

VILLAGE OF FREEVILLE PLANNING BOARD MEETING
JULY 16, 2019

A meeting was held by the Village of Freeville Planning Board at the Village Hall, 5 Factory Street, Freeville, New York on July 16, 2019 to continue the review of a Site Plan application submitted Danila Apasov for property located at 18 Factory Street.

Present were: Chairman James Krebs, Member Brian Buttner, Member Thomas Cavataio, and Member Stephanie Ortolano. Also in attendance were Karen Snyder, Deputy Clerk, applicant Danila Apasov, Michele Blackmore and Jeanne Grace. Absent was Member Justin DiMatteo.

The meeting was called to order at 7:00 p.m. by Chairman Krebs.

There were no minutes to approve.

As the applicant Danila Apasov had not arrived yet, Chairman Krebs read into the minutes a response from David Fogel, Mayor of the Village regarding a question Michele Blackmore had.

“Thanks very much for this excellent list of questions. I can't begin to answer most of them at this time, but I can at least address the first of them, before the bulleted section. Any village road or sewer project would be undertaken with the oversight of the Board of Trustees. The only autonomous authority the planning board has in such projects is to approve a site-plan review, a power granted it by the BOT. If by approving a project infrastructure upgrades involving a village ROW become necessary, then the BOT has the responsibility to plan and budget for those upgrades in consultation with the DPW superintendent, the Code Enforcement Officer, and outside professionals.

The timeline for any infrastructure upgrades, and to what extent they would have to be completed before construction could proceed at the site itself, are critical issues that I think will have to be resolved in consultation with a number of parties, including the village DPW and any engineers and/or architects involved with the project.

I would urge you to bring your questions and concerns surrounding this project to the BOT at our next regular meeting, which has been moved up to Thursday, August 1st at 7:30 p.m. to accommodate various vacation schedules. We will do our best to answer your questions at that time.”

David

July 16, 2019 email from Michele Blackmore. (Planning Board responses are identified in **red**)

Hello all,

I know it's another long list of questions. I'm thankful for all of your time and attention. These thoughts keep me up at night; I'm hoping to have a better understanding of what the future will hold.

I don't want my concerns to be mis-characterized. I fully understand my property is subject to highway right of way (ROW). I understand also, there will be changes adjacent to my property. I think it would be helpful for Danila's planning to have a full understanding of how the road extension and utilities will be handled for his planning and building purposes. Those projects now have the most potential to immediately impact my property.

As I tried to express to David and Tom, I'm seeking peace of mind. I'm very thankful for their time last week and for everyone's time now. For me, peace of mind comes from having a clear picture of what's happening and when. It also comes from the assurance that all aspects of what needs to happen to bring Danila's project into existence, are thoughtfully planned for. It would seem Danila's project timeline is linked to the village road and sewer extension, but that connection hasn't been made clear. Will those projects be universally planned, or are they separate, consecutive projects? My household supply of potable water is in direct path of any and all proposed activity. I'm pursuing a better understanding of what's being planned overall, because this affects the livability of my home.

In regards to the village sewer and road projects, Danila probably has as many questions as I do. Firstly, does the planning board have oversight over village road and sewer projects? Is it the board of trustees? I'm happy to direct my questions to them. (These questions were answered above by Mayor Fogel above)

- The surveyor's map of Factory and Union that I have is dated mid-1980s. It is identical to the current state of Factory St; in the intervening 30 plus years, no road extension happened. How old are any existing plans for an extension of Factory? **Board members responded at least by 1987. That is approximately when the Zoning Laws in the Village were established. A map on page 27, §335 and page 31, §338 of the Village Land Use Development Plan shows Factory Street extending to Greenway Road to Tanbark Circle.** How far did any proposed road extension go the last time this was discussed? **The response was Greenway Road, which is part of the Planned Unit Development (PUD). Tanbark Circle was also part of that PUD, the first phase.**
- What are the hurdles to overcome or project benchmarks, for new road construction in the village? **This question will be referred to the Village Board of Trustees.** When's the last time the village oversaw a new road project? **Tanbark Circle! Board members added the connection from Johnson Street to Tanbark Circle the Village constructed. Tanbark Circle was constructed by the developer based on the Village road specifications. Once homes were constructed and sold off Tanbark Circle then became a dedicated road to the Village.**
- Are utility and road construction necessary for the construction phase of the building? **Chairman Krebs referred to Mayor Fogels comments above. Chairman Krebs spoke to Pat Brennan of the Village DPW. He envisioned the road to be of rough grade during the construction of the Apasov building. Once construction was completed the Factory Street Ext. would then be completely paved.**
- Is the road being built before the project at 18 Factory St.? **Board members already touched on this question!**

- Is the sewer extension being built before the building construction? **Member Buttner responded it would have to be! Adding the Village does not allow temporary sewage systems.**
- Are electric and gas utilities being done before the building project? **Yes!**
- Does this project require a storm water management plan? **This was a condition placed on Danila Apasov Preliminary Site Plan application, which he has not submitted the document as of this date. The Village will address their stormwater regarding the construction of Factory Street, which there is no requirement for the Village.**
- Has anyone communicated with NYSEG? What are their parameters for new utilities? **Mr. Apasov has initiated contact with NYSEG and has not moved forward as NYSEG requires a deposit to enter into communications with them. Mr. Apasov is also waiting on the load calculations from Tatum Engineering (the company provided by Tompkins County Department of Planning and Sustainability on energy elements) in order to provide optimal energy levels of efficiency of the building. Mr. Apasov has also applied for a grant through NYSERDA for and “E-Energy Retrofit”. NYSERDA grant could pay for engineering services as long as the building meets 5% better than code. Once the above is accomplished Mr. Apasov will be able to communicate with NYSEG regarding the needs of his project. Easements already exist on this property with NYSEG and the Village of Freeville. More than likely NYSEG will not deviate their location of their utility.**
- What is the overall timeline for these sewer and road projects? **This question will be referred to the Village Board of Trustees.**
- What is the proposed scope of those (sewer and road) projects? Alternatives or variables? **This question will be referred to the Village Board of Trustees.**
- Are there already designated funds for the village projects? If not, how will they get paid for? Village taxes? Municipal bond? **These questions will be referred to the Village Board of Trustees.**
- Will village funding of this project break through the state's 2% tax increase cap? **This question will be referred to the Village Board of Trustees.**
- Who will be project manager for the road and sewer projects? Pat Brennan? **The Board members would assume so! Will any public meeting or other forum be available where Pat is available to answer questions? This question will be referred to the Village Board of Trustees and Pat Brennan. Planning Board members suggested Mr. Brennan attend the August 1, 2019 Board of Trustee meeting at 7:30 p.m.**
- Do any other well lines run under municipal roads? Is there precedent for how that's been handled in the past? **This question will be referred to the Village Board of Trustees and Pat Brennan. Member Cavataio interjected where Ms. Blackmore could be provided some information and direction to investigate her shared well waterline and how the line should be handled regarding the construction of Factory Street?**
- What is the required distance or protection required between a sanitary sewer line and a potable water line? **Member Buttner responded by indicating public sewer and public water lines can be relatively close together but cannot be in the same plane within a ditch.**

Again, thank you,
Michele

As Board members waited for the arrival of applicant Danila Apasov, Chairman Krebs offered the privilege of the floor to anyone else in attendance.

Member Stephanie Ortolano informed fellow Board members she will not be in attendance for the August 20, 2019 meeting.

Board members questioned if any more information was available on the proposed hair salon and the approved grocery store? Deputy Clerk, Snyder indicated no additional information was available on the hair salon but did inform the Board that Peter Constantine had met with CEO, Rick Fritz to apply for a second building permit as he misplaced the first.

Applicant Danila Apasov arrived at 7:35 p.m. The Planning Board members welcomed him as he provided a “to scale” site plan to all, which was one of the conditions of his approved Preliminary Site Plan.

Member Buttner discussed with Mr. Apasov his stormwater plan. Danila explained verbally the plan as he has no stormwater sketch plan to show the Board. Member Buttner reminded him that the Board wants to see a scaled stormwater plan and asked when it would be submitted. Casey Pendleton working as an independent for Danila is preparing the stormwater plan. Member Buttner explained to Danila the rules and regulations regarding an engineer/architect responsibilities and their license. Adding stormwater plans do not necessarily need to be stamped for the Planning Board but should be stampable at some point in time. Danila will be looking into this for the Board.

Chairman Krebs asked Danila to respond to Ms. Blackmore’s email question regarding NYSEG.

As a gesture, Danila offered to Michele Blackmore a connection from his well once dug. His well would be located to the south side of his parking lot and it could be too far away. Board members agreed the distance would be of a great length and Ms. Blackmore would be better off keeping her existing water line location. Once construction of Factory Street commences the Board was confident that Pat Brennan of the Village DPW would take the necessary measures to protect her water line.

Chairman Krebs reviewed from the May 21, 2019 board meeting four items the Board prepared for Mr. Apasov to submit. His responses are identified in red.

1. Stormwater plans. No plans submitted at this time only verbal discussion between Board members and the applicant.
2. Architectural approved site plan drawings, drawn to scale but not necessarily stamped at this time. A scaled site plan was submitted by Mr. Apasov.
3. Types of vegetation to be used for a buffer and water runoff, once Chairman Krebs speaks to the County regarding the stream vs. a ditch. Mr. Apasov submitted a handout regarding the types of vegetation to be planted in the fall of 2019 and the spring 2020.
4. Energy plans regarding the County's recommendation regarding the 4 energy elements for new construction. Mr. Apasov indicated to the Board he is working with Taitem Engineering, a service provider working with the Tompkins County Department of Planning and Sustainability. The parties have been in discussion on project energy efficiency plans, such as a geo therm heat pump system vs. HVAC systems vs. electric systems. The goal would be to provide 25% more energy efficiencies then what is required by code. Mr. Apasov added a percentage of the proposed facility would be storage area.

Chairman Krebs reviewed with the Board members §446, submission of Final Detailed Site Plan.

1. Record of application for and approval status of all necessary permits from federal, state and county agencies. Board members state only a local permit would be required.
2. Detailed sizing and final material specifications of all required improvements. Board members stated the information has been submitted and they are content.
3. An estimated project construction schedule. Mr. Apasov responded the project should start up in September of 2019. The goal would be to occupy the facility by winter. Mr. Apasov has a commitment from a builder. Mr. Apasov is responsible for coordinating the electrician, plumber etc.

Member Buttner spoke to with Board members as Mr. Apasov project progresses some items may need "tweaking" adding the utility companies place their equipment where they want them with their customers having to plan and work around the utilities.

With no further comments or concerns heard, Board members moved forth to take action on Danial Apasov Site Plan application for a proposed light industrial manufacturing facility to be located at 18 Factory Street.

Member Buttner made a motion, seconded by Member Ortolano to approve the Final Site Plan application submitted by Danila Apasov for property located at 18 Factory Street, subject to the following conditions:

- 1) The applicant develops dual driveways to the southeast and northeast corners for easier ingress and egress into the proposed parking lot.
- 2) The applicant incorporates small plantings on the eastside of the proposed parking lot.

Roll Call Vote:	Chairman Krebs	Yes	Member Ortolano	Yes
	Member Buttner	Yes	Member DiMatteo	Absent
	Member Cavataio	Yes		

The motion carried.

With no further business to be conducted or comments heard, Member Ortolano made a motion, seconded by Member Buttner to adjourn the meeting. All those present were in favor, the motion carried.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Karen Snyder
Deputy Clerk