

May 15, 2007

Planning Commission

Proceedings by Authority

State of New York,
City of Jamestown, ss:
Mayor's Conference Room

The regular meeting of the Planning Commission for the City of Jamestown, New York was held on Tuesday, May 15, 2007 at 3:30 p.m.

Members Present: Chairman Gregory P. Rabb, James Olson, Martha Zenns, Jeffrey Lehman, and Paul Andalora

Members Absent: Jeff Nelson, Mike Taylor

Others Present: Bill Rice, Amanda Bleck and Douglas Champ, Mike Teranova, Dan Way, Joe Palumbo, Bob Barber, Dave Leathers and Steve Kulig

Chairman Rabb called the meeting to order.

Mr. Rabb: Before we go ahead with the JCC Housing, my understanding from talking to Legal Counsel is that it's okay for Martha and I to vote on this as long as we're up front about our connections to the project. We're both full-time employees of Jamestown Community College and I've been on the Housing Task Force that's been led by Bob, and in 1999 I wrote a report recommending housing in our efforts to attract international students so I just wanted to state that for the record. Is there anything you should be revealing Ms. Zenns?

Ms. Zenns: I have nobody that's come forward to me from the school to have me do one thing or another. I'm voting of my own accord.

Mr. Rabb: Alright. Do we want to have a presentation from whoever is here to present – Bob and others? Could I just ask that you please state your name for the record?

JCC HOUSING

Mike Taranova: I'm an architect at Lauer-Manguso and we have Dan Way with us today and Joe Palumbo. Dan's from the contractor's office, Joe's from the Civil Engineering office. So any simple engineering, site questions – Joe could answer those questions. Bob Barber's here. Bob, you might want to talk a little about parking. But basically, what I've put up on the board here is just a simple rendering showing the new student housing. There's two buildings that we're proposing. They're at the bottom of the hill. Somebody mentioned site lines. Basically, if you're standing up here, you'll barely be able to see the tops of these buildings you know, with the site lines, you know, when you cut a section through the site. We do have a connecting pedestrian walkway which connects these two buildings with the main campus. We're adding two new parking lots basically in this area which is 58 spots in this parking lot and down here there are 64 parking spots, for a total of 122 new parking spots. We've been meeting all along with members of the Planning, Building Department, etc., Fire Marshals, and we have made some changes and compromises based on their recommendations, so we think this is really the best plan. This pedestrian walkway, for example, is designed to take emergency vehicles, so it's going to be wide enough, strong enough basically so a fire truck, emergency vehicles can go from one parking lot to the other, but pretty much – it's a pedestrian walkway just for the students. Site drainage issues – we are going to have a small detention pond down here. We're also picking up some drainage behind these buildings which we're going to be diverting around the buildings. The landscaping right now by the way, is shown a little bit spare, we will add to that later on. We

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just didn't quite finish our landscape drawings yet. Bob – why don't you address the parking issue because I know that's come up before in the past – by the way, there's 220 beds.

Bob Barber: I'm Vice-President of the Administration at the College. We've spent about the last 2 ½ years researching and visiting a number of our colleagues around the state that have already put housing in place. This is now quite common on community college campuses. And, one of the questions that we had very early on was how many parking spaces could we associate with these two buildings – 220 beds – that we have proposed? We went to two consulting firms that we've been using who have had a vast amount of experience across the country in building student housing and asked them that question. One is Anderson-Strickler that is a national firm that does feasibility studies for housing on campuses of colleges and universities and have done a number of community college facilities and really gave us a good sense of how many new students are we going to attract vs. how many existing students that are just going to choose this as a place to live and not commute back and forth to their homes. The other group was American Campus Communities who build and own student housing all across the country and who have done some consulting with us and have been on campus talking to us about the housing and both groups agreed that the standard number that they use nationally is one parking space for every two beds. The reason they do that is because new housing doesn't attract totally new students. As a matter of fact, if we attracted 220 new FTE's, we would be happy to build a parking ramp to accommodate them, but that's not going to happen. Normally, there's about 20 or 30% of the students that come into student housing are totally new students – people who wouldn't have been at the college had it not been for that housing to be in place. The rest of them are students who used to be commuter students and have now chosen to live on campus rather than driving in from Kane, Pennsylvania or Belmont in Allegany County or wherever they might be located. So, with that information, we went back to the colleges that have built housing and asked them what their experience had been and basically, they confirmed that we got numbers from 13% to 40% of the students were actually new students on campus. The rest were, again, commuter students who decided "hey, there's housing here, I don't want to drive back and forth, I'll go home on the weekend, but I'll stay at the college." And, that's where we came up with the number of parking spaces we have there, but I would add additionally, that this last summer we added 90 spaces to the Hulquist Lot, the largest lot you see on the drawing and again, we broadened that lot a little bit, but we also reconfigured it so the parking spaces were not on an angle, but were 90 degree type parking spaces and that allowed us between that and adding a roadway down to the end to put 90 more spots in. So, we're very comfortable with the research that we've done that the parking is going to be more than adequate for the new students that we expect to see on campus.

Ms. Zenns: Can I ask a question while you're on the parking? Is there any intent to have the students park in the new facility to avoid overnight parking in the winter to make plowing easier?

Mr. Barber: Yes. And, again, what we will be doing probably is occasionally moving them on the weekends. As you know now, we use the weekends and overnight to clear out, so we may actually say "okay, on Sunday we want everybody to park in a particular area so we can get into those new areas and clean them out," and then they can move back into that spot.

Ms. Zenns: Do you also have plans for the actual snow removal, because this year where some of those new parking spaces are going to be along, the handicapped in particular where it starts out, that's where they shoved all the snow and it really reduced the lane there. Do they have alternative plans then in terms of where to put the snow?

Mr. Barber: Again, our facility's staff has been very much involved in this design and they believe that by moving the snow in the other direction from what they've been doing this year, that they can remove it and still keep all of the parking space open and all of the parking areas open. Depending on the amount of snow you get in the winter, sometimes we have to go

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in with loaders and literally move some of it out, but we think that we've got a design that's going to allow us to keep all of the roadways and parking spaces open.

Mr. Teranova: We're here for any questions that you might have, again Joe, for any of the site engineering questions – I know you have a complete package that we submitted.

Mr. Rice: I have one question. You talked about the retention pond. Joe, could you explain where that is and how deep it may be because we have some requirements about that.

Mr. Palumbo: The retention pond is going to be located in this vicinity here – this green space next to the parking and the design currently is approximately at its maximum elevation to be about 6 feet deep.

Mr. Rice: So it's substantial in depth?

Mr. Palumbo: Yes. It'll be a wet pond holding the water quality treatment from the buildings in the parks.

Mr. Way: That has a fence currently incorporated down there.

Mr. Palumbo: Yes. The new plans – we're showing a fence around it. Jeff and I talked about that.

Ms. Zenns: How big is the fence?

Mr. Palumbo: The fence is at 42" tall and it's a decorative, of sorts, we chose, the style is still to be determined.

Ms. Zenns: It's not likely to attract anymore bugs than what otherwise would be in the area?

Mr. Rice: You do have an existing pond on the campus at present – how's that when it comes to...

Mr. Lehman: One of the nice things about this is there is always running water up in this area, so the pond is not going to be stagnant sitting there – it's always going to have water flowing through it.

Mr. Barber: ...which is true of the other pond – the water just doesn't stand there – there's some movement.

Mr. Palumbo: The other pond I do believe from looking at the survey that was given to us around the area is probably as it's standing right now, I think, is probably about 4' from the top of the surrounding area so that pond at its fullest could probably be approximately 6' deep too, I would have to imagine.

Mr. Rice: Does that existing one have the fence around it?

Ms. Zenns: No.

Mr. Rice: I'm not exactly crazy about having a fence around a feature like that and I was wondering if there was another way it could be handled with some landscaping to kind of protect it.

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Mr. Lehman: You're talking about a liability issue though. There's a liability issue we have to deal with.

Mr. Rice: ...well, rocks and things of that nature could be around the edge – might be a way to get enough separation making you realize it's a pond there not just a shallow...

Mr. Palumbo: Part of the problem is the depth is always going to be there though and even if what you put there the water drop...the water quality which would be in there all the time may be anywhere from probably about 3' deep is what I'm guesstimating at this point. Once the final design of the pond is worked out, I'm in the process with Jeff right now to kind of finalize that and hopefully get it to be a little bit smaller than it currently is.

Mr. Lehman: Unfortunately, from a liability standpoint, the decorative fence is beautiful. The college campus – I've got concerns that kids will go out there, you know how strong they are...

Mr. Teranova: Well, it's only 42" high...They'll go over it...but we don't want to create this 8' wall around it...

Mr. Lehman: I understand that – it's a very delicate situation...from the esthetics and from the maintenance and structural.

Mr. Teranova: Joe has incorporated a couple of gates also...

Mr. Barber: I think the best you can do is discourage people – I mean if they want to get in there, they're going to get in there. It's just a matter of kind of discouraging people from doing that.

Ms. Zenns: They'll probably go up to the bigger pond.

Mr. Rabb: I did have to remove a student from the pond...he got a little too excited about the end of the semester. Luckily, he wasn't naked or anything, but I said "you really need to get out of there."

Ms. Zenns: How many overall units are there for handicapped access?

Mr. Teranova: There's going to be one unit in each building so it'll be totally set up for handicapped – it's fully equipped – with a grab bar, audiovisual alarms, etc.. But every unit in the building is adaptable so all the clearances are there, the only thing you would have to add to make them fully adaptable would be some grab bars, some appliances for the audiovisual...you'd have to remove some sink fronts so you could get a wheelchair underneath the sinks, but they're very easily adaptable – every unit in the building.

Ms. Zenns: So if there were additional students who were to apply for housing and they needed that, that accommodation would be made?

Mr. Teranova: Yes. These buildings, by building code, you don't even have to have an elevator in here, so the only apartments that would have to be handicapped, would be the few on the lower level, but the College insisted on putting an elevator in here which means every unit has to be adaptable.

Ms. Zenns: And the unit that is adaptable, is that all four beds would be, or just there's one within the unit?

Mr. Teranova: Well, the whole unit is really totally accessible, but there's one bathroom in that unit that's accessible – there's two bathrooms in every unit.

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Ms. Zenns: Right. But the bedrooms would be just because they're ...okay.

Mr. Teranova: The kitchen would be accessible, the living room, etc..

Mr. Rice: Joe, you had some modifications on the site plan as we talked on the phone – could you outline what those are? They'll be different than what was submitted to the Planning Commission in the documentation.

Mr. Palumbo: One of the modifications was the addition of the fence around the retention pond. We felt that we wanted to have that drawing set for liability reasons. The second was we rethought the handicapped parking accessibility here – we didn't want the handicapped person to have to come out into the drive island and drive out up and make this travel through this drive isle with the traffic and then cross traffic to get to the building. So what we added was a 5' walkway with a flush curb to the handicap on the backside in this green space here. So they'll be able to exit their vehicle, access the sidewalk and then come across. We added a crosswalk feature here and then a new sidewalk that loops around behind the dumpster and comes back in down to the sidewalk there being a pathway through the campus here. I show that on this extra set of plans I brought here if anybody wanted to have a closer look at what that looks like. You can see where the sidewalk comes across and then there's a straight crosswalk and then the sidewalk will come across through this green space and back down. This is all pretty much almost to the same elevation all the way through there so it's very flat and very easily accessed by a handicapped person. I do believe Bill, those are the only modifications I made as I remember.

Mr. Rice: I just wanted to make sure everybody knew what the deviations were...

Mr. Way: The buildings are fully sprinkled also...so that's incorporated into this design.

Mr. Champ: How are you heating these buildings?

Mr. Teranova: Each unit has their own individual furnace – with combination air conditioning. There's a small mechanical room in each unit. We've done a lot of student housing in the past and we looked at a lot of different ways of heating and air conditioning. This really, we think, is the best way to do it. If a furnace goes down, the whole building isn't down – it's just one unit and they're very easily maintained – you don't need any (I shouldn't say specialized training), but it's basically your residential styled furnace so a mechanic that has limited training could service these.

Mr. Champ: What was wrong with the existing loop – the hot water loop and why wasn't that considered rather than using individual...

Mr. Teranova: I believe that was too far away.

Mr. Champ: Too far away?

Mr. Teranova: Yes.

Mr. Champ: It's as close as the auxiliary...

Mr. Barber: Are you talking about the on-campus loop?

Mr. Teranova: We did a project for the University of Buffalo. They had a four pipe system right at our building site. By the time we did the analysis for that, it was cheaper to do this kind of a system than to tap into the existing one. It has to do with circulating all that around and

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controls, basically. You know, the kind of pumps that you would need and kind of controls. Unfortunately, our mechanical guy isn't here, but we did talk about this in the schematic design and they looked at it briefly and they discounted that.

Mr. Champ: Because of the cost comparison between the two?

Mr. Teranova: Well, it's probably not only cost, but controls.

Mr. Champ: Well, the controls can be central, you don't need them individually.

Mr. Teranova: The idea of the sweep design is getting the individual apartment users the ability to control their own space. The individual furnaces, we think, at least gives them their perception, you know, a lot easier, than having some kind of a centralized system.

Mr. Champ: So, you're having individual small furnaces for these suites?

Mr. Teranova: There's a typical suite arrangement and what we have is a small mechanical room that's right within the unit and again there's some soffits that go across here that actually distribute the heating and air conditioning. They're done in soffits and drop ceilings so it diffuses it basically in these locations, then it goes across to this area, then it feeds these two other rooms. Then the soffit across the kitchen actually has diffusers feeding the living space.

Mr. Barber: I might add here that we had our facility's folks work very closely with the engineers and architects on this and they're very pleased with this approach. Again, it's critical that we can get in, change out a unit and get it back and up running very quickly and you'll only lose the affect of that unit in that one suite area. So, if we get a 24/7 kind of housing – they thought this was an excellent approach. We'll literally have some of the units on hand so that they can be popped in if it's something that's dramatic and can't be quickly fixed.

Ms. Zenns: Are all the furnishings shown there provided, from the beds and the...

Mr. Teranova: They will be – right now we're still in the process of doing the final furniture layout. But basically, yes, they will be provided...the only thing we're thinking of right now is eliminating one chair in the living room, but our furniture designers right now will help us select those. Every bedroom will have a bed, for example, night stand, a dresser and a desk.

Chairman Rabb: Any other questions or comments? If not, could I get a motion to approve the Environmental Assessment Form?

Mr. Lehman moved to approve the Environmental Assessment Form and was seconded by Mr. Olson.

Motion carried.

Chairman Rabb: Could I have a motion to accept the Negative Declaration?

Mr. Olson moved to accept the Negative Declaration and seconded by Ms. Zenns.

Motion carried:

Chairman Rabb: When I was talking to Bill earlier, I said "What?" "No contingencies?" I can't remember the last time this has happened or ever happened.

Mr. Lehman: There is a contingency. Somebody should finalize the approval of the storm water management including the fence design.

Chairman Rabb: Alright. Could I get a motion to approve the Site Plan subject to the contingency as stated by Mr. Lehman?

Mr. Olson moved to approve the site plan subject to the contingency and seconded by Ms. Zenns.

Motion carried.

POWER PLANT

Mr. Rice: BPU wants to come in and give us an update on the SEQR for the power plant. Dave, will you go ahead and give us a rundown?

Mr. Leathers: I will give you a brief overview, I think. The good news is I'm not going to give you any books or...

Ms. Zenns: We can't add to what we have?

Mr. Leathers: ...or piles of information today. This one's a little tough. I think you, as a Commission, meet once a month so this new book is the kind of the preliminary Final Environmental Impact Statement book. It has not been issued to our Board – what has been provided to our Board so far, which is almost three or four weeks ago, is kind of a preliminary to the preliminary. So a lot of the information was given to our Board – the intent is to get this updated. There's a few changes that have been made and then most of this book is actually from this point back is appendices or attachments that weren't included in the original draft Environmental Impact Statement that we feel because of the comments we received need to be part of this final Environmental Impact Statement. The Executive Summary that was in the original document is in here again with some updates – a lot more information around alternatives, Introduction, and then basically responses to the comments that we had received. My intent right now is that Steve Kulig and I will be at the Council meeting next week and will present the Council members with a copy of this book, assuming that we get this book out to our Board members by the end of this week, and then to do a little overview for the Council members next Monday night. At that time, I'm sure we can also provide either a few copies, Bill for you to have on file here, or Greg for you to take, or if everybody wants a copy, to do that. Right now, the intent is that the Board would vote on approving this document on May 29th, which is the next Board meeting, then we would go into a brief comment period. I think the voting session for the Council is June 18th and so it'll be proceeding in June to get through the comment period and then prepare the findings statement and have the BPU Board probably voting on the findings statement or issuing the findings statement in probably the first meeting in July is the timing. Also, on Monday night, I'll try to give an update to the Council on our schedule, but there's provisions being made and we have a couple of meetings this week to provide updates to that. So, as that gets updated, I'll put a copy in the book. If anybody from the Planning Commission wants to go to the meeting on Monday night with the Council, that would be good. If not, I'll try to get you the

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information through you Bill, and then if anybody wants the information, anybody wants books, or wants me to go over, or Steve, to schedule, we're more than happy to do that. I just wanted to give you an update of where we were at.

Mr. Rice: I think minimally, we should have one in the Planning Office and maybe one for you, Greg.

Mr. Rabb: Yes, that would be helpful.

Mr. Rice: And, then, if anybody else wants one, I think they should just speak up and let you know.

Mr. Champ: I'll take one if it's alright. The sequence of events, Dave, the EPA kind of approval, and the remainder steps, I know it's a little bit in the future, but how do you feel that's going to take place? Why type of timeframe are we looking at – best case scenario?

Mr. Leathers: The EPA issued the draft permit a week and a half ago, approximately. So that's a 30 day comment period based on the comments they received and they're going to determine whether there's a need to have a public hearing or not. So, if there's a need, they deem that there's significant enough comments that are applicable to that permit, then they would go through the process of scheduling a public hearing. I think there's a 30 day notice period for that, so that would really add time to that whole EPA side of that air permit. If there's comments received, but they don't see the need for a public hearing, then there's a period of time, I don't know, then we're depending the EPA to respond to those comments and incorporate those responses and to issue the final permit. So that could be a July/August timeframe. The DEC – right now we're awaiting the DEC going through the same process of issuing the draft permit. The DEC had communicated to us previously that their intent was to schedule a public hearing when they noticed the draft permit, so they plan on having a public hearing which would be at the end of that 30 day comment period. When that's going to happen – I'm not sure when they're going to issue that. There may be meetings that we have with the DEC in the month of May and there's communications going on and so that's one other process that is nearing a point, but hasn't occurred yet. So, it's outside of our control.

Mr. Champ: Do you expect those public hearings to be held here in Jamestown?

Mr. Leathers: I think the public hearing for the DEC, Interstate Facility Permit, will be held in Jamestown – yes, that's my understanding. The EPA's already moving that's the end of the 30 day comment period, DEC we hope soon, but we don't know. This is the third leg is getting through the SEQR process, Final Environmental Impact Statement, issuing the Finding Statement so those three kind of regulatory items and then we're working on the technical side to confirm original budgetary estimates and we need to go back and do a final feasibility study on the economics of the project before we pull all those things together and say "final project go ahead." So, August could be a month

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when all those things come together. The Board is looking for a final approval. Anything else that you have comments on?

Chairman Rabb: Any other questions or comments for Dave?

Mr. Leathers: Again, from a formal commission standpoint, I'm not sure what position you need to or want to take related to the final Environmental Impact Statement and that approval and that comment period. However you desire to handle that, just let me know and we'll get you as much information as we can. But I would say that the timing of that June 18th Council meeting, June 19th is probably your next meeting, June 19th is a Board meeting for the BPU, so we can do some communication around that meeting as well.

Chairman Rabb: But at this point, you're not looking for something specific to come from us, or for us to tell you what we think we might want?

Mr. Leathers: I mean, I think any comments are always welcome. Anything we need to do to related to feedback that you're interested in, let us know and we'll do that. Anything to work with the Council members from your part with the Council, I think any endorsement if that's what you choose to do is helpful to the process. But I don't know that there's anything required formally.

Mr. Rice: I don't think there's anything formally that's required, but it says you can submit your comments, either as a Commission or individuals.

Mr. Leathers: So, I'll leave that up to you guys.

Chairman Rabb: Thank you.

TRAINING

Ms. Zenns: Do we have anymore specifics on the June 12th training?

Mr. Rice: We're still working out some issues with the DOS, but it still looks like June 12th is the date at JCC, evening time is when we're going to do it because we're trying to be very user friendly, seeing that the majority of you work and are not available in the daytime to really take off a four or five hour block. So as soon as I get more information, I'll get that to you.

Chairman Rabb: So we would get a flyer...

Mr. Rice: Yes, so that's the reason why I got all the addresses from Jim and they'll be sending it directly to you.

Ms. Zenns: I leave on the 30th and come back on the 9th.

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- Mr. Rice: Yes, there'll be something ahead of time you should be getting.
- Ms. Zenns: So we don't have to worry about an RSVP if it falls in that time period?
- Mr. Rice: No.
- Ms. Zenns: And I know you said the next one was in Dunkirk.
- Mr. Rice: Yes, the next thing's supposed to be in Dunkirk and that'll be in case you can't make this one and it'll be the same setup because we're going in conjunction with the County and the County wanted to make it available to everyone within the County that's on Planning or Zoning Boards to attend because it is mandatory. We did get the resolution passed by the City Council.
- Mr. Andalora: And that's four hours of training?
- Mr. Rice: Yes. Then in the Fall time we're going to try to put on something in addition to that that will be more than just basics and we're going to try to keep doing that as long as we can.
- Ms. Zenns: And what is the number of hours a year – is it four or six?
- Mr. Rice: Four. You can always do more.
- Ms. Zenns: I know that but I was just trying to remember the minimum.
- Chairman Rabb: Well, some of us will be doing more because we found out we need to do it for JURA.
- Ms. Zenns: What – in addition to what you...
- Chairman Rabb: Separate from this.
- Mr. Rice: Good.
- Chairman Rabb: We're making the Planning training. JURA training will be the problem.
- Mr. Rice: Couldn't they do something similar?
- Mr. Olson: They could. You might want to talk to Steve and see if he could work something out. Otherwise, there's one in Buffalo, Rochester – that was the closest.
- Ms. Zenns: Is it a different type of training then?

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Chairman Rabb: Yes.

Ms. Zenns: More specific?

Mr. Rice: Who's giving the training?

Chairman Rabb: I was told that CUNY in New York has the contracts.

Mr. Olson: You might want to talk to Steve because he had the listing of the training.

Chairman Rabb: ...and I like the way we're doing it with the Planning Board – it's so much better, but...

Mr. Rice: Something like that – it'd be nice if they could do it on a teleconference type of system.

Chairman Rabb: Yes, I don't understand it, we're in the 21st century and all these campuses have that capability – it would make so much sense to hook it up – even if the Buffalo session – hook it to Jamestown – hook it to Dunkirk.

Mr. Rice: I'll talk to Steve and see if that's a possibility.

Chairman Rabb: Well, we're still working our way through it with JURA, I guess.

Mr. Olson: Right. He gave a handout at the last meeting – you might want to get a copy of it.

Chairman Rabb: And those are all day trainings. They're usually Monday-Friday which is even more bizarre.

Mr. Rice: Every day?

Chairman Rabb: No. But the options would be to do them Monday or a Tuesday or a Friday. There's no Saturday or evening options and then go up to Buffalo or Rochester or Binghamton and I was kind of appalled, especially since we've been working to make ours so much more accessible to people.

Mr. Rice: It's almost like they do it to be accessible for the people giving it, the training people.

There being no further business, the meeting was adjourned.

James N. Olson
Director of Financial Services/City Clerk