

PLANNING BOARD

Town of Lewiston 1375 Ridge Road Lewiston New York
Thursday – July 21, 2022

Agenda: Giusiana-Washington Drive (A), Wilco Auto Care LLC- Ward Road (B), LMK Realty Associates- Northridge Drive (C)

Present: Baker, Burg, Conrad, Lilly, Taczak, Waechter

Absent: Lattanzio

Presiding: William Burg, Chairman

Burg: We do have a quorum. The first matter of business did everybody review the minutes from April?

Members: Yes

Taczak: Yes, sure did. I would like to make a motion to approve those minutes.

Lilly: Second

Burg: All those in favor say AYE

Members: AYE

Burg: Ok we have 3 items on the agenda tonight. First is 5/4 Development we have an open meeting. Dave if you can state your name for the record.

David Giusiana: Good evening I am David Giusiana from Giusiana architects also one of the owners of 5/4 Development. So, I am both the architect and one of the developers in the situation talking about the parcel at Washington Drive and Madison and Jefferson Way approximately 23-acre parcel we are proposing 168 units of apartments 24-unit buildings 7 buildings altogether. The site itself would include additional amenities attached for rent garages as well as a community building with pool basketball courts the apartments themselves approximately 1200 square foot 2-bedroom 2 bath units Concept plans 3 story buildings serviced with elevator as well. A little history of the project that back in the mid 80's when we purchased the property, we began the development which include all the lots on Jefferson, Madison and Washington and intended on building an apartment complex at that time but we ran into difficulty with the federally regulated wetlands. And the years have transpired and we went through different versions of having to design around some of the wetlands and where we stand now currently it has been determined by the army core that we now have no federally regulated wetlands at all. Because we have started that prior project much of the infrastructure for the apartment complex was developed at the time for the water line sewer lines and some of the storm water and some of the other power and gas utilities. The intension is to build it over a period of now we are looking at 3 years. From start to finish once construction starts which we will be amending in our next submission with a better detailed outline of phasing relative to structures and different amenities will be built I know your concerned about the community building pool and such. Which will have more phase into that. The SEQRA has been submitted the town engineer has reviewed it and a palmery review and has gotten back to us with a few comments that we will be addressing as the review starts to progress. Whatever questions anybody might have whatever concerns anyone might have I am more than willing to answer them.

Burg: Ok before we open up the public hearing is there any questions or comments from the Board?

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Seaman: I would like to make just one statement which is to advise you procedurally where we are today. To call for the public hearing on this it's obviously going to take place today. I would recommend that at the end of this we leave the public hearing open while the SEQRA coordinator review continues. So, the applicant is aware they are not anticipating any type of decision in terms of the concept plan this evening, because the SEQRA not back completed yet. But we can do is go ahead and open the public hearing take the public hearing comments take a motion at end of that to leave the public hearing open and then likely in the future we would be able to close that formally once the SEQRA is completed and then the planning board would be able to make a determination on the concept plan.

Burg: Ok thank you! Also, procedurally the public hearing if you want to speak for or against a project you need to come up to the mic you need to address the board you need to state you name and address and you will have 3 minutes. The public hearing is open. Anybody want to speak for it or against come on please.

I am Lynn Stephens I live 834 Madison Avenue. I'm more concerned about the traffic that's going to be down our street. Will that be like the main way to get into this.

Giusiana: Well just to ordinate you where your house essentially is right here so yes people going back in would drive past your house but there is a 2nd entrance that comes off of Washington as well-off set

Stephens: But what about Jefferson

Giusiana: Jefferson is right here

Stephens: So, there's going be an entrance off of that too

Giusiana: Off of Washington here Madison entrance directly off

Burg: Dave can you turn the plan around and just show the board on what you just discussed.

Giusiana: She lives essentially on the corner of Creek and Madison just saying that street is going to continue straight into the complex versus the Jefferson Way's Street will offset into that.

Stephens: But Jefferson also opens up into here so there should be 3 right you could turn left right on Jefferson and then left on Washington just like you could turn down Madison and left on Washington, right? So will there be nothing will Jefferson end up being a dead street or can

Giusiana: No, it will continue on into this complex.

Stephens: Ok I am just wondering if there could be a dead end or something that's 7 buildings. The traffic on my street and for Terri's he's got 2 little kids that live there 6 and 7 is going to be brutal. That's my

Burg: Ok Thank you! Anyone else? Again, please direct your comments and questions to the board.

I am Terri Santoro 833 Madison my concern is that 2 years ago out I Medina and I moved out here looking for a small piece of land that was quiet no car because before I had lived on a busy street with all these cars and I had my 3 kids. Now I have 5 grandkids they have learned to ride their bike on Madison with what little cars we do have come down there go down very slowly. I can only imagine what the traffic is going to be like once we have an apartment complex down there speeding down the road. I live on more than ½ acre and it's just me on that side of that road it's nice and quiet that's why I picked that house. And now putting an apartment complex and traffic

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with I mean I don't know I just that's why I moved to Lewiston just for that house and now my 5 grandkids always playing out there I don't want then to get hit by a car. Cause I have seen how people drive they don't even stop at the stop signs. Is my main concern.

Burg: Thank you! Anyone else.

Hello my name is Cheryl Krouse I also live on Madison as well. I own a duplex there bought the home about 9 years ago again the same quiet street reason. I see how much the traffic is on the other end of the complex down by Washington with the amount of cars that are coming and going and this will be the same thing on Madison Ave. According to the paper work that was sent this is requesting an approval for a concept plan and rezoning for an R2 two family to a planned unit development for 23.8 acres I am definitely against this it is not going to do anything for resale on my home having people come over and wonder if they are going to get hit by a car because people are zooming up and down. I go for a run around Washington and it's the exact same thing I don't want it at our end of the street.

Santoro: There is only the 3 of us on Madison we own the whole street basically.

Burg: Ok, ok and what was your address again

Krouse: 852 Madison Ave

Burg: Thank you! Anyone else?

Victoria Giusiana 836 Jeffery Way. I am for the project. I have seen in the past years that land has been... for another apartment building that was subpar and I really don't want to see it happen again with the land. I think the Giusiana's will do a very good job putting in decent buildings at higher end.. And I think that if your worried about the traffic there's Creek Road and that's a very fast road and people are in and out of the roads already so I don't see a difference per say.

Burg: Ok thank you! Anyone else? Alright any additional comments from the board?

Taczak: Well since we don't have SEQRA completed we can I don't know if we need a motion to keep the public hearing open and refer everything until we get SEQRA completed.

Seaman: Yeah, I recommend that you make that motion.

Taczak: Ok I will make that motion

Waechter: Second

Burg: All in favor

Members: AYE

Burg: Ok. Thank you!

PB-07-2022 (B)

Burg: Next item on the agenda is Wilco Auto Care looking for a sketch plan review special use permit. Can you come up and tell us about your project.

Hi good evening my name is Doug attorney for Wilco Auto Care this is Jim Coble the owner of Wilco. Seeking approval site plan review and is it a variance we are asking for here?

Members: Special use permit

Doug: Special use for building purchased for ... facility. That's what we are presenting paperwork submitted. Open for any questions you might have.

Burg: I have question. You will not be greeting or meeting customers at this site? It's just going to be

Doug: That's correct.

Burg: Any there are no open citations on that property. Right Ed

Ed Zimmerman: Not that I am aware of at the moment.

Seaman: So, you have before you an application for site plan review as well as a special use permit. For a special use permit the applicant would have to have a public hearing at the Town board level. So, at some point there would be a public hearing at the Town Board level if the Planning Board recommended approval on that. With regard to the site plan approval, it's in this board's discretion whether or not we choose to have a public hearing at this level. So, if you wanted to you are able to call for a public hearing on this project if wanted to and that would be scheduled at the next meeting. So, it's really kind of 2 applications that proceed in ... site plan approval and the special use permit together. With regards to SEQRA on this project you do have in your packet a recommendation from Tim Masters for a negative declaration on this. So, if and when this moves up should be aware of that and the Town board would ultimately would be the board that makes that determination but that would likely be part of your recommendation is to address that as well.

Burg: So, the recommendation would be that the town board

Seaman: Assuming that you agree with Tim that it's a negative declaration there's no significant environmental impacts relative to this project your motion if you were seeking to recommend approval on it for example your motion would be to recommend the approval of both the site plan and the special use permit as well as to recommend a negative declaration.

Burg: And do we need to declare the town board as the lead agency for the SEQRA?

Seaman: You don't need to do that in this scenario that's we usually do that when there's a coronated review that need to go out which is not the case in this scenario.

Burg: Ok thank you! Do we have any question from the board? Comments, concerns?

Conrad: The vehicles that you're going to be working on are they going to be just like brought to that location? Worked on and then taken away from that location? We aren't going to have vehicles

Doug: Potentially it's typically what happens a vehicle comes into our shop and we do whatever it might be tires then it goes down and we do an alignment it's usually the duration of maybe 20-30 minutes and then we are pulling back out and we might preform 3 a day or something like that. From the hours of 8 am to 6 pm at the

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latest so it's not that anything excoriating happening. All customer interaction occurs at the main automotive site so one of his employees would drive the customers car to that building that we are discussing tonight. Perform the alinement and then return it to the main.

Conrad: What about the indoor storage could you describe what the scenario is or what you are going to be storing

Coble: I collect vehicles of different of kinds snowmobile and things like that different automotive equipment extra storage for stuff that takes up room in the shop so we put it in there.

Conrad: It's currently not a sprinklered building though right

Coble: Sprinkler no

Members talking

Waechter: Now just as far as like looking at you're picture as far as you're building are you going to working out of both the bays are you going to be working out of one bay you know are can you kind of explain to me the dynamics of moving the cars back and forth.

Coble: It's just the one bay the bay to the east end of the building closer to the shop. Currently have our alinements machine there. We've actually been preforming alinements there I was advised that I should have got a permit prior I wasn't aware so nothing would change going forward from what are we doing.

Doug: We kind of waiting until this point to apply for the permit because we were waiting to purchase the building rather than get the permit when Paul Calkins still owned it and then get the permit after we bought it we waited for the transaction to go through which was delayed because Paul was ill.

Waechter: So, you do own the building then

Coble: Yeah

Waechter: Is there any type of dividing walls or anything in that unit? Or is it just one open space?

Coble: It's all open

Waechter: Is it concrete flooring or dirt flooring

Coble: yes

Waechter: Concrete. And I just have another question as far as the activity on the outside just from the picture that we have obviously it appears that there's a lot of cars that are parked kind of in a random pattern is that something that is continual and then it also looks like there is storage for like tires and some other type of stuff going on

Coble: That doesn't have to be. It does happen on occasion but if that stands in the way of approval, we can address that it's no problem.

Waechter: Because I am just looking at the amount of vehicles that are parked in front of how you want to utilize I think there may be a better plan of action for that.

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Seaman: Can you comment on your intent to combine the properties or not combine the properties? There are 2 different properties right the one that you are currently operating out of and

Coble: There's actually 3

Seaman: Are you going to combine them or a single

Coble: The plan is to keep them single. In the future that's a possibility

Seaman: Would you combine them with at least with tax assessment purposes? Into one SBL number or are they going to be 3 SBL numbers.

Coble: Well, they are 3 will be they are 3 SBL numbers now

Seaman: It's kind of tricky for tax accessor to access 3 different rate to 3 different buildings it's all relevant to one business.

Coble: In the event that we wanted to sell one of the buildings then we would have to separate it again I am guessing. So, I don't know if I necessarily want to combine them

Seaman: Well, you could combine the tax ID number without an SBL number without combining the deed

Coble: Ok

Seaman: That's probably would be recommended I would have to talk to the tax accessor.

Member: I wasn't aware of that. You could combine

Seaman: You can combine properties that are not deeded together as a single SBL number. But I would recommend you talk to the tax accessor about that.

Coble: Ok alright

Seaman: I think that would benefit you and the tax accessor to have one tax bill for that business essentially that's spread out over 3 properties.

Coble: That would be fine as long as we can keep the properties separate

Lilly: How long have you owned the business and operated there at that location?

Coble: Since 2010

Lilly: Ok so moving this alinement machine would help expand the business and things of that nature and alleviate some congestion in the existing building. As you stated earlier

Coble: That is the goal certainly yeah

Lilly: As you said earlier you said you have been doing this as rental up until now. Now you put into more of a proper position now

Coble: Yes

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Doug: I just want the board to understand that Mr. Coble has been in business at this location for many years it is a very repeatable honest very good machinic and he services the community and surrounding area. And provides a good service to a lot of the neighbors there all come and get their vehicles worked on. He does great work at an honest price just a good business owner to have in the town. I just think that he's a victim of his own success and he just needs to expand.

Members talking

Taczak: It's not a bad thing

Doug: No. I just want you to be aware that he wants to do what's right in the eyes of the board and try and get it compliance that's why we are here today.

Burg: There were some concerns about the conditions of the site and different items being stored outside that Sarah has eluted too. I just want you to know it we that is one of our concerns.

Coble: I would defiantly be willing to address that. I am alright with that.

Burg: Anything else from the board? No. Make a motion

Lilly: I will put forth a motion to approve the SEQRA. Is that the first order of business Tom?

Seaman: Yeah, it would be to in this case I take it when you say approve the SEQRA you mean comply with Tim Masters recommendation that you declare a negative declaration relative to SEQRA.

Lilly: Correct

Seaman: So that would be a recommendation to the Town Board on that. That's the right place to start.

Conrad: Second it

Burg: All in favor

Members: AYE

Lilly: I will also make a motion to approve the applicant it appears he's a thriving business there in Sanborn I think the community would benefit from him to continue his success there at that location and for those reasons and he's also complied with the list of the general requirements for a special use permit. That are listed in the application so for those reasons I make a motion to approve the applicant.

Seaman: And just to clarify I take it your motion is to recommend approval for both the special use permit as well as the site plan

Lilly: That would be correct.

Taczak: I will second that

Burg: All in favor

Members: AYE

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Seaman: Just so you know procedurally I believe the Town Board meets on Monday they more than likely wouldn't be on that agenda other than for them to call for the public hearing at the following meeting. They should call for the public hearing on Monday ... following meeting for the special use permit then you would be back

Burg: Thank you!

PB-07-2022 (C)

Burg: Our next item is LMK Realty Associates. I don't think we need briefing on the entire project but if you could update us on the changes that we've made since the last meeting.

Nick Massaro: Really short introduction. Nick Massaro LMK Realty here for a final site plan review of the 10-unit townhome project on Northridge Drive. Took feedback on last month's planning board meeting and our consultants and different Town of Lewiston Dept heads to hopefully address any and all concerns that came up last month. So, with LMK is Alan Hawkins they did all the civil design if there are any follow up technical related questions, they would be best suited to answer those. At this time. So, with that we respectfully ask for the planning board to possibly recommendation to the town board tonight and we will open up the floor to questions.

Burg: For the record can we run through a list of the changes that were made on the plan from our last meeting.

Alan Hawkins: Basically, the changes as far as the civil goes utility wise of course we had sanitary, water and storm and we made changes to all 3 of them based on comments from the town. Changes made to the storm as far as the direction along the street and to the sanitary we worked with the town provided some of the sanitary laterals as opposed to what we had proposed same with the water. The only other big change we made is the town preferred to use the town standard details instead of our details so we built most of our details off the plans based on the towns standard details except for a few that are site specific not a big fan of the town details because they are one size fits all almost no project is a one size fits all but it all facilities to be the plans but in a nut shell the plan as it stood is pretty much as it steams now the buildings are relatively the same the site plan is pretty much the same. It was more .. detail changes at this point.

Waechter: I just know that there was some kind of discussion of at least with the fire department about the hydrant being moved to the street out front. Was it discussed about widening the road to 26

Hawkins: Yes. Originally the fire hydrant was on the road coming in and if so, it would have to be 26 feet wide to accommodate a fire truck so what we did we moved it so it is actually on Northridge where we have 26ft already.

Waechter: Ok. And then also too as far as the separate line for the water not being the domestic along with the fire line.

Hawkins: Yes, we have separated the lines

Waechter: Ok because I think on the drawings they are not separated

Hawkins: May have been since the last meeting they have been sent to the town

Waechter: Ok

Hawkins: and that's the right away and we have a orange dedicated fire service line and domestic line shut off at the right a way of the road and then they go into the utility room which contains the meter and

Waechter: Ok alright. And then there was just another thing that was brought up as far as possibly bringing in 2 handicap spots and then putting like that access between the 2 of them. Because I noticed on the plan that there's only one accessibility or one wheelchair accessible spot and then you got that access path it might be a little bit of to put the access path in between and then to bookend it with a handicap parking

Hawkins: We have not made that change so. That wasn't brought to our attention but that's not a problem to simply put them on the other side so that they both have access

Waechter: I think you would utilize this space a little bit better

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Hawkins: That's not a problem

Waechter: And then I also appreciate you changing the ...back to R1 on the plans. Thank you!

Burg: Can we get some clarification as to what type of building is going to be built on this site because in the plan it shows townhouses and then on another plan building and townhouse. Is it townhouses or is it a permanent building

Hawkins: There's ... in aspects of the code as regards to the types of buildings. A townhouse has vertical separation going from ... up through the roof. And a residential multifamily doesn't have that. So, our 4 unit which is behind is actually the entire project is called townhomes but technically with the code the back building is by code a townhome and follows those regulations because we go beyond the 4 units. And the front building when we changed it to 6 in our 2-occupancy residential multifamily occupancy and then there we have some handicap units that are on the first floor and then there are some units that go 2 stories and some units are only 1 story and they overlap so we have one on top of the other. It's technically per the code because the construction is different, we have to handle them separately.

Burg: Ok Thank you!

Seaman: I believe the intent of the applicants has always been to keep this project.... Just wanted to be sure that is the intent to move forward especially with regard to sewer lines and the water lines because you got kind of an interesting sewer line scenario where you got a main lateral that comes in and several laterals that come after that off of that. Which I think works if it's an apartment building but if it was ever to be split and sold as individual townhouses or anything along those lines obviously you would be back here before the planning board changing things up again. But if that was the intent it would be probably very confusing scenario... to have shared lateral sewer.

Members talking

Taczak: I am just looking at some notes from Mr. Lannon. Do you want me to address them first or should I just yield to you. Go ahead

Lannon: I had sent an email out sometime ago. It had some comments Details for one I looked the drawings that we have hard copies. An updated drawing electronically yesterday in depicting the sewers I think the drawings are much better I have a couple minor what I think are minor comments that are still remaining. I have a question you mentioned about the 26 vs 24 ft wide entrance my understanding I may defer to the fire chief or fire inspector on this Mr. Martin. My understanding is the entrance needs to be 26 you had mentioned that Northridge is 26 because you moved the hydrant so you're using that 26foot wide could you explain that?

Hawkins: If you have a hydrant the state fire codes says that it has to be 26ft in width or distance and originally fronting on the driveway so now that we don't have fronting on the driveway

Lannon: Ok. Northridge side rather than ... side ok

Seaman: Have you confirmed with the fire inspector on that yet

Hawkins: Can I clear that up. If the fire inspector wants 26 ft wide entrance drive there, we will give him a 26ft entrance

Members: Ok thank you

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What is the issue with moving the fire hydrant into the site I thought that was a discussion early on

Hawkins: Yeah, the issue we thought it would be better if we pulled it around the corner

Lannon: My remaining comments are that I want a little more clarification on the sewer we are going to have one main line sewer that will allow connections for what the code says about the building sewers which I kind of consider laterals so it would need to be 3 laterals per building connected to the main line sewer that's because we want to have 1 connection to the existing manhole on Northridge. That's going to be a drop manhole there's only going to be room for one connection so it makes since put one main line. I just need to review with ... to make sure he and I are on the same page as to what he depicted and how it was interpreted by the engineer. I think it's a minor issue either way. And the only other thing I have to confirm with the water superintendent I want to say that he requested 2 separate taps one for domestic and separate tap for fire off the main line. You got one tap split at the right a way my understanding is that he wants 2 separate and distinct taps on the main line. These are minor.

Hawkins: Two and two, two-inch two inch two and four ok

Talking

Taczak: Noticed one other thing curbing at the entrance

Hawkins: There is

Taczak: Ok just wanted to follow through

Hawkins: Yep, there is. Then there is standard detail in the drawing. They did a good job they added a whole bunch of standard details.

Taczak: I saw that

Hawkins: It's really governing the right a way area ok we have interconnection detail we got the standard detail and the we have their detail. I don't know which one can use in other words. So we just need to put a few finishing touches on the details. Again minor

Waechter: I just have one other question as far as your mail box system can you explain that to me because it's just depicted as large mail box, and I just want to make sure that

Hawkins: That's SWPPP mailbox which is for the inspections during the storm water inspections

Waechter: OK. Just wasn't sure what a large mailbox so I just want to make sure

Hawkins: Just have to make sure it's big enough for all our stuff

Talking

Waechter: Thank you!

Burg: Anything else from the board? Motion?

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Seaman: Let me just jump in real quick. So procedurally we are at a point this time a little bit much further along with the detailed engineering than we were last month to the point that if this board was inclined to recommend approval, I would just recommend that you make that recommendation with the contingency of the things that were brought up today are sorted out. So, it's I might be missing something but essentially the road with water lines and water taps be sorted out, the sewer lines within our clarified in accordance with engineering town engineering approval and the handicap spots. I think that's everything. Those would be what I would recommend hearing to move this forward and recommend approval up to the town board. You put those conditions on it.

Lilly: I will make a motion then to approval the applicant's application to move forward to the Town Board with those conditions. That would be on the record that Bob Lannon put forth as well as the 26-foot-wide road the water and sewer and the handicap spots.

Waechter: I will second

Burg: All in favor

Members: AYE

Seaman: the only other thing I would mention although we did it just slightly out of order doesn't matter since you are not the lead agency in this but I would say go a head and make a motion on the SEQRA way back in the beginning Tim did a SEQRA review and did a recommendation for a negative dec on this it hasn't been completely determined by the town board yet so they will be doing that at the next step as well. So I would take a motion on that

Waechter: I would like to make a motion that Town Board be lead agency on the SEQRA and that there's a negative declaration.

Burg: All in favor

Members: AYE

Burg: Alright Thank you!

Talking

Burg: At the end of next meeting, we will no longer have a scribe or somebody to take notes and put the minutes on paper for approval. Somebody could volunteer to do it.

Burns: I have been talking to Sandy that we will work out, I guess. Seeing if the Town Clerk is ok with everything.

Lilly: For what you taking that roll

Burns: Yes

Lilly: Ok to be clear Sandy is here next month August

Burg: Sandy is here August and that will be her last time.

Lilly: Last meeting

Burg: Yes

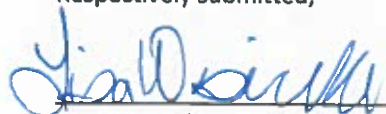
Lilly: When is her last day?

Burg: I am not sure when her last day is last meeting is going to be August 19.


Waechter: Is she taking vacation up to that point?

Zimmerman: She will be here for 9 days until then

Respectively submitted,



Lisa Wisnieski
Building Dept Clerk



William Burg
Planning Chairman

