

March 15, 2007
Zoning Board of Appeals Minutes
Oswego Town Hall

Chairman: Greg Auleta
Board Members: Robert Baker, Timothy Anderson,
Debra Jaskula, Robert Dexter
Attorney to the Board: Kevin Caraccioli
Secretary: Marjorie Best

Call To Order:

At approximately 7:10 PM, Greg Auleta, Chairman of the Zoning Board of Appeals called the meeting to order.

Attendance:

Those in attendance were:

Greg Auleta, Chairman
Timothy Anderson, Member
Robert Baker, Member
Debra Jaskula, Member
Robert Dexter, Member
Kevin Caraccioli, Legal Advisor
Marjorie Best, Secretary

Acceptance of Agenda:

Greg Auleta and the members went over the agenda for tonight's meeting and Greg stated we should accept the agenda

Approval of February 15, 2007 Minutes:

Deb Jaskula made a motion that the February 15, 2007 Minutes be approved. Tim Anderson seconded the motion. All ayes. Motion carried.

Old Business:

Application #2007-02 - Jeff Smetana - United Group Development Corp - Oswego College Suites:

Greg Auleta welcomed the guests, United Development Group, as well as the citizens in the area. Greg asked that all sign the appropriate sheets; one for residents of Oswego Town, and the other for non-residents of the Town. He said he hopes that we can work out any details, and questions regarding the project. We will listen to the proposal and provide an opportunity for members of the audience to participate. For anyone who would like to speak, such as Members of the Fire Department or any other members of the town or organizations, they will speak first. Then we will ask the citizens of the town, followed by out of town residents of the community. Each speaker will have about a 5 minute time frame, and when they speak, to give their name.

For the record, Greg pointed out that through an oversight on our part, in accordance with Chapter 658 of the New York State Laws of 2005, we did not send a notice to the City of

Oswego Town Clerk of the Public Hearing. The law states:

"As of July 1, 2006, a new law requiring municipalities to notify adjacent municipalities of certain upcoming public hearings takes effect. General Municipal Law, Section 239-nn will require that the legislative body or reviewing board of a city (except New York City), towns or village send a notice of a scheduled public hearing to the clerk of an adjacent municipality at least ten days prior to the public hearing."

Greg stated we would therefore be holding another public hearing, so at that time, he believes we will be in a position to move forward.

Greg then asked Jeff Smetana of United Group Corporation to step forward and give his presentation. Jeff stated his name and that he is Executive Vice President of United Group. He also introduced the Architect, Mr. Ron Mogren, and the Project Director, Mr. David Clemenzi. Jeff said they develop various residential properties as well as commercial. They build senior housing, military housing, and he proposes to build this project on County Rte. 7, to accommodate students at the college. He proposes to purchase 21 acres near State Route 104, on County Rte. 7 across from the athletic field. He showed an area photograph. There will be an access road from Johnson Road. The project will be in 2 phases. A 4 story lodge will be built, as well as Phase 1, which would be 3 stories, hopefully to be built in the summer of 2007. The second phase of 3 stories will be built in the summer of 2008. Phase 1 will have 100 apartments, and Phase 2 will have 72 apartments. He showed the Concept Plan as to where the lodge, and Phases 1 and 2 would be. The apartment buildings will slope up the road, and the lodge would be at the top of the slope. There will be ample parking for all residents, as well as a bus turnaround. The way the apartments are designed, there will be an entry into each building, and a corridor, and then entrance into the apartments. Each apartment will have 4 bedrooms and 2 baths, a living area and full kitchen. There will also be laundry rooms.

Jeff explained that the lodge building will have a cupola on top. It will have a live in manager. It will also have a maintenance person, and a security office, as well as a convenience store and a little coffee bar. While the students are waiting for their bus, they can have coffee and a snack. There will also be an exercise equipment room, and rooms where they can study. There will also be a bicycle storage area. The whole area will have beautiful landscaping, grassy areas and shrubs, as well as a sprinkler system throughout the buildings. The lodge will have pine clapboard siding, which will be very durable.

As to variances, they will need set backs at Phase 2, Building F, and Jeff said they will comply so as to not disturb anyone, as well as height requirements.

Bob Baker asked about sewers. Jeff said they would be working with the Ontario Heights Sewer District. They will work with Barton and Loguidice who will work directly for the Town, and would be reimbursed by United Group. As to water, we will be working with the Onondaga County Water Authority. They will also be working closely with the Oswego Town Fire Department as to any issues there, including fire hydrants.

Jeff Smetana then called on David Clemenzi, the Project Director to speak. He said the apartments will have fully serviced kitchens with refrigerator, range, microwave and dishwasher. They will have all the amenities that a family would want.

Greg opened the floor for questions and comments:

Frank Mazzoli - Oswego Town:

He asked about the possibility of tapping into the projects sewer and water lines. Jeff stated

there is the possibility of working with the engineering firm, as well as the water district to see what could be done to accommodate the residents. Frank also asked about what would go directly in back of his properties and the property next to his homes. Jeff said he would address that issue also, so that the three houses would not be disturbed.

Tom Dunsmoor - Oswego Town:

He asked who is going to pay for this project. Will it raise our taxes? Jeff explained they will pay for the project, and the town's taxes would not be raised.

Sam Cernaro - Oswego Town:

Sam questioned parking for all the tenants. He figured there would be about 800 students. Jeff said they would have plenty of parking. There would be 75 spaces in the back, 36 spaces on each side, which he showed the audience on the Concept Plan.

Matt Brancato - Oswego Town:

He asked if there are going to be 800 students, and they all have cars, where are friends and relatives going to park if they come to visit. Jeff said that all students wouldn't have vehicles, and there still should be spaces for friends and relatives to park when they visit.

Lee Walker - City of Oswego:

Lee asked if they will have a pilot agreement, and Jeff said they are still working on that issue.

Randy Farnsworth - Oswego Town:

He wondered how this would affect the livelihood of the local people as to renting to college students. He indicated that he feels that the project will be taking students away from other landlord. Jeff said the apartments will be high class and somewhat more expensive. There is a market for what they are offering. They will be very modern, well run, and well maintained.

Greg stated at this rate we will be here until 1:00 am, and he wants everyone who wants to speak to have an opportunity to do so. We will have questions and comments from the town's people for another 10 minutes.

George Baldwin - Oswego Town:

George said he is a representative from Carpenter's Local #747. He asked who would be building the project. He felt we have a lot of people in this area who are qualified for construction, and are unemployed. They should hire some local workers. Jeff said there will be union labor, and will bring up the issue of hiring some local people.

Patty McCaffrey - Oswego Town:

Patty questioned the difference between dorms and the proposed apartments. Jeff explained that in dorms, they have one kitchen or cooking space in the whole building, whereas in these apartments, there will be a full kitchen in each apartment.

Richard Semione - Oswego Town:

He asked if United Group is purchasing all of Hagenmayer's property, and Jeff stated they are purchasing 21 acres.

Mary Lou Cernaro - Oswego Town:

She said the traffic coming from the complex would be horrendous. It is bad enough with the traffic that goes through the area now, but it will be worse if the project goes through. Jeff again said that a lot of the students will be using the bus to go to classes rather than drive their vehicles. He also said he would talk with DOT about reducing the speed limit in the area.

Patty McCaffrey - Oswego Town:

She questioned the fire apparatus and equipment. Jeff said he will go over all the details with the Fire Department. Kevin Caraccioli stated the complex will be smoke free and equipped with a full sprinkler system. It will also be alcohol free. Jeff said there will be smoke detectors throughout as well.

Dan May - Oswego Town:

Dan asked about the management of the complex. Jeff said their management will have professional training. They will have a quality place to live. They won't put up with unruly people who want to destroy things. He repeated there will be a live in manager who will be there 24/7, and see that things are up to par. They plan on being there a long time, and want to keep the complex in the best of shape

Greg stated we would take a 5 minute break. When we return, any members of the Town or agencies who have concerns may speak, and then we will listen to the out of town residents and any other public.

(After 5 minute break):

Scott Pritchard - Fire Dept. - Oswego Town:

Scott said he is the Chief of the Oswego Town Volunteer Fire Department. He is aware of the concerns about handling fires, especially a 4 story building, and our fire apparatus. Deb Jaskula asked what fire equipment we have. Scott said we have a truck with an apparatus, and we have other trucks with sprinkling system. We are getting together with United Group and iron out these concerns. This is ongoing right now.

Bob Baker - Board Member:

Bob asked what the fire rating is for the fire barriers. Dave Clemenzi said the rate is a 1 hour, horizontal and vertical. The roof is a rating assembly also. It is a 1 hour assembly starting with the ceiling of the top floor with the asphalt shingle roof, with the sprinkler system.

George Baldwin - Oswego Town:

He said this is an exciting opportunity for the town, and that we could all benefit from it.

Dan May - Oswego Town:

He said he is opposed to the project. There would be a traffic problem, as well as noise from late night parties.

Sam Cernaro - Oswego Town:

Sam said he lives about a mile up the road from the proposed project. He remembers when there was a bar, called Tri-Lions. He feels someone is going to come in and open a bar near

the development, which would develop more traffic and noise. He stated he is opposed; that it is the right time, but the wrong place. He also asked if there would be a zone change.

Greg said as to the zoning question, United Group is requesting a variance as to height. He pointed out that the Zoning Board, Planning Board, and Town Board are jointly redoing the current zoning regulations.

Randy Farnsworth - Oswego Town:

Randy stated he is opposed, and doesn't want the town to get caught up in the same mess as when the Steam Station was built with the pilot program. He doesn't want to wind up paying for the project through taxes.

Tom Dunsmoor - Oswego Town:

Tom was also concerned about taxes being raised because of the pilot program.

Frank Mazzoli - Oswego Town:

He said he would like to visit a complex that United Group has built, and he was told there is one in the Finger Lakes Region.

Greg Auleta then opened the floor to the residents of the city and elsewhere.

Heather Mulcahey - City of Oswego:

She asked if the project would lower our property value. She said she is opposed to the plan, and handed a Petition to the Board signed by people opposed to it.

Joe Hutchinson - City of Oswego:

He said he heard this was going to be a multiple family dwelling. Jeff Smetana explained that the Management of the complex would be by license, and not by lease, and that multiple people or families will not reside there. This is for students who are attending the college. Each student will be licensed for their individual living quarters.

Tom Tesoriero:

He asked if someone becomes unruly, will you evict him or the whole floor. He feels the project constitutes a dormitory. Again, Jeff emphasized that it is going to apartments for students -not dormitories.

Kevin Caraccoili said there are two points to this meeting. One is dealing with a use variance, whether it is a dormitories or apartments. The other is an area variance for height for the buildings in the complex, and setback requirements. Because we could not vote because notice was not sent to the City Clerk, this session is for public comments which is very important for this Board to gather and make a determination. There will be a continuation of the public hearing, where everything will be reviewed again, and this Board in an open session, will debate and determine the questions and comments. He also said under the General Municipal Law, Section 239, there is a review process by the County Planning Board. There are two processes within the Town. The Zoning Board is dealing with the variances, and the Planning Board will discuss the Site Plan.

Lee Walker - City of Oswego:

Lee asked if there will be an environmental impact study done.

Kevin said that is part of the whole process. There is a SEQR application submitted. This will not only be reviewed by this Board, but the Planning Board, the DEC; NYS Office of Parks, Recreation and Historic Preservation; Oswego County Dept. of Planning and Community Development, Oswego County Dept. of Health; and the Oswego County Soil and Water Conservation District. If they are involved, they will issue a permit. If they are interested and not involved, there may be something in their ruling, but they won't have to issue a permit.

Greg Auleta stated to the audience that there will be a Planning Board meeting Monday, and they are all welcome to attend that meeting also. Then we will have a continuance of the Public Hearing for the Zoning Board of Appeals on April 19th. At that time we should be in a position to consider the application for the variance for height, and the set back requirements, which Wayne, our CEO will go over.

Adjournment:

At approximately 9:15 PM, Tim Anderson made a motion to adjourn the meeting. Deb Jaskula seconded the motion. All ayes. Motion carried.

Respectfully submitted,

Marjorie Best,
ZBA Secretary