

TOWN OF LSYANDER
ZONING BOARD OF APPEALS
Monday, October 3, 2016 @ 7:30 p.m.
AUDITORIUM

The special meeting of the Lysander Zoning Board of Appeals was held Monday, October 3, 2016 at 7:30 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York

MEMBERS PRESENT: Richard Jarvis, Acting Chairman; Frank Costanzo; Frank O'Donnell and Brian Corrigan

OTHERS PRESENT: James Baranello, Esq.; Mike Paolini, SDA Sports, LLC and Karen Rice, Clerk

I. PUBLIC HEARING – None Scheduled

II. NEW BUSINESS

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| 1. Info Only—Interpretation | SDA Sports, LLC |
| Case No. 2016—001 | 2079 Church Road |

Richard Jarvis, Acting Chairman, stated that an application has been made to the board for an Interpretation as to whether or not soccer fields/lacrosse fields are an allowed use for property located at 2079 Church Road, Baldwinsville, New York. The property is at the intersection of NYS Route 48 and Church Road and is zoned General Commercial. We are holding this informal meeting at the request of the Code Enforcement Officer who believes the use is appropriate under the current zoning.

James Baranello represented the applicant, Mike Paolini, who operates a soccer club that trains kids from 5 to 19 years of age, both boys and girls, year round. As part of his plan to expand that business he has acquired an in-door facility and would like someday to build outdoor fields. Youth sports in our area have gained popularity where fields are at a premium.

Mr. Jarvis stated that he has a 14 year old and 17 year old and is well aware of what's involved with kid's sports, having been involved for the last ten years.

Mr. Baranello stated that Mr. Paolini essentially trains soccer players year round. This time of year we train outdoors two and three times a week; and in the winter we train in-doors two or three times a week. The problem for years has been that there are not enough municipal fields and the ones that are available are only available May1st. They don't let us on the fields before then. It is very difficult to find fields. This facility would be primarily a facility to train young soccer players, maybe lacrosse players as well. Mike's vision for his business someday would be train more than just soccer players. We worked hard to find a location. This location looked like it fit all of the criteria. It is on a corner of a commercial area. Three of the corners are zoned commercial; one corner is zoned Industrial and it's in a fairly location for Mike's business. Right now we train primarily in the wintertime in Liverpool and on Jones Road in Baldwinsville. The in-door facility will be at the old Thunderbird Lanes in Seneca Knolls. The plan for this facility would be multi-purpose fields, multiple fields, initially natural turf and eventually some artificial turf fields. Mike would like to build two artificial turf fields someday. That's all this facility would have. It would have a concession stand and bathroom facilities as well. It's very difficult to find a piece of property that's affordable, in the right location and zoned properly. We looked at the

zoning regulations and thought that the particular provision that includes Golf driving ranges and other outdoor commercial amusements would fit this use. We thought with this definition the Town may be concerned with paint ball parks and the like. This is going to be a facility that wouldn't be used for four months a year. It would primarily be used Monday through Thursday in the evening in the spring, Summer & Fall from 5:00 p.m. to 7-7:30 p.m. It would get more use on weekends in the summertime. Mike has about 500 kids in his club and it's growing. It has grown by 15 to 20 percent just this year. Mike's teams have competed nationally. We had three teams go to the USU Soccer Nationals this past summer. This is a high, premier level soccer club. As a matter of fact our under 18 girls' team, almost every one of those kids on that team on that roster played Division I Soccer. Mike has done a marvelous job and has had this business for quite some time.

Mr. Jarvis stated that the Baldwinsville Community, at least the High School level, has great soccer programs for both boys and girls.

Mr. Baranello concurred.

Mr. Jarvis stated that we were asked to convene tonight more or less to discuss this particular Section, Article XIII, Section 139-29, Paragraph B (11), Structures & Uses. Upon approval it would be subject to a Special Use Permit and Controlled Site Review. It's not a Public Hearing per say tonight, but I'm sure at that time you will have questions about parking and traffic issues. You'd be subject to other ordinances pertaining to noise control and things like that. Perhaps lighting concerns, light pollution....there is a house 500' down the road.

Mr. Baranello stated that the good news and bad news for us is there is a protected wetland on the property so about half of the 28 acre parcel is in the protected wetland. The restriction as I understand it is a 100' buffer; but we think we can build closer to that since we are natural turf fields, natural run-off; but the good news is it would provide a natural buffer that can't be developed between our use and what residential uses are in the area. A lot of Towns have transitional zones, this Town does not, but we have a natural transitional zone with the wetland and they're substantial. Most of the activity would be on the main highway. Part of our due diligence of course would be to deal with the traffic and more specifically getting curb cuts in and out of those two roads. We'll have to work with the Department of transportation on that. It will all be part of our site plan that will have to come in for approval. We intend to have all parking on site. There won't be any street parking allowed. That's not something that should concern the boards.

Mr. Jarvis stated that those issues are not something the board has to be concerned with this evening. Tonight the Code Enforcement Officer just wants our thoughts on the relevant paragraphs in Section B (9) and Section B (11). B (9) addresses Parks, playgrounds and other similar recreational facilities which are privately operated but not for profit. The client obviously runs his club for profit. The broader, ambiguous paragraph is B (11) Golf driving ranges and other outdoor commercial amusements...I don't know what the intensions were when somebody drafted it; I wasn't part of that.

Mr. Baranello stated that he was a municipal attorney for 16 years and you can't think of everything and that's why we're here tonight.

Mr. Jarvis stated that he hasn't practiced a lot in the municipal area; but has run into this in his 32 years of practice as well. When we were growing up we orbited around our parents, now

parents are orbiting around their kids. These things wouldn't have been thought of 30 or 40 years ago when this was drafted.

Mr. Baranello stated that Paragraph B (11) is more of an open space activity; they're not talking about buildings.

Mr. Jarvis concurred stating that he can't speak for the other board members but he thinks this is potentially a great thing for the community and a great location. I believe it fits in Paragraph B (11).

Brian Corrigan stated that he has researched the language, more particularly "outdoor commercial amusement". Outdoor...simple as a word; Commercial...simple as a word; so what's amusement? Amusement: The condition of being amused. Something that amuses or entertains or entertainment. It's pretty broad.

Frank Costanzo stated that most items were brought up...traffic, noise and lighting.

Mr. Jarvis concurred stating that those will be addressed down the road.

Mr. Baranello stated that lights are not in the immediate future. The plan is to build natural turf fields first then eventually the artificial turf.

Mr. Jarvis suggested having lighting be part of the site plan approval process.

Mr. Baranello stated that the Club travels a great deal. One of the reasons we have to travel as much as we do is because we don't have a facility to host events. It would give Mike an opportunity as well to bring other teams into the community. Surprisingly Syracuse doesn't have a place with multiple athletic fields in one place. The places we travel we see 20 fields in one location. They're in demand.

Mr. Jarvis concurred stating it's a huge demand and I don't think it's an idea that's going to change in the near future.

Mr. Costanzo questioned the hours of operation.

Mr. Baranello stated that we don't train on Friday nights. Training would be Monday through Thursday nights. Until we get an artificial turf field the months of operation will probably be April through maybe November 1st. The problem for us is even though the weather allows it, by the time the kids get out of school it gets dark before we can do much training. We move our team's in-doors on November 1st.

Mr. Costanzo questioned how many facilities you currently have.

Mr. Baranello stated that we don't have any outdoor facilities. This in-door facility should be ready in a month or two. This will be Mike's first 'owned' in-door facility; other than that he rents space on Hopkins Road, Syracuse In-door Soccer Center and on Jones Road.

Mr. Jarvis stated that there are a lot of things on the list of allowed uses; if I lived in this area I'd prefer to have soccer fields than many of the things that are permitted there. It's commercially zoned and/or industrially zoned depending on what corner you're on. There are a lot of uses

that could be considered obtrusive. My opinion is that it fits within the parameters of Paragraph B (11).

Frank O'Donnell referred to an article in the Association of Towns, Town Topics, where they are recommending activities such as what is being proposed in every Town across the State. What you have presented is backed up by the Association of Towns.

Mr. Baranello stated that it's in big demand; it's a way to serve Town residents, etc...

Mr. Corrigan stated that based on our definition of 'amusements' and 'commercial amusements' in Webster's; the interpretation is that this type of facility is appropriate.

RESOLUTION #1 -- Motion by Corrigan, Second by Costanzo

Resolved, that the Zoning Board of Appeals having reviewed the application of SDA Sports, LLC, for property located at 2079 Church Road, Baldwinsville, New York, for an interpretation of Article XIII, Section 139-29, Paragraph B (11), to consider if multi-purpose outdoor playing fields fits the definition of 'outdoor commercial amusements' in the General Commercial Zoning District, subject to the applicant receiving a Special Use Permit and Controlled Site Use.

4 Ayes -- 0 Noes

Mr. Baranello thanked the board for their time.

III. **ADJOURN**

RESOLUTION #2 -- Motion by Jarvis, Second by O'Donnell

RESOLVED, that the October 3, 2016 special Zoning Board of Appeals meeting adjourn at 7:43 p.m.

4 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk