

**CITY OF AUBURN PLANNING BOARD
WEDNESDAY FEBRUARY 20TH, 2019 6:30 PM
MEMORIAL CITY HALL**

Present: Andy Tehan, Elizabeth Koenig, Theresa Walsh, Tina Tomasso, Crystal Cosentino(Chair)

Excused: None

Staff: Nate Garland, Corporation Counsel; Stephen Selvek, Office of Planning and Economic Development; Greg Gilfus, Traffic Officer; Brian Hicks, Code Enforcement

Agenda Items:

1. Application for Site Plan Review to construct a new +/- 20,000 SF microbrewery, tasting room, and associated restaurant together with site improvements for parking and storm water management at 197-199 North Street. Applicant: Dawn Shultz for Prison City Brewery LLC
2. PUBLIC HEARING: Request for zoning amendment to rezone real property now (or formerly) known as 309, 311, 315, and 321 Genesee Street from Highway Commercial to General Commercial. Applicant: Clinton Hill Auburn Town Center Equities, LLC
3. PUBLIC HEARING: Zoning amendment to add provisions for permitting and regulating solar photovoltaic (PV) systems in the City of Auburn.

Items Approved: None

Applications Denied: None

Applications Tabled: Agenda Item 1.

Crystal Cosentino is acting Chair for the meeting.

Chair calls the meeting to order. The Pledge of Allegiance is recited. Roll is called.

Agenda Item 1: Approval of January 2nd, 2019 Planning Board Meeting Minutes.

Chair asks for any corrections on the January 2nd, 2019 meeting minutes. There being none, Chair asks for a motion to approve the September meeting minutes. Motion made by Andy Tehan, second by Elizabeth Koenig. All in favor. No members opposed. Motion carried.

Agenda Item 2: Application for Site Plan Review to construct a new +/- 20,000 SF microbrewery, tasting room, and associated restaurant together with site improvements for parking and storm water management at 197-199 North Street. Applicant: Dawn Shultz for Prison City Brewery LLC

Dawn Shultz, Owner of Prison City Brewery LLC – Explains they spoke at the January 2nd meeting, since then they have submitted site lighting plans, storm water review plans, and waste water management plans.

Steve – Asks Engineer of project to explain the new plans.

Rudy Zona, Project Engineer – Explains he met with Planning Staff and DOT at the project site. Some of the watersheds go down to the mills and to the CSX property, and into the road. The City made it clear

they didn't want water going down the hill and DOT didn't want it going into the right-of-way. DOT does not allow direct connection of pipe to connect to their drainage pipe in the street; can only discharge into street in a 100 year storm event. Storm water management plan will direct runoff into pipes then to sub storm water management system under the site, which is big enough to hold a 100 year storm. Once that overflows it goes into the DOT's drainage pipe. This is the only way they are allowed to do it. They installed a similar system at Friendly Honda in Fayetteville.

Steve – Explains that the storm water management system here is atypical and that the owner worked with the City to make sure it didn't over flow to the back and was moved to the front instead. Explains the parking lot lighting plan: they did it in such a way to minimize and spilling over to the main road and neighboring properties. Points out solid fence that was once on site and that the Design Review Committee would like to see another solid fence (4'-6') erected to minimize the lights from the lot going into the apartments behind it. Would also like to see taller trees at the west side of the lot around where a wall was proposed to act as a sound buffer. Right now they are at the point of finalizing plans to submit for consideration for the March Planning Board Meeting. Would like to give this opportunity to allow the public to ask any questions they may have.

Chair – Opens public to be heard. There being none, Chair closes public to be heard and asks the board for comments or concerns.

Elizabeth – Would the lights in the parking lot bother the residents in the apartments behind them?

Rudy – No. They are not directed at the apartments, they're all Dark Sky compliant.

Theresa – How many of the parking spaces would be for employees?

Dawn – There's 75 spaces, 15-20 of them would be for employees at a certain time in the day.

Andy – Is it common for DOT not to allow storm water to runoff into their pipes?

Rudy – Very common. Brings up example in Baldwinsville; the same thing was there with a catch basin.

Chair – Asks if there are any more questions from the board. There being none, she directs the discussion back to Steve.

Steve – The pre-treatment building plans are being developed. The building has been moved to the front corner of the lot. Asks if the architect can touch base on the design of that.

Theresa – Asks if it is for the storm water.

Steve – It's for sanitation to protect the City's systems.

Jill Fudo, Fudo Architecture – Intent of the treatment building is to match the stone cladding on the main building with a metal roof. There will be an entrance door on the parking lot side, away from the road. The south side of it will have windows.

Steve – The design took in consideration of its close proximity to the public right of way. This project will be under consideration form approval on March 5th.

Chair – Asks for a motion to table the item. Motion made by Theresa. Seconded by Elizabeth.

Agenda Item 3: PUBLIC HEARING: Request for zoning amendment to rezone real property now (or formerly) known as 309, 311, 315, and 321 Genesee Street from Highway Commercial to General Commercial. Applicant: Clinton Hill Auburn Town Center Equities, LLC

Sam Giacona, Giacona Law Representing Clinton Hill Town Center Equities – Explains his clients would like to rezone 11.9 acres from what it is currently to General Commercial to allow for light industrial in addition to what it presently has.

Steve – Explains the process for a zoning amendment is to gather input from the public and board and later take it to City Council as it is a change in the ordinance. Explains what uses are currently allowed for and what would be allowed for if it were to be changed to General Commercial. Certain parcels in that area have been transferred to Currier Plastics, who have plans to use those parcels for light manufacturing. Staff is giving consideration to change it all to general commercial. The zoning changes allowable uses; many remain, which he lists. Also lists uses that would no longer be allowed as well as what would be allowed. It's a change from true retail focus to transitional commercial to balance all from north to south. It would be a transition from 2 dissimilar uses to more similar uses. Explains how this change would relate to the Comprehensive Plan and the focus on the development of vacant properties and buildings.

Chair – Opens up the public hearing.

Karen Walter, 15 Case Ave. – Mentions she appreciates the transparency from staff. States that it has been less than 1 year since the completion of the zoning changes so she's surprised to see a change so soon. Mentions she understands the strategy and Comprehensive Plan which means there should be no piecemeal zoning changes. Most buildings have a 5 year plan so they should have had ample opportunity to change the zoning during the zoning change. Wondering if this plan should be exposed to the community and there should be a public hearing next month before decision is made.

Chair asks if there are any other members of the public who wish to be heard. There being none, she closes the public hearing and asks the board for questions.

Crystal – In terms of light industry, are there any preclusions on what is eligible to be done on that site?

Steve – Right now on the site, light industry is not allowed.

Theresa – Asks if Currier is light industrial.

Steve – Yes. Explains the difference between heavy industrial and light industrial, which is the materials being used and what's being done with it.

Elizabeth – Asks if there would be no bars, restaurants, or breweries allowed.

Steve – Restaurants are still permitted within the general commercial areas. You would lose bars and brew pubs and ability to have what you have on Grant Ave.

Andy – Mentions the buildings have been vacant for a long time, so the change wouldn't change the flavor of the neighborhood.

Theresa – Asks about the council process.

Steve – This is the public hearing. The 1st reading for council is next week then the 2nd reading and adoption at following meeting.

Theresa – Asks about the public notice vicinity.

Steve – All property owners within 400 feet are notified. Council is a general media notification.

Chair asks for any more questions from the board. There being none, she moves onto item #4.

Agenda Item 4: PUBLIC HEARING: Zoning amendment to add provisions for permitting and regulating solar photovoltaic (PV) systems in the City of Auburn.

Steve – Mentions this is not a request formally coming in from an applicant. It is an internal discussion within staff and a presentation made to City Council in November 2018 regarding desire to utilize the City Landfill for a large solar array and installation of photovoltaic panels. In order to accomplish that, the code did not give specific consideration to solar voltaic uses. We are at a point where if there is a desire by council to move forward on this there would be changes to the zoning code to permit it as a potential use. Staff is trying to get ahead of the discussion with the board to get a handle on people's feelings towards those types of large solar installations. The best way to do that is to offer a public hearing.

Chair – Opens the public hearing for anyone in the public who wishes to be heard.

Karen Walter, 15 Case Ave. – Mentions how she again appreciates the additional information from staff. Has question on 2nd paragraph talking about small scale solar installation as an accessory use, would like more information about that. She looked at the zoning ordinance that was recently passed, there is some verbiage about solar arrays, but it's not specified under I2 which is the resource recovery zone for the city. Knows that DeWitt is doing this and had a couple public hearings for it. This was part of the CNY Regional Planning minutes in 2014 and 2016 and is wondering if this was any kind of initiative. Auburn Landfill was specifically mentioned by them. Does staff have any information that can be shared on that?

Steve – Has some information on small scale solar arrays. They're generally permitted as an accessory use on residential properties; the issue is we never went through the process to define what small scale solar is. Some definitions of small scale solar are a 25 KW system. Which on our size residential properties, they would take up multiple properties. There is concern looking at some of that and a need to better define small scale solar as an accessory use and be permitted and appropriate within Auburn. We need to get ahead to protect ourselves and neighbors from someone jumping on this and having power plants established in their back yards. The Regional Planning Board has provided some guidance at a broad scale with a model solar ordinance, but what's in it doesn't really tell if it is appropriate in a small city like Auburn. The Regional Planning Board is the engine that wants to see solar development throughout the region and is a partner agency looking at the landfill and asking if they can use it to put it to use.

Theresa – Are they a State entity?

Steve – They are a not for profit organization that does a lot to coordinate planning efforts and how planning changes bleed out to other areas. Asks for any comments good and bad related to solar. Staff is looking for a direction.

Theresa – Are there any similar sized cities that have done this.

Chrystal – Mentions that through with her organization solar is very important right now. It's an opportunity we have here and it makes sense to be proactive on it rather than reactive.

Andy – Mentions that solar panels have a lifespan and there's still a question as to what happens with them once they can't be used.

Steve – There is an end of life issue with solar panels because they contain chemicals and things that you can't just throw away. We would need to insure those items are addressed now rather than later.

Tina – If it is not in the zoning ordinance now, can someone do it now and do they have to come before us?

Steve – Zoning currently reads that anything not permitted is prohibited. Because it is not called out specifically in any zoning district, it generally is prohibited. We do have the zoning board of appeals so they have an opportunity to provide a use variance. One issue with that is that it's decided on a case-by-case basis. In the end, this would require council to amend the zoning. On the flip-side a small scale residential solar installation, would fit our definition of an accessory use and would be permitted. There are no great limitations.

Chair – Asks if there is anyone else that wishes to be heard. There being none, she closes the public hearing.

Steve – Thanks the board for openly discussing it.

Tina – Asks for confirmation that there is no deadline on it.

Steve – This is something that can be continued to be discussed. There was a council meeting in November about asking if the landfill would be used in that way and that council is thinking deeply about how to proceed with these energy projects.

Other Items

Date for next Board meeting is Tuesday March 5th, 2019 at 6:30 P.M.

Motion to adjourn today's meeting made by Theresa Walsh, seconded by Andy Tehan. All in Favor. None Opposed. Motion Carried.

Respectively submitted by Holly Glor