

A Regular Town Board meeting was held on May 18, 2023, at Lysander Town Hall, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT:

Robert A. Wicks, Supervisor
Jeffrey Kudarauskas, Councilor
Kevin Rode, Councilor
Peter Moore, Councilor
Robert Geraci, Councilor

MEMBERS ABSENT: None

OTHERS PRESENT: Dina Falcone, Town Clerk, Ken Svitak, HW Superintendent, Kevin Merrill, Parks and Recreation Director, Anthony Rivizzigno, Town Attorney, Al Yager, Engineer, and several guests and residents.

Supervisor Wicks called the meeting to order at 6:30 PM with the Pledge to the Flag.

Adoption of May 4, 2023 Minutes

RES#100/2023

Motion by Councilor Moore seconded by Councilor Rode to adopt the May 4, 2023 Town Board Meeting minutes.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Abstain
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

Mario D'Arrigo:

The 192 acres of land is separated by Hayes Road. The map represents the total number of lots under its current zoning which is now AR-40, 172 lots. It would be extensive to develop the land as AR-40. The way to do it is density. The actual incentive zoning – which is exhibit two of the LOI shows the plan that the developer is looking for and the Incentive Zoning it is seeking. What we have is, subdivide into 7 lots. Each lot is separate: farmland, apartments, townhouses, a solar farm, this is now before the Planning Board. We have residential building lots and one is forever green going to a land trust. We are conveying easements to the town within the lot, as the town may choose. That is part of the LOI. More specifically the apartments - we have 134 senior apartments which are 4 buildings of senior, and 134 units and market rate apartments and 168 luxury apartments. As for the 164 town houses, the configuration can change per the planning board. As for residential units, there are 17 of them. That is all of the housing, which amounts to 588, and the LOI says they will not exceed 590. In the development there will also be a clubhouse and a swimming pool. Regarding Lot 2, they are working with Abbot's to trade, as there is an environmental easement restricted to farming for non-motorized recreation only. The Town can expand sewers westerly as well as southerly. The benefits of Incentive Zoning is that we are going to be building a pump station, that when built will handle our project, Palmer school, and an additional capacity of 300 additional homes. It is expandable with a price up to \$1,500 (for) homes. The Town can service 300 additional homes and expand with a modest cost of \$1,500 - \$1,623,000 for a pump station. LOI provides that we have to provide a bond for that amount so if the developer puts that up, the town can finish the project. Palmer school is in need of sewer capacity, and we are going to build a gravity sewer line which goes up to Route 370 and it is around 2400 feet. The school is still getting 2,400 feet of gravity sewer for nothing with a \$360K value. The last benefit is that by giving the town these easements, and trade the farmland and pricing, the farmland with good soil (16 acres); the way our LOI reads is that we are providing \$2M in benefits to the town.

Mr. Yager: *The pump station total capacity per what their engineer Julian Clark needs it to be is 687 thousand gallons a day. It is our understanding that was the cost but we need to confirm with engineer if that is correct. It provides the information - 300,000 gallons and beyond the cost of others. That is now how development is done. Sized appropriately, the wet well and force main needs to be sized for 687 per day flow. Julian said that is what the cost estimate is based on. It needs to be clear (regarding the) force main from Melvin Farm, and needs to be verified with Julian. Mr. D'Arrigo said he will take care of that and Mr. Yager noted it is good tillable farmland.*

Mr. Yager noted that this could be considered a PUD. Discussion ensued between Mr. D'Arrigo and Councilor Geraci regarding trails around the property and forever green space and farmable land, with mention of a public recreation trail by Councilor Geraci. At the density that is proposed from a unit per mile, it would be beneficial from a Highway tax point for proposed density.

The following is based on comments received during the public hearing and the following information will need to be provided in a revised LOI for the project:

- Additional traffic analysis will need to be provided for the River Road, Hayes Road, Route 370 intersections, and the Route 370 to John Glenn Boulevard intersection in the traffic study.
- Correspondence from NYSDOT and Onondaga County DOT will need to be included in the SEQR supporting documentation.
- The Onondaga County sanitary sewer capacity request will need to be submitted to WEP by the design engineer for the total anticipated demand of 687,000 gpd that will be accommodated by the pump station.
- The LOI and Exhibit 4 will need additional language clarification to state that the pump station wet well land force main will be sized to accommodate the anticipated maximum daily flow of 687,000 gpd. An additional 3rd pump may be added to the pump station in the future to accommodate the total maximum flow that the wet well and force main will be sized for.
- Cross sections and view shed renderings of what the proposed buildings will look like from the western Route 370 access point into the site and from Route 370 across from the Abbott's Farm Stand will need to be provided.

Public Hearing Melvin Farm Letter of Intent

**MOTION TO OPEN THE PUBLIC HEARING REGARDING
THE MELVIN FARM INCENTIVE ZONING LETTER OF INTENT**

RES#101/2023

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to open the public hearing at 6:59 PM.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

Public Hearing Comments:

Supervisor Wicks: ...*Second, as I stated before, if you have questions, if you raise your hands, I'll call on you. I'll call on you and anyone wishing to speak for or against the letter of intent. Yes, ma'am.*

Resident: *Yes, I'm just curious where any of the information for tonight's hearing was posted publicly? This is a public hearing.*

Supervisor Wicks: *Yeah. This is what happened...*

Resident: *Oh, hold on. I only have a certain amount of time. So I'd like to*

Supervisor Wicks: *This may answer... I'll give you your time. But what happened was it was posted by the Town Clerk. We have a new firewall installed, and there was a glitch between the firewall and the website domain that services the town's website, so it went out - we all got it - but people on the outside didn't get it, so we're working to correct that. And if anybody needs any information, that you don't have, leave your emails with the Town Clerk tonight. She'll send it out tomorrow.*

Resident: *Okay, so I'm going to start my five minutes over again. Where was any other information patient posted publicly? The agenda for tonight's meeting is required to be posted and made available publicly at least 24 hours in advance to an open meeting. Any subsequent exhibits that are being discussed must also be posted and be available during a public hearing for the public to be able to review during the meeting. This hasn't even gone before planning board. There needs to be intense planning review. There's a huge process that needs to be followed with a lot of DEC oversight. We as the public would hope that this process will be fully transparent and that all open meeting laws will be followed with all of these meetings.*

This is of great importance not only to this town, but this whole central New York community as well as the state. This probably would be required to go through zoning and a comprehensive plan review as well as county oversight. Thank you.

(Councilor Rode asked her to state her name) ...My name my name is Susie Q homemaker. Just like everybody else.

Councilor Rode: *That's not how it works.*

Resident: *It does. I do not have to identify myself sir.*

Ms. Falcone: *There is a signboard on the outside of the Town Clerk's office where everything is posted. So that legally it has to be done. And it was done. I just wanted to let the public know that everything is posted on the sideboard outside of the Town Clerk's office. It's been posted since that way since the early 1900s. That's how we used to do it before the internet. So if anybody ever needs anything they can call my office, they can come in. Everything's always on the signboard. If anybody needs anything right now, let me know I can email right out to you.*

Councilor Rode: *Just so everybody knows, the letter of intent project and all the information has been available on the town's website for about three weeks. So this is not something that was just randomly up here; we voted a month ago, I believe for the only public hearing tonight, and that's why we're holding a public hearing tonight even though county planning has reviewed this. That's also up on the website.*

Supervisor Wicks: *...And when we started out, we didn't know until we started receiving calls that people weren't getting it. Then once we did, we started working on that, so hopefully that'll be up as soon as possible. But if you want it, like I said you can give your email address to the Town Clerk and she'll make sure you get this.*

Resident: *Oh my gosh you guys, sorry about that. So, a couple of key questions, and I am very concerned about this. I see a developer coming in from out of town. Obviously, you're here to make a buck, and I'm concerned that it is at the expense of the beauty of the area. I'm concerned especially the congestion that will occur in the Baldwinsville area with that many new housing. If it was higher end homes, like single family homes, I think that would alleviate a lot of that potential congestion, because it wouldn't be almost 600. That is a lot. A lot. And I don't think Palmer school has the room for all of those new families coming in. So has that been taken into account because that is a true concern, and I'm sure I'm not the only one here who's concerned about it. Thank you.*

Mr. D'Arrigo: *I have an answer. We have a traffic report that has been submitted to the town that basically says that the existing roads can handle the traffic from the 600.*

(crosstalk and noise from the audience at this point)

Resident: *...So that during key work hours, we can get to work hours. It is congested already. So I don't know what kind of survey can you talk I'd be interested in taking a look at the data. But I can tell you, is dammed up in the mornings and in the evenings.*

Mr. D'Arrigo: *Well be that as it may, I am telling you, and they will agree that we do have a traffic report which does address the issue. And equally important before the full development of this project the developer has to get permits from both the State Department of Transportation and the county so these issues will be addressed.*

Resident: *What about the room in Palmer [and the] houses - that being addressed?*

Supervisor Wicks: *We have the representatives from the school district tonight and hopefully they'll come up and address those questions fully.*

Resident: *Unfortunately, I can't stay till the end. But I look forward to hearing the minutes. Will the meeting the minutes be posted?*

Ms. Falcone: *...So if you go to our website when it's up again, click Pac-B, it takes you to YouTube and all of our meetings are there so people to watch the meeting.*

Resident: *All right. I'm not the only one who is concerned about that.*

Fred Burtch: *I live on the opposite side of town, and this development, and it still kind of bothers me. I'm pretty sure I lived in the Town of Lysander longer than anybody on this Board. I know you grew up in Van Buren Bob. But I spent every day here in Lysander. When I started, the population was about 11,500. With the existing main roads that we have right now, our population now they say it's 25,000; I don't believe it. I think it's north of that. You can have somebody come out there and sit in a truck for an hour 2,3,4,5 hours to do this study. And that's not the same as the people that live there. Mr. Dinsmore lives down the street. Then see how long it takes to turn off the road. In a Village, there's businesses that are losing opportunities because people are bypassing it because it's too difficult to get in and out. If they keep on going right, if they have to turn left, they just avoid it, and I think a lot of our businesses are losing opportunity. At one of the previous meetings I had after a discussion with our Supervisor about the traffic congestion, and how I was concerned about that. And you mentioned you know, there was talk about that it'd be a lot of senior housing and they don't drive too often. I don't know any seniors that don't have Amazon delivered to them or their prescription drugs delivered to them or don't have the grandkids come and visit them. There's almost more traffic with them than there is just a regular person you know. When I grew up and I went and played ball games at other places - you've heard this before - and people said 'cow town' out here. And when I think back and look around, one farm in the town of Lysander had cows that I'm aware of. And I love cow town. I understand people own property they want to develop. I don't like this AR-20. It's my opinion. And I'm sure I'm going get yelled at by Mr. Moore for my opinion. But I think this was done in a cluster way with multi housing to get away from the different zonings that our town has which is AR-20 or 40. And I think by putting multiple different types of housing in there, it's like a special district that can kind of avoid that and I like the heritage of our town. I like the integrity of our town. I don't want to see more roads going or more development going without alleviation. And we talked about the bypass - \$52 million. That would help out tremendously, but I think that's something if we get in front of it, not at the back end of it. So if we're going to grab more houses, and what's the incentive to the people that live here, the assignment should be to lower the tax base so that we're not paying so much to the school and town. We don't pay a lot, but at the school [level] but I've seen our town development double and I haven't seen our taxes ever decrease. So I don't see the incentive. And I'm just concerned with losing farmland. We're not going get any of that. Your comment about what Mr. Allen said earlier, I believe you're an attorney that hearsay. I'd like to get Mr. Allen here to say that because those guys own a lot of land and that's worse than that. I appreciate your time.*

Councilor Moore: *So I want to hear you. I don't appreciate when someone carries pom poms up to the microphone and has things taped to his head and acts ridiculous on camera. Follow the rules. I'd like to hear your opinion.*

Resident: *(Referring to map) I've lived on the corner maybe 500 yards from 370 and going right on 370 and I'm finding out that the traffic and everything is becoming a terrible problem, but more than that, it's the quality of life. We're turning 370 into Route 57. As it goes through Baldwinsville through Liverpool. There won't be any open space left in terms of what happens when we start looking at the quality of life. This constantly goes down the SEC. When I bought property, help from our friends posted 40 years ago. We didn't have any of these products. 370 was almost doubled in size. We lost a good share of our front yard. Then we turn around across the street with big development. It used to be farmland, it's very high quality farmland in that area and they turned it all into housing. If we constantly keep going down this road, there is no benefit for the people that already live here. We're taking an area and he mentioned a couple of things. Just enter the property where the parcel that used to be the cavalry. It was a 40 acre lot. It was a cavalry force training facility during the civil war times. We find out and I can't see it on this map now. Right down below the hill are natural springs that come straight across. What are they going to do with that spring? I mean it comes right out of the site, it flows here around and down through there and it has forever. Like say I live on 370 and my neighbor had a spring pop out of the ground and start running after the property and after we've been there for two years. And it's called Cold Springs - I think the presenter said it best. It's not a feasible project without us selling our souls. And if it's not if it can't stand on its own under the zoning and what we have already in place. What benefit is it for? Nothing. I mean, I've been paying sewer taxes and will gladly keep paying sewer taxes and have for over 40 years but with a septic system. And every time I've asked the Board, they've always said well, we're saving so when we do have put sewers in, there'll be paid for. Well, there should be quite a few because like I say I know I've been paying for 40 years.*

Supervisor Wicks: *Where do you live sir?*

Resident: *I live in 3459 Cold Springs Road, and I live about 100 yards from the corner of 370. And this is not going to mitigate us having sewers at all. The system doesn't go that far. We're probably 500 to 1000 yards short of where they're going to be coming across here and as it said in the note that they did put out last month that it would not help the peninsula anyways, with sewers. We still have to do a full build. I mean, I just don't see any benefit. And it's all on the downside.*

Supervisor Wicks: *That's incentive zoning. And what incentive zoning is, they have it all throughout the United States. When a when a municipality needs something and it can't afford it, a developer comes in and the developer wants to develop land from an agreement where the developer gets to get some concessions in order to provide some public utility in the forms of roads or bridges, and in this instance, it's sewers. There are no sewers down in that area. And that's what we're trying to do. This would go a long way to bring sewers to a lot of homes that don't have it now, especially the ones with dry sewers, which are a cost to the rest of them. Well, there is a cost, but the cost would be insurmountable. If we didn't have projects like this, we need developers to come in to help us with the costs to offset the costs that are present. That's why...*

Resident: *I'm fine with the septic system with the density we have, but we went and turned around and tripled the density. Yes, you have to have it. But then he even said it's not feasible...*

Supervisor Wicks: *There are plenty of other people that have called my office and they were anxious. They say, whenever there's sewers coming in, and it's the 21st century, people should be allowed to have sewers. I think everybody should have sewers. That's why when you look at these things, we're entertaining this because this will go a long way to help provide sewers to the people that need it down in that area.*

(crosstalk occurred at this point)

Councilor Rode: *As the supervisor said, this is an incentive zoning area. The public's welcome to come up here with the benefits that...*

Councilor Rode: *But don't get changed all the time to your life. Okay, and not necessarily for the greater good of what the people believe...*

Councilor Rode: *This isn't approved. We will still have to vote on this one. This is all fine. I think most people already know where I'm leaning right now. Like with Collington Pointe, because as resident you know, this is incentive zoning. People can come to us and give benefits out that you think we should ask the developer for. There is some negotiations...*

...and have them put in their sewers all for the entire financial if it's that beneficial for him... I better put this new septic system in and deal with that versus the density of what if you guys are looking for and someone that knows a little bit from 1000 feet away, all right...

Resident (Crystal Reba): *I've been a resident for of Lysander for about 10 years. So I completely appreciate the lifers here and respect that. But I am one of those people calling the Town Supervisor about the septic issues of the homes on Camerondale Road, at the end of that road, it is a literal nightmare. We are calling septic places every other month in the spring in the wet seasons because the houses go out there. Something happened where there water tests were falsified and so those houses are a nightmare for those of us on the end of that road. But I think more than that, and while I have respect for those of you who don't necessarily see the benefits, I also think that I want to share our community. I have a five and a seven year old at Palmer, and I want to share the amazing school district and I want to diversify the school district. I look around this room and there's a whole lot of white people. And I think that it is important that our kids...*

(crosstalk)

Supervisor Wicks: *She has a right to her opinion whether you agree with it or not. She has a right to her opinion just like everybody else. So please, when somebody is up here, we all hear comments. You can you can disagree with it. But she has a right to her opinion and to be able to express her...*

Resident: *Well and it's okay, I grew up in a rural town very much like this in Attica New York. Everybody's white there. But what I'm saying is that opportunities to live - and I heard people you know, regarding subsidized housing. How do you want people - think about the kids - to live in safety and a community that adores...?*

Supervisor Wicks: *Just so you know, these are not subsidized housing.*

Resident: *Well, I'm not sure if that that was said that or was mentioned, and I think either way, I think that there are so many benefits and you think traffic here is bad, I mean, there are so many other places where it sounds like they've done their homework. And I think that there are so many benefits that are being overlooked. While I still think some homework needs to be done. I think exploring just being open minded to the opportunity where businesses are as well. You go from painters, to landscapers to snow removal to restaurants, I mean those opportunities where our economy for Lysander are huge. So that's just my two cents. Thank you.*

Resident: *The green area is not to be used at all?*

Supervisor Wicks: *Yes. That's what...*

No houses? All trail? That's the only thing I got to say about it.

Resident (Paula Campbell): *For years we've been told by the Board that sewers are going to come down at some point in time. It was my parent's house so I've been there a long time. My whole life. And every time we get our hopes up, because we paid for the sewage treatment plant and Barbara Lane was supposed to come right down Gordon road. We're all going to hook up. They did a big study on sewage going into the Seneca River. And they're all excited. I don't know what happened. The ball dropped. They cleaned up the lake. They're still pumping sewage on into the river. It's going back into life. And now we have a golden opportunity to bring sewers down and clean up the Red Rock area and make our properties worth a little bit more. Our assessments keep going up our taxes keep going up. And the property is as far as I'm concerned. It's dead. The roads don't get paved properly. They're rounded. Even the snowplow drivers are complaining because they don't. It just seems like we're paying more and we're overlooked. And there's a lot of people that live down there that would love to have sewers. We had water put in which was wonderful. But now we need sewers. And we're in a low area so when it rains we flood and our water table is so high that our downstairs bathroom, the toilet won't even flush when it's very rainy. We have to use the upstairs bathroom. Thank God we've got one but we don't have the luxury of pumping our dirty water into the river. So I would like to say that I think the Red Rock area should be taken into consideration for once, and use this opportunity to bring those sewers down and have Lysander extend them and clean up that whole area.*

Supervisor Wicks: *And I can assure you this. We've been talking about that the whole time. So you're not being overlooked. If we if we develop and this project goes through and we're able to get sewers in that area, Red Rock would be one of those areas that would be included in the Sewer District. There'll be a lot of homes in there all the way up to Palmer School and a lady was here - I forget where she is - but from Barbara Lane. So we're going be looking at all of that but certainly Red Rock is right there. Yeah, so you're not seeing it.*

(crosstalk)

Audience Member: *You're in the floodplain?*

Supervisor Wicks: *No.*

Audience Member: *Yes.*

Resident: *I think this stuff gets built out of ditches put in the ground, because I explained my situation where all the water is going behind my house, the neighbor's house. Ask everybody in my backyard. And so some of these new houses have been built. The runoff has gotten worse. Do you guys still don't do nothing about it because you all say there's nothing you guys can do? You don't own it. So I don't know? Almost a ditch by my house with waters going through and it floods. There are ditches and where is that water going to go? In my yard? In my neighbor's yard and where is the ditches going?*

Supervisor Wicks: *Well, you know, there will be retention areas and there's going to be various plans for you know, waterflow, that they're going to have to get approved by the town engineer, and they'll be prepared by our engineer and typically, all the water that is within a project stays within the project.*

Resident: *But it's going into my yard, and we got asked by the neighbors in my yard and they see how much water we get behind my house. It goes in my shed. I brought this to them years ago never told us about the runoff until we start getting flooded. [What about the] new homes – will they flood? Ask my neighbors. I just want to make sure when you do this project, we're not getting all your water into my yard and make it worse than what it is now. Because nobody's doing nothing to help pay for this stuff.*

Supervisor Wicks: *That's part of the whole project that they can...this project can cause flooding in other areas. They're going to have two retention ponds, and I'm not an engineer.*

Resident: *...Even the guy that did my property said you guys said there's nothing you can do. Why I don't know - why you guys can't.*

Mr. Yager: *We talked about it earlier, but districts are formed. Special districts are formed by NYS Law Article 12 or Article 12. If you want a drainage district on Barbara lane and want to provide easements provided for the town to maintain the residents in that neighborhood would pay for it - but a district has to be formed before that can happen... you know, from the topographic maps that we have. This project would not be tributary from a runoff standpoint to Barbara Lane that is developed.*

Janelle Atkins: *We moved in when I was five. So I've been there 60 some odd years. I live in my family home. As far as the gentleman talked about the study. He didn't say that. If anybody tries to go down 370 to go to John Glen, at seven o'clock in the morning, ... almost not quite to the bridge... But the traffic is backed up and that's even after they fixed John Glen and made some extra turn lane. He's wrong. The traffic on this road has become heavier and faster. It's supposed to be 40 miles an hour. Nobody pays any attention to the speed and I'm opposed to 590 units. I think it's a little too much. ...More integrated space a few years ago, and when everybody was talking about another development there was an article in the Syracuse newspaper about how the farmland in the peninsula area in Lysander was some of the best. So somebody here said it was just so so, so good. Well that's not what the article in the newspaper said. Thank you.*

Larry Wicks: *I live here in fourth generation. What's your planning is ridiculous. The environment. We have eagle's nests there and we have turtles, and there is low land. We can't get sewage in there because the floodplain rises. I know what I'm talking about. I don't mean to be disrespectful to anybody. Let's see some impact studies on this. I want to see some impact studies. This is this bad for the habitat where we watch the eagles and the turtles okay, there's got to be study to get somebody over here.*

Chuck McFadden: *I'm a Fire Commissioner and a firefighter. ...Regarding law enforcement. My major concern is this much housing in our area is many and what concerns me is fire protection and police protection. Very little police protection as it is now, and our fire department is quite small. We're going to have to have mutual aid handle all this stuff. And I just want to make sure that if this happens, that safety is first. I spoke about the speed on Hayes Road. Well, if you come off Hayes Road, and 370 in the morning, those cars are headed down three segments at 65 miles an hour. I know I've answered many accidents on Hayes Road and River Road, especially people trying to get out because the cars on 370 (there are many calls down there). So my main concern with all the other stuff that you say. Please say so, before we approve anything, I'd like to know that there is a good plan.*

Amber Lusignan: *I live on Surbrook right across the street from Larry. We got a lot of Red Rocks here. I got a lot of concerns. Some of them have already been said but my concern is can the schools handle this amount of kids and this amount of potential people coming in. My daughter went to Palmer which is overcrowded. We've got another couple students who have been involved in Baldwinsville and it's overcrowded. So we're going to add more families with potentially more kids. I don't know if our schools can handle it. Our roads can't handle it. I've been here for 20 years. And every year it gets busier and busier and busier. And when I come off Hayes Road I better floor it, as there's going to be somebody at there where you have to drive quick coming down his road. They do fly. When my daughter goes for a walk I don't want her on his road because I find out that now we're going to have more calls more transportation, and our cute little Red Rock area - and I know it's selfish on me. I've got pictures of the birds and watching those eagles in the fields where there's now houses; I've watched the turtles come up. We've had deer, there's now a wolf up there that we saw and coy dogs out there. There are animals that are being pushed out by other areas because of developments that are coming into our area. I'm happy with that makes our area special but where are they going to go with the development? This really needs to be considered. The impact of that thrown in with some septic system or sewage. Okay, I'm fine with my septic I'm fine. We get pumped out to get it fixed. We're good. We have our little Red Rock community. We all know each other. Our fire department is small. I am part of that. I just remembered that the other day. I haven't been to a couple meetings. But we are small. There's not a lot of us there. So now we have all of this and we're going to need more. We're going to need more help and add to the policing. The only time we see a police car go through our neighborhood is if somebody did something wrong. And it doesn't happen often. And then we all learn about it after the fact.*

...not the development of this size; you know on a small scale, not this size of a scale isn't going to hurt all of us. It's just going to take away from our quality of life. And I've never been to a meeting before usually I'm just like 'hey, what are you going to do?' I need to do this one because it is so close to home. I felt obligated to come and just voice my opinion because a lot of other people said the same things I said. please take into consideration what this will be doing. ...We might move if this goes on because it's not going to be the little area that I love that I can go borrow sugar or something from so and so, and wave at Bill up the hill or... just really please take into consideration the impact this is going to have on our little area. Thank you.

Andrew Fusco: *Is that a separate project? So this could be approved, the Melvin Project, the solar, that could happen?*

Supervisor Wicks: *That could happen, yes. The green areas are forever wild.*

(Referring to Map)

Andrew Fusco: *Is it a 40 acre solar farm?*

Mr. D'Arrigo: *It's actually, let me see, 44.7 acres.*

Mr. Fusco: *That's the plot?*

Mr. D'Arrigo: *That's the plot...I believe the actual units probably make up less than that.*

(crosstalk)

...cannot exceed 50%... of the total plot.

Mr. D'Arrigo: *23.88 acres.*

Supervisor Wicks: *The Planning Board takes care of that...*

Andrew Fusco: *I've been looking into this a lot because West Genesee Solar Number 1 is right next to my property. And a couple of the other things that I noticed. I come across Church Road tonight there's a quite a large one there. In the zoning, it says that solar farms be at least be a 200 buffer zone from public property, public roads and so forth. I doubt if it's 200 feet from Church Road, and there's at least a quarter mile stretch and it's big. The other thing is, I looked through one of the plans, Environmental Protection, environmental requirements - and the person that applied for the permit for the solar farm, you have to check a lot checked a lot of yeses and noes and so forth. There's a lot of noes that - with regard to water, water management wastewater management. I mean if you've got 40 acres 50% of it or 100% of it is agriculture, you're going take the cover off of 50% of that. There is a lot of runoff from the water that falls just naturally. If you've got sewers, and you've got other things nearby. Is that going to be part of the plan is better be part of the plan, if you're going to build all of that, that you've got up there? Because if that water goes into sewers, they're going to have a nightmare. A couple of things. The reason why I say this, it's obvious to I'm sure the people that are farming - you take the ground cover over 50% of the land, and they're well aware of what's going to happen in terms of water. And there's it's going seep down and it's going to flow it's going to move - it could go into wells, it could go who knows where. So what is being what is preventing that water from getting there? It's the panels. I've looked at four or five different manufacturers of these panels. They can really vary 15 to 30 years life expectancy, and they'll be replaced. They also recommend - some of them recommend every two weeks, they be cleaned off. Now does that require water? They also want to have some sort of chemical that can be done, but it changes the expense in the plans of what was developing it. And from what I've seen, I guess there's seven of them in the works in Lysander; three have been approved. It's the same company though, right? New Leaf Energy is are those are applications that are in front of the plant. So I hope that whoever's going to be in charge of that portion of the plan will make sure that they have a maintenance plan. What is their maintenance plan? Are they going to clean these things as I say, I remember at least those things lose 20 30% of their efficiency? We've got really harsh winters here. They say that it's sealed, it will crack. I've seen one article, it does form cracks or how thick it is. Again, that's manufacturers. What is the guarantee that they're going to put in the highest quality? I would hope that they're going to have to get approved, and they better put up a mighty big bond to take care of the maintenance that has to occur. You should insist that they create a maintenance plan that follows manufacturers' recommendations.*

What happens if it goes belly up? What happens if there's enough problems or maybe this doesn't have anything this is purely fairly new technology to us.

Supervisor Wicks: *And you realize we put a moratorium on solar farms for six months, right? Look at all for all those reasons. So look at all those things that you're talking about to revisit our current solar town codes and, and then I'm pretty sure - I'm fairly certain that there's going to be some changes in our current code which will require a public hearing. So you'll be able to express thoughts*

Mr. Fusco: *Because if Church Road is any indication of a buffer zone...*

Supervisor Wicks: *I don't want to cut you short for this. This is specifically about this project.*

Mr. Fusco: *I understand what you're saying - well, we're going to have a public hearing and we will have one on solar but this is specifically about this project. It's self-cleaning, they claim that's the most expensive one. Is the developer going to put in the very best high tech ones? If not, where does the water come from? Where does the water go?*

Supervisor Wicks: *This developer doesn't have anything to do with that. But this is another thing to consider because it doesn't have anything to do with this project. It's just a standalone project.*

Mr. Fusco: *I disagree. It would have a lot if it is not done really efficiently and up to some really high standards. Because if they have to deliver there's going be roads to go in there and if they have to maintain it. And what are they going to use to clean these things off?*

Mr. Fusco: *I'm just saying that if this thing does go through, and I've heard awfully good comments. There's other things to think about than can get slipped through this cracks here. So I hope you will consider that in the decomposition. The decommissioning better be spelled out good. Most communities require large bond by the development of...*

Gene Dinsmore: *I live at the corner of Highland Drive and Route 370. So I see every day the number of cars that are coming past this project. I also see Mario who I really like, when I was HW Superintendent, Most of the things that he's done, have turned out pretty well. I got to give him that. But I think I'd be really careful about the number of houses and the number of housing due to the fact that everything's kind of funneled down to Hayes Road to 370 to get out of there. John Glen Boulevard is a real problem, especially in the morning and in the evening. It is a real problem. So what we really need to do is count the number of units, double that to make two cars for every housing unit. And then you know what you're going to confront down on John Glen Boulevard every morning.*

***Pete Gavin:** *I live in Holly Hill on Killoe Road, and I am strongly against this project. We don't need 588 more residents in that area. It's way too dense for that location. The current zoning as the 172 homes, I believe, with the cost of what could be sold. The pump station, to make a profit. What's happened here basically is the density is making the developer a lot more money because the of the reoccurring rents, I don't know that; as I understand correctly. You've got apartments and townhomes.*

Supervisor Wicks: *The apartments are being rented.*

Mr. Gavin: *Going forward. The townhomes being rented so that's more rentals. It's been brought up about traffic. The traffic is crazy. Having to turn on Melvin Drive that comes in to feed that apartment area - Thank God we put a traffic light at Hayes Road, if you put vehicles in that area, or going up to Hayes Road it's going to back up traffic everywhere. You know you have the firemen the policemen, the ambulance, school bussing - everything. It's just way too many vehicles for that area. I built 32 years ago. Coming out on John Glen, it is like it is now. The sales pitch here is the sewage treatment is getting the sewers down there. And it's a \$2 million cost basis because you've got a pump station that's all going go uphill. And that's because you can still make this project work which was proposed before and back then it was voted down because it was too dense. And that was like 172 homes. I ran some math. As far as assessments, we all complain about our taxes. The assessed value, if you take 172 homes at \$500,000 or more than that. It works out the assessed value of \$86 million. That's \$28 per 1000 between our county taxes and our school taxes. Then we're stuck with 2.4 billion with a 'B' revenue coming into it. Your child paid for the schools for the children for everybody. For all the services for about 572 homes is a lot less services that can be provided for by the town, the taxpayer here versus - I couldn't really find much math on what this would do. I looked at Timber Banks. They have 72 units and their assessed value of \$4.5 million. That works out to about \$140 million in taxes are paid. But those buildings here - it's going to be at least half of that for revenue to Town of Lysander, and the County, compared to what could be built with there. Off of River Road they are at least four or five, six thousand dollar houses. You can make that neighborhood under its current zoning. I believe it's cost effective. This just makes them a lot more money.*

To tie it with a sewage treatment plant you talked about. I live over there and I've dealt with it the last two and a half years or odor coming out of that place. [You have to] make sure that the trunk lines big enough - the pump stations big enough for the flow. Then what happens the plane itself? We've got this game plan that can handle that volume. I'm trying to say can we handle up to 1500 homes in the current treatment plant? Can Barbara Lane handle that? And I think I hit most of my points here.

* Mr. Gavin sent a follow-up email to correct some of the items that he spoke about. That email will become part of the minutes and permanent record.

Resident: I'm not a developer. You're not an engineer, obviously you don't have some of the answers that we're asking for, it's kind of arbitrary, and the I'm the biggest hunting fishing man there is, I don't do social media or watch TV. I've got two little kids, and it's a little bit of selfishness of me here. I know we're talking about the sewage pump station layouts. The ratio of kids to teachers goes up and we're trading sewage for our kids' future our kids' education. In my opinion, this isn't well thought out for the future. I get that - you know you guys are going to come in and give a big pump station and make it expandable to residents - which are more residents or residents that are current? I totally get it. They want sewage put in and they want they want the sewers. But again here I'm just asking that you take a look at this and realize that my wife is an educator. She teaches in the school system right now. With how high it has gotten over the last 17 years that I've been here, the fights have gone up in schools. The larcenies have gone up in the schools. The police have their call volume which has gone up a lot. Ambulance calls will go up a lot. I just ask you to think about this. Please don't trade our kids' futures or educational futures because it comes out of the same source.

Resident: The gentleman has spoken for me pretty much echoed and prefaced everything that I was going to say. I'm retired military. I live on Radburn Drive. I know it's Radisson, but I'm not a Lysander lifer. I'm actually retired military. I came to this area with my wife and my two young kids because I spent the bulk of my life living in or very close proximity to these high capacity places. The reason why we came to this area is to get away from this. Okay, that was why people were talking about the green spaces, the wildlife. I'm a big conservation guy myself. I work with a number of Adirondack groups as a volunteer. Most recently, we lived in Liverpool, we came here to the area that we live in to get away from exactly what's going to become 370 and this area, this time - so a high-rise? 676 units, it's a lot of people. Alright, so that's my piece.

**MOTION TO ADJOURN THE PUBLIC HEARING REGARDING
THE MELVIN FARM INCENTIVE ZONING LETTER OF INTENT**

RES#102/2023

Hearing all comments, motion made by Councilor Kudarauskas seconded by Councilor Moore to adjourn the public hearing at 8:06 PM.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

Citizens Comments

Fred Burtch spoke regarding the Mills Road Water District, as he thinks the voting time is too short. He'd like to see it extended. Regarding Collington Pointe, he said there are other houses being added in Melia and/or Brickwalk which adds to the Melvin Farm project. He asked that the Town Board act like a property owner when considering projects.

Town Board Comments

The Town Board thanked everyone for coming to the meeting and making their comments regarding the proposed Melvin Farm project. **Councilor Kudarauskas** noted the traffic issues as they were a concern, and **Mr. Yager** noted that the traffic studies are done by level of service. Level of service will not be degraded as of current rating with DOT standards. It only looks at peak hours of the day – not throughout the day. Single family houses generate more trips per day than apartment units as defined by DOT and FHA. From a trip generation standpoint 590 apartment units is not the same as 590 standing home units.

Supervisor's Comments

Supervisor Wicks stated that everyone was respectful during the public hearing, and he said that he appreciated the comments from the public. He said that is the effective way of government to work with its neighbors. He noted that there will be another public hearing where other people will have the opportunity to voice their concerns.

Department Head Reports

Kevin Merrill, Parks and Recreation Director stated that there are many programs available, and the information can be found on the website.

Mr. Yager reported on MS4:

We are mandated by our MS4 permit that we publicly discussed the annual reporting that goes to the New York State DEC pertaining to our municipal separate storm sewer system, i.e. our drainage network. Our existing MS4 permit requires reporting on six middle control measures annually, including public outreach and education, which we team with the CNY stormwater Coalition on public involvement and participation. We also teamed with the CNY stormwater Coalition on illicit discharge detection and elimination which and County Water Environment Protection who runs a stormwater hotline where people can call and report illicit discharges and soil water conservation district who inspects our outfalls construction site stormwater runoff control and post construction stormwater management, as well as stormwater management for municipal operations, i.e. our highway, garage and parking lots. The permit requires a town to identify measurable goals for each minimal control measure and report on the effectiveness of the measurable goal for each control measure. In 2022, we did not receive any reports of illicit discharges in the town of Lysander.

In 2020, the town issued one stop work order for construction site erosion and sediment control violations that the developer fixed, and in 2022 the town met performance maintenance practices on nine town controlled stormwater management areas which have included routine maintenance such as mowing, removal of brush and cleaning of the discharge control structures. All of the town roads and parking lots are swept at least once in the past year and I'm still waiting on the final number of catch basins that were cleaned but that will be included in the final report when it's submitted to the DEC. All in all, we're on track for meeting our measurable goals. This will be the last year under this permit. A new permit has been mandated by the EPA and the DEC. The draft permit has actually been out for about two years, and it's anticipated to be adopted over the summer and implemented by the end of 2023. So there will be changes, and if they are significant changes in the amount of maintenance, that will be required of our stormwater infrastructure.

Ms. Falcone read a portion of a letter that was sent by Autumn Starr, as she is against the project for various reasons. The letter which was emailed to the Town of Lysander will become part of these minutes and the permanent record.

Regular Agenda Items

MOTION TO FORM THE MILLS ROAD WATER DISTRICT

RES#103/2023

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to form the Mills Road Water District, under New York State Town Law Section 12A, Special District Formation, by order of the Town Board. A mandatory referendum shall be voted upon on Wednesday, July 19, 2023, from 2:00 PM to 6:00 PM in the Town Clerk’s Office, 8220 Loop Road. This resolution shall authorize the Town Clerk to submit the required documents as per Town Law Section 194 Article 12A, to the New York State Department of Audit and Control.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO AUTHORIZE RELEASE OF A PORTION OF AN EASEMENT AT 1677 S. IVY TRAIL

RES#104/2023

Motion made by Councilor Kudarauskas seconded by Councilor Rode to authorize the release of a portion of an easement at 1677 S. Ivy Trail.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO SET THE PUNCH LIST SECURITIES FOR THE COLLINGTON POINTE EAST PHASE II DEVELOPMENT AT \$76,000

RES#105/2023

Motion made by Councilor Rode seconded by Councilor Kudarauskas to set the punch list securities for the Collington Pointe East Phase II (AKA Copper River) development at \$76,000.00 as recommended by the Town’s Engineering Consultant.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Absent
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO SET THE MAINTENANCE GUARANTEE FOR THE ROADWAY AND UTILITIES INCLUDED IN THE COLLINGTON POINTE EAST PHASE II DEVELOPMENT AT \$109,250

RES#106/2023

Motion made by Councilor Moore seconded by Councilor Kudarauskas to set the maintenance guarantee for the roadway and utilities included in the Collington Pointe East Phase II (AKA Copper River) development at \$109,250.00, 25% of the project value as estimated by the Town’s Consulting Engineer.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO ACCEPT THE DEDICATION OF THE ROADS AND UTILITIES INCLUDED IN THE COLLINGTON POINTE EAST PHASE II SUBDIVISION

RES#107/2023

Motion made by Councilor Rode seconded by Councilor Kudarauskas to accept dedication of the roads and utilities included in the Collington Pointe East Phase II subdivision. Roads included in this resolution that the Town will maintain from this date forward include the following:

Street: Stoney Pond Way
Length: 0.235 miles
From: Chillingham Way
To: Chillingham Way

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO SET THE PUNCH LIST SECURITIES FOR THE TIMBER BANKS SECTION 3 PHASE 5 AND 6 DEVELOPMENT AT \$126,300

RES#108/2023

Motion made by Councilor Moore seconded by Councilor Rode to set the punch list securities for the Timber Banks Section 3 Phase 5 & 6 development at \$126,300.00 as recommended by the Town's Engineering Consultant.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO SET THE MAINTENANCE GUARANTEE FOR THE ROADWAY AND UTILITIES INCLUDED IN THE TIMBER BANKS SECTION 3 PHASE 5 & 6 DEVELOPMENT AT \$190,758

RES#109/2023

Motion made by Councilor Rode seconded by Councilor Kudarauskas to set the maintenance guarantee for the roadway and utilities included in the Timber Banks Section 3 Phase 5 & 6 development at \$190,758.00 25% of the project value as estimated by the Town's Consulting Engineer.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO APPROVE FINAL BUDGET MODIFICATIONS FOR 2022

RES#110/2023

Motion made by Councilor Geraci seconded by Councilor Moore to approve the following final Budget Modifications for 2022 as submitted by the Town Comptroller:

Street Lighting Fund/Part Town/General Fund

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

**MOTION TO APPOINT ALLISON STARR
TO THE POSITION OF PART-TIME DEPUTY CLERK**

RES#111/2023

Motion made by Councilor Kudarauskas seconded by Councilor Rode to appoint Allison Starr to the position of Part-Time Deputy Clerk, as needed, in the Town Clerk’s office with an hourly rate of \$18.70 not to exceed 20 hours per week effective May 19, 2023.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Absent
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO APPOINT LESLIE CARTIER TO THE TITLE OF SUMMER AIDE

RES#112/2023

Motion made by Councilor Moore seconded by Councilor Geraci to appoint Leslie Cartier to the title of Summer Aide as instructor of GEMS+ Summer Camp at an hourly rate of \$46.00 per hour.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Absent
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO APPOINT RANI DOTTERER TO THE TITLE OF SUMMER AIDE

RES#113/2023

Motion made by Councilor Geraci seconded by Councilor Kudarauskas to appoint Rani Dotterer to the title of Summer Aide as instructor of GEMS+ Summer Camp at an hourly rate of \$46.00 per hour.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Absent
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

MOTION TO APPROVE SUMMER HOURS FOR TOWN HALL

RES#114/2023

Motion made by Councilor Rode seconded by Councilor Geraci to approve summer hours for Lysander Town Hall – 8:30 AM to 4:00 PM, Monday through Friday. The Town Clerk’s Office hours will remain 9:00 AM to 4:30 PM. Summer hours will commence Tuesday, May 30, 2023 and end September 4, 2023.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Absent
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

ADJOURNMENT

Motion made by Councilor Rode and seconded by Councilor Kudarauskas to adjourn the Town Board Meeting at 8:31 PM.

Supervisor Wicks	Aye	Councilor Kudarauskas	Aye	Councilor Geraci	Aye
Councilor Moore	Aye	Councilor Rode	Aye		

All ayes, motion carried and adopted

This is a true and complete recording
of the action taken at this meeting.

Dina Falcone, Town Clerk