

TOWN OF LYSANDER
PLANNING BOARD MEETING
8220 LOOP ROAD
Monday, December 10, 2018 @ 7:00 p.m.

The regular meeting of the Lysander Planning Board was held Monday, December 10, 2018 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John Corey, Chairman; Joanne Daprano; Hugh Kimball; William Lester; Steve Darcangelo; Keith Ewald; Doug Beachel

OTHERS PRESENT: Al Yager, Town Engineer; Doug Reith, LLS; James Buckbee; Carolyn Buckbee; Stephen Thomas; Joe Murabito; Ana Maria Murabito; Julian Clark, Plumley Engineering; Jim Stirushnik; Frank Costanzo, ZBA 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 | Anderson, Timothy |
| Case No. 2018—011 | 1321 Bellows Road |

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

Doug Reith, Licensed Land Surveyor, CNY Land Surveying, stated that they have a sixty (60) acre lot and are proposing to divide it up equally into three lots, 20 acres each, with an existing home and outbuildings on Lot 2. There are no plans to build on Lots 1 and 3 at this time. There is no need to do percolation tests and/or a septic design as they're both over five (5) acres. Lot 2 has an existing well and septic. There are national wetlands associated with the parcel but do not interfere with the subdivision.

James Buckbee, 1415 Bellows Road, questioned what type of structures are going in there.

Mr. Reith stated that at this point in time, none.

Mr. Buckbee questioned what type of structures can go on there.

Several people, houses, residential homes...

Mr. Buckbee asked if trailers would be allowed.

Karen Rice, Clerk, stated that if they're 1100 square feet in size on a permanent foundation they're allowed. You're not going to get a single-wide trailer that size in there, but a double-wide could meet the minimum requirements.

Mr. Buckbee questioned the zoning.

Karen stated that it's zoned Agricultural that reverts back to single family uses.

Mr. Buckbee questioned how many structures could go in a twenty (20) acre parcel.

Al Yager, Town Engineer, stated that it would require further subdivision to get any more than one house per parcel at this time.

Mr. Buckbee concurred stating that on the twenty (20) acre plot there would be one (1) residential structure.

Mr. Yager concurred.

Mr. Buckbee stated that that is his concern...I just don't want a million trailers on my road. I built my house back in the 80's. I like the traffic there being at a minimum; a lot of people skip through there, take short-cuts through there but I like my peace and quiet. I was just concerned with the increase in traffic and what's going on.

Mr. Buckbee stating that he's not familiar with the process questioned where we stand on this subdivision at this point.

John Corey, Chairman, stated that this is the Public Hearing. After the Public Hearing is closed we'll act on it tonight.

Mr. Buckbee questioned if there are people who have already purchased the property.

Mr. Reith stated that the current owners are three brothers; it's a family farm that they are splitting up.

Mr. Corey reiterated that it is his understanding that the subdivision is for estate purposes.

Mr. Buckbee thanked the Board for their time.

There being nothing further, the Public Hearing closed at 7:05 p.m.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the November 8, 2018 regular Planning Board meeting.

RESOLUTION #1 --- Motion by Kimball, Second by Lester

RESOLVED, that the minutes of the November 8, 2018 regular Planning Board meeting be approved as submitted.

7 Ayes -- 0 Noes

III. OLD BUSINESS

1. Minor Subdivision
Case No. 2018—011

Anderson, Timothy
Bellows Road

There is a letter on file dated December 10, 2018, prepared by Al Yager, Town Engineer, that will be made part of the public record that will be made part of the public record, in part:

I have completed my review of the Anderson Minor Subdivision map prepared by CNY Land Surveying, dated October 25, 2018. The existing parcel is defined as a "legal nonconforming" as it has two existing homes on one lot which would not be allowed under the current agricultural zoning for the parcel. Section 320-55 B of the Lysander Code states the following related to legal nonconforming uses: "No such use shall be enlarged or increased to occupy a greater area of or land that was occupied at the effective date of adoption of this chapter". I have spoken with the Planning Board attorney, Mr. Tim Frateschi, regarding this matter and he confirmed that this section of the code does not prohibit the subdivision of the parcel as presented as the subdivision makes the legal nonconforming lot smaller. Based on the Lysander Code Section 320-55 D that is intended to avoid undue hardship for legal nonconforming parcels it could also be argued that forcing the owner to further subdivide the lot with two existing homes would be considered an economic hardship due to both existing homes being on a shared well and septic system. Overall it appears that the proposed lots conform to all applicable Town Code requirements. I would have no objections to the Planning Board approving this minor subdivision 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 December 10, 2018, 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 did not require referral to the Onondaga County Planning Board for their review and recommendation.

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

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

RESOLVED, that a Public Hearing having been held and there being no findings or grounds for decision contrary to the laws and regulations of the Town of Lysander, County of Onondaga or State of New York, Final Plat approval for a three (3) lot subdivision application by Timothy Anderson, Bellows Road, Baldwinsville, New York, Part of Farm Lot No. 46 and Tax

Map No. 026-01-27.1, as shown on a made dated October 25, 2018, prepared by Douglas J. Reith, Licensed Land Surveyor, is hereby approved.

7 Ayes -- 0 Noes:

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

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

7 Ayes -- 0 Noes

All fees associated with this application are paid.

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

Mr. Reith thanked the Board for their time.

IV. NEW BUSINESS

2. Controlled Site Use
Case No. 2018—012

Murabito, Joseph & Ana Maria
9272 Plainville Road

Joe Murabito stated that he and his wife purchased property at 9272 Plainville Road this past April from the Guinta's. It's a 70 acre parcel that has been farmed for many years, currently with soybeans and corn. The Guinta's had horses as well. Our intension is to continue that as a farm, converting it to a vineyard. I have roughly 6,000 grapevines planned to go in the third or fourth of June 2019 on existing fields. Of the total 70 acres there's probably 45 or 50 that is planted at this time. We will take about 10 of those and put vines in there. The existing barn structures will be converted to wine production with a tasting room in the middle of the front barn.

Mr. Murabito continued stating that with regard to the Site Plan, an access road is proposed north of the existing house with a fairly wide gravel driveway from Plainville Road up to the barns for agricultural access purposes. We have a lot of fields; whether or not they have grapevines will continue to be maintained. Proposed parking is planned in and around the driveway based on the commercial square footage of the tasting room. There is a leach field expansion plan, as the existing leach field is for the house.

Mr. Murabito stated that's kind of the 30,000 foot and I'd be happy to answer any questions. Julian Clark, Plumley Engineering, can help out with any technical questions with regard to the plan.

Jim Stirushnik, Dinglehole Road, questioned the number of employees.

Mr. Murabito stated that they will have a vineyard manager will be on site, other than that it's a family venture with my wife and I and in-laws.

Hugh Kimball questioned if the Murabito's are aware that this type of facility requires that you grow 50% of what you sell.

Mr. Murabito stated that they are aware of that. The will be planting three (3) varieties of hybrids, roughly 6000 vines or so. Somewhere between 2000 to 3000 gallons initially to sell.

Country Store, in part: The purpose of a country store is to provide opportunities for agricultural enterprises located in the Town to retail their products directly to consumers. Agricultural products grown or otherwise produced by the owner must constitute a substantial portion (50% or more) of all items sold at a country store.

Mr. Kimball questioned what types of grapes would be grown.

Mr. Murabito stated that he has his heart set on Marquette...it's a personal, up and coming red. I think a lot of the Finger Lakes Vineyards are starting to plant it. Also Frontenac green and Blanc. Both white, cold, hearty hybrids a lot of folks use for different things. There will be blends...the Marquette is in my head to be the primary goal.

Steve Darcangelo questioned if the leach field is designed for just sanitary waste or disposal of production.

Mr. Murabito stated sanitary waste only. We will have pump out tanks so that we don't put any of the production waste into the leach fields. We're looking at a 2000 gallon tank and having a truck come in and pump it out. It didn't make a lot of sense putting that through the leach field.

Mr. Darcangelo questioned if two leach fields were necessary. Are the soils questionable, is the flow not great?

Mr. Clark stated that as for now its fine...we just want to make sure we have it sized now for the future.

Mr. Kimball stated that what's in front of us is what your long-term plan is, you're not going to have any weddings, etc...

Mr. Murabito stated that the facility is primarily a vineyard and winery with its beautiful space and land and tasting room. That is the primary function at this time.

Mr. Darcangelo questioned if the parking meets Code.

Mr. Yager concurred stating that one (1) parking space per 300 square feet of retail area is required. Obviously that's not that many spaces so he's more than adequate. The disturbance is less than one (1) acre for commercial development; therefore a SPDES (State Pollutant Discharge Elimination System) permit will not be required for construction. We will ask them to do common sense erosion and sediment control, but other than that nothing else.

William Lester stated that in reviewing the Short Environmental Assessment Form, more particularly No. 17 and 18:

Will the proposed action create storm water discharge, either from point or non-point sources?

- a) Will storm water discharges flow to adjacent properties?***
- b) Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?***

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?

Mr. Lester stated that both were answered yes. I'm assuming a storm water basin.

Mr. Yager stated that he's proposing an irrigation pond, not a storm water basin.

It was determined that the size of the pond will be reviewed at a later date.

There was some discussion with regard to the access points.

It was determined that the Board will have an opportunity to look at this application again, after it has gone to the Onondaga County Planning Board for their review and recommendation and the Zoning Board of Appeals for the Special Use Permit.

Mr. Corey thanked Mr. Murabito and his representatives for the overview of this very interesting project.

Mr. Murabito and his representatives thanked the Board for their time.

V. ADJOURN

RESOLUTION #4 -- Motion by Lester, Second by Kimball

RESOLVED, that the December 10, 2017 regular meeting of the Lysander Planning Board adjourn at 7:24 p.m.

7 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk