

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 Loop Road  
Thursday, July 11, 2024 7:00 p.m.

The regular meeting of the Lysander Planning Board was held Thursday, July 11, 2024 at 7:30 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

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

**OTHERS PRESENT:** Al Yager, Town Engineer; Barbara Raymond-LaPrease; Joe Viau; Joe Emmi; Dough Reith CNY Land Surveying; Fred Allen; Warren Abbott; Therres Carbone; Robert Weichert; Christian Dorn; Steve Szlamczynski; Mike Carrow; Pete Hansen; Emmet Simpson; Barb Holdridge; Alcie Kinsella; Mike Whalen and Karen Rice, Clerk to the Planning Board

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

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

1. Minor Subdivision  
Case No. 2024—009 Windsor Abbott Revocable Trust  
7874 North Hayes Road

John Corey, Chairman, opened the Public Hearing at 7:00 p.m. asking if there was anyone present to speak in favor or against this proposal. There being no one the Public Hearing closed at 7:01 p.m.

PUBLIC HEARING -- 7:05 p.m.

2. Minor Subdivision  
Case No. 2024—007 Windsor Abbott Revocable Trust  
Hicks Road  
Tax Map No. 071.-02-53.2 & 53.3

John Corey, Chairman, opened the Public Hearing at 7:02 p.m. asking if there was anyone present to speak in favor or against this proposal. There being no one the Public Hearing closed at 7:03 p.m.

PUBLIC HEARING -- 7:10 p.m.

3. Minor Subdivision  
Case No. 2024—008 Hourigan, Nancy  
Plainville Road  
Tax Map No. 036.-03-02.2

John Corey, Chairman, opened the Public Hearing at 7:03 p.m. asking if there was anyone present to speak in favor or against this proposal.

Robert Weichert, Sunset Terrace, stated that Hourigan is a neighbor to him on the Plainville/Lysander Road and that he owns 100 acres to the north of them. I'd like to know a little bit more about where this subdivision takes place as they have a big farm next to him and I'd like to know what he wants to subdivide.

Al Yager, Town Engineer, stated that they are proposing one new lot south of the existing (former Loop) house on Plainville Road. It's not near your border. The Town notifies property owners within 300' per the Town Code.

Mr. Weichert stated that he doesn't have any disagreement with it. Ultimately, that whole area will be developed; it's going fast. They won't get my farm but they may get theirs. Mr. Weichert thanked the Board for their time.

Theresa Carbone, Plainville Road, stated that because of Mr. Weichert's comment, which means that they might be developing more...that means across the street from me the



property but we still own the easement, at such time we can turn that over to Ken (Raymond) and his team. The top two lots are the minimum size of 80,000 square feet. We did that to give the lot that is going to have the pump station as much space as possible.

Mr. Darcangelo questioned the location of the pump station with Mr. Abbott stating right close to the creek which is your low point and from here (indicating on plan) it heads to the river and here (again indicating on plan) to the Waste Treatment Plant.

There is a letter on file prepared by Al Yager, Town Engineer, dated July 11, 2024 that will be modified and made part of the public record, in part:

*I have completed my review of the Final Plat for the Windsor Abbott Revocable Trust, North Hayes Road Minor Subdivision application, prepared by CNY Land Surveying, dated May 22, 2024. As presented the plat does not include the lot requirements in the AR-40 Zone. All other requirements of the Town Code appear to have been met. I would not be opposed to the Planning Board approving the final plat contingent on a revised map being presented that includes the lot requirements in the AR-40 Zoning District.*

Mr. Yager stated that the portion of the letter dealing with the Sanitary Sewer Easement has been removed because it is being addressed and asked that a copy of the actual easement agreement be given to the Town.

Mr. Abbott concurred.

The application was forwarded to the Onondaga County Planning Board for their review and recommendation, whose findings will be made part of the public record, in part:

Recommendation:

- The filed Subdivision Plan must include applicable information to verify the viability of the proposed parcels as buildable lots, including building setbacks, driveway access, wells and septic or sewer system including required separation thereof, as well as any waterbodies, delineated wetlands/buffers or other natural features of significant on the site.
- The applicant must coordinate North Hayes Road access plans with the Onondaga County Department of Transportation prior to municipal approval of the subdivision to ensure the proposed lots meet minimum sight distance requirements.
- The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve a sewage disposal plan for the proposed lot prior to Department endorsement of the subdivision.

Mr. Yager stated that those items will be added as conditions as well, correct Jack?

Mr. Corey concurred stating that we will have four conditions total.

Mr. Darcangelo reiterated that we're going to consider approval with four of those conditions as opposed to receiving them prior to approval.

Mr. Yager stated that the Board can withhold approval and ask for a revised map to be presented publicly or approved now.

Mr. Corey stated that if we approve now with those conditions, he can't proceed until they are met.

Mr. Darcangelo stated that the last item sounded like a recommendation but the other two are mandatory?

Mr. Yager stated that they're all modifications, all required.

Doug Reith, CNY Land Surveying, stated that the interesting thing about the sanitary... we can't file the plat until the Health Department signs off, so what they're asking for is kind of silly because you've got to go through the Health Department anyway to file the plat. So, I'm not sure who in the County is coming up with some of these requests, I'm thinking they aren't sure what they're doing yet with how things are changing down there.

Mr. Darcangelo stated that it looks like you're going to have a hard time with Lot 2; the speed limit is what?

Mr. Yager...45 mph there. I think they're ok, there's no trees or obstructions and the building setback line is not going to allow a home to be constructed to block the line of sight so you should be fine. I don't anticipate a sight distance issue, but the County will act on that. Perhaps a letter to them to review and provide a letter back stating that all lots will be provided access.

Mr. Darcangelo reiterated that before anything is signed they would have to identify where the driveway curb cuts are going to be, sight distance approval...

Mr. Yager concurred and added show where a septic system is going to be, show the well location so that it can meet the County Health Department's setback requirements; any wetlands that are mapped and the building envelope.

Mr. Abbott stated that Plumley is almost done with the septic plans.

Karen stated that normally that is done at the building permit process, why are they conditioning it now?

Mr. Yager stated that it's their new thing apparently.

Mr. Abbott...their prerogative.

Mr. Yager concurred but added that there have been changes in the Health Department as well.

Mr. Abbott stated that if they don't care where the driveways are there will probably just be a letter stating so, but if they care they will delineate them. Also, they mentioned wells, but there's public water there.

Mr. Corey sounds like Modifications that fit a number of applications and is written in general 'boiler plate' to cover all aspects.

Karen stated that you're going to see that on the next application as well.

#### 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 July 11, 2024 that has been made part of the public record.

This application was forwarded to the Onondaga County Planning Board for Administrative Review and recommendation, which has been 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 will cause no adverse effects on the public health, safety and welfare in the neighborhood or district.

#### RESOLUTION #2 -- Motion by Corey, Second by Hunt

RESOLVED, that having reviewed the Minor Subdivision application of Warren Abbott, as defined on a map dated May 22, 2024, prepared by Doug Reith, CNY Land Surveying, for property located at 7484 N Hayes Road, Tax Map No. 064.-03-29.1, Baldwinsville, New York is hereby approved, with the following conditions:

- 1) The filed Subdivision Plan must include applicable information to verify the viability of the proposed parcels as buildable lots, including building setbacks, driveway access, wells and septic or sewer system including required separation thereof, as well as any waterbodies, delineated wetlands/buffers or other natural features of significant on the site.
- 2) The applicant must coordinate North Hayes Road access plans with the Onondaga County Department of Transportation prior to municipal approval of the subdivision to ensure the proposed lots meet minimum sight distance requirements.

3) The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve a sewage disposal plan for the proposed lot prior to Department endorsement of the subdivision.

4) All items identified in the July 11, 2024 engineering review letter prepared by Al Yager, Town Engineer, be met.

5 Ayes -- 0 Noes

RESOLUTION #3 -- Motion by Corey, Second by Kimball

RESOLVED, that in granting a subdivision to Warren Abbott, for property located at 7484 N Hayes Road, Baldwinsville, New York, the Planning Board invokes its right to impose a fee of \$250.00 per lot for three (3) lots, in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.

5 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.

All fees associated with the application have been paid.

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 Abbott family stating that there were two (2) lots approved previously by this board that showed an easement going down through the middle of the two lots to serve as access to both lots and any future development on the remnant piece. We're combining the lots to one large four (4) acre lot and rearranging that future 'usage' easement to the south. The proposed lot will be located 200 feet from the north property line. You can see what was approved last year identified with dotted lines.

Steve Darcangelo questioned if the previous subdivision map was filed.

Mr. Abbott stated that it was, this map will be filed as an Amendment to that subdivision, with the same name.

Mr. Darcangelo questioned if the cell tower was on a piece of leased land.

Mr. Abbott concurred stating that that the request was made during the last subdivision, to provide 200' of road frontage so that it would meet Code if it became its own lot.

Mr. Darcangelo questioned the frontage requirement.

Karen Rice, Clerk, stated 150' in the AR-40 District and an additional 50' per the Highway Overlay Controls because it's a Collector Road.

Mr. Abbott stated that's because Hicks Road is a busier road they make the distance larger because they want less driveways.

There is a letter on file from Al Yager, Town Engineer, dated July 11, 2024 that will be read into the public record, in part:

*I have completed my review of the Final Plat for the Windsor Abbott Revocable Trust, Hicks Road, Minor Subdivision, prepared by CNY Land Surveying, dated May 22, 2024. As presented the plat does not include the lot requirements in the AR-40 Zone. All other requirements of the Town Code appear to have been met. I would not be opposed to the Planning Board approving the Final Plat contingent on a revised map being presented that includes the lot requirements in the AR-40 Zoning District.*

The application was forwarded to the Onondaga County Planning Board for their review and recommendation, whose findings will be made part of the public record, in part:

Recommendation:

- The filed Subdivision Plan must include applicable information to verify the viability of the proposed parcels as buildable lots, including building setbacks, driveway access, wells and septic or sewer system including required separation thereof, as well as any waterbodies, delineated wetlands/buffers or other natural features of significant on the site.
- The applicant must coordinate North Hayes Road access plans with the Onondaga County Department of Transportation prior to municipal approval of the subdivision to ensure the proposed lots meet minimum sight distance requirements.
- The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve a sewage disposal plan for the proposed lot prior to Department endorsement of the subdivision.

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 July 11, 2024 that has been made part of the public record.

This application was forwarded to the Onondaga County Planning Board for Administrative Review and recommendation, which has been 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 will cause no adverse effects on the public health, safety and welfare in the neighborhood or district.

RESOLUTION #4 – Motion by Corey, Second by Kimball

RESOLVED, that having reviewed the Minor Subdivision application of Warren Abbott, as defined on a map dated May 22, 2024, prepared by Doug Reith, CNY Land Surveying, for property located at Hicks Road, Tax Map No. 071.-02-53, Baldwinsville, New York is hereby approved, with the following conditions:

1. The filed Subdivision Plan must include applicable information to verify the viability of the proposed parcels as buildable lots, including building setbacks, driveway access, wells and septic or sewer system including required separation thereof, as well as any waterbodies, delineated wetlands/buffers or other natural features of significant on the site.
2. The applicant must coordinate North Hayes Road access plans with the Onondaga County Department of Transportation prior to municipal approval of the subdivision to ensure the proposed lots meet minimum sight distance requirements.
3. The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve a sewage disposal plan for the proposed lot prior to Department endorsement of the subdivision.
4. All items identified in the July 11, 2024 engineering review letter prepared by Al Yager, Town Engineer, be met.

DISCUSSION:

Mr. Darcangelo questioned the 30' easement along the frontage of Hicks Road.

Karen stated that it's an old conservation easement...

Mr. Abbott stated that that was drawn on there from the Transfer of Development Rights Program that the Town never voted on. It never happened but it's still on the maps that were filed. We haven't decided to spend the money to pull those off of there.

Mr. Darcangelo questioned who the easement is granted to with Mr. Abbott stating nobody, it never happened, they don't exist. The Town never voted on it. It's on the filed map, not on the deed.

Doug Reith, CNY Land Surveyor, stated that theoretically you could probably take it off because there is no deed for it; but the record is on the filed map, so it's kind of like what kind of liability do I want? I'd rather leave it so, if they came back.

5 Ayes -- 0 Noes

RESOLUTION #5 -- Motion by Corey, Second by Beachel

RESOLVED, that in granting a subdivision to Warren Abbott, for property located at Hicks Road, Baldwinsville, New York, the Planning Board invokes its right to impose a fee of \$250.00 per lot for two (2) lots, in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.

Fees in Lieu of Land for Public Use have not been assessed as it was paid under the previous application.

0 Ayes -- 5 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. Kimball questioned the 62 days from the date of final approval.

Mr. Yager stated that that's the date from when Jack signs the map.

Karen stated that they have 62 days from that date to get the map filed.

Mr. Abbott thanked the Board for their time.

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 here about 1 ½ years ago with a two-lot subdivision for this property. It was all of what's labeled 1A and Lot 3 with Lot 2 being the other original lot (indicating on plan). We are now coming back to cut out Lot 3, which is three acres. There's no water or sewer available; they'll have to have a septic system, which is in process now, and a well. There's not a problem with sight distance, you can see the required distance both ways. There is an existing driveway, but I'm not sure County will accept it. It's the farm entrance into the field. They may want it moved. We'll deal with that with the County.

Mr. Darcangelo questioned what the dotted lines are hat are shown.

Mr. Reith stated that they are former lot lines from way back.

Gentleman: questioned if there was an opportunity for anyone to ask questions and a discussion session.

John Corey, Chairman, stated that we already held the Public Hearing a half hour ago, were you here?

Mr. Simpson stated that he was not here a half hour ago, but the 'docket' said the Hearing was to be held at 7:10 p.m. and I was here by then.

Member of the Public: Our letter said 7:10, not 7:00.

Mr. Corey stated that we assume there's going to be some discussion, but sometimes there isn't so we don't just sit for ten minutes and move on to the next one.

Member of the Public: So why not put that on the letter, meeting at 7:00 instead of 7:10. This gentleman expected to be able to come here at 7:10 and speak, he was here on time and never had the opportunity to speak.

Mr. Corey stated that he'd like the Town Engineer's letter and County's Findings to be read into the record before further comments.

There is a letter on file prepared by Al Yager, Town Engineer, dated July 11, 2024 that will be read into the record, in part:

*I have completed my review of the Final Plat for the Hourigan, Plainville Road, Minor Subdivision, prepared by CNY Land Surveying, dated May 4, 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.*

This application was referred to the Onondaga County Planning Board for their review and recommendation who indicated that this application is EXEMPT because it was less than a 3-lot subdivision and did not require review.

Emmet Simpson, Plainville Road, across the street on the southern end of the proposed lot and my only concern is that the location of the driveway not be put in front of other buildings so that it's not shining lights into people's homes at night if that's a possible consideration to be taken for that.

Mr. Reith stated that he believes that would come under the Site Plan, it doesn't really have anything to do with the subdivision it would be when they apply to build a house. The Codes Office would have to deal with that.

Mr. Simpson questioned who we would contact to let them know that that is a concern.

Mr. Yager stated that Karen will note that that is a concern in the Minutes and the Minutes will be forwarded to the Code Enforcement Officer who will be reviewing the Site Plan for any new home that is constructed there. Tim Wolsey, Code Enforcement Officer, will review the map/survey and the Minutes from the Public Hearing prior to issuing the Building Permit.

Mr. Simpson stated that his other concern is that he received the letter on Monday and if he was on vacation this week he wouldn't even know about this meeting. Maybe consider giving sooner notification letting people know about the meeting in case they are away.

Karen stated that Legal Notices go into the newspaper ten days prior to the Public Hearing and it's posted on the Town's website [www.townoflysander.org](http://www.townoflysander.org). It's only a courtesy that we send letters out to property owners.

Mr. Simpson: So, you just find out when they start breaking ground, is that how it can work sometimes? I appreciate the letter but...

Mr. Yager stated that you can't break ground until the subdivision is approved, but quite frankly if somebody had bought the whole 41 acres there wouldn't have been any Public Hearing, there wouldn't have been anything, somebody would have just been able to build a house with a building permit application.

Mr. Simpson states that he's learning and appreciates it.

Steve Darcangelo stated that you might want to check the Code because quite honestly there's residential parcels all along the front. Inevitably there's going to be a driveway entrance that is opposite a residential home. We're not here to tell you that what your concern is not going to happen...

Mr. Yager added that the bottom line is there is no restriction in the Code, as long as it meets the sight distance requirement and they are issued a permit from the Onondaga County Department of Transportation for the curb cut.

Mr. Simpson reiterated that they could do it as a courtesy or they can do whatever they want.

Mr. Yager concurred.

Mr. Simpson thanked the Board for taking the extra time.

Barb Holdridge, Plainville Road, stated that she was also here at 7:10 p.m., so I guess I was a little late for this Nancy Hourigan Hearing... where do we find out where the easement will be? We live on the adjacent farm. Where's the run-off going to be.

Mr. Reith stated that it's the same coming off of the property as it is now. It's not going to change from what's there, depending on what they're going to build on there. If it's a McMansion they



may be required to do something, but again, that will be part of the Site Plan when they apply for the building permit.

Mr. Simpson questioned how the farm equipment is now going to access the lot.

Mr. Reith stated that they have access off of Tater Road.

#### 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.

There is a letter on file prepared by Al Yager, Town Engineer, dated July 11, 2024 that has been made part of the public record.

This action has been referred to the Onondaga County Planning Board for their recommendation, which has been made part of the public record.

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

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

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 one (1) lot subdivision by Nancy Hourigan, for property located at Plainville Road, Memphis, New York, Tax Map No 036.-03-02.2, as shown on a map dated May 24, 2024, prepared by Douglas Reith, CNY Land Surveying, is hereby approved.

5 Ayes -- 0 Noes

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

RESOLVED, that in granting a subdivision to Nancy Hourigan, for property located at Plainville Road, Memphis, New York, Tax Map No. 036-03-02.2, 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.

5 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. Reith thanked the Board for their time.

*Mr. Corey addressed the audience stating for the public's information, he understands the confusion and suggested not putting 'times' on Public Hearings in the future.*

*Karen stated that normally you open the Public Hearing, the applicant and/or his representative get up and present the application, then you open it to the floor for the public to ask their questions and voice their concerns, so it normally takes a good five minutes, most times longer. This is the way it has been done for longer than I have been here, but if we can change it we will.*

3. Minor Subdivision  
Case No. 2024—009  
Zimmerman, Michael & Sharon  
8744 Cramer Road

Tim Coyer, Januzi-Romans, stated that this application is for a two-lot subdivision on Cramer and River Road, along the Seneca River. This property is 'mostly' zoned R-20 with a portion in the NYSFED. It's a five-acre piece with an existing house and out-buildings. We are looking to carve out a 3.3 acres lot that fronts on Cramer Road. Pretty straight forward, pretty basic, if there are any questions I'd love to answer the.

Steve Darcangelo questioned the odd configuration of the corner piece that looks like a corridor from the corner parcel to the remnant piece.

Mr. Coyer stated that the current property owner wants to keep and control the corner, for whatever reason, there's not enough room to build or do anything with it but for whatever reason wanted to keep it.

Alice Kinsella, Cramer Road, questioned what is going to be built on this site.

Michael Carrow stated that he's going to out a barn on it, a hobby barn. I own a house directly across the street, on the south side of Cramer Road, on Misty Cove, so my backyard backs right up to that property. I'll have a very residential looking barn on the other side of my backyard. There are no other plans for the property at this time.

Ms. Kinsella questioned how large a building was with Mr. Carrow stating probably 60' x 40', somewhere in that range.

Ms. Kinsella... so you might develop something.

Mr. Carrow stated that he plans on living in the Misty Cove home for as long as he can, but some day I might want to build a ranch or one-floor home next to the barn. I have no further plans at this time.

Mr. Darcangelo stated that he will express that he doesn't care much for that little corridor and that little piece and if there's anyway that it's against the Code he will vote against it. This 'stuff' becomes a problem down the road.

Mr. Coyer stated that he doesn't believe it's against the Code, it is a little weird, but the property owner wouldn't let us do it. The current property owner is dictating what he keeps and what he sells, so the current owner is dictating where the property line goes and he asked to do just that. I don't disagree with you, but...

Mr. Darcangelo stated that it will be someone's headache in the future, it's just bad practice.

Mr. Carrow stated that the current owner feels that he has some control over the road with that corner piece. Tim explained to us that you can't just carve out a lot that size because it wouldn't be to Code, so the only way to allow him to keep it and comply that's why that corridor is there. We did attempt to go down that road, I really didn't care if I had the whole 3 ½ acres or not, but he would only sell it one way and this is how he wanted to sell it.

Mr. Darcangelo... so if he made that corner lot the way that it is right now there's nothing he can do.

Al Yager, Town Engineer, concurred stating that it would have to be 20,000 square feet.

Karen Rice, Clerk, stated that he can't even get an out-building on it, it won't meet the setbacks.

Mr. Yager concurred stating that there's no way you can build anything on it. It's just going to be greenspace I guess.

Mr. Darcangelo questioned who was requesting the subdivision of Lot 1.

Karen stated that Mr. Carrow is acting on behalf of the owner. The Zimmermann's initially wanted a four (4) lot subdivision at one point in time, several years ago.

Mr. Coyer concurred stating that with that lot line there (indicating on plan) it actually hinders that corner even more. If we move that lot line and get rid of it that rear yard setback is no longer applicable and you only have a 30' front yard setback so you could in theory build something at that corner if you don't have that property line. The property owner doesn't want to do anything there. He wants to keep it greenspace forever.

Mr. Yager stated that he agrees with Mr. Darcangelo with regard to the remnant piece's configuration and having scoured the Code to see if there was anything that would hang him up, and there just isn't anything. It's a conforming lot in that he has enough frontage on the right-of-way.

Mr. Darcangelo questioned the 4 to 1 ratio.

Karen stated that both lots meet the 4 to 1 ratio.

Mr. Yager concurred. It's a conforming lot. It's a very odd configuration. I've never seen anything quite like it in my career and asked Mr. Coyer if he has?

Mr. Coyer stated that he has seen it one or two other times, but it's very odd; I try to not do it. I told Mr. Carrow I didn't think this configuration would go very well, but the owner said he absolutely wanted it like this so we put it like this.

Mr. Darcangelo stated that things can happen... maybe this property will get neglected and not mowed. It then becomes a problem for the Code Enforcement Officer. He's going to want to do something with it in the future because it's sitting out there questioning why nothing can be built on it, request a variance, etc... This is the Planning Board and this is poor planning but it's permitted. That's all.

Mr. Yager stated that the reality is by today's standards, none of these lots down by the river would be developed.

There is a letter on file prepared by Al Yager, Town Engineer, dated July 11, 2024 that will be read into the record, in part:

*I have completed my review of the Final Plat for the Zimmerman/Carrow, Cramer Road, Minor Subdivision, prepared by Ianuzi-Romans Land Surveying, dated April 30, 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 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.

There is a letter on file prepared by Al Yager, Town Engineer, dated July 11, 2024 that has been made part of the public record.

This action did not meet the criteria for referral to the Onondaga County Planning Board because it's less than three (3) lots.

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

#### RESOLUTION #8 -- Motion by Corey, Second by Darcangelo

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 by Michael Carrow, on behalf of Michael an Sharon Zimmerman, for property located at 8744 Cramer Road, Baldwinsville, New York, Tax Map No 077.-01-23., as shown on a map dated April 30, 2024, prepared by Ianuzi-Romans, Land Surveying, is hereby approved

5 Ayes -- 0 Noes

#### RESOLUTION #9 -- Motion by Corey, Second by Kimball

RESOLVED, that in granting a subdivision to Michael Carrow, for property located at 8744 Cramer Road, Baldwinsville, New York, Tax Map No. 077.-01-23, 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.

5 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.

#### IV. NEW BUSINESS

1. Information Only                      Emmi, Marc  
Minor Subdivision                      1470 W Genesee Road

Joe Emmi represented his brother Marc stating that he'd like to subdivide out a residential building lot on the family farm on New York State Route 370/West Genesee Road down by the river.

Karen Rice, Clerk, stated that since we don't allow flag lots they want to come in off of South Ivy Trail. Al Yager, Town Engineer, did a quick review today and has some comments.

Mr. Emmi stated that his brother Tony lives at the end of South Ivy. Marc would come through the farm property to get to his parcel.

Steve Darcangelo questioned who owns the easement?

Mr. Yager stated that it's not there. As presented it's not an approvable subdivision. You could ask for a variance, which I don't think would be granted or you can construct a public road to Town Standards and provide a cul de sac dedicated to the Town, but other than that there's not really a way to approve that as presented. It would be an expensive operation.

Mr. Emmi stated that he'll let him know... there are partners involved here so we're all involved in whether he subdivides or not.

Hugh Kimball questioned an allowable area for a septic system being so close to the river...

John Corey, Chairman, added... and the Flowage Easement.

Karen stated that it's the whole flag lot situation where 200' of lot width is required at the building line. Tony's house was built when flag lots were allowed but he accesses off of South Ivy. The Hafner's built their homes east of this parcel when flag lots were allowed.

Mr. Yager stated that you could run a 200' strip out to 370.

Karen stated that he only needs 200' at the building line, the rest could be a driveway to this parcel and they can continue to farm it.

Mr. Yager concurred stating that you could get creative, I don't necessarily like it when people get creative, but...

Mr. Emmi stated that he will have his brother contact the Engineer to explain his options because I don't think this is going to work.

Mr. Yager stated that he can let him know the sections of the Code he's up against.

Mr. Emmi thanked the Board for their time.

2. Major Subdivision                      Timber Banks  
Phase 4, Section 10, 44 Lots

This item will be tabled until such time that the applicant files a complete application with full-sized drawings.

Woman in the audience concerned about the development of an additional 44 lots and questioned when it was going to end.

John Corey, Chairman, stated that for the purposes of the Planning Board we don't have the material that we need to schedule a Public Hearing. This item will be tabled until such time that we have what we need.

V. ADJOURN

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

RESOLVED, that the July 11, 2024 regular Planning Board meeting adjourned at 8:07 p.m.

Respectfully submitted,

Karen Rice, Clerk