

Village of Liverpool Planning Board
Monday June 24, 2019
7:00 PM

Present:	Joseph Ostuni, Chairman	Peter Osborne
	Tom Tartaglia	Jim Rosier
	John Eallonardo	Greg Sgromo, Engineer
	Wendy Lougnet, Attorney	Mary Ellen Sims, Acting Sec.

Call to Order

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

Minutes

Motion was made by Jim Rosier, seconded by Peter Osborne, to approve the minutes with the following change: Second paragraph, page 2 should read: He said that in lieu of a berm the area should be recessed inward." Motion Passed.

Old Business- On the application of Limp Lizard for a site plan review for property located at 201 1st Street designated as tax map # 004-06-04.0 and review of County referral received.

Chairman Ostuni asked Greg Sgromo to review his engineering letter dated June 20, 2019. Mr. Sgromo stated that the site plan has been reviewed with the following comments:

The shared parking agreement with Thomas Roerden, 141 First Street needs to be formalized.

The dumpsters have been relocated and a proposed 8 foot high wooden dumpster enclosure is shown on the plan.

The parking spaces on the plan are now shown 9 feet wide as required by Code.

The lighting wall pack specified on the plan is indicated as unacceptable/discouraged in the Community Design Handbook due to ineffective shielding from glare. These will need to be changed.

The area shown as the proposed landscape berm on the Site Plan should be designed to overflow to the south only, to maintain current drainage patterns. Engineer Sgromo recommended that the Landscape Berm Detail be modified to show a clean washed gravel diaphragm, at least 12 inches deep and 18 inches wide, rather than the soil media shown.

Chairman Ostuni stated that this application was referred to Onondaga County Planning Board for comments. Onondaga County Planning Board stated that this referral will have no significant adverse inter- community or county-wide implications.

Wendy Lougnet, Attorney reviewed Part 2 of the SEQR. For SEQR purposes, this is a negative declaration with no adverse impacts.

Chairman Ostuni asked for a motion on the application of Limp Lizard for a site plan review for property located at 201 First Street.

Parking synopsis is as follows: 8 spaces on site, 15 spaces at 141 First Street, 3 employees to park at Onondaga Lake Park and 25 spaces are located on the street.

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

TCS 1ST ST. PROPERTIES (as Owner/Applicant) -- Application for Site Plan Approval to Redevelop an Existing 693 Sq. Ft. Deck for Additional Seating at the Owner's Premises Located at 201 First Street (more commonly known as Tax Map #004.-06-04.0), all in the Lakeside Business (B-1) District in the Village of Liverpool - **GRANTED WITH CONDITIONS.**

June 24, 2019

T. Tartaglia moved and J. Eallonardo seconded the following Resolution:

WHEREAS, TCS 1st St. Properties, as Owner/Applicant of property located at 201 First Street (more commonly known as Tax Map #004.-06-04.0) in Village of Liverpool (the "Property"), applied to the Village of Liverpool Planning Board (the "Board") on or about April 12, 2019 for site plan approval to redevelop and utilize an existing 693 sq. ft. deck for additional seating, along with additional site improvements (including drainage improvements) at the Owner/Applicant's Property located in the Lakeside Business (B-1) District, all pursuant to §380-87 of the Code of the Village of Liverpool (the "Code"), as amended; and

WHEREAS, the Owner/Applicant has submitted plans and application materials, stamped and initialed as reviewed by the Planning Board Chair, depicting the proposed site improvements, which improvements would consist of the redevelopment and use of an existing 693 sq. ft. deck to provide seating for an additional 24 customers (for the deck) and patio seating for 44 customers, as well as associated site improvements including the construction of a new entry door to the deck, along with drainage improvements and stone fill, all pursuant to the submitted plans and drawings; and

WHEREAS, Volume 6 N.Y.C.R.R. Part 617 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), requires that as early as possible and within twenty (20) days of a complete application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the Owner/Applicant has completed and submitted a Short Environmental Assessment Form, dated April 12, 2018, and the same has been reviewed and considered by the Board along with the other submissions provided by the Owner/Applicant; and

WHEREAS, the application was fully considered by the Board pursuant to the requirements of §380-87 of the Code, and the Board finds, among other things, that:

1. The proposed work is not significant to the Lakeside Business (B-1) District or its existing character;
2. The Applicant has demonstrated sufficient parking for the use through the proposed submission of a long-term parking easement with adjacent neighbor, which parking easement will be reviewed for final approval by the Planning Board's attorney;
3. The Applicant has demonstrated the existence of a driveway easement showing access to the rear portions of the property, which easement has been duly recorded and runs with the property;
4. Correspondence from the Planning Board's Consulting Engineer dated June 20, 2019 addressing site conditions and recommendations;
5. The Applicant will modify its lighting proposal to meet dark sky compliance;
6. Per the Village Engineer's suggestion, applicant will utilize #1 or #2 stone to address the berm/dip condition on the site for safe utilization of the parking area;
7. All issues concerning drainage have been satisfactorily addressed according to the Village Engineer

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

WHEREAS, the OCPB review having taking place, the OCPB determined in OCPB Case # Z-19-125, by a Resolution dated May 15, 2019 that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

NOW THEREFORE, BE IT RESOLVED that the Planning Board of the Village of Liverpool hereby notices all agencies involved, if any, that it shall be lead agency for this project; and it is further

RESOLVED that the Planning Board of the Village of Liverpool hereby declares itself lead agency for purposes of SEQRA and determines that the action is an Unlisted Action; and is further

RESOLVED that this Board makes the following additional findings pursuant to §380-87 of the Village of Liverpool Code:

1. The proposed use of the new deck facility and site improvements will be in compliance with all other applicable regulations of the Village of Liverpool Code, as well as the Lakeside Business (B-1) District and will further be in compliance with all applicable local, state and federal regulations;
2. The proposed use of the new deck facility and site improvements, as to its layout, design and construction, is and will be consistent with the intent of the Village's Lakeside Business (B-1) District and will not pose a material adverse impact upon adjoining or nearby properties and will not result in an adverse aesthetic impact, but will be in compliance with the Comprehensive Plan 2025 and the Village's Community Design Handbook, as last amended;
3. The proposed use of the new deck facility and site improvements will not have an adverse impact on the character and integrity of any land use within the immediate neighborhood, having unique cultural, historical, geographical, architectural or special characteristics, as no such characteristics have been identified and the predominant character of the neighborhood involves a mixture of commercial and residential uses, including restaurants;
4. The proposed use of the new deck facility and site improvements is proposed to be developed in such a way as to ensure maximum amenities available to the site, including revised drainage facilities and the rearrangement of the seating layout and parking opportunities;
5. As proposed by the Applicant and shown on the depicted drawings, the proposed use of the new deck facility and site improvements is and will be physically and visually compatible with and will not impede the development and redevelopment of the general neighborhood or adversely affect the existing land use in proximity to the subject site. As noted above, this area and the site are characterized by multiple mixed uses, including restaurants with outdoor seating;
6. The proposed use of the new deck facility and site improvements has access to adequate supporting services, including fire and police protection, public and private utilities and all other supporting government services necessary and appropriate for the proposed use. Village fire and police services are located in the immediate vicinity and the project is supported by public water and sewer facilities;

7. The proposed use of the new deck facility and site improvements provides for controls for safe vehicular and pedestrian movement as designed. No concerns for vehicle or pedestrian movements have been raised nor identified by the public or by the reviewing board. In addition, the Village Engineer has provided a full review of the application;
8. The proposed use of the new deck facility and site improvements will not generate any adverse environmental impact upon surrounding properties. The project was carefully reviewed through the State Environmental Quality Review process and the Applicant has provided for appropriate drainage for this site. There are no suspected issues related to the emission of dust, noise, vibration, light, heat, glare, odor, traffic or parking. Indeed, parking has been addressed extensively through a negotiated parking agreement, all lighting will be properly shielded and dark sky compliant; and is further

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

RESOLVED that the Planning Board of the Village of Liverpool hereby allows and grants the Owner/Applicant's request for site plan approval to redevelop an existing 693 sq. ft. deck to provide seating for an additional 24 customers (for the deck) and patio seating for 44 customers, as well as associated site improvements including the construction of a new entry door to the deck, along with drainage improvements and stone fill on the Owner/Applicant's Property located at 201 First Street in the Village of Liverpool, County of Onondaga, New York (Tax Map # 004.-06-04.0) in the Lakeside Business (B-1) District, all as shown on the submitted plans and information, subject however to the following conditions:

1. All construction shall be in strict compliance with the submitted plans, including: Sheet G-1: Site Plan & Details, prepared by Donahoe Group, dated May 1, 2019, as last revised June 5, 2019;
2. All lighting shall be shielded and dark sky compliant;
3. The existing berm shall be filled with #1 or #2 stone per the Village Engineer;
4. The Owner/Applicant shall deliver to the Village a long-term Parking Agreement/Easement with neighbor Thomas Reardon, which Agreement shall be acceptable to the attorney for the Village;

5. All other provisions of the Village of Liverpool Zoning Law shall be observed for the uses; and it is further

RESOLVED that the Zoning Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution subject to the above conditions; and it is further

RESOLVED that this Resolution shall be effective as of the date of its filing with the Village Clerk and shall be subject to annual inspection for compliance.

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

Thomas Tartaglia, Alternate	Voted	Yes
James Rosier	Voted	Yes
Peter Osborne	Voted	Yes
John Eallonardo	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 June 24, 2019, a quorum being present.

JOSEPH OSTUNI, JR., CHAIRMAN

Village of Liverpool Planning Board

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

MARY ELLEN SIMS, Village Clerk

Motion was made by John Eallonardo, seconded by Tom Tartaglia, to approve the site plan for Limp Lizard, with the following conditions: the lighting needs to be changed, the comments regarding the berm need to be incorporated, the parking agreement with Thomas Roerden needs to be formalized, patio seating and deck seating needs to be changed to the correct seats. Motion Passed.

Continued Public hearing on site plan review Immediate Mailing Services 245 commerce Blvd for a 6500 sq ft addition to the building

This will be on the July agenda. Applicant requests additional time is needed.

Other Business:

Tom Tartaglia asked what the status of the renovations were for the house in the 700 block of Oswego Street.

Village Master Plan will be reviewed with a survey sent to residents.

5 G Cell Technology will be on the agenda in July.

Adjournment

Motion was made by Jim Rosier, seconded by Peter Osborne, to adjourn the meeting. Meeting was adjourned at 7:26 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims
Acting Secretary