

Village of Liverpool Planning Board
Minutes
Monday March 23, 2015
7:00 PM

Present: Joseph Ostuni, Chairman
John Eallonardo
Tom Tartaglia - absent
James Taft
Peter Osborne
Michael LaMontagne, alternate
Robin Daloia, alternate
John Langey Atty
William Reagan, Codes Officer
Sandra Callahan, Secretary

Call to Order

Chairman Ostuni called the meeting to order at 7:00 PM.

Approval of Minutes

Motion was made by Peter Osborne and seconded by Mike LaMontagne to approve the minutes of February 23, 2015. Motion Passed.

New Business –

Onondaga County Parks – Nate Stevens, Administrative Director

The County Parks Dept. would like to put up a lift gate at the end of Vine St. near the East trail to control traffic entering the trail for access to the marina and to collect user fees for the boat launch and marina.

They need to widen the road by 10 ft. and push the sidewalk back towards the County Parks building. Part of this proposal is on Village owned property. The lift gate and island would be positioned so vehicles inadvertently entering that area can use the Parks Dept. parking lot for a turn-around.

The road would be 31 ft. wide with a 4 ft. sidewalk. The lift gate arms would be 24 ft. in total – 12 ft. each. Walkers would still be able to get by, but not vehicles. There needs to be enough space to prevent exiting vehicles from obstructing the trail which involves the village owned property.

The lift gate would be controlled with card access or keypad entry. The outflow is a magnetic sensor which would lift the gate when a vehicle approaches.

Peter Osborne asked if they intended to put one at the Sycamore St. entrance. Mr. Stevens said they may consider it later in the year but most people aren't entering the trail at that point.

Mike LaMontagne asked about special events and traffic. Nate said that they could leave the gate open for fishing tournaments or other events to prevent traffic backups. The system they are looking at is easy to adjust the access for different situations.

Deputy Clerk Callahan asked about snow plowing since part of the road is village owned. Nate said he will be in contact with our DPW Superintendent to figure it out.

The final determination on this will be made by the Village Board of Trustees. The County Parks will attend the April meeting of the Board and present their proposal.

Old Business – Matthew Wilson – 204 Bass St.

Eric Roberts – tenant – appeared before the Board to update us on his application for a revised site plan at 204 Bass St.

Mr. Roberts provided samples of the materials that the roof, siding and shutters will be made of.

The metal roof will be Fabral Grand Rib 3, green. The stock number is J-Channel Fram. 29GA SKU 716702506114

The siding is Pine Plybead 30YY331047, the color is Old Montgomery Grey CN53

The shutters are Forest Green louvered shutters.

A motion was made by John Eallonardo and seconded by Jim Taft to close the public hearing. Approved.

A motion was made by Mike LaMontagne and seconded by Peter Osborne to approve the amended site plan for 204 Bass Street as described in the original application with the colors and samples submitted. Approved.

Discussion and review of draft noise ordinance

Chairman Ostuni asked the Board members if they had any points of concern.

John Eallonardo asked if there was a way to get actual noise to compare to the decibel listings. What does a 70 Dba noise sound like?

Attorney Langey said that we hired a noise expert from Barton and Loguidice Engineers who measured ambient noise within the Village.

Robin Daloia asked if he did measurements at night. Attorney Langey said not yet, this was a limited amount of measurements. She stated it would be better to do it in June when people are outside or have windows open.

Bill Reagan stated that most municipalities' noise ordinance is for 70 decibels during the day and 60 at night.

Robin Daloia thinks the proposed decibel levels of 75 & 70 are high. Attorney Langey stated that the sound engineer did a study of the road noise at 10 a.m.

Jim Taft thinks the 30 minute measuring period is too much. Attorney Langey stated that generally if there is a noise complaint and the police show up, the problem usually stops.

The sound measurement is taken from the complainant's property, if it was taken from the site of the noise, it could lead to abuse of enforcement. Bill Reagan said all other municipalities measure from the source of the noise. He stated that besides the decibel level, the intensity of the noise and the nearness to sleeping facilities, etc. should be taken in to consideration.

Mr. Reagan said that if a bar/restaurant puts a band outside, the bands will be in violation. Maybe we should issue permits to allow bands to play outside limiting how loud it can be and how late they can play until.

Mike LaMontagne asked if the White Water Pub and Limp Lizard Bard have noise provisions included in their site plans. Mr. Reagan said they do have a provision for outdoor bands.

Chairman Ostuni said maybe we could have different rules for different zoning areas. Mike LaMontagne said the business and residential areas should have different rules. He confirmed with CEO Reagan that the Basin Block is zoned B-1 mixed use. As a result of the village's efforts over the years, the Village Master Plan was developed and included the business uses being proposed in the Basin Block. As a result of that planning, businesses were encouraged to locate in the area and now occupy most of the developed parcels in the area. He thinks 60 & 65 decibel level, suggested by JGB is unreasonable. There should be a cap for the hours bands can play outdoors. The policy needs to be community wide, not tailored for one business. Peter Osborne thinks the center part of the village should have a higher decibel level and agrees the ordinance should be by zoning districts.

Chairman Ostuni asked about the Zogg school property and how would the code handle that since it is in the center of a residential district.

Jim Taft said that measuring the noise at the property where the complaint is coming from makes sense.

Attorney Langey said it would be difficult creating different noise levels for areas in residential and mixed use areas.

Chairman Ostuni said that the Village Board wants some direction from the Planning Board for their next meeting which is April 13 and is the public hearing on the proposed noise ordinance. Some questions to consider are:

Where is the noise measured?

What is the purpose of the 30 minute measurement period?

Should there be different rules for the different zoning districts?

Mike LaMontagne said lowering the decibel level will make for more enforcement requirements.

Chairman Ostuni said the Noise Engineer should attend the public hearing to answer these questions.

Peter Osborne said people living in a mixed used property should understand the potential for more noise.

John Eallonardo said if the ordinance is blanket for the entire village, the decibel levels should be lower.

Chairman Ostuni said we will submit the draft minutes from this meeting to the Board of Trustees for their review prior to the Public Hearing on April 13.

There being no further business, Jim Taft made motion to adjourn, seconded by Peter Osborne.
Approved, meeting adjourned at 8:20 p.m.

Respectfully submitted,

Sandra J. Callahan
Planning Board Secretary