit, landscape buffering for adjacent residential parcels and along the Thruway to minimize noise and visual impacts, green infrastructure to minimize impervious surfaces, and the incorporation of usable open space for residents.
 16. The Village and Applicant are encouraged to continue coordinating with the Town of Salina during the site planning process and to provide notice of the public hearing as required by General Municipal Law."
7. Prior to undertaking any site disturbance, the Applicant shall meet with the representative of the Village Code Office and a Member of the Village's Tree Committee to select trees which will remain on the site prior to, during and post construction. Emphasis shall be given to maintain trees which will provide

additional screening and buffering between the project and the residential areas adjacent to the site and enhance its character;

8. Applicant shall be required to make appropriate improvements, including in-situ lining, at the Applicant's sole cost to the existing sewer service subject to approval by the Village Board and shall obtain Onondaga County approval of same;
9. Applicant shall present a final driveway cut permit from the Onondaga County Department of Transportation;
10. Applicant must meet the requirements of Onondaga County sewer offsets;
11. All tree cutting shall occur between November 1st and March 31st so as not to affect any potential presence of protected species;
12. Applicant will install berming and fencing along the edge of the residential areas adjacent to the project, it being determined that such fencing will adequately address the anticipated issues with visual impacts;
13. Installation of proposed 6' fencing shall be inspected by the Village's Consulting Engineer and be compliant with the submitted plans and materials with final color choice;
14. Applicant shall engage the services of a licensed Engineer or licensed Landscape Architect on an annual basis to inspect the erosion control facilities to determine that they are properly functioning and maintained. Such report shall be filed with the Village Code Office. Upon determination that maintenance or revisions are required, the Applicant shall undertake such repairs and maintenance upon notice from the Village. Applicant shall post a bond in an amount determined by the Village's Consulting Engineer to secure such maintenance;
15. Applicant shall ensure appropriate snow clearing and removal of the site at all times. In the event of complaints regarding snow removal, the Village Code Enforcement Office may direct the Property Owner to take immediate action concerning same;
16. Applicant and Property Owner shall at all times be compliant with all Village Laws, Ordinances and Codes associated with the property;
17. Applicant shall complete all site improvements no later than thirty (30) months from the date of this approval, including satisfaction of all conditions;
18. The premises shall be free and clear of trash and litter at all times;
19. The premises shall be combined pursuant to the applicable subdivision regulations of the Village of Liverpool into a combined parcel for the stated use;
20. No signage is to be utilized without further Planning Board approval;
21. This approval is further contingent upon a final acceptable engineering review and approval recommendation to the Planning Board from the Village's Consulting Engineer;

22. Any failure to comply with these conditions shall be grounds for revocation of this site plan permit; and it is further

RESOLVED, that the Zoning Officer is hereby authorized and directed upon payment of any required fees (including professional fees) and the above conditions 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:

James Rosier	Voted	Yes
Peter Osborne	Voted	Yes
John Eallonardo	Voted	No
Michael LaMontagne	Voted	Yes
Joseph Ostuni, Jr., Chairman	Voted	Yes

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 May 29, 2018, 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 __, 2018.

MARY ELLEN SIMS, Village Clerk

There being no further business, Mr. Rosier moved and Mr. LaMontagne seconded the motion to adjourn.
Approved. Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Sandra J. Callahan
Deputy Clerk