

VILLAGE OF FREEVILLE PLANNING BOARD MEETING
MAY 21, 2019

A meeting was held by the Village of Freeville Planning Board at the Village Hall, 5 Factory Street, Freeville, New York on May 21, 2019 to review a Site Plan application submitted Danila Apasov.

Present were: Chairman James Krebs, Member Brian Buttner, Member Thomas Cavataio, Member Stephanie Ortolano and Member Justin DiMatteo. Also in attendance were Karen Snyder, Deputy Clerk, applicant, Danila Apasov, Lea Elleseff, Mayor, David Fogel and CEO, Rick Fritz.

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

A motion was made by Member Cavataio, seconded by Member Buttner to approve the minutes of April 19, 2019 Village Planning Board meeting. All those present were in favor, the motion carried.

Board members acknowledged the Tompkins County Department of Planning and Sustainability letter dated May 17, 2019. The department recommended modifications to the proposed Danila Apasov Site Plan application.

Their recommended modifications are:

- 1). To help meet our County's goals of reducing greenhouse gas emissions, we recommend the Village require the applicant to document that they have considered the four energy elements for new construction projects outline in the attached *Tompkins County Energy Recommendations for New Construction* (2018).

- 2). To help protect water quality, we recommend that the Village require the applicant to redesign the project to not disturb the buffer within 50' from the stream centerline of the intermittent stream on the property and to vegetate that buffer if it is not currently vegetated.

Board members discussed item #2 from the County's recommended modification with Mr. Apasov. Both parties discussed a stream vs. a drainage ditch on the property. Mr. Apasov was confused if the stream mentioned by the County was in fact a stream or a drainage ditch. If considered a stream his proposed parking lot would be inside the 50' buffer recommendation. Chairman Krebs explained the Board consists of 5 members, if the Board was to make a motion not to agree with the County's recommendations, the Board's roll call would need to be a super-majority or 4 votes. If the Board agreed with the County only 3 votes would be required. Member Cavataio questioned the parking area material to be used. Mr. Apasov stated it would be gravel.

Chairman Krebs and Mr. Apasov will contact Scott Doyle with the County Department of Planning and Sustainability for clarification of the stream vs. a drainage ditch.

Mr. Apasov was given the opportunity to explain his project to the Board members. He is proposing the construction of a new facility for his business for storage, shipping, offices and light assembly, on the former glass manufacturing site off of Factory Street. The new building would be approximately 6,000 sq. ft, which includes 2 loading docks. Because the property is not level at this time the square footage of the building could be decreased due to soil, wetlands and other factors as indicated by an excavator. Chairman Krebs questioned if any parts of the property was in an official wetland. Mr. Apasov responded as there are no wetlands on the property only in the southwest corner of the property it contains a beaver pond.

Chairman Krebs proposed recessing the meeting and join Mr. Apasov to visit his property off of Factory Street regarding his project and answer some of the questions just discussed. The Board members agreed.

The meeting recessed at 7:11 pm. Board members returned at 7:35 pm. and reconvened their meeting.

After returning, Member Buttner had questions regarding the proposed project. Will an Engineer/Architect be retained for this project? Is the proposed building large enough where roof run-off will need to be addressed and will a retention area be necessary and if so the location? Will the facility be connected to Village sewer? Mr. Apasov responded as an Engineer/Architect will be retained to prepare documents for the Village in order to receive a building permit. Chairman Krebs indicated an Engineer/Architect would be important to retain as the project cost will exceed \$20,000., which will be required. The closest sewer connection is at the corner of Union Street and Factory Street. Village Highway Superintendent Brennan indicated to Mr. Apasov when the extension of Factory Street is built the sewer will be extended at the same time. Member Buttner questioned if height and a lift station was discussed. Mr. Apasov was not sure. It was clarified by Mayor Fogel that the Village will be extending the sewer line but Mr. Apasov would be responsible for the installation of the lateral line to his building.

Mr. Apasov indicated to the Board that Tompkins County Department of Planning and Sustainability reached out to him offering consultation at no cost regarding power, which he will utilize. Board members discussed #1 of the County's recommendation regarding the 4 energy elements for new construction and how Mr. Apasov is to provide documentation that he has considered those energy elements. The 4 energy element items are Energy Star products, electrically-powered heat pump systems, renewables and energy-efficient building design.

Board members agreed they would need to review Mr. Apasov's documentation why he may or may not choose utilizing some of the energy elements.

Member Cavataio discussed water quality regarding the proposed project and how important it is. Once the Village builds the road the proposed parking area should be studied how it will handle run off and road salt. It may also be necessary to move the proposed building back away from the stream/ditch and to help filter water, planting of shrubbery along the edge of the roadway should be considered. Member Cavataio questioned Member Buttner on the location of his suggestion of a retention area. Member Buttner indicated behind the proposed loading dock, closer to the swamp area as the retention area would hold its own water until the water reaches its elevation then the water should run off into the swamp area. Member DiMatteo question as a Planning Board how do we get clarification from the County for their indication of the stream vs. what the Planning Board believes is a drainage ditch. Chairman Krebs will email Scott Doyle, Associate Planner at Tompkins County's Department of Planning and Sustainability and have the Board members copied regarding this important question. Member Buttner clarified that an Engineer or an Architect can stamp plans, reminding Mr. Apasov whomever he chooses that they are a licensed Engineer or Architect. Mr. Apasov stated the discussions are all reasonable measures to be considered for his proposed project.

The Board members continued on with their meeting and discussed with CEO, Rick Fritz procedures for Site Plan applications and the distinction between a Sketch Plan Review, a Sketch Plan Conference, Preliminary Site Plan Review and a Final Site Plan Review.

CEO, Fritz spoke regarding the procedure of Site Plan applications. An application is submitted to him, as a Sketch Plan Review. He reviews that application with the applicant. The application may need additional documents, for a complete application before it can be submitted to the Planning Board. A Sketch Plan Conference is then held by the Planning Board. The next step would be a Preliminary Site Plan Review, adding more than one Preliminary Site Plan Review could be held, in order for the Planning Board to request additional documentation and to hold a required Public Hearing. A Final Site Plan Review may also be held. The determination of procedure should be considered how simple, how intense or how controversial the project is. It was suggested on the Site Plan application an additional box be added to identify a Sketch Plan Conference with its date, in line with the boxes of Preliminary Site Plan Review and Final Site Plan Review.

Board members reviewed Part I of the applicant's portion of the SEQR form and discussed #13 in length regarding the existing beaver pond on the applicant's property. Chairman Krebs will investigate with the County if the beaver pond is considered a wetland or other waterbody regulated by a federal, state or local agencies. Board members completed their portion of Part II of the SEQR and decided to leave their final determination to a later meeting.

The Board members moved on to review §443, questions 1-11, "Review of a Preliminary Site Plan" from the Villages Land Use and Development Code. The Board answered the related questions with satisfaction and mitigated applicable questions.

Board members prepared a list of items for Mr. Apasov to submit:

1. Stormwater plans.
2. Architectural approved site plan drawings, drawn to scale but not necessarily stamped at this time.
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.
4. Energy plans regarding the County's recommendation regarding the 4 energy elements for new construction.

Board members agreed to have Chairman Krebs report back to the Board regarding the following items:

1. Contacting Scott Doyle at the Tompkins County Department of Planning and Sustainability regarding the definition of a stream vs. ditch in his recommendations.
2. Types of vegetation that can be planted.
3. Questions on the existing beaver pond on the applicant's property.

Chairman Krebs asked Deputy Clerk, Snyder to schedule the Public Hearing and prepare the Legal Notice for a Preliminary Site Plan Review for June 18, 2019 at 7:00 p.m. Prepare a mailing to notify surrounding property owners within a 500' radius of the property line and post the Legal Notice on the Village's website and the list serve.

Board members reviewed §344.02, Light Manufacturing. They discussed if the application required Zoning Board of Appeals approval. Mr. Apasov indicated the product will be manufactured elsewhere and shipped to this site to be assembled into kits. CEO Fritz informed the Board members that after listening to the questions and answers of the Sketch Plan Conference of the Site Plan application, CEO Fritz considers Mr. Apasov application does not require ZBA review as the project is considered light industrial.

Board members thanked Mr. Apasov for attending and for his explanation of his proposed project. Mr. Apasov exited the meeting at 9:25 p.m.

Board members continued their discussion with CEO Fritz on the procedure's of Site Plan applications.

CEO Fritz spoke on behalf of the Villages Office's and the positive direction the Village is heading. He requested the Planning Board members voice their concerns and make comments to him what they expect with the direction of the Village, referring to the Site Plan applications.

Maybe the application should be "tweaked" in order for all involved to better understand the procedures and processes. Possibly conduct workshops on this subject. Add a checklist to the Site Plan application.

Chairman Krebs feels it is important that CEO Fritz attend frequent Planning Board meetings, especially when there is a major application like Mr. Apasov, classifying major as a project costing more than \$20,000.00. Chairman Krebs requested for Sketch Plan Conferences, CEO Fritz ask from the applicant to provide more architectural site plans, not necessary stamped, after CEO conducts his Sketch Plan Review. Board members agreed plans should be more to scale. CEO Fritz explained his version of a Sketch Plan Conference. He indicated applicants are not ready to invest large amounts of money in the beginning to learn their proposed project requires more information, may not move forward or may not even get approved. Also Sketch Plan Conference's should require less formal site plans. If the Planning Board members during a Sketch Plan Conference are comfortable with a proposed project, the applicant would then supply architectural site plans, more formal plans to scale for the Preliminary Site Plan Review. The Planning Board members are looking for more clarity with the site plans, not to just look at a "postage stamp" version of the plan. After a lengthy discussion Board members agreed documents for a Sketch Plan Review and Conference can be less formal, requesting from CEO Fritz before the application is forwarded to the Planning Board the application be fully complete. More detailed information showing plans to scale will be necessary for a Preliminary Site Plan Review in order for the Board members to make a viable and final decision. Member Buttner commented on the importance of the working relationship of Planning Board members and a CEO and how essential it is to promote proper growth within a municipality.

Board members clarified their process of §441: Sketch Plan Conference.

For Site Plans requiring more than \$20,000.00 in renovations/construction costs a Sketch Plan Conference shall be held between the Planning Board and applicant to review the basic design concept and generally determine the information to be required on the Preliminary Site Plan.

For Site Plans requiring less than \$20,000.00 in renovations/construction costs a Sketch Plan Conference maybe required at the discretion of one or more Planning Board members.

Chairman Krebs made a motion, seconded by Member Ortolano, to adopt clarification to their process of §441: Sketch Plan Conference. All those present were in favor, the motion carried.

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

The meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Karen Snyder
Deputy Clerk