

TOWN OF LYSANDER
PLANNING Board meeting
8220 LOOP ROAD Thursday,
September 12, 2024 @ 7:00 p.m.

The regular meeting of the Town of Lysander Planning Board was held Thursday, September 12, 2024 at 7:00 p.m. at the Lysander Town Building, 8220 Lock Street, Baldwinsville, New York.

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

OTHERS PRESENT: Al Yager, Town Engineer; Ed Schmitt; Barbara Raymond; Cindy Woods; Len Woods; Mike Bartoszewski; Mike Chura and Karen Rice, Clerk

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

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

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| 1. Minor Subdivision | Bartoszewski, Michael |
| Case No. 2024—0012 | 8188 Dog Harbor Road |

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

Mike Bartoszewski owns approximately 105 acres and would like to subdivide the house and three acres from it for Estate purposes. The remnant piece will remain under agriculture.

There being no comments from the public the Public Hearing closed at 7:01 p.m.

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| 2. Major Subdivision | Timber Banks |
| | Phase 4, Section 10, 44 Lots |
| | Forest Ridge Lane |

Review of the Short Environmental Assessment will be performed prior to opening the Public Hearing.

Steve Darcangelo stated that if he's not mistaken there was a question as to whether or not a SEQR was required as it was done on the overall subdivision.

John Corey, Chairman, concurred stating that we had a great deal of discussion with the engineer and attorney and we do not feel that we need to repeat the Long EAF because the original one covered everything. After review of all of the documentation our attorney indicated that she would prefer that we at least review a Short Form SEQR and not repeat the Long Form.

RESOLUTION #1 -- Motion by Corey, Second by Darcangelo

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 Timber Banks, Phase 4, Section 10, 44 lots on Forest Ridge Lane, Baldwinsville, New York Major Subdivision application.

5 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

Mr. Corey questioned if an update was done on traffic with Al Yager, Town Engineer stating that they did do traffic counts and trip generations, however we don't have the final report yet.

Mr. Corey reiterated that there are no material impacts with Mr. Yager concurring.

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

Mr. Corey stated that an updated mapping has been done for the wetlands that shows no intrusion into wetlands at all; it's within the original approval, with Mr. Yager concurring.

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

Mr. Darcangelo stated that it looks like the Sewer Easement extends onto private property, one of them being a small jog...is there a reason for that?

Mr. Yager stated that this is a CHA project, so I'm trying to keep at arms-length, the Town of VanBuren's engineer reviewed the plans; which lots are you talking about?

Mr. Darcangelo stated that they are Lots 26, 27 and 3 that appears to have a little dogleg there.

Mr. Yager stated that it's due to keep separation between the Storm Sewer and the Sanitary Sewer because you've got that arc radius without putting a bunch of structures in you have to cut through the Side and Front Yard Setbacks of those lawns to keep separation between the Sanitary and Storm Sewer that's there.

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

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 Timber Banks, Phase 4, Section 10, 44 lots on Forest Ridge Lane, Baldwinsville, New York Major Subdivision application. the Board issues a **NEGATIVE DECLARATION**.

5 Ayes -- 0 Noes

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

Ben Harrell, CHA Consulting represented the Timbers LLC stating that this is the next phase, Phase 4, Section 10 which is part of their overall masterplan for 44 lots, stormwater pond located here (indicating on plan). The updated wetlands have been overlaid on the map. At

this point the wetland scientist only had the GPS points, he's finalizing the report so we'll provide that to the Board once complete. I just wanted to show that there are no impacts. That's all we have on this next phase to move forward and sell the lots.

Mr. Darcangelo stated that it appears that Lot 6 extends into the wetlands; I'm assuming the buyer's of that lot will be aware.

Mr. Harrell concurred.

Mr. Corey stated that this Phase was included in the overall approval of Timber Banks; this is just a modification within the overall numbers of what was approved and is consistent with what we already approved..

Mr. Yager concurred stating that this is a modification to what was laid out.

Mr. Darcangelo questioned if the previous approval was for 44 lots.

Mr. Harrell stated that the overall development was 665 lots; at 468 lots a traffic study is required, right now there are 393 lots built...44 more is well under the 665.

Barbara Ramin LaPrease, 3409 Patchett Road, stated that she is opposed to this. They haven't really haven't done a traffic study on all of the auxiliary roads that feed into this and the amount of traffic this is going to additional include in the area. That's a potential, at least 88 cars in the area. You've already got at least 100 some-odd cars coming in from the Timber (Tree)...the new area that they're putting in there. The amount of traffic that is hitting the 5 Corners is getting to be extraordinary and the lack of shall we say control by those drivers is also ridiculous. People are speeding through the intersection. People are doing Patchett Road at 60 miles per hour, it's ridiculous and adding all of these lots in is ridiculous. I don't know how you can actually do the SEQR saying that the traffic study has been done when there hasn't been a new traffic study and you don't have the results. It's crazy to see that, plus you have people in the middle of the road. There are no sidewalks for people to walk on in that area whatsoever. I just tried to come through there to see where they're parking for the Parade of Homes and there are people up and down the road on Timber Tree or whatever the name of that is (Tall Tree) and it's just filled with people because there is no place for them to walk because the lots are so narrow there's no place for sidewalks. There has to be something done to put sidewalks in there. The only place you have sidewalks is on the entry road, that's it, no where else do you have sidewalks anywhere in that development. You're filling that development up with a whole lot of people and you don't have any place to put the traffic plus you're also pushing all of the animals out besides and I know because they're in my backyard.

Mr. Darcangelo stated that with regard to sidewalks, it's not a Town policy to have sidewalks through our subdivisions, there's no Code requirement. So, it becomes a preference of the developer as to whether or not they want to put sidewalks in and most choose not to. Now it becomes a personal preference if someone living in a neighborhood prefers a sidewalk, because in most communities a sidewalk becomes the responsibility of the property owner and in this case property owners would be obligated to clear snow and maintain those sidewalks. It seems odd but that is the way the New York State Law works I believe. It's a Village Law, I believe it's the same law as well. So, sidewalks come as a double-edged sword, it's difficult and personally I like sidewalks but it's not a personal matter, it's a matter of whether or not this Developer wants it and sees that it's a value to the people who would be purchasing these homes. They make those decisions. Regarding traffic, I do agree that we need to be considering traffic, however I assume long-term traffic studies...back 15 years ago evaluated 665 lots, is that not the case?

Mr. Yager concurred.

Mr. Darcangelo continued stating that the development is not any larger than what it was intended to be on it's original approval many years ago.

Mrs. LaPrease stated that you also added a YMCA with people flying through there trying to get to the Y because they're 5 minutes late.

Mr. Darcangelo stated that it's not this Planning Board's role to try to control the individual who drives their vehicles...we have no control over that. The traffic study would not even include the fact that people that would drive inappropriately or irresponsibly...

Mrs. LaPrease stated that there's a huge increase in traffic...

Mr. Darcangelo...yes, that's all the evaluate, the increase in traffic...

Mrs. LaPrease stated that all during COVID you had so little traffic and that's the only time I've seen anyone doing traffic studies up there. You have 5 Corners there that are all coming together and you have trouble. You have the Collington Pointe expansion over there...that road was never properly improved. It was never done right and you have all that extra traffic that is hitting River, it's hitting everywhere and the traffic is ridiculous over there and you add all of these additional homes and you have more traffic.

Mr. Darcangelo stated that inevitably there's more traffic, as we develop the community there's more traffic. The question becomes as to whether or not that presents a problem at peak times. I don't know what the queue is at the 5 Corners; I would dare say it's never more than 8 cars.

Mrs. LaPrease stated that she has seen worse.

Mr. Darcangelo...maybe, I'm pretty familiar with it, so I believe it's a concern. There was a traffic study, so with this new traffic study we are pending some results, correct?

Mr. Yager concurred stating that they did traffic counts in 2023 (unclear) ...once we get above the 468 a full traffic study will be required. These 44 lots are still under 468 so a full traffic study is not required; however the Developer did offer to prepare a traffic study for these 44 lots added in at this time; but it really is not part of the requirements for the General Project Plan (GPP) for the project because it does not reach the 468 lots that trigger the next traffic study. The next Phase will require a full traffic study for full build-out again with new traffic counts.

Mr. Darcangelo reiterated that at the next Phase it will be required and it's based on the traffic under current conditions with the additional development that has occurred since the original study was done.

Mr. Yager concurred stating that you have new background data, past what was done when the YMCA was put in in 2015.

Mr. Darcangelo stated that his only comment to the public would be that we do watch traffic and we are conscious to the fact that development results in traffic. We have to match the rights of property owners to develop their property as they see fit in a manner that is in compliance with our Code; at the same time while monitoring whether or not we think traffic is getting to the point where it's disruptive to the general public. I don't think 44 more lots is going to do that. That's my personal opinion...but I hear what you're saying; there's more traffic because of all of the other development as well as what these 44 lots will bring and I take that under consideration when I review the project.

Cindy Woods, 3620 Patchett Road, questioned if you could consider future road construction in that study; if there will be new roads or extension roads, emergency roads or anything like that? Maybe that was in the original, but that is something to consider too.

Mr. Darcangelo stated that we would only consider roads that the Developer is presenting to us. If we were to see a Development that we thought was inappropriate or unsafe and presented a condition that needed additional roads or connectors we may take that into consideration; but generally 'we don't say we'd like to see a road here' if they don't present it.

Mrs. Woods...which you make take into consideration if it's warranted, that's good.

Mr. Darcangelo stated that that is something that can be considered, yes.

Mary Bill, 3593 Patchett Road, stated that the dead-end of Patchett Road feels like it's narrow. I'm constantly passing dump trucks because they have an area where there are some tractor

trailers where they dump dirt and debris and they bury it and dump more stuff...I'm concerned about the traffic because of that. I walk my dog and we go up on the berm on the one side to get away from the traffic. It's just a little bit of a concern to come with more dump trucks and that sort of thing.

Mr. Darcangelo stated that that is really not a concern for this Board, however there's no reason you couldn't bring that to our Highway Superintendent and raise the question as to whether or not this particular road is continuing to serve it's current needs; but it's not something we would review based on particularly this Development or other work that may be taking place within Timber Banks.

Michael Chura, 4092 Cortina Road, stated that he has a couple of concerns, hopefully they're minor for the Board to consider. There are a few developments in this Town where fire hydrants meet the requirements, but the best for the fire service. As a new development potentially can be built before the infrastructure is completed...I'd love to sit with the Board or whoever sets those up to make it user friendly for the fire service (unclear). I know my development, Clinton Heights, all of the hydrants meet the requirements, by far they are not user friendly for the 250 – 300 homes. For 8 more hydrants everybody would be better protected. I'm trying to encourage future development to at least take care of that in the beginning. Is it possible to sit with somebody and possibly discuss that?

Mr. Yager concurred stating that obviously Developer's don't want to have to pay for anymore hydrants than they have to.

Mr. Chura...they don't eat the cost, they pass it on.

Mr. Yager continued stating that they have to pay for it up front. That being said, we always welcome input from the Fire Departments. We used to have a gentleman from Belgium Cold Springs that came to every meetings and reviewed plans and give us feedback. I don't know if Bill (Massaro) is not with you anymore or...

Mr. Chura stated that he is but is very busy.

Mr. Yager stated that if you want to take Bill's place, by all means we welcome in-put from the Fire Districts on how that stuff is laid out, so make sure Karen has your contact information and we'll make sure we forward plans along to you.

Mr. Chura stated that he appreciates that...and expressed that he 'hates' private drives; they're terrible for the fire service, they're terrible for the fire service, they're not built for our fire trucks, they're narrow, they don't hold the weight and you're leaving it to the homeowner's to keep them up. Our Town Highway Department does a phenomenal job but they don't touch those roads. I'd like to see those eliminated. It may be the Highway Department that sets that up...

Mr. Yager stated that it's a Town Board function through zoning.

Mr. Chura continued stating that the other thing with the narrow roads is I know Timber Banks and Riverknoll have these nice little islands as you do on in...the fire trucks that protect my district, every time they go down there those branches on the trucks, sounds minor, scratch the trucks. The paint is not the normal paint that is on a personal vehicle. It is extremely expensive. I don't mind the island but I don't know if this Board or another Board can control what they put in them. Even going from Timber Banks back to the Clubhouse, it's almost ok to drive on during the Summer until the branches get out there then you're driving on the shoulder with a fire truck, throw some snow out there makes it worse. The roads are too narrow.

The Public Hearing closed at 7:25 p.m.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the July 11, 2024 and August 8, 2024 Planning Board meeting.

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

RESOLVED, that the minutes of the July 11, 2024 regular Planning Board Meeting be approved as submitted.

5 Ayes -- 0 Noes

RESOLUTION #4 -- Motion by Corey, Second by Beachel

RESOLVED, that the minutes of the August 8, 2024 regular Planning Board meeting be approved as submitted.

3 Ayes -- 2 Abstain (Corey and Darcangelo were absent)

III. OLD BUSINESS

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| 1. Minor Subdivision | Bartoszewski, Michael |
| Case No. 2024—0012 | 8188 Dog Harbor Road |

Mr. Bartoszewski left after the Public Hearing closed and before action was taken. Karen Rice, Clerk, stated that it's pretty cut and dry, subdividing the homestead out for estate purposes with the remnant piece to remain under agriculture.

There is a letter on file prepared by Al Yager, Town Engineer, dated September 12, 2024 that will be made part of the public record, in part:

I have completed my review of the Final Plat for the Michael Bartoszewski, Dog Harbor Road Minor Subdivision, prepared by Warren-Ramie Surveying, dated June 17, 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 September 12, 2024 that has been made part of the public record.

This application did not meet the criteria for review and recommendation from the Onondaga County Planning Board.

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 #5 -- Motion by Corey, Second by Kimball

RESOLVED, that having reviewed the Minor Subdivision application of Michael Bartoszewski and Daniel Watson, as defined on a map dated June 17, 2024, prepared by Warren Ramie Surveying, for property located at 8188 Dog Harbor Road, Tax Map No. 034.-01-16, Plainville, New York is hereby approved.

5 Ayes -- 0 Noes

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

RESOLVED, that in granting a subdivision to Michael Bartoszewski and Daniel Watson, for property located at 8188 Dog Harbor Road, Plainville, 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.

5 Noes -- 0 Noes (Existing home with remnant piece remaining under Agricultural)

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.

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| 2. Major Subdivision | Timber Banks
Phase 4, Section 10, 44 Lots
Forest Ridge Lane |
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The application was forwarded to the Onondaga County Planning Board for their review and recommendation who made the following comments on the Major Subdivision and Site Plan Approval:

NOW THEREFORE BE IT RSOLVED, that the Onondaga County Planning Board recommends the following MODIFICATIONS to the proposed action prior to local board approval of the proposed action:

- The applicant must provide an adequate wastewater disposal plan and the appropriate sewer approvals must be obtained from the Onondaga County Department of Water Environment Protection. Additionally, any extension of the public wastewater infrastructure must be approved by the Onondaga County Health Department and Onondaga County Department of Water Environment Protection prior to, or as a condition of, municipal approval.
- The Board offers the following comment:
The Town is encouraged to consider revisiting the full build Environmental Assessment, which is now 18 years old, to reflect the current site and community conditions and guide future buildout planning

John Corey, Chairman, questioned if this should be a condition on any approval.

Al Yager, Town Engineer, stated that he doesn't see a problem adding that in...the Developer provide a letter of capacity from Onondaga County Department of Water Environment Protection.

Steve Darcangelo questioned why they have not gotten one yet.

Ben Harrell, CHA, stated that they have applied and the County has 45 days to respond. We submitted it 133 days ago. Emily Procopio who was doing the capacity analysis has left so I got an email this afternoon stating that they have replaced Emily, they have the letter drafted and we should have it within the next couple of days.

Mr. Darcangelo questioned if they have given any indication as to what the letter is going to say.

Mr. Harrell stated that it should have plenty of capacity because it was designed for 665 units plus additional land (unclear).

Mr. Darcangelo stated that that was based on 18 years ago, since that time the County has picked up thousands and thousands of additional gallons a day. So I would imagine regardless of what was approved or considered, particularly by this Board 18 years ago is not necessarily still under the same consideration with the County regarding the capacity at the Treatment Plant. This is going to Barbara Lane I suppose?

Mr. Yager stated that he has looked at their out-fall numbers and in-flow reporting for another project, Melvin Farms specifically, and their inflow is less than 50% of the design capacity and

their BOD inflow right now is tracking at about 73% of design capacity. Hydraulic capacity is less than 50%.

Due to a conflict of interest with CHA, the application is being reviewed by Jason Hoy, Town Engineer for the Town of VanBuren.

There is a letter on file dated September 11, 2024, prepared by Jason Hoy, Engineer, that will be made part of the public record, in part:

The Town of Lysander requested VanBuren's assistance in reviewing the design documents for Timber Banks, Phase 4, Section 10 due to CHA Solutions being the project designer as well as Lysander's designated engineer.

To date, we have received:

- *Construction drawings, dated July 18, 2024*
- *Stormwater Pollution Prevention Pla, dated May 2024*

It is our understanding that the Planning Board is considering he subdivision of Phase 4, Section 10. Based on the above referenced documents, there is not an engineering concern with the proposed subdivision's layout.

A full review of the drawings and the SWPPP will be completed as supporting documentation is received for construction drawing approval.

Mr. Corey stated that any approval would be conditioned up Mr. Hoy's letter as well.

Hugh Kimball questioned if the plan Mr. Hoy is reviewing is consistent with what was originally approved 18 years ago and the SWPPP needs to be reviewed with some kind of feedback to us. The water and sewer...again it has been 18 years and the YMCA has been in since then. Has that flow of both of those things still valid from an 18 year ago approval. I guess what I'm saying is I'm not comfortable going ahead with this without hearing those answers from an engineer who is not compromised. I would trust AI implicitly but we can't. I just don't feel that we're ready to move ahead.

Mr. Darcangelo stated that that's a good comment and I suppose in the future when we have to outsource technical review we ask the 'reviewer' to attend our meeting.

Mr. Yager stated that Jason had a conflict this evening.

Mr. Darcangelo agreed with Mr. Kimball as we're going to have questions on technical matters reviewed by the engineer and we don't have an opportunity to get a response to those questions. One of the questions is, is this consistent with what was presented 18 years ago.

Mr. Yager stated that the road alignment has changed and they moved some density around.

Mr. Darcangelo stated that it's relatively consistent with what was approved. I agree with the sewer thing, I don't know about the water, I guess OCWA could start to run out of water but personally I think there's a greater risk of development in our Township related to whether or not the wastewater could be handled, particularly peak loading and storm events. I would not mind waiting on approval of this unless there is some other reason for hardship until we get that letter from the County and maybe present the questions that have been raised to Jason and get him to respond.

Matt Hunt concurred with waiting and Doug Beachel questioned if there is a timing hardship.

Mr. Harrell stated that Preliminary Plat would be desired so they can start marketing the lots. As you know the Parade of Homes will be taking place and they anticipate a large interest due to Parade of Homes in Timber Banks. I think all of your concerns would have to be addressed before the Final Plat was approved anyway. I don't know how holding up Preliminary Plat approval would hurt the Board.

Karen Rice, Clerk, stated that they already received Preliminary Plat back in 2006 for the whole 600 and some odd units, the Board can make this resolution for Preliminary Plat for this project specifically.

Mr. Darcangelo questioned if you can market the property based on that Preliminary Plat.

Mr. Yager stated that he thinks what it allows him to do is to know that they are going to have lots in this configuration that the Planning Board would approve. Again, as Jason states in his letter there will be two additional shots at the review of this, one at the Town Board level with construction drawing approval and a second chance at it with the Planning Board for Final Plat approval; so you have another bite at the apple and the Town Board has a bit at the apple as well before Final Plat approval is ready to be given.

Mr. Darcangelo stated that he doesn't have a problem with a resolution for Preliminary Plat with the Developer understanding that they're at risk in the sense that if they advance on that there may be some changes depending upon the conditions that are added to that resolution.

There was considerable discussion with regard to tabling action on this application with so many conditions.

Karen stated that the Public Hearing was closed. If action is not taken within 62 days it could be considered a default approval. We would need the applicant to agree to an extension for Final Plat approval.

Mr. Yager stated that they will not be in a position for Final Plat approval within 62 days because the infrastructure hasn't been constructed. If any resolution is pass this evening it would be a resolution modifying the Preliminary Plat as presented for the lot layout with Final Plat approval being held until the Town Board approves the Contract Drawings for the Subdivision and the infrastructure is installed and accepted by the Town Board.

Mr. Darcangelo stated that he would be ok with that if the request is an amendment to a Preliminary Plat approval that was granted 18 years ago.

Mr. Yager concurred.

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 Jason Hoy, Acting Town Engineer, dated September 11, 2024 that has been made part of the public record.

This application was forwarded to the Onondaga County Planning Board for their review and recommendation, that 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 #7 -- Motion by Steve, Second by Hunt

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, for an Amended Preliminary Plat approval for a Forty-four (44) lot subdivision application of Timber Banks, for property located at Timber Banks, Phase 4, Section 10, 3699 Patchett Road/Extension of Forest Ridge Lane, Baldwinsville, New York, Part of Farm Lot No. 82 and Part of Tax Map No. 072.01-03-36.2; the Planning Board approve the Revised Preliminary Plat dated July 18, 2024, prepared by CHA, is

acceptable from a Subdivision design standpoint and the Amended Preliminary Plat be approved with the following conditions:

- 1) Full review of the drawings and the SWPPP to be completed as supporting documentation is received for construction drawing approval; and
- 2) Onondaga County Planning Board Findings be addressed: Documentation from Onondaga County Department of Water Environment Protection and OCWA that there's adequate sewer and water capacity for the Forty-four lots.

DISCUSSION:

Mr. Darcangelo questioned how significant are the changes from 18 years ago.

Mr. Harrell stated that those changes are minor, the roadway configuration has changed as the Town road design standards have changed since the previous approval.

Mr. Kimball stated that he would like to hear that from Jason Hoy, not CHA.

Mr. Yager stated that his letter stated that the Subdivision is what he references; the subdivision piece of it he is ok with.

Mr. Corey concurred after referring to the letter once again. There are no engineering concerns with the proposed subdivision lot layout.

Mr. Kimball stated that he would still like to hear from Mr. Hoy that this is consistent with what was approved 18 years ago and if there is a difference, what those differences are and we need to know that the water and sewer and all of the rest of it are not impacted by what has happened since, including the construction of the YMCA. We've got to hear that from an engineer.

Mr. Corey reiterated that Mr. Kimball does not want to consider a conditional Preliminary Plat at this time.

Karen stated that you can ratify the Resolution for the Preliminary Plat that was reviewed in 2006 and if it's consistent, like Jason's letter indicated. You're just ratifying the Preliminary Plat approval that was made at that time with minor changes. Final Plat will come at a later date.

Mr. Corey added that some of the road layout has changed due to new Codes and some of the lot sizes have been changed. The area is the same.

Mr. Harrell stated that the other conditions that were identified have to be resolved prior to Final Plat approval.

Mr. Darcangelo questioned what would happen if we wait...you are asking for an Amendment to a Preliminary Plat that was approved. If you don't get this amendment tonight what is the risk. Does it prevent you from being able to market these lots.

Mr. Harrell stated that if we market them and we come back and you can say you don't like these configurations and these lots that we've marketed and taken deposits on changes.

Mr. Darcangelo stated that he thinks we'd be hard pressed to do that since you have Preliminary Plat approval.

Mr. Harrell...but not for this particular layout. It's slightly modified from the previous, so there's a lot of risk associated with it. I don't believe you'd tell us to completely change the lot configuration but without that Preliminary Plat approval there's a lot of risk for us.

Mr. Corey stated that all of the concerns addressed basically deal with the Final Plat. If they're all addressed before the Final Plat approval it shouldn't be an issue with the Preliminary Plat approval with conditions. Do you agree with that Hugh?

Mr. Kimball stated not entirely until I hear it from the person who is responsible for the engineering for the Town. I don't want anyone to think I am opposed to the project, I just think there's a right way to do things.

The Resolution has been rewritten to the satisfaction of the Board.

5 Ayes -- 0 Noes

There was some discussion among the Board that they would like Jason Hoy at the next meeting.

IV. NEW BUSINESS

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| 1. Controlled Site Use
Case No. 2024—013 | Strigo Vineyards
9272 Plainville Road |
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Julian Clark, Plumley Engineering, represented the applicant, Joe and Ana Maria Murabito, stating that many years ago Strigo got approval to build a winery and tasting room on their property at 9272 Plainville Road. They constructed the facility and have been operating since that time. They would now like to build a pavilion north of their tasting room for large events. They have been putting up tents and they'd rather not have tents and put a pavilion in. They are proposing a 4800 square foot pavilion.

Steve Darcangelo questioned why this Board is reviewing the application.

Karen Rice, Clerk, stated that it's an amendment to their original Site Plan.

Mr. Darcangelo questioned if the tents/tent pad were part of the original Site Plan.

Mr. Clark stated that they were not.

Al Yager, Town Engineer, stated this is an allowed use in the Code. From a parking standpoint there will be some grass parking when they do have events and the place is full. We've done that for other facilities in the Town, specifically for Timber Banks for Persimmons Restaurant we allowed street side and on grass parking for that, as needed. This would be a similar situation. It's an open air pavilion so it's not like it's a four-season per se event place. So snow won't necessarily be a problem for parking in the Wintertime. It seems like it's a pretty straight forward approval. They've been doing events already and put tents up without any issues or complaints. I don't see where this is a significant change to what they've already been doing other than actually putting up a permanent building.

Mr. Darcangelo questioned if there would have been any issues when this was originally proposed when they got their original Site Plan approval.

Karen...no, accessory structures are allowed. They meet lot coverage.

Mr. Yager concurred stating that they're way under on lot coverage. They aren't disturbing more than an acre. There was an existing barn in that location before that they have torn down so they are not necessarily increasing impervious area. It's just a continuation of what they've been doing only with a permanent pavilion rather than tents.

Mr. Darcangelo questioned if they anticipate any future modifications down the road.

Mr. Murabito stated not at this time. This is seating for up to 120 people. We've found a niche for smaller gathering place from 25 to 100 person events. I like that size. A lot of weddings tend to be larger than that. For those that have seen the property we try to keep it pretty clean and neat. I'm not really anticipating a lot of grass parking. The restaurant part of what we do is no longer going to function as that. It's going to be a winery and tasting room. I don't anticipate any other buildings around those structures at all.

Hugh Kimball questioned if you anticipate having events with parking along the road.

Mr. Murabito...no, not at all.

Mr. Kimball expressed his concern of other areas where events grew very large and was surrounded by neighbors who were really upset by the noise.

Mr. Murabito stated that's not my intention really at all. We've found a niche in the size of business that we're doing. This isn't my primary work. This is my idea of a farm winery and maintain the sort of atmosphere that we've got there.

Mr. Kimball questioned if we can restrict the capacity in any way, either by the number of cars they're parking?

Mr. Yager stated that the occupancy restriction really is the restriction. The occupancy would be no more than 120. That's really a Building Code restriction rather than a Planning function.

Mr. Darcangelo questioned lighting.

Mr. Murabito stated that there's no additional exterior lighting to what's around the parking lot. We're not anticipating more business because we're not running a restaurant and this. The restaurant is going to be a lounge with retail wine and merchandise. The sort of functions we were doing is going to be in that space so we're going to be using the same parking. I don't really anticipate grass parking, we've not had to do that so far, so there's no further exterior lighting at all.

There is a letter on file prepared by Al Yager, Town Engineer, dated September 12, 2024, that will be read into the record, in part:

I have completed my review of the Site Plan for Strigo Vineyards Site Plan Approval for the project prepared by Plumley Engineering, dated September 2023 with a final revision date of September 12, 2024. A SWPPP and construction PDES permit will not be required as the total soil disturbance will be less than one acre. I have no further engineering related comments at this time. I would not be opposed to the Planning Board approving the Site Plan at this time.

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 Strigo Vinyards LLC, 9272 Plainville Road, Baldwinsville, New York Controlled Site Use application.

5 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 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 Strigo Vineyards LLC, 9272 Plainville Road, Baldwinsville, New York, Controlled Site Use application, the Planning Board issues a **NEGATIVE DECLARATION**.

5 Ayes -- 0 Noes:

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

RESOLVED, that having reviewed a site plan as defined on a map dated September 2024, prepared by Plumley Engineering, associated with the application of **Strigo Winery**, for property located at 9272 Plainville Road, Baldwinsville, New York for a **Controlled Site Use** to allow the construction of a Pavilion/Covered Patio to their existing Vineyard 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, the site plan is hereby approved.

5 Ayes -- 0 Noes

Mr. Clark and Mr. Murabito thanked the Board for their time.

2. Minor Subdivision	Stumpbusters, Inc.
Case No. 2024---005	9071-9073 Oswego Road

Julian Clark, Plumley Engineering, represented Stumpbusters and Upstate Auto, who currently owns the property located at 9073 Oswego Road/NYS Route 48. The property is approximately 14 acres in size. They are proposing subdividing off five acres for Stumpbuster's to purchase and develop. A final subdivision plan has been prepared that complies with the current zoning

Steve Darcangelo questioned the dash line along the front of the property.

Mr. Clark stated that it's the setback line.

There was some discussion as to where the measurement was taken, however it isn't relevant to the subdivision.

Karen Rice, Clerk, stated that a survey will be required when they apply for a building permit. The proposed building has to be a minimum of 140' from the centerline of NYS Route 48.

Mr. Darcangelo questioned if there are any restrictions with the property being adjacent to State land (Three Rivers Game Management).

Mr. Yager stated that there are no restrictions.

RESOLUTION #11 -- 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 Stumpbusters, Inc, 9071-9073 Oswego Road, Baldwinsville, New York Minor Subdivision application.

5 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 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 Stumpbusters, Inc., 9071-9073 Oswego Road, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a **NEGATIVE DECLARATION**.

5 Ayes -- 0 Noes

RESOLUTION #13 -- 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 Stumpbusters, Inc., for a subdivision of property located at 9071-9073 Oswego Road, Baldwinsville, New York, Tax Map No. 025.-02-28.1, for a development of two (2) lots from a parcel of approximately 12+/- acres.

5 Ayes -- 0 Noes

Mr. Clark questioned if it would be heard next month.

Karen concurred stating that it has to go to County for their review for the Controlled Site Use. Hopefully they will hear it at their October 2nd meeting.

3. Controlled Site Use	Stumpbusters, Inc.
Case No. 2024—006	9071-0073 Oswego Road

Julian Clark, Plumley Engineering, represented the applicant stating that would like to construct a facility to house their tree removal business with an office of 2400 square feet and a truck/storage area of 6000 square feet on the 5 +/- acre lot that is under review. The property is zoned General Business and falls under the Highway Overlay Zoning District. The facility will be served by a private well and septic system. We will provide a Stormwater Management Design, a SWPPP will be provided. Access will be off of NYS Route 48. Application will be made to the NYS Department of Transportation. Ten spaces are shown for parking. A gravel area will be behind the facility for the storage of equipment and materials. There will be outside lighting. A photometric plan will be provided.

Al Yager, Town Engineer, questioned if the yard will be fenced.

Mr. Clark stated that it will not be at this time, nor will he have a dumpster. He does want a sign.

Mr. Yager stated that the sign can be discussed during the Site Plan review. He can provide those details at that time.

Steve Darcangelo questioned if the gravel surface considered impervious.

Mr. Yager stated that it would be and will be included in the water quantity and water quality control tabulations.

Mr. Clark stated that the gravel will be out back, there will be asphalt out front.

Mr. Darcangelo questioned the Lot Coverage allowed with Mr. Yager stating 30%.

Two SEQR forms were submitted, however there was some discussion as to whether or not SEQR would be required for the Controlled Site Use, as it was done for the Subdivision.

Mr. Yager stated that could be considered segmentations. The action includes the Minor Subdivision and Controlled Site Use. They're not going to subdivide the lot unless there's an approved site plan.

It was determined that the applicant provided two separate SEQR forms prior to Plumley Engineering's involvement.

Mr. Clark questioned if a Special Use Permit would be required.

Karen Rice, Clerk, stated that it would not. After reviewing the Code it was determined that the proposed facility will fall under the classification of a warehouse.

There being nothing further, Mr. Clark thanked the Board for their time.

V. ADJOURN

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

RESOLVED, that the September 12, 2024 regular Planning Board meeting adjourn at 8:36 p.m.

5 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk