

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 Loop Road  
Thursday, June 13, 2024 7:00 p.m.

The Town of Lysander regular Planning Board meeting was held Thursday, June 13, 2024 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York

MEMBERS PRESENT: John Corey, Chairman; Hugh Kimball; Doug Beachel and Matt Hunt

MEMBERS ABSENT: Steve Darcangelo

OTHERS PRESENT: Al Yager, Town Engineer; Chelsea Clark; Sara Cervino; Michael Carrow; Edward Coulter; Warren Abbott; Doug Reith, CNY Land Surveying; and Karen Rice, Clerk

The meeting was called to order at 7:00 p.m.

I. PUBLIC HEARING -- 7:00 p.m.

- |                      |                 |
|----------------------|-----------------|
| 1. Minor Subdivision | Coulter, Edward |
| Case No. 2024—002    | Sprague Road    |

The Public Hearing opened at 7:00 p.m.

Edward Coulter, 769 Sprague Road, is desirous of subdividing one residential building lot from approximately 27 acres of land for the intent to sell with the remnant piece to remain under agricultural.

John Corey, Chairman, opened the floor that would like to speak on this matter, there being none the Public Hearing was declared closed at 7:01 p.m.

PUBLIC HEARING -- 7:05 p.m.

- |                      |                        |
|----------------------|------------------------|
| 2. Minor Subdivision | Abbott Revocable Trust |
| Case No. 2024—003    | Doyle Road             |

The Public Hearing opened at 7:05 p.m.

Warren Abbott represented the family in their desire to subdivide a homestead and outbuildings consisting of 1.95 acres located at 3451 Doyle Road from approximately 44 acres. The home will be sold and the remaining land will remain under agriculture.

John Corey, Chairman, opened the floor that would like to speak on this matter, there being none the Public Hearing was declared closed at 7:06 p.m.

II. APPROVAL OF MINUTES

Due to technical difficulties in getting the minutes transmitted, the review and approval of the May 9, 2024 Planning Board meeting will be tabled until the July 11, 2024 Planning Board meeting.

III. OLD BUSINESS

- |                      |                 |
|----------------------|-----------------|
| 1. Minor Subdivision | Coulter, Edward |
| Case #2024—002       | Sprague Road    |

Sara Cervino represented the applicant, and asked if the Final Plan was received.

Karen Rice, Clerk, stated that we received the Final Plan. The application was forwarded to the Onondaga County Planning Board for their review and recommendation who referred it back

stating that it was exempt though you are in the Ag Taxing Districts, they don't review subdivisions of less than four lots.

John Corey, Chairman, stated that at this point in time you have no other plans down the road.

Edward Coulter concurred stating not at this point in time.

Mr. Corey stated that there is a letter on file dated June 13, 2024, prepared by Al Yager Town Engineer, which will be made part of the public record, in part:

I have completed my review of the final plat for the above referenced minor subdivision prepared by Jeffrey J. Schultz, Land Surveying & Mapping, dated June 7, 2024. The plat as presented appears to meet all of the Town of Lysander Code requirements. I would not be opposed to the Planning Board approving the final plat at this time.

Karen stated that she has received an objection letter and supporting documentation from Daniel L. Cuff and Chelsea L. Clark, 783 Sprague Road and asked that it be made part of the public record.

June 3, 2024

**RE: CASE NO. 2024-002**

**Edward Coulter, 769 Sprague Road, Memphis NY 13112**

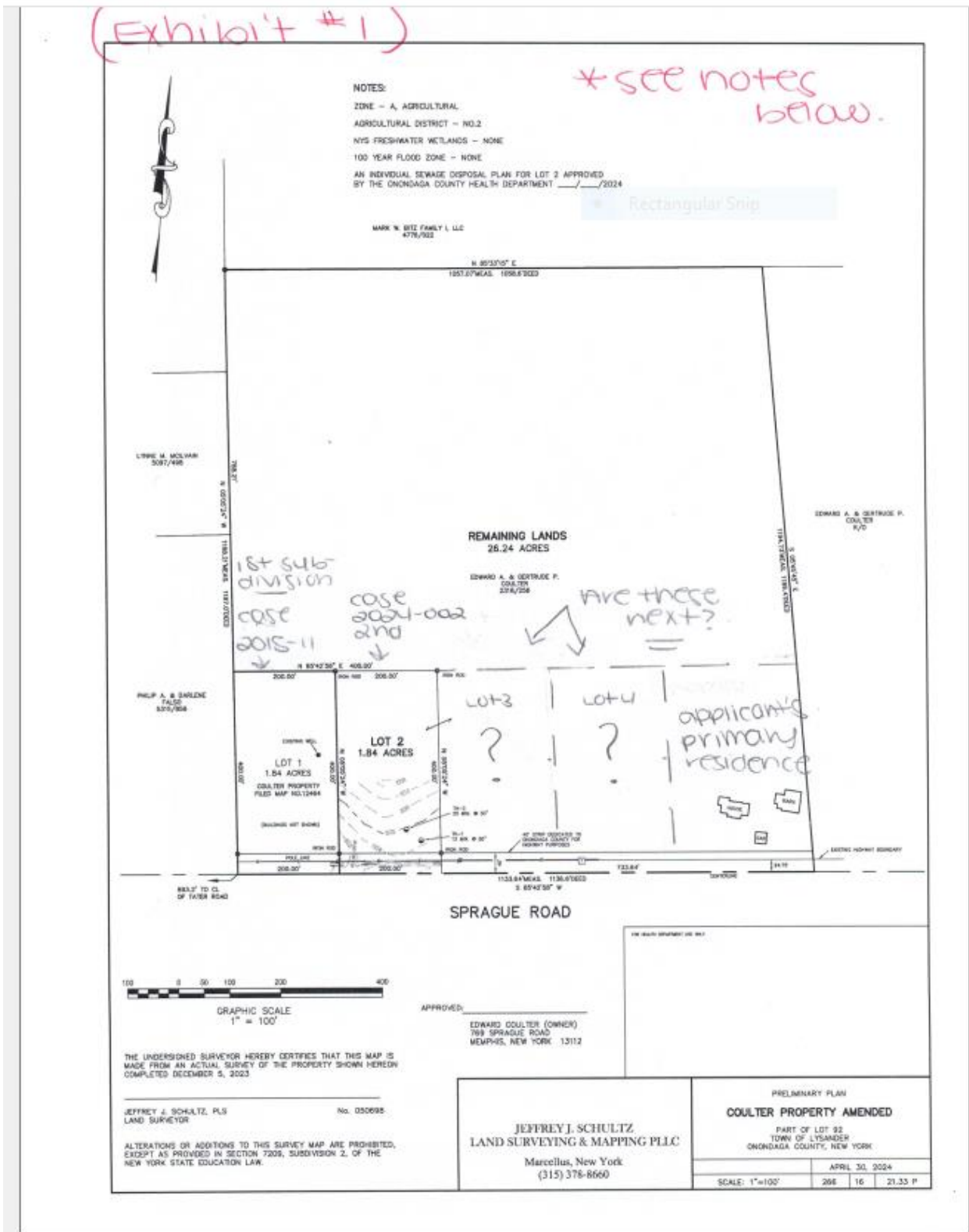
Lysander Planning Board, Town Board, Zoning Board,

**Please take this letter into consideration and for the record as we, Daniel Cuff, and Chelsea Clark, of 783 Sprague Road, Memphis NY 13112, are in strong opposition of the proposed subdivision for 769 Sprague Road, Tax Map No. 043-01-017.1 in Case No. 2024-002.**

The parcel is zoned Agricultural District 2, and a subdivision on this property has already been granted in Case No. 2015-11; to allow for a single-family residential dwelling (now 779 Sprague Road, Tax Map No. 043.-01-07.2 consisting of 1.84 acres; same acreage as requested in Case No. 2024-002) and sold to John & Jennifer Anderson. If this subdivision request is granted, this will create three single family homes; the owner/applicant's home, 779 Sprague Road (sold to the Anderson's by Mr. Coulter), and the proposed new single-family home, on what used to be one parcel. We question when the subdividing of this property will stop. His actions suggest he plans to continue to sell parcels of this size, for single-family homes.

See **Exhibit #1**, attached. We question that his intent is to create another two subdivisions in the future. The property owner is turning what is and has been a rural, agricultural area, into a suburban area by requesting yet another subdivision. Therefore, turning a light-residential area into a moderate residential area. We would like to see the integrity of the parcel remain as agricultural and not subdivided any further – keeping farmland preserved. Town code states preservation of farmland shall be of the highest priority, and with that, we agree.

Exhibit #1 (Below):



**Meeting Minutes from 9/17/2015**

**PUBLIC HEARING -- 7:00 p.m.**

**1. Minor Subdivision  
 Case No. 2015—011**

**Coulter, Edward  
 769 Sprague Road**

**The Public Hearing opened at 7:00 p.m.**

**Mike Connor, Applied Earth Technologies, represented the applicant stating that he owns approximately 30 acres on Sprague Road. He would like to subdivide out a 200' x 400' parcel to allow the construction of a single-family residence in the southwest corner of the property. The property is zoned Agricultural and is in an Agricultural Taxing District. Percolation tests have been performed with adequate results shown on the plan. The remnant piece contains his residence, out-buildings and is under agricultural.**

**The Public Hearing closed at 7:01 p.m.**

**II. OLD BUSINESS**

**1. Minor Subdivision  
Case No. 2015—011**

**Coulter, Edward  
769 Sprague Road**

***There is a letter on file from Al Yager, Town Engineer, dated September 17, 2015, that will be made part of the public record, in part:***

***I have completed my review of the proposed minor subdivision. Overall, it appears that the site conforms to all applicable Town Code requirements. I would have no objections to the Planning Board approving this minor subdivision at this time. The owner will need to obtain a driveway permit from the Highway Superintendent prior to starting construction of a driveway for Lot 1.***

***This application was forwarded to the Onondaga County Planning Board for their review and recommendation. Their recommendation will be made part of the Findings.***

***FINDINGS:***

***An environmental assessment indicates that this action will not result in any significant or adverse environmental impacts.***

***This action is consistent with the Town's Comprehensive Plan.***

***This action is consistent with the Town's current zoning ordinances.***

***This was forwarded to the Onondaga County Planning Board who made the following recommendation, in part: NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENTS:***

***1. Per the Onondaga County Department of Transportation, the Town and applicant is advised that access to Sprague Road for proposed Lot 1 will be determined by the availability of sight distance, and the applicant is required to obtain a permit for any proposed driveways and prior to any proposed work within a county road right-of-way.***

***2. The Board encourages the Town to carefully consider the potential long-term effects of subdividing road frontage lots within rural areas, including areas containing New York State Agricultural District properties and in farm/agricultural zoning districts, as it can have negative effects on agricultural viability, scenic viewsheds and habitats, and road safety and mobility. Gradual changes in area character can also lead to increased local government spending on infrastructure and service provision to new areas.***

***This action will cause no adverse effects on the public health, safety and welfare in the neighborhood or district.***

**RESOLUTION #2 -- Motion by Allen, Second by Kimball**

***RESOLVED, that a Public Hearing having been held and there being no findings or grounds for decision contrary to the laws and regulations of the Town of Lysander, County of Onondaga or State of New York, Final Plat approval for a two (2) lot subdivision application by Edward Coulter for property located at 769 Sprague Road, Memphis, New York, Part of Farm Lot No. 92 and Tax Map No. 043.-01-07, as shown on a made dated August 6, 2015, prepared by Stephen Sehnert, Licensed Land Surveyor, is hereby approved.***

**7 Ayes -- 0 Noes**

**RESOLUTION #3 -- Motion by Allen, Second by Lester**

**RESOLVED, that in granting a subdivision to Edward Coulter for property located at 769 Sprague Road, Memphis, New York, the Planning Board invokes its right to impose a fee of \$150.00 per lot for one (1) lot in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.**

**7 Ayes -- 0 Noes**

**State law states that the applicant shall file the final plat in the Onondaga County Clerk's office within sixty-two (62) days from the date of final approval or such approval shall expire. The applicant shall also file one copy of the final plat in the Lysander Clerk's office.**

**Mr. Connor thanked the board for their time.**



Department of Finance  
Office of Real Property  
Services



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Navigation GIS Map Tax Maps DTF Links Assessment Info

**Municipality of Town of Lysander**

SWIS: 313689 Tax ID: 043.-01-07.2

Property #:

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**Residential**

- Property Info
- Owner/Sales
- Inventory
- Improvements
- Report
- Comparables
- Download RP-5217 Form
- Download RP-5217 Editor
- Tax Info

**Click the button below to view/print tax bills, receipts and delinquent tax amounts.**

Tax Info

**Ownership Information**

Name	Secondary Name	Address
Anderson Income Only Trust		779 Sprague Rd Memphis NY 13112
John D Anderson		779 Sprague Rd Memphis NY 13112
Jennifer M Anderson		779 Sprague Rd Memphis NY 13112
Amanda Miner		6 Bright Oaks Dr Rochester NY 14624

**Photographs**

No Photo Available

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**Pictometry Connect**

**Maps**

- View Tax Map
- Pin Property on GIS Map
- View in Google Maps
- View in Bing Maps
- Map Disclaimer

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**Sale Information**

Sale Date	Price	Property Class	Arms Length	Sale Type	Prior Owner
4/11/2022	\$0	210 - 1 Family Res	No	Land & Building Deed Book	Anderson, John D Deed Page 16747
5/23/2019	\$35,000	311 - Res vac land	Yes	Land Only Deed Book	Coulter, Edward A Deed Page 19304
3/13/2019	\$0	311 - Res vac land	No	Land & Building Deed Book	Coulter, Edward A Deed Page 9840

Additional Parcels Involved in Sale: 043.-01-06.0 in Town of Lysander, 043.-01-07.1 in Town of Lysander

## Chapter 320. Zoning

### Article IX. Agricultural District

#### § 320-21. Structures and uses.

This district is intended for rural portions of the Town which are characterized by farms, extremely low density residential uses and preservation of open space. In accordance with the Town of Lysander Comprehensive Land Use Plan, preservation of farmland shall be of the highest priority. Properties within this district typically rely upon individual on-site systems for provision of essential water supply and septic disposal. Therefore, in order to ensure adequate separation of these essential systems and to prevent any undue burden upon the natural environment, the required minimum residential lot size is the largest within the Town. The large lot is furthermore intended to promote a separation of farms and unrelated residential uses to protect both activities from the potential adverse effects each has upon the other. The overall level of development within this district is encouraged to be maintained at a low intensity so that the cumulative effects of development are able to be absorbed within the existing unimproved conditions and facilities of the area.

- A. Uses permitted by right (with building permit, where required) shall be as follows:
- (1) Single-family dwelling on a permanent foundation and accessory uses and structures.
  - (2) Farm, with the following restrictions:
    - (a) No retail or commercial activity shall take place other than the storage, processing and sale of farm products predominantly produced by the farmer.
    - (b) The storage of manure shall not take place within 100 feet of the nearest lot line.
    - (c) No farm stock, horses or other animals other than household pets shall be kept in a building, any part of which is closer to the nearest lot line than 100 feet.
    - (d) Farms are exempt from § 320-22B.
  - (3) Seasonal produce stand.
- B. Uses permitted upon controlled site review (See Article XVII.) are as follows:
- (1) Two-family dwelling.
  - (2) Residential marina.
  - (3) Church.
  - (4) Utility substation.
  - (5) Public school.
  - (6) Farm stand.
- C. Uses permitted upon issuance of a special permit (See Article XVIII.) and a controlled site review (See Article XVII.) are as follows:

**Second Submittal from Daniel L. Cuff Chelsea L. Clark, 783 Sprague Road, Memphis, NY 13112:**

June 13, 2024

**RE: CASE NO. 2024-002**

**Edward Coulter**

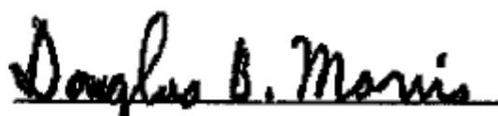
**769 Sprague Road, Memphis NY 13112**

Lysander Planning Board, Town Board, Zoning Board,

Kindly add the below to our previous letter of opposition (dated June 3, 2024) for the record and take into careful consideration how granting of the proposed subdivision to allow for another single-family residential home in a rural area **will** affect the characteristic of the neighborhood, turning a rural area and converting it into a suburban neighborhood. Please be reminded of the suggestion made by the Onondaga County Planning Board regarding the applicant's previous application for a subdivision to allow

for a one-family residential home on this property (in 2015), which was granted by the Town of Lysander.

2. The Board encourages the Town to carefully consider the potential long-term effects of subdividing road frontage lots within rural areas, including areas containing New York State Agricultural District properties and in farm/agricultural zoning districts, as it can have negative effects on agricultural viability, scenic viewsheds and habitats, and road safety and mobility. Gradual changes in area character can also lead to increased local government spending on infrastructure and service provision to new areas.



Douglas B. Morris, Chairman  
Onondaga County Planning Board  
Transmittal Date: 09-09-2015

**Daniel L. Cuff Chelsea L. Clark**, 783 Sprague Road, Memphis, NY 13112

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Planning Board members and their representatives received the correspondence on the days they were dated, June 3<sup>rd</sup> and June 13<sup>th</sup> 2024. Amelia McLean-Robertson, Planning Board Attorney, responded back with her determination, which will be made part of the Minutes after the fact.

Mr. Corey stated that Ms. McLean-Robertson confirmed that this subdivision meets all of the rules and regulations of the Ag District and under our Town Code, as pointed out by the Town Engineer, and is certainly a 'doable' application and project.

I agree with you that the applicant can develop the property as long as he follows the rules and regs. And, so long as his proposed subdivision would result in a conforming lot and wouldn't create a land-locked parcel it should be approved.

Additionally, the code already accounts for density concerns in §320-21 where it states "[...] the required minimum residential lot size is the largest within the Town. The large lot is furthermore intended to promote a separation of farms and unrelated residential uses to protect both activities from the potential adverse effects each has upon the other." Therefore, so long as the proposed lot conforms with the dimensional requirements for that district (and the proposed uses are allowed), the request, by default is consistent with the intention of the code and preservation of the character of the district.

The opponent doesn't have a right to "question" the applicant's plans for future subdivisions at this time based on the current application. Also, from the Town's perspective, the applicant would have a strong case against the Town should the subdivision be denied. The opponent does not have any legitimate cause of action should the subdivision be granted.

Mr. Corey stated that Ms. McLean Robertson confirmed that this subdivision meets all of the rules and regulations of the Ag District and under our Town Code, as pointed out by the Town Engineer, and is certainly a 'doable' application and project.

#### FINDINGS:

An environmental assessment indicates that this action will not result in any significant or adverse environmental impacts.

There is a letter on file from Al Yager, Town Engineer, dated June 13, 2024 that has been made part of the public record.

There is correspondence on file from Amelia McLean-Robertson, Planning Board Attorney, dated June 11, 2024 that will be made part of the public record.

This action is consistent with the Town's Comprehensive Plan.

This action is consistent with the Town's current zoning ordinances.

This action did not require referral to the Onondaga County Planning Board for their review and recommendation.

This action will cause no adverse effects on the public health, safety and welfare in the neighborhood or district.

**RESOLUTION # 1** -- Motion by Corey, Second by Kimball

RESOLVED, that a Public Hearing having been held and there being no findings or grounds for decision contrary to the laws and regulations of the Town of Lysander, County of Onondaga or State of New York, Final Plat approval for a two (2) lot subdivision application by Edward Coulter for property located at 769 Sprague Road, Memphis, New York, Part of Farm Lot No. 92 and Tax Map No. 043.-01-07.1, as shown on a map dated June 7, 2024, prepared by Jeffrey Schultz Land Surveying and Mapping, is hereby approved.

4 Ayes -- 0 Noes

**RESOLUTION #2** -- Motion by Corey, Second by Beachel

RESOLVED, that in granting a subdivision to Edward Coulter for property located at 769 Sprague Road, Memphis, New York, the Planning Board invokes its right to impose a fee of \$250.00 per lot for one (1) lot in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.

4 Ayes -- 0 Noes:

State law states that the applicant shall file the final plat in the Onondaga County Clerk's office within sixty-two (62) days from the date of final approval or such approval shall expire. The applicant shall also file one copy of the final plat in the Lysander Clerk's office.

Ms. Cerino and Mr. Coulter thanked the Board for their time.

2. Minor Subdivision	Abbott Revocable Trust
Case No. 2024—003	Doyle Road

Warren Abbott represented the family in their desire to subdivide a homestead and outbuildings consisting of 1.95 acres located at 3451 Doyle Road from approximately 44 acres. The home will be sold and the remaining land will remain under agriculture.

There is a letter on file prepared by Al Yager, Town Engineer, which will be made part of the public record, in part:

I have completed my review of the final plat for the Abbott, 3451 Doyle Road Minor Subdivision prepared by CNY Land Surveying, dated April 25<sup>th</sup>, 2024. The plat as presented appears to meet all of the Town of Lysander Code requirements. I would not be opposed to the Planning Board approving the Final Plat at this time.

**FINDINGS:**

An Environmental Assessment Form indicates that the proposed action will not result in any significant adverse environmental impacts.

There is a letter on file from Al Yager, Town Engineer, dated June 13, 2024 that has been made part of the public record.

This application did not require referral to the Onondaga County Planning Board for their review and recommendation.

This action is consistent with the Town's Comprehensive Plan.



This action is consistent with the Town's current Zoning Ordinances.

This action will cause no adverse effects on the public health, safety and welfare in the neighborhood or district.

**RESOLUTION #3** -- Motion by Corey, Second by Hunt

RESOLVED, that having reviewed the Minor Subdivision application of Warren Abbott, as defined on a map dated April 25, 2024, prepared by Douglas Reith, CNY Land Surveying, for property located at 3451 Doyle Road, Tax Map No. 071.-02-47.1, Baldwinsville, New York is hereby approved, with the following conditions.

4 Ayes -- 0 Noes

**RESOLUTION #4** -- Motion by Corey, Second by Kimball

RESOLVED, that in granting a subdivision to Warren Abbott, for property located at 3451 Doyle Road, Baldwinsville, New York, the Planning Board invokes its right to impose a fee of \$250.00 per lot for one (1) lot, in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.

0 Ayes -- 4 Noes

Fees in Lieu of Land for Public Use not assessed for parcel containing the cell tower or the remnant piece as it will remain under agriculture.

State law states that the applicant shall file the final plat in the Onondaga County Clerk's office within sixty-two (62) days from the date of final approval or such approval shall expire. The applicant shall also file one copy of the final plat in the Lysander Clerk's office.

Mr. Abbott thanked the Board for their time.

IV. **NEW BUSINESS**

- |                      |                                |
|----------------------|--------------------------------|
| 1. Minor Subdivision | Windsor Abbott Revocable Trust |
| Case No. 2022—009    | 7874 North Hayes Road          |

Warren Abbott represented the family stating that there is an approximate 6 acre parcel in the bend of N Hayes Road where the Town would like to locate a pump station there at some point in the future, so we show a location for that and we made the top two lots the minimum size for the zoning district with the bottom lot, the one with the easement for the pump station, has been made as large as possible to accommodate and home and the pump station. The lot has an interesting history as it used to belong to the parcel across the road and when we went with the former TDR (Transfer of Development Rights) program and came up empty the State subdivided and attached it to the lot that is on the same side of the road (Tax Map No. 064-03-29.1, consisting of approximately 73 acres. That's neither here nor there at this point.

Al Yager, Town Engineer, concurred that that is the proposed location of a future pump station. All of the lot widths should be fine...the length of the curve is 245 at the right-of-way line so even with the setbacks you should be over 200'. We'll just need the building setbacks added and the actual lot frontage at the building lines shown on the Final Plat. Other than that, we're ok.

**RESOLUTION #5** -- Motion by Corey, Second by Hunt

RESOLVED, That the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as Lead Agency for the Warren Abbott, 7484 N Hayes Road, Baldwinsville, New York Minor Subdivision application.

4 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, reviewed Part Two—Environmental Assessment, with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? N/A
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No
7. Will the proposed action impact existing:
  - a. public / private water supplies? No
  - b. public / private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health? No

**RESOLUTION #6** -- Motion by Corey, Second by Beachel

RESOLVED, that having reviewed the SEQR regulations, determined this is an **UNLISTED ACTION**, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the Warren Abbott 7484 N Hayes Road, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a **NEGATIVE DECLARATION**.

4 Ayes -- 0 Noes

**RESOLUTION #7** -- Motion by Corey, Second by Kimball

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Warren Abbott for a subdivision of property located at 7484 N Hayes Road, Baldwinsville, New York, Tax Map No. 064.-03-29.1, for a development of three (3) lots from a parcel of approximately 30 acres.

4 Ayes -- 0 Noes

Mr. Abbott thanked the Board for their time.

2. Minor Subdivision  
Case No. 2024—007

Windsor Abbott Revocable Trust  
Hicks Road  
Tax Map No. 071.-02-53.2 & 53.3

Warren Abbott represented the family stating that the Board previously approved a two-lot subdivision on this parcel. The dotted lines on the map show what was initially approved with a 60' access easement between the two parcels and the solid line shows the four (4) acre parcel we are proposing. A Church is interested in constructing a building on the parcel with the remnant piece remaining under agriculture. The parcel will be 200' x 400' to meet the four (4) acres they are looking for.

Al Yager, Town Engineer, further explained that the Board was trying to avoid multiple curb cuts along Hicks Road in that location, so we had them put a right-of-way strip between the two lots with two driveways coming out onto that strip and share access. The right-of-way could also provide access to the remaining property is ever developed. In this instance, if a Church is going there it's only going to have one driveway and it's probably a non-issue because you don't want a Church driveway going into a residential development per say. I don't know that the sixty-foot (60') right-of-way even needs to be shown on this map since there is plenty of frontage. The lot is in a slightly odd configuration (parallel or perpendicular to the road), but perpendicular is what is recommended in the Code. It's certainly an allowed use, it's certainly a conforming lot and it certainly limits the development potential of the area behind it because of the wetland that is there, but it conforms, that's the bottom line.

Mr. Abbott stated that he'd like to keep the right-of-way shown for future development.

Mr. Yager concurred stating that it's a good spot for it. It's far enough away from the intersection.

**RESOLUTION #8** -- Motion by Corey, Second by Kimball

RESOLVED, That the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as Lead Agency for the Warren Abbott, Abbott Revocable Trust, Hicks Road, Baldwinsville, New York Minor Subdivision application.

4 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, reviewed Part Two—Environmental Assessment, with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? N/A
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No
7. Will the proposed action impact existing:
  - a. public / private water supplies? No
  - b. public / private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health? No

**RESOLUTION #9** -- Motion by Corey, Second by Hunt

RESOLVED, that having reviewed the SEQR regulations, determined this is an **UNLISTED ACTION**, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the Warren Abbott, Abbott Revocable

Trust, Hicks Road, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a **NEGATIVE DECLARATION**.

4 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, reviewed Part Two—Environmental Assessment, with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? N/A
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No
7. Will the proposed action impact existing:
  - a. public / private water supplies? No
  - b. public / private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health? No

**RESOLUTION #10** -- Motion by Corey, Second by Kimball

RESOLVED, THAT A Public Hearing be held at a date and time designated by the secretary on the application of Warren Abbott, for a subdivision of property located at Hicks Road, Baldwinsville, New York Tax Map No. 071.-02-53, for a development of two (2) lots from a parcel of approximately 30.

4 Ayes -- 0 Noes:

Mr. Abbott thanked the Board for their time.

3. Minor Subdivision  
Case No. 2024—008

Hourigan, Nancy  
Plainville Road  
Tax Map No. 036.-03-02.2

Doug Reith, CNY Land Surveying represented the applicant stating that they were in a couple years ago with a subdivision of two lots, the homestead and the remaining 'farm'. The owners would like to cut a piece off along Plainville Road as they are no longer farming it. They have put in a new drive (indicating on plan) where access can be made to the back field. They want to subdivide 3+/- acres and sell it for residential purposes.

RESOLUTION #11 -- Motion by Corey, Second by Hunt

RESOLVED, That the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as **Lead Agency** for Nancy Hourigan, for property located at 7392 Plainville Road, Plainville, New York Minor Subdivision application.

4 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, reviewed Part Two—Environmental Assessment, with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? N/A
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No
7. Will the proposed action impact existing:
  - a. public / private water supplies? No
  - b. public / private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health? No

RESOLUTION #12 -- Motion by Corey, Second by Kimball

RESOLVED, that having reviewed the SEQR regulations, determined this is an **UNLISTED ACTION**, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the Nancy Hourigan, Plainville Road, Plainville, New York, Minor Subdivision application, the Planning Board issues a **NEGATIVE DECLARATION**.

4 Ayes -- 0 Noes

RESOLUTION #13 -- Motion by Corey, Second by Beachel

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Nancy Hourigan, for a subdivision of property located at Plainville Road, Plainville, New York, Tax Map No. 036.-03-02.2, for a development of two (2) lots from a parcel of approximately 49 acres.

4 Ayes -- 0 Noes

Mr. Reith thanked the Board for their time.

Tim Coyer, Ianuzi-Romans, represented the applicant stating that it's a five (5) acre parcel at the corner of River Road and Cramer. The property is zoned R-20 and NYSFD. There are existing structures and house at the northeast corner of the property, along the Seneca River. We're looking to carve off this 3.3-acre parcel that's actually at the corner of River and Cramer Road. The owner of the parcel, Zimmerman, wants to keep the corner piece at Cramer Road that has a sliver piece connecting to their property. Otherwise, the applicant is looking to purchase this piece right here (indicating on plan).

Al Yager, Town Engineer, questioned they portion they want to keep, noting that it would not be big enough to construct a home.

Mr. Coyer stated that they don't want to keep it to sell it or create another lot. They just want to keep it to control that corner there. They're kind of dictating what he's allowed to purchase and we have to kind of go with what they want to do.

Mr. Yager stated that it's not non-conforming, it's just a really odd shaped lot.

John Corey, Chairman, stated that there aren't many options.

Mr. Yager stated that they could put it into Lot 2.

Mr. Coyer stated that that's where we started but they don't want to do that.

Hugh Kimball questioned what it expected to be done with all of this.

Mr. Coyer stated that nothing at this time. The applicant is here, do you have anything to add?

Michael Carrow stated that he lives on Misty Cove Circle, I live right on the other side of Cramer Road. I'd like to put a hobby barn on the eastern border and leave the rest open. There are a lot of dead trees, I'm going to clean it up, but I don't have any other plans at this time.

**RESOLUTION #14** -- Motion by Corey, Second by Kimball

RESOLVED, That the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as **Lead Agency** for Michael Carrow, for property located at 8744 Cramer Road, Baldwinsville, New York Minor Subdivision application.

4 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, reviewed Part Two—Environmental Assessment, with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? N/A
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No

7. Will the proposed action impact existing:
  - a. public / private water supplies? No
  - b. public / private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health? No

RESOLUTION #15 -- Motion by Corey, Second Kimball

RESOLVED, that having reviewed the SEQR regulations, determined this is an **UNLISTED ACTION**, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the Michael Carrow, 8744 Cramer Road, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a **NEGATIVE DECLARATION**.

4 Ayes -- 0 Noes

RESOLUTION #16 -- Motion by Corey, Second by Beachel

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Michael Carrow, for a subdivision of property located at 8744 Cramer Road, Baldwinsville, New York, Tax Map No. 077.-01-23, for a development of two (2) lots from a parcel of approximately 5 acres.

4 Ayes -- 0 Noes

V. OTHER BUSINESS

- |                            |   |
|----------------------------|---|
| 1. Waive Hearing/Sign Plat | Highland Meadows<br>Lot Nos. 48, 49, 50, 51 & 54 Giddings Trail |
|----------------------------|---|

Al Yager, Town Engineer, stated that all is good. These are the lot lines that were previously approved in the Preliminary Plat. This is one of those situations where the Developer has piecemealed the Final Plats because the building process has been slow and he wants to avoid the taxes on a bunch of lots that are undeveloped.

Hugh Kimball stated that they've had a history of building them before we did this. These are basically empty lots.

Mr. Yager concurred stating that it is his understanding that they have buyers for them. They haven't dug the holes yet.

John Corey, Chairman, stated that he would doubt that he'd be here if he didn't have buyers knowing the way he has proceeded in the past.

Mr. Yager concurred stating that he believes this development will be built out soon after these lots are developed. There's only a few more throughout the development remaining.

RESOLUTION #17 -- Motion by Corey,. Second by Beachel

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat for the five (5) lot subdivision application of Highland Meadows Development, LLC, for property located at Highland Meadows, Phase 3J, Lots 48, 49, 50, 51 & 54 Giddings Trail, Part of Farm Lots No. 78 & 79, Part of Tax Map Number 049.2-03-06.4 and finding that all modifications and

conditions have been met; and that the Final Plat is consistent with the approved Preliminary Plat; and that any differences found are not significant; the Board authorizes the Chairperson to waive the Final Plat Public Hearing and sign the Final Plat.

4 Ayes -- 0 Noes:

- |                            |   |
|----------------------------|---|
| 2. Waive Hearing/Sign Plat | Whispering Oaks, Section 4<br>Lots 1 ~ 8 and 31 ~ 35 Rubicon Road |
|----------------------------|---|

Hugh Kimball stated that after Karen added this item to the development he took a drive over there and found an awful lot of grading that needs to be done. There's a lot of extra dirt up on the high part. There was one cellar already put in. Behind it it's like a drop off. The whole area from Lots 3 to 8 seems to have quite a drop off but I don't know...what I was looking at, how far back the property line actually went. So, I have some concerns as to what's going to happen and why did they put it in a cellar before they did their grading.

Al Yager, Town Engineer, stated that all of those lots are 'fill' lots. All of those lots need fill behind the houses. All of those lots will also probably have walk-out basements. There is some cut on the lots on the high side that needs to occur and that fill needs to be brought down to the low side. This is not uncommon with subdivisions for them to have to move dirt as they are developing and building houses...and they may need to import some dirt on this, Lots 5 through 8.

Mr. Kimball questioned why the Town lets them start to put in basements before some of that is done.

Mr. Yager stated that our Code allows for two homes to start construction on a subdivision with Preliminary Plat approval.

Mr. Kimball stated that the other concern he has is he can see some houses down below this...is there going to be any kind of flooding problem.

Mr. Yager stated that there is a cut-off swale that needs to be constructed as well. It's on the punch-list for the developer before we take dedication of the roads and utilities.

Mr. Kimball stated that you're aware of it, you're watching it and you're going to keep something from bad happening.

Mr. Yager concurred. My understanding is he has seven of the eleven lots sold. He has builders that are anxious to get started, so he's pushing his site development contractor to finish up the grading so they can post the securities and get dedication of the roads and utilities. He's pushing to have it on the next Town Board meeting agenda, but it may not be until July. The Chairman will not sign these maps until after that takes place.

Mr. Corey stated that this is consistent with the Preliminary Plat with no changes with Mr. Yager concurring.

**RESOLUTION #18** -- Motion by Corey, Second by Kimball

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat for the twelve (12) lot subdivision application of Cabbage Patch Partners for property located at Whispering Oaks, Section 4, Phase III, Lots 1 through 8 and Lots 31 through 35, Rubicon Road, Part of Farm Lot No. 78 and Part of Tax Map Number 049.1-05-01.0 and finding that all modifications and conditions have been met and that the Final Plat is consistent with the approved Preliminary Plat and that any differences found are not significant; the Board authorizes the Chairperson to waive the Final Plat Public Hearing and sign the Final Plat with the following conditions:

- 1) The Town Board takes dedication of the roads and utilities.

4 Ayes -- 0 Noes



VI. ADJOURN

RESOLUTION # 19 -- Motion by Corey, Second by Hunt

RESOLVED, that the June 13, 2024 regular Town of Lysander Planning Board adjourn at 8:02 p.m.

4 Ayes -- 0 Noes