

The Planning Commission of the Village of North Syracuse held a **Special Planning Commission Meeting** on **Thursday, September 2nd, 2021** at **5:30 p.m.** in the Village of North Syracuse Community Center at 700 South Bay Road, North Syracuse, New York 13212.

Planning Board Members: Greg Lancette (Chairperson), Jeff Bachstein, Vera Desimone, Connie Irick, and Lisa Lioto.

Personnel Present: Neil Germain (Atty.), Brian Bouchard, (Engineer), Brian Johnstone (Codes Enforcement Officer), and Pearl Fuller (Secretary).

Personnel Absent: Emily Sharp, Chris Strong, (Liaison) Work (Signed in over Facebook).

Agenda:

- Approval of the 06/17/2021 Planning Commission Meeting's Minutes (**approved**)
- Site Plan Review & Approval, Joe Markert (Metz Properties, LLC. for DL Manufacturing), 340 Gateway Pk. Dr. (**Returning**)

MEETING STARTS

Chairperson Lancette called meeting to order at 5:30 PM. He took role call and all members were present except Emily Sharp. Chris Strong Liaison who signed in on Facebook.

MINUTE APPROVAL

Chairperson Lancette stated next we have the approval of minutes for June 17, 2021 for Giovanni LaFace. Mrs. Irick made a motion to approve the June 17, 2021 minutes. The motion was seconded by Mr. Bachstein. All in favor.

LEGALS

Chairperson Lancette stated we have some housekeeping to address for our applicant, Joe Markert of Metz Properties, LLC. He verified the agenda was sent to the paper. Mrs. Fuller stated yes, it was. Chairperson Lancette added surrounding neighbors and Town of Cicero were notified. Mrs. Fuller continued yes, they were. Chairperson Lancette continued Legal Notice put in paper. Mrs. Fuller added yes, it was. Chairperson Lancette stated all legals appear to be in order.

JOE MARKERT (METZ PROPERTIES, LLC.) For DL MANUFACTURING
340 GATEWAY PK. DR.

Applicant: Joe Markert (Metz Properties, LLC. for DL Manufacturing)
Applicant Representative: Nathan LaPierre of Kiplinger Freeman Associates

EMERGENCY CIRCUMSTANCES



Chairperson Lancette announced due to the emergency circumstances caused by the Covid-19 pandemic, and the Mayor of the Village of North Syracuse, the public shall be allowed to attend, but must follow the Covid guidelines. Also, they are allowed to watch over Facebook Livestream.

PUBLIC HEARING

Chairperson Lancette stated this meeting was not advertised as a Public Hearing.

PROJECT INTRODUCTION

Chairperson Lancette stated the Applicant before us tonight, is Joe Markert of Metz Properties, LLC, on behalf of DL Manufacturing of 340 Gateway Pk. Dr. He is here for Site Plan Review and Approval for a 1 story, 14,000 sq. ft. expansion and the addition of 6 more parking spaces. He is seeking the expansion for manufacturing and warehousing use.

Previously they appeared before the Planning Commission on 7/16/2015, and 18 parking spaces were noted as being acceptable. This project was before the ZBA on 08/19/2021. They went for an area variance for 6 additional parking spaces, Code requires 75 parking spaces, and they were granted relief of 51 parking spaces, reducing them down to 24 total parking spaces for the proposed expansion. In 2017, they completed the 18 spaces as Phase I. of that approval, but did not complete Phase II. expansion. The 24 spaces include the 18 parking spaces completed previously.

REPRESENTATIVE ADDRESSES BOARD

Chairperson Lancette invited the applicant representative to speak. Nathan LaPierre introduced himself and stated he was with Keplinger Freeman Associates. Chairperson Lancette stated that there has been a pretty good exchange of information and he thinks the SWWWP and some of the most recent data was a tremendous amount of data that was provided to us at some point yesterday; getting to the Board this morning. He continued it has been a tremendous amount to try to review. He added there are some concerns about the storm and the pond location, pond sizing and all of that. He explained we do not know if we can get through this tonight, but he wanted to disclose that to them right now, that it is a lot of information to digest in a very short period of time.

He stated if you do not mind speaking on your proposed project. Mr. LaPierre stated the information that was submitted yesterday and today was just in response to CHA's comment letter. He continued we were just trying to get that to you guys, we understand that it was a short period of time. He added so as you stated in your introduction, we are seeking approval for a 14,000 sq. ft. building addition, shown here, this square. He stated associated site work:



additional 6 spaces in our parking lot, waste enclosure going here, concrete pad for an overhead door, and little employee patio area. He continued our Stormwater basin to the side of the property here that accounts for the building addition and the parking lot addition. He added he would like to move into questions or clarify anything that you guys had at this point.

Mr. Bouchard stated he is with CHA filling in for Mrs. Franco who is usually with the Village for the Planning Commission Reviews, but we have talked about the project and issued the comment letter. He continued thank you for getting us the comments back, so it was good, so that we could take care of a lot of the items right. He added first of all this is a perfect project for the Village, it is great to see a business expanding, this is a perfect fit for it. He explained one of the things that we asked for in the response letter was general conformance of all the bulk regulations. He stated he sees you added that data to the plans, so the project is a great fit for the site. He continued all the other things that we really went through, you were able to address, and it was easily discernable today; to say that you have met a majority of the comments. He added a couple of the questions that will probably be looking to review prior to an approval of the project are looking more to the Stormwater comments. Mr. LaPierre stated O.K. Mr. Bouchard explained one of them was the response to the wet swale. He asked how you calculated that for your quantity control, so can you take me through that just a little bit in terms of the conformance, with the Stormwater Design Manual and how it fits. Mr. LaPierre continued unfortunately he cannot, he is not the engineer, and he is the Landscape Architect for the site. He added if you are available tomorrow. Mr. Bouchard stated that would be perfect and if it is a combination of you, me or one of the other folks in his office just getting together, just to make sure that question satisfied. He continued that is really one that could have a potential impact on the configuration of the site. He added the sizing of that pond is important, so that is one. He explained the next and it may fall in the same category, if it is something that we will have to take offline, prior to the next meeting. He explained the runoff reduction is a requirement for the site. He stated the runoff reduction volume; there was a response by us that the Wet Swale was not in the infiltration package, the infiltration practice and that the r.r.v. (runoff reduction volume) is still required. He continued so the response is that it is in SWWWP, he sees that the response is that the runoff reduction is being captured by a roof top disconnection. He added then he sees conflicts, he thinks he has shown the roof liter as being connected to the pond, so he guesses that is something that you, Rudy and I, can work out to make sure that we are accomplishing what is needed. Mr. LaPierre continued yes. Mr. Bouchard explained it is not just our comments, we need to abide by the state regulations right. He stated runoff reduction is important for not only for your site to make sure it functions properly, but for downstream and tributary areas. He stated we know up against the interstate is classic the wet area anyways, so making sure that what you are providing for Stormwater is important for the function of your site. He continued also just to prove to the state and for our own MS4 conformance that it is what we need for the permit and that it functions for you for the next 100 yrs. for your site. He added the pond size and the runoff reduction are things that we will need to look at and the other is just a comment he guesses. He explained we have a media misunderstanding of the existing condition, so he just wanted to state it for the record.



He stated the parking that was installed was part of the previously approved and you basically and you put that parking in under the approved plan, correct. Mr. LaPierre added correct. Mr. Bouchard continued then since the time you have kind of decided that you do not want to continue with that approved plan set; although you have built a portion of the parking, and that you modify the plan set to include a slightly reduced building, some more parking and a little bit different layout. He added so one of our questions was that parking area as we think about it, it exists today, if this makes sense. Mr. LaPierre stated yes. Mr. Bouchard clarified, but it does not exist with respect with what you need to tree with in the area of the pond. He stated this still goes to the pond and it has a pond that it went to before, but we have changed the pond for the new project; again between us he thinks we can resolve that. Mr. LaPierre agreed. Mr. Bouchard continued but he thinks the drainage area may need to change slightly. He added he does not think it will substantially change what you are doing with your site layout and the pond size and stuff, as long as it can still fit within that volume, but he just wants to be clear. He explained even though it exists today, it still needs to be captured within the Stormwater Report and that is why a SPDES Permit is required. He stated that although your contract limits may be touching the 1 acre, it is like .98 or something like that, and you cannot segment the project from what you have already constructed before; is like the initial phase. He clarified this is really an amendment to that initial phase, so that parking area does drain to the pond. He stated although it is stabilized now, it is not being disturbed, but the DEC guidance for the SWWWP requires; that the overall development. He continued which is including this parking area; it needs to be contemplated within the allowances for the Stormwater Report. He added he thinks there are things that we obviously need a little bit more time to look through. He stated he has went through almost all of the other ones, things like you have added a wood stockade fence, it looks like you have kind of rearranged the employee patio, dumpster and overhead area. Mr. LaPierre stated that was a result of your comments, we were talking to Mr. Markert and stated it is probably a good idea and make it a little more comfortable for the employees. Mr. Bouchard continued so those were good. He added the data that was added to the plans; there were some other non-conforming items, that were on the plans like dimensioning and stuff that was all corrected. He went on to say he thinks in general the whole plan set looks good. He stated it is just a matter of us getting together with your office and your consultant, to make sure that the Stormwater does not have any gross impacts, the way that you are laying out the site. He added just hopefully getting a clean letter prior to the next meeting and that is really all he has unless the Board has something. He stated we just kind of passed the plans around this morning, so he does not know if there are comments that the rest of the Board may have as well, but it is a great project.

Chairperson Lancette stated what Mr. Bouchard is referring to the modified plans. He continued the existing plans have been distributed previous to that, but pending the comments the change to plans we are looking at today; those were just newly distributed. Mr. LaPierre stated O.K.

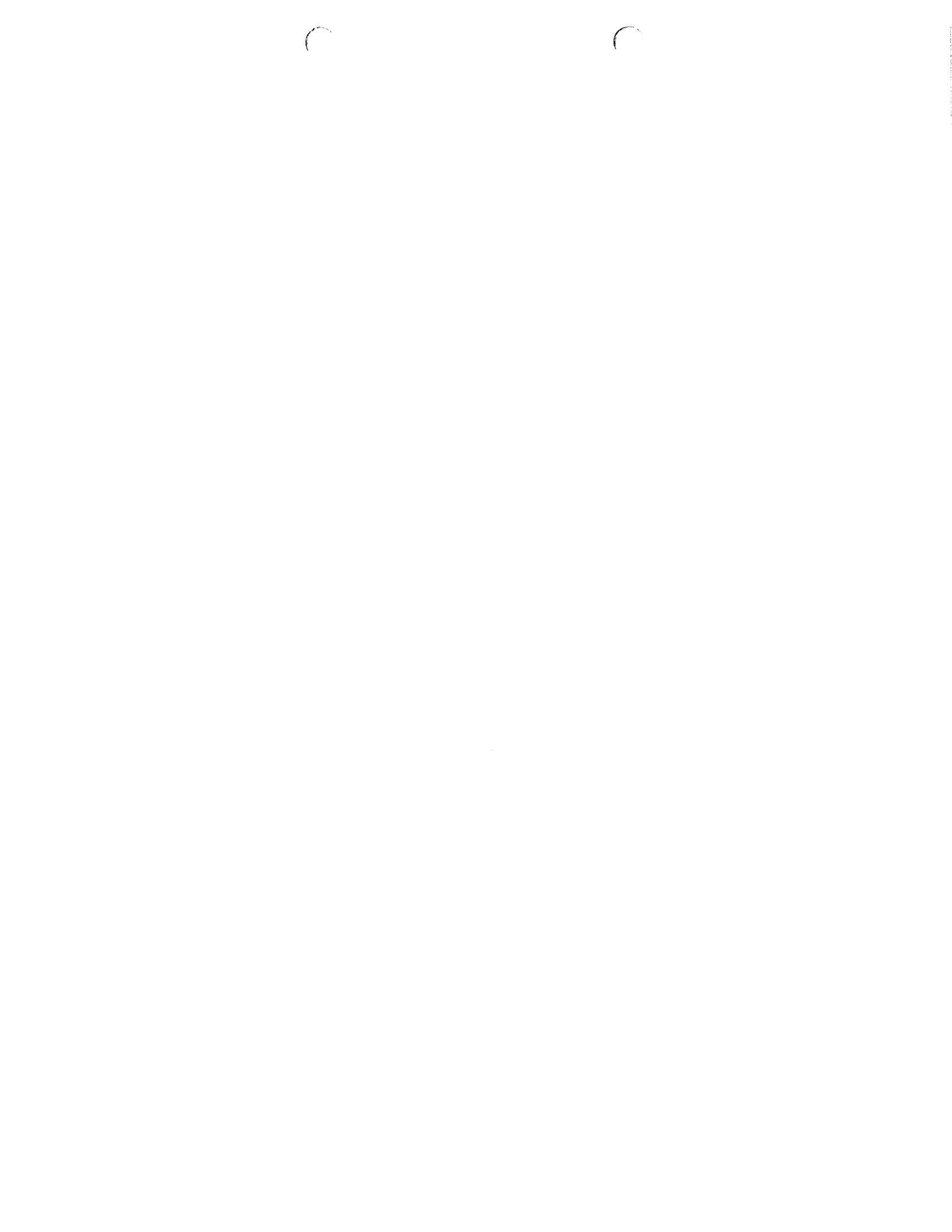


He continued he has 1 more comment. He added we are under a tight construction deadline of getting this built. He stated our consultant; Parsons McKenna has asked if there is a possibility, they want to get to it by the end of the month to preload a portion of the sight, just to the pour soils. Mr. Bouchard explained so what he is referring to is the building needs to be supported by a foundation, and typically in pour soils, it the soils by the Geo Tech Report have shown if you put weight like a building on top of that soil, that has a ten density to consolidate over time. He stated which can cause issues with cracks in the walls, then usually it is a matter of a few inches, but it is just enough to keep a door from closing 10 yrs. from now or something. He continued so what would normally happen is you would take a pile of stone that maybe used for the sub base of the parking lot or somewhere else on the site. He added you preload the site with weight, so that it consolidates the soil a head of time, that way when you place your structure on it; you already have an assurance that it is not going to have that consolidation over time. He stated what he would say and the Board can chime in if you want, you already started work with the 1st Phase of what was an approved project. He continued you have a permit in place for the land disturbance that was required for what you already would have been doing for the approved project. He added so it is really a site preparation, it is not constructing anything; it is placing a pile of dirt. Mr. LaPierre continued we would install necessary sediment control measures prior to that, the disturbance would be well under an acre; just be doing by that building in that area. Mr. Bouchard stated the question that needs to be answered is can they advance site work under what may have been approved and site permit, or would we require them to get their approval for the amended site plan and prior to going through the approval of it.

Atty. Germain stated he guessed it would depend on exactly how far they are going to go, that is really a Codes question. CEO Johnstone stated right now their Sunset Clause is expired; they do not have an approved anything. Mr. Bouchard stated O.K. CEO Johnstone stated the parking lot was done at the end of the Sunset Clause, the added lot. He continued that was almost right at the end of it and he wanted to get that done before that expired, but you were not ready to move forward on the building. Mr. Markert stated your memory is better than mine, he guessed, it made sense. Chairperson Lancette asked so does that work complete or is it still ongoing and unfinished. CEO Johnstone asked if he was talking about the parking lot and stated it has been done. Atty. Germain continued what they are saying is they are beyond their Sunset Clause, so there is no open permit. Mr. LaPierre added the only reason why he asked is, because of the construction schedule, because if he got the preloading done by the end of September; it would work well for us. He stated he is looking at the calendar dates, and if we do not come in until October for the final approval that is the only reason he was bringing it up. Atty. Germain added the unfortunate factor of where you are at, time wise, is that because we got the engineering for the Stormwater management only yesterday. He continued which did not give us time to go through it, get out comments and get any comments back. He added we do not even know if you are going to need to get comments back, we do not know if it is right, wrong; or indifferent at this point, because it got in so late. He explained because it got in so late this Board has an obligation under SEQR to do tight look at this. He stated also, if there is a



problem we do not know about with your Stormwater Management Plan, it may affect other aspects of the site, so there is no kind of conditional approval that you could gain here based on that. He continued it is unfortunate that your engineering got in so late, but it is what it is. He added he does not mean you, he knows that you are the landscape guy. Mr. LaPierre continued in defense for our engineer, we got it the 28th and then the weekend came and he did not have time to look at it so. Atty. Germain stated he is sure there is going to be some back and forth you know. Mr. LaPierre added yes. Atty. Germain continued right now he guessed the best course of action, to move this along, was you will get their comments right away on your end; try to respond back as soon as you can and get this thing moving. Mr. LaPierre agreed and clarified that the next meeting would be in October. Chairperson Lancette stated yes it would be in October, we made this special consideration to try to keep the project moving, by having our meeting tonight. Mr. LaPierre stated right. He continued following the ZBA, historically it is the 3rd week of October, the 21st of October. Mr. LaPierre continued if we handled these engineering comments tomorrow or the beginning of next week, is there a possibility for that preloading to occur before, if we coordinate with CHA and you guys before that October Planning Board Meeting, do you think. Mr. Bouchard stated he sees 2 ways, he does not know if either of them works, 1 of them is he does not think that there is a permitting mechanism that will allow you to disturb the area that needs to be disturbed; he was under the impression that maybe there was an open permit, that is why he was wrong in saying that. He continued he does not think that there is any other land clearing site disturbance methodology to have unless you actually secure the SPDES Permit. He added which would require the acknowledgement form to be signed by our office, after we have addressed all the comments and coordinated that, then you have to file that with the state; and then you have 5 days to actually start the preload. He explained the only thing that would probably be unless there is other business in the Village for the Planning Commission to review; this meeting was set up with a special meeting to advance your project, because it is important to us. He stated we have already had passed the notices that would be put out for the next week, or whatever the next September meeting is, so we have kind of adjusted that already. He continued if we are able to work out our comments, and give something back to Mrs. Fuller before that says that the engineering side of everything has been taken care of. He added even if that happens throughout the course of next week or whatever, it might be we are still in the second week of September, if there is an appetite for the Planning Commission to schedule a special meeting for the October; that would probably be the only way to get ahead of the October 21st date. He stated they may not have an answer for that right now, because we have to make sure that our comments are worked out. Mr. LaPierre added understood. Atty. Germain added right now it is a fluent situation, it is back and forth, and a decision would be made based on your progress. Mr. Bouchard continued he thinks that would be the best, that we get our comments addressed and your plans are satisfactory, and we notice the Village that everything is good. He asked is there an opportunity at that point to notice a certain date that makes sense ahead of the 21st, maybe it is the 1st week of October and that gives you another 3 weeks to load the site and start to get part of that constructed before the snow flies and Halloween or whatever might be.



He went on to say he did not think that they would commit to it right now, because it will take them to get your comments to you, and take you a little bit of time, we may say a week and it may not make sense. He stated if we can get a week in October just like we did now and there is not any other business that is conflicting with that, if you are the only application. Atty. Germain stated you have seen the Village's efforts to accommodate this application, and you are in a special meeting right now. He continued he is sure that if you get your ducks in a row, that the Village will continue to give you special treatment and try to accommodate your time line. Mr. LaPierre stated he appreciated that. Atty. Germain added we just will not know until we hear more from you. Mrs. Fuller stated because one of the dates that we are looking, unless we go to the beginning of October which would normally be ZBA. She continued that she does not have anything right now, but if something comes in that does not have to go to the county, that probably would be priority, because that is their night. Mr. LaPierre continued right. Mrs. Fuller added that she would have to check availability, see your schedule, and see if I have enough people to pull a Board together on an off special night; if this is not rented out for something else. Mr. LaPierre added O.K. Mrs. Fuller stated she is off tomorrow and all next week, so anything copy me on it, but you will be working with CEO Johnstone. Mr. LaPierre stated O.K.; we will get right on it then. He thanked everyone for their time.

Chairperson Lancette asked for a motion to adjourn the meeting. **Mr. Bachstein made a motion** to adjourn the meeting at 5:51 PM. **The motion was seconded** by Mrs. Lioto. All in favor.

Respectfully submitted,



Pearl Fuller
Secretary

