

**Village of Central Square  
3125 East Avenue  
Central Square, New York 13036**

**Planning Board Meeting  
Public Hearing  
July 18, 2013**

The Village of Central Square Planning Board met at the Village Hall on July 18, 2013. Members in attendance were Chairperson Stephen Williams, Maryellen Commisso, Barb Davis, Burt Alm and Zita Bookman. Guests that were also present were Mayor Kenneth Sherman, Robert and Susan Gardner, Vincent Cossack-Attorney for Robert Gardner, Tom Weatherup, Robert Senicle, David Bardoun-Land Surveyor and Steve Primo-Village Attorney.

**Call to Order:** The meeting was called to order at 7:00PM by Chairperson Stephen Williams followed by the Pledge of Allegiance.

Burt Alm made the *motion* to approve the minutes as corrected. Maryellen Commisso seconded the approval, all in favor, "AYE". Maryellen will forward the corrections to the secretary. It was unanimously that the June 20, 2013 Planning Board minutes were approved at 7:18PM.

**Old Business:** B&M Used Cars and Green Lanes Bowling Alley

**Stephen Williams:** Based on the minutes from April some of the things we asked the car dealer to do were followed through and they had it surveyed. In April we talked about maintaining the number of cars so it would match the original site plan that came from the Planning Board back in January 2008. Has anyone observed in their travels what it has been like since that meeting?

**Burt Alm:** In recent history it has been maintained with eight cars or under.

**Stephen Williams:** There have been more than eight cars there. I have found three on the side and have photos of twelve to fifteen cars.

**Burt Alm:** In recent history of cars on sale there, I have not seen more than eight cars.

**Stephen Williams:** The previous Mayor (Mudd Murphy) ask the CEO to talk to B&M Auto to meet a request that was made in April to adhere to the eight cars and that took over thirty days. In the last couple of weeks there has been nine to ten cars at B&M auto. Stephen Williams is disappointed about the neighbors trying to work it out between them. The Planning Board thought this was a fair assumption. However, Steve was pleased that B&M presented an

updated survey and that was a request made in the May's Planning Board meeting. Steve talked about the public hearing on March 13, 2008 and April 17, 2008 and how requests were made to speak to the owner of the Bowling Alley. The representative or the owner of the Bowling Alley did not attend either of these meetings. At that time it was noted in the 2008 minutes that CEO Michael Kraus' opinion that the Bowling Alley owner did not attend and that he did not disapprove at that time.

**Maryellen Commisso:** Basically, there is a problem between the two owners (B&M Used Cars and Bowling Alley). We did not want to make a rash decision last month and we sought for legal advice as to what we can and can't do.

**Barb Davis:** I went to the B&M Auto web site and they were going to encourage traffic to come to the back entrance in 2008. B&M needs to establish the traffic coming in and out of there and it has still not been directed.

**Stephen Williams:** On March 13, 2008 the car dealership set forth they would have approximately six to eight cars for sale. Each meeting in February, March and April of 2008, there were comments made about the traffic flow. It was a concern with a regard to ingress and egress and questions on the snow removal. The Chairman of the Planning Board in 2008, Mr. Metzger said the bowling alley owner has a right to ask traffic to enter in and out through the back. Mr. Metzger in 2008 also stated that at this time there will be no addition driveways made because of traffic concerns.

**Barb Davis:** In April 17, 2008 Steve Williams stated in the minutes at the Public Hearing whether the traffic would be allowed in the Bowling Alley. It was stated that the traffic is suppose in suppose to come into the back of the parking lot out by McDonald's.

**Stephen Williams:** It was stated in the lease it was laser specific upon enter and exit. In the minutes of March 13, 2008 the Planning Board did not want route 49 used as the ingress and egress and the Summerhill Office building was turned to face the Summerhill road so the traffic could exit at the light by McDonald's.

**Steve Primo:** You have here a site plan modification, permitted use with the zoning that does not require a special permit. When you have a site plan modification it re-opens the door to the Board to consider anything that was inquired in the site plan and the board can actually revisit or determine before finality in the existing site plan. I think a fence is being proposed and I do not think it has been presented to the board yet. The fence would run 2 ½ feet in the boundary of the property. With the new survey I would make sure to look at the abstract of title to see if there are no cross easements. We would not want anyone's rights cut off by putting up a fence and the Board has to consider that. It would also be fair gain to ask the neighbors what they think of what is proposed. A public hearing is a requirement and then it has to go out to County Planning and a SEQR is needed.

**Robert Senicle:** B&M used cars. We formally submitted the application to CEO Rolf Beckhusen last month and the exact same one without the guardrail and fence.

**Steve Primo:** The application with the fence is the one that we are going to go with and will schedule a Public Hearing.

**Steve Williams:** I am clarifying that this has to go to County Planning. In 2008 it went to County Planning and sent back and rejected.

**Barb Davis:** We received this in the Public Hearing in April 2008 from Oswego County Planning for disapproval and it did not meet or site plan recommendations.

**Steve Primo:** So the Board over ruled County Planning.

**Maryellen Commisso:** It is read in 2008 minutes that the drawings were inadequate.

**Steve Primo:** We need to have the Village Engineer look at this also because we have concerns for isle widths and what the fence would look like on the property.

**Dave Bardoun:** The guardrail that is being proposed would be made of 8x8 post pressure treated with two sections high and a low fence or a wooden guardrail.

**Steve Primo:** The Board can certainly consider the pure discretion of the fence, the appearance and the materials. There will be a Public Hearing scheduled and then it will have to go out to County Planning and do the SEQR review. We will have a continuation of the Public Hearing.

**Dave Bardoun:** We have some proposed signage and it has not gone through codes yet. There will be a sign that says B&M Auto Sales" entrance turn right at McDonald's and then there will be another sign at B&M back entrance.

**Burt Alm:** is the sign 33 inches tall and 43 inches wide?

**Steve Williams:** He is saying, "How big is allowed?" We will check code for size.

**Steve Primo:** There is enough dimensional material here so it should go out to Paul Shenaman the Village Engineer. Our Village engineer should review because you have a constricted site at the front with the parking.

**Barb Davis:** Question to Steve Primo: Can we say that the cars in the display area are too many? Is this something we can say or no?

**Steve Primo:** The numbers of cars that are permitted there have certain code requirements in the display area. If the engineer says what they are proposing in the display area meets the

requirements or they are within a code then our site plan authority doesn't allow us to restrict it. The Board can authorize up to a six foot fence.

**Vincent Cossack:** It is the Boards consideration to take in effect the impact of the adjoining property owner.

**Steve Primo:** Yes.

**Vincent Cossack:** He talks about the nature of the problem with people driving down the road and naturally assuming visually that is the right entrance for B&M cars. Vince states the only thing that is going work is a six foot high stockade fence.

**Stephen Williams:**Vince, one of the things you are concerned about was you were looking for was to be able visually from the road identify they should use the second east bound entrance to enter into the car dealership. The signs that are illustrated here tonight would address that. We need to take in consideration that the quantity of the cars which this has no concern of the Bowling Alleys and Mr. Cossack's concern is the entrance.

**Vincent Cossack:** Correct

**Stephen Williams:** I will take that into consideration. What is the name of the street that McDonald's is on? Tom what is the name? Is it Summerville Drive? Is that a Village Street, a county street or is it privately owned?

**Tom Weatherup:** I own that, it is a parcel of land.

**Dave Bardoun:** The road was also widened as a concern at last month's board meeting (Is the width of the road off Summerville Drive coming back from the dealership wide enough).

**Steve Williams:** It is laser clear that Summerhill Drive is a privately owned road.

**Steve Primo:** This land is leased? Mr. Weatherup you lease the land to the dealer? The leasing includes rights for accessing ingress and egress on the road then?

**Tom Weatherup:** Yes

**Vince Cossack:** You said these signs are going to be 33inches by 33 inches?

**Steve Williams:** One sign proposing is going to be 13 inches high by ninety six inches wide and rectangular.

**Vince Cossack:** Vince is concerned that a driver going down the road wouldn't see it sufficiently enough to know not to go in the entrance.

**Steve Williams:** This is a valid consideration. Without the actual sign permit and having our Code Enforcer Officer tell us if the sign that is there now, by our codes this can except a third sign there. We need the size of the signs and to go through a new application for a sign permit.

**Steve Primo:** Whatever B&M is submitting should be part of the site plan consideration and the board can take a look at the size of the signs. If it's got to be maxed out under code it's something the applicant can not do without seeking a variance.

**Vincent Cossack:** There are a couple of concerns:

- 1.) If the sign is going to resolve the problem, that if you consider the fact if the sign actually going to solve the problem.
- 2.) What kind of a guardrail and whatever barrier they are proposing will it actually work?

**Stephen Williams:** Vince in your opinion is a directional sign a requirement to satisfy your client?

**Vincent Cossack:** The first thing that will satisfy my client is a six foot high stockade fence.

**Stephen Williams:** I am only specifically asking about the sign. If the sign is large enough with no barrier, is that acceptable Vince?

**Vincent Cossack:** No

**Stephen Williams:** If the signs are large enough and there is a barrier, will that be acceptable?

**Vincent Cossack:** Acceptable provided in your opinion.

**Steve Primo:** I think what Steve is trying to say here is adequate signage and a fence or barrier that would have the same effect as a six-foot high solid fence.

**Vincent Cossack:** I want people driving down the road to visually know not to enter into the Bowling Alley.

**Stephen Williams:** It would be your opinion that your client would be satisfied if there was a sign appropriate sized so it can be noticed by the person driving east bound on 49 or west bound on 49. The second half is there needs to be some sort of barrier six-foot high. Maryellen, Barb and Burt were all clear on Vincent requirements.

**Barb Davis:** Question for Vince; Have you thought of the negative impact on a six-foot stockade fence and the visibility of your client's property as they are heading west?

**Vincent Cossack:** People that are going into the Bowling Alley are regular customers, they know where they are going and I do not think it will have an impact on the business.

**Steve Primo:** The Board has got to clear this up before you run with the site plan because the fence shown on the plan has a gap or a cut in the fence, what would be the reason for that? Is it something that was acceptable and the purpose of that type?

**Tom Weatherup:** The gap in the fence is used by both the Bowling Alley and McDonald's customers.

**Steve Williams:** Is the gap in the fence acceptable to both parties: What needs to be done here is, we will need to keep the public hearing opened. We need to send a request to the Village engineer to review the submitted site plan. We also need to send dialogue to the County Board asking them to review the site plan once it is submitted and a SEQR needs to be done with the applicant.

**Steve Primo:** The site plan should be revised to show the no gap in the fence. It's been made with benefit of abstract of title so we know there is no cross easements by putting up a fence.

**Robert Senicle:** B&M Used cars. The Bowling Alley should take into consideration the visibility for my car dealership. That is my advertisement. The six-foot fence eliminates the visibility between the hill on one side by Fastrac and a six-foot fence.

**Steve Primo:** What if you went with a fence that is not solid, like a see through fence or maybe some different kind of fencing.

**Robert Senicle:** It boils down to height. I think if I was driving down the road and saw that fence I still might pull into the Bowling Alley and walk around.

**Steve Williams:** Robert Senicle, if your business is internet based the majority of the people they are going to know to drive in the back by your directions.

**Steve Primo:** The neighbors have to get together to agree on something that can be presented to the board as a consensus. Otherwise it will be a tuff decision here.

**Vincent Cossack:** My only concern is B&M auto customers not to drive on the Bowling Alley's property. It's not any of our business how many cars that they have over there.

**Burt Alm:** Has there been any signage from the Bowling Alley to discourage the potential customer from the car dealership from using the entrance?

**Bob Gardner:** There are no signs. I did have a chain link fence across it on the days the Bowling Alley was not running and it got broke.

**Steve Primo:** Get something on your plan so the board can consider. The height of the fence and such and we will send the site plan to County Planning, get the SEQR done and the sign permit. The Village Engineer will review before the next meeting. The Board can make a

decision that night if the application is complete. If B&M is going to submit something, have an alternative in your back pocket so everyone can agree on.

**Steve Williams:** I think that is a good idea to have two suggestions available. Take a picture of the sign location and do an illustration of what it would be like.

**Dave Bardoun:** On last month's meeting I thought I was going to get some feedback as far as what kind of fence the Planning Board would consider and that is why we came back with the guardrail. I was hoping that tonight's meeting we would move forward. We didn't do a six foot fence because the Board didn't like the sounds of it.

**Barb Davis:** A six-foot fence and a guardrail are two different things.

**Dave Bardoun:** We are talking about a heavy 8x8 guardrail.

**Steve Williams:** I cannot speak for the code but keeping it similar to the existing guardrails and to what you already have.

**Steve Primo:** The code has a max of six-feet. Height will be objectionable but looking at the duty to protect the adjacent neighbor and the possibility of a short fence being something that could be just not acceptable.

**Dave Bardoun:** That is why we are trying to get both aspects in aesthetics, the barrier and the sign. Dave had suggested on a four foot fence.

**Maryellen Commisso:** I really think a six-foot fence is too much. It's going to keep business and people from seeing the cars. I would like to see a four-foot fence. I do not think a chain link would solve the problem.

**Dave Bardoun:** Personally aesthetics is important to me and a chain link does not give me a nice feeling in the Village. What if we went with a 48 inch guardrail or split rail fence? I can give you a picture of it at the next meeting.

**Barb Davis:** My concern is that we would not want someone to slide under or go in between the slats.

**Vincent Cossack:** Aesthetics are wonderful but they should not override the rights of a property owner.

**Maryellen Commisso:** We are going to do our best to solve the problem.

**Barb Davis:** Vince I understand you are looking after Bob Gardner and his rights one hundred percent. I hope you realize the Board has to take into consideration that there are things outside of code that we do not have to consider. They did add a fence in the plan, was it

enough? No. Does more need to be done? Yes. They also looked at signage to add in the plan. You have to give them some credit as far as trying to do what needs to be done right.

**Steve Williams:** To recap we will keep the public hearing opened. The Village engineer will review the application from County Planning. The application will fill out a SEQR and the Board is requesting an illustration of the sign followed by a sign permit.

**Vincent Cossack:** My client has just informed me that a four foot high somewhat solid in nature would be acceptable tonight.

**Stephen Williams:** There has to have requirements to bring this to closure. I would encourage you to give example to the lawyers.

**Barb Davis:** Robert Senicle, is there anything you can do on your web site that will draw another avenue to direct people to utilize coming down Summerhill?

**Robert Senicle:** I could put something on there.

**Steve Primo:** Dave Bardoun have you brought the abstract up to date to make sure and to certify there is no cross easements.

**Stephen Williams:** The initial problem is "I need to fix the problem with my neighbor". An approved site plan had eight cars so now they are going to put up a fence and they are requesting a change for how many vehicles B&M can have.

**Dave Bardoun:** That is only for a modification and that was only because they were having twenty cars there.

**Steve Williams:** If I say yes to the fence and it meets code then I am also saying yes to the new spots and I do not know if I am ready to do that.

**Steve Primo:** I do not think the Board has indicated that they are ready to approve and they are only talking about the fence and signs. You would not approve a plan that you are not one hundred percent in favor of it. I will have Paul Sheneman( Village Engineer)certify to the Board that this does not violate any of our dimensional or other requirements to the code.

**Robert Senicle:** When I had twenty cars I was able to operate a business and make money. When I got knocked down to eight cars we said that we have to get a new site plan and try to get up to a capacity to run a business.

**Barb Davis:** It was discussed at the last meeting that you have lots of room in the back to add too. I think part of my concern personally is how many up front.



**Robert Senicle:** I have cars dropped off here from another location and having eight cars is a little hard. The back was going to be for the holding of the cars.

**Steve Primo:** The problem here is the amount of cars up front and not so much as in the back. Steve Primo asks the Board how many cars are shown up front. The Board has to have an acceptable amount and that would only be fair to let B&M know.

**Barb Davis and Maryellen Commisso:** There are seventeen.

**Robert Senicle:** Where did the objection for the amount of cars in the front come from? I do a lot of business from the street.

**Barb Davis:** Personally for me it is the feel of the Village and aesthetically in the Village. Bob you have stated that a lot of your car business comes from the Web.

**Stephen Williams:** Zita do you have an opinion?

**Zita Bookman:** I think the amount of cars in the front now is adequate which are eight.

**Maryellen Commisso:** If the County says they are ok with putting more cars there I do not have a problem with that.

**Steve Williams:** Burt do you have an opinion?

**Burt Alm:** At the last meeting on paper I thought that seventeen slots were too many for that size lot in the front. I also think that eight looks a little too sparse.

**Steve Primo:** Would fourteen cars be acceptable? Come back to the Board next month with the plan and where you would place them.

**Steve Williams:** I like the idea of 10x20.

**Barb Davis and Maryellen Commisso:** We do not have a problem with you putting the cars in the back and you can put as many in the back.

**Maryellen Commiso:** I would like to see the Plan for snow removal as well in the next meeting. The meeting was over with B&M and The Bowling Alley they will come back next month.

## **New Business:**

**Stephen Williams:** Resume with the new business and review the Subdivision Law.

**Steve Primo:** The board does not have the latest draft and they have been a change on the subdivision law. Steve Primo said he will get it over to the board with the latest draft changes. I will send it over by email to board members.

**Maryellen Commisso:** We will table the subdivision law until next months meeting.

**Stephen Williams:** Next in new business is the Comprehensive Plan review from Oswego County. The recommendation from the Oswego County letter reads "What is meant by" overwhelming neighboring structures? Recommendation 22 page 32.

**Barb Davis:** We do not want buildings in the Village to be ten foot tall and the one next to it to be two foot tall. We want to see some similarity to have an even flow.

**Maryellen Commisso:** The buildings should one to three stories in height and have a foot print size that does not overwhelm neighboring structures. Overwhelming neighborhood structures is appropriate because then it can be reviewed on a site by site rather than saying we consider overwhelming too big.

**Steve Williams:** I agree with that statement. Zita do you have an opinion?

**Zita Bookman:** I like what Barb said.

**Stephen Williams:** We are trying to have a vision without being overly descriptive. The board will leave the description vague.

On the next recommendation, 23 page 32. Multifamily dwellings should also be character in single-family dwellings as well as a subsequent phase does not overwhelm neighboring. I think we should insert the word "similar". Multifamily dwelling should be in similar character with single-family dwellings. The Board all agreed.  
Clarify strategy 4C on Page 23.

**Maryellen Commisso:** Amend Zoning Law to incorporate design standard for the center of the Village. Enforcement with routine reports of existing zoning law should achieve what is expected before changing laws. This goes along with goal number 4: Enhance overall structural appearance of the Village.

**Stephen Williams:** Do we actually need this in here? We talked about the design standards but I do not think that we need this paragraph in here.

**Maryellen Commisso:** I like the part to amend the zoning law to incorporate design standards for the center of the Village. We should be reviewing the existing laws.

**Stephen Williams:** This was the discussion to make the center of the Village so that it had a theme or a look and feel like Skaneateles was the example. "Lets have a look and Feel."

**Barb Davis:** I think you are on the right track to what we are thinking of but this whole enforcement part, I do not know where this came from maybe except for color paint or signage.

**Mayor Sherman:** The only time you could try enforce something like that is someone is filing a permit application.

**Barb Davis:** That is where the change should be enforcement of new construction. Anytime the Planning Board would review is necessary and that is when the Planning Board can enforce it.

**Stephen Williams:** So what do you think should happen to that section?

**Maryellen Commisso:** We should change the enforcement part. Enforcement with routine reports of existing zoning law should achieve what is expected before changing laws. I do not think we need to change the laws. We need to add a design standard because we do not have a design standard. I feel when the Village grows; it will apply to new and remodeled businesses.

**Mayor Sherman:** I think the word remodel needs to be added in there or something to that effect. For example how about added the word renovation?

**Barb Davis:** How about amend the zoning law to incorporate design standards for new or remodeled structures in the center in town.

**Barb Davis:** We need to create a design standard for the overall structural appearance of the Village. First create the standard.

**Maryellen Commisso:** Then it just should be create.

**Barb Davis:** Create a design standard to be applicable to all new and remodeled buildings.

**Maryellen Commisso:** Yes and Steve Williams likes it also.

**Steve Williams:** Recap to what you would like it to say:

**Barb Davis:** The Village needs to develop a design standard to be applicable to all new and or remolded buildings. That is applying it to the overall structure appearance of the Village.

**Stephen Williams:** We covered the three requests from the trustees from the recommendations of the Oswego County Letter and we will send them back to them.  
Is there any new business? It is 9:30 PM. I move to adjourn the meeting. Barb Davis seconded the *motion* and all in favor "AYE". The meeting was unanimous.

Respectfully Submitted,  
Kim Cusson  
Village Secretary