

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 LOOP ROAD  
Thursday, July 11, 2019 @ 7:00 p.m.

The Town of Lysander regular Planning Board meeting was held Thursday, July 11, 2019 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 and Doug Beachel

MEMBERS ABSENT: Keith Ewald

OTHERS PRESENT: Richard Schader; Gene Dinsmore; Mario D'Arrigo; Mark Harrison and Karen Rice, Clerk to Planning Board

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 | Schader, Richard     |
| Case No. 2019—006    | 7326 Cross Lake Road |

Richard Schader stated that the home was his father's as part of the farm on Cross Lake Road. I'm just tired of maintaining and heating the house it so it's time for someone else to live in it. The farm will be kept in the family and under agriculture.

Steve Darcangelo questioned if everything is conforming, the setbacks, etc...

The applicant concurred.

John Corey, Chairman, stated that there is a letter on file from Al Yager, Town Engineer, that will be made part of the public record.

Mr. Darcangelo questioned the dotted line shown through the property is no longer a property boundary line.

Mr. Schader concurred.

Mr. Darcangelo stated that the surveyor left it in.

Mr. Schader stated that it has something to do with the centerline of the road.

Gene Dinsmore stated that anything that this 'farmer' does has always been first class stuff. I have no problem with the subdivision.

There being nothing further, the Public Hearing closed at 7:03 p.m.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the May 9, 2019 and June 13, 2019 regular Planning Board meetings.

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

RESOLVED, that the minutes of the Mary 9, 2019 and June 13, 2019 Planning Board meeting minutes be accepted as accepted.

6 Ayes -- 0 Noes

III. OLD BUSINESS

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|---|---|
| 1. Minor Subdivision<br>Case No. 2019—006 | Schader, Richard<br>7326 Cross Lake Road. |
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This application was forwarded to the Onondaga County Planning Board for their review and recommendation, which will be made part of the public record, in part:

The Board encourages the Town to consider the potential long-term effects of land fragmentation, large-lot, strip subdivisions along road frontages, and division of farmsteads and farmlands onto separate lots on the economic viability of agricultural lands, particularly within areas containing New York State Agricultural District properties and in farm/agricultural zoning districts. Potential conflicts with agricultural operations, changes to the rural character of the surrounding area, increases in public service demands and costs, reduction of open space and farmland, and impacts to road safety and mobility may cumulatively occur as a result of such subdivisions.

There is a letter on file dated July 11, 2019, prepared by Al Yager, Town Engineer, that will be made part of the public record, in part:

I have completed my review of the Schader, Cross Lake Road Minor Subdivision prepared by CNY Land Surveying, dated June 7, 2019. Overall it appears that the site conforms to all applicable Town Code requirements. I would have no objections to the Planning Board approving this minor subdivision at this time.

**FINDINGS:**

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

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

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

This application was forwarded to the Onondaga County Planning Board for their review and recommendation. Their findings were made part of the public record.

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

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

RESOLVED, that a Public Hearing having been held and there being no findings or grounds for decision contrary to the laws and regulations of the Town of Lysander, county of Onondaga or State of New York, Final Plat approval for a two (2) lot subdivision application by Richard Schader, for property located at 7326 Cross Lake Road, Memphis, New York, Tax Map No. 036.-02-12.3, as shown on a map dated June 7, 2019, prepared by Douglas Reith, CNY Land Surveying, is hereby approved.

6 Ayes -- 0 Noes

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

RESOLVED, that IN GRANTING A SUBDIVISION TO Richard Schader, for property located at 7326 Cross Lake Road, Memphis, New York, the Planning Board invokes its right to impose a fee of \$250.00 per lot for one (1) lot in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.

0 Ayes -- 6 Noes

There is an existing home on Lot 2 and the remnant piece will remain under agriculture.

Mr. Schader thanked the Board for their time.

#### IV. OTHER BUSINESS

##### 1. Major Subdivision

Highland Meadows, Phase 3A  
15 Lots, Giddings Trail

Mario D'Arrigo stated that he is before the Board this evening for changes to Highland Meadows, Phase 3A. The plan will be modified as the surveyor left out some easements. Easements are conveyed according to the filed maps, so those changes will be made. The interesting part of the presentation this evening is there are going to be some big changes coming on as we've been told with Ryan Homes pulling out of the Syracuse area. We are before the Board asking for Final Plat approval for fifteen (15) lots instead of the 47 as previously approved because we aren't going to be able to sell 25 to 30 lots per year without as we would with Ryan. The way the agreement that we have with Ryan reads is that we have seven (7) lots within the fifteen (15) that they have contracts on. They could have bought out the contracts, which would have cost them a few bucks, but they've decided to go ahead and do those contracts, finish the homes and then they're out. I am in the process of putting together an agreement that basically states that we're going to inherit the right to build on the lots next week. The good news is that I have a partner that's a builder. We also have some good builders in the area like maybe Alberici or others that we might be able to bring in. While on the one hand we would like them to stay, on the other hand I think we'll be ok without them. But...we would like the Board to give us a little bit of flexibility of doing what Dan Bargabos did with his Giddings Crest section and maybe authorizing the Chairman to sign maps as we sell lots because there are two things that kill a developer is interest and taxes. I can't foresee how long it's going to take and if we have forty-seven (47) lots plus eight (8) left in Section II, that's an awful lot of lots and at \$1000 to \$1100 I'm sure will affect the profit really quickly. We would like the Board to give the Chairman the authority to sign a map provided everything else is in place. We hope to have the banks securities in place by next week, the 18<sup>th</sup> of July for the next Town Board meeting. The Dedication will be already for them to approve. We are seeking approval for the fifteen (15) lots but dedicating the whole street down to Giddings Crest so that when we come back for 2, 3 or 4 lots the only thing we need you to do is sign the map for filing.

Hugh Kimball stated that we have basically have been doing that at meetings for a couple other developers because we understand...

John Corey stated that it's a pretty common practice.

Mr. D'Arrigo stated that we appreciate this because some Town's don't have that kind of flexibility and it really hurts. We really appreciate it.

Mr. Kimball questioned if Ryan was going to build seven or fifteen houses.

Mr. D'Arrigo reiterated that they are going to build seven, they have seven purchase offers and those are the only lots they will be building on.

Mr. Corey questioned if there was any rationale as to why they moving out of the Syracuse area.

Mr. D'Arrigo stated that he believes it all comes down to economics. The first half of last year they were gang-busters. They did twenty-five lots, then they died around June 2018. We thought we would have a booming year then they only built about four between June and December. Since January 1<sup>st</sup> to now there have only been four or five. I'm not sure what happened. I don't know if it's the tariffs. I do know the cost of lumber and things have increased significantly. They work on a profit and if the costs go up, their profit goes down.

Mr. Corey concurred stating that they're like grocery stores, they work on a low margin with high volume.

Mr. D'Arrigo stated that he thinks Syracuse has always been the poor cousin in New York. Four or five years ago they made some big changes by giving up a lot of small subdivisions. I think they only stuck with four or five where they could put models in. That was a big change. There were rumors at that time that they might leave.

Karen Rice, Clerk, concurred stating that they've left before where they concentrated their efforts in Rochester after they built-out Canterbury Woods in the Village.

Mr. D'Arrigo stated that it will create a vacuum that is going to be filled by other builders, which is a good thing.

Mr. Kimball questioned if they still have their office in the old Winkelman Office Building.

Karen stated that they've been out of there for at least 15 years....all of our permits go to Rochester.

Mr. Corey stated that Al Yager, Town Engineer, prepared a letter dated July 2019 that will be read into the public record, in part:

I have reviewed the final plat for Phase 3A of the above referenced subdivision prepared by Ianuzi & Romans Surveying, P.C., dated February 28, 2019 with a revision date of July 10, 2019. It appears that the final plat as submitted for the 15 lots now included in Phase 3A is identical to the preliminary plat approved by the Planning Board on June 18, 2102.

The final plat will need to be modified to indicate that all Town of Lysander and Village of Baldwinsville utility easements for the remaining phases are being included in this map filing. The text identifying the NYSDEC wetland and buffer will also need to be relocated. I have spoken with the surveyor and he is making the requested changes to the map. At this time I would not be opposed to the Planning Board passing a resolution authorizing the Chairman to sign the final plat contingent on the revised map being provided which includes the utility easements for the remaining phases of the development and the NYSDEC wetland text correction.

Mr. Corey stated that it's pretty straight forward, identical to what we approved seven years ago.

Mr. Darcangelo questioned if this map has been modified since Al saw it.

Mr. D'Arrigo stated that it has not. This is the map that Al looked at and said we don't have the easements on there and you need to fix them. Everything happened today.

Mr. Darcangelo stated that it shows the easement.

William Lester stated that it shows the Village easement, but not the Town's.

Mr. Darcangelo stated that all of the other Town utilities are in the right-of-way and it does say sanitary sewer easement...there's a couple places where the sewer runs outside the roadway boundary and it shows sanitary sewer easement, it shows the easement for water.

Mr. D'Arrigo stated that he doesn't have a problem...

(Several talking at once)

Mr. Corey stated that Al is working with them on that.

Mr. D'Arrigo stated that as long as Al sees the final map and he approves it, I'm happy.

Mr. Corey concurred stating that he's not signing anything tonight.

Mr. Darcangelo stated that the only comment he has regarding dedication would be the other municipality that owns utilities in this...at some point there needs to be a formal dedication to them as well.

Mr. D'Arrigo stated that he thought there was an inter-community agreement that was signed years ago. We have done that with the previous sections; we've dedicated to the Town and then the Town works it out with the Village. That's the way we've done it before.

Mr. Darcangelo, putting on a different hat, stated that he doesn't know if there has been ownership taken of the waterlines by the Village of Baldwinsville, anything formally anyway. We are operating them; we're doing everything but of all things water is something that certainly should be formalized so that there's never a question. Let's say someone got sick from the water main...there was never a discussion..'Well the Village never took ownership of that'. I think we should formalize that at some point. I don't know how that has been done. I'm not aware of that being done.

Mr. D'Arrigo questioned if that could be something between the Village and the Town?

Mr. Darcangelo stated that it's certainly something that he and Karen (Rice), Clerk, can work on that. We'll look at that and if there needs to be something from you we'll figure that out.

## FINDINGS:

An Environmental Assessment Form was reviewed as part of the Preliminary Plat Approval Process; this proposed action will not result in any significant adverse environmental impacts.

There is a letter on file from Jerry Hole, Highway Superintendent, dated March 13, 2019, that has already been made part of the public record.

There are review letters on file from Al Yager, Town Engineer, dated March 13, 2019; May 9, 2019 and July 11, 2019 that have 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 #4 -- Motion by Corey, Second by Lester

RESOLVED, that the Planning Board rescind the Final Plat approval for the forty-five (45) lot subdivision made at the May 9, 2019 meeting and authorize the Chairperson review the Final Plat for a fifteen (15) lot subdivision application of Highland Meadows Development, LLC, for property located at Highland Meadows, Section 3, Mercer Street to Giddings Trail, Part of Farm Lots No. 78 & 79, Part of Tax Map Number 049.2-03-06.1 and finding that all modifications and conditions have been met; and that the Final Plat is consistent with the approved Preliminary Plat; and that any differences found are not significant; the Board authorizes the Chairperson to waive the Final Plat Public Hearing and sign the Final Plat, with the following conditions:

- 1) All fees associated with this application, including expert fees, be paid to the Town Clerk;
- 2) Any financial securities established by the Town Board has to be in place;
- 3) The Town Board accept the roads and utilities;
- 4) The Chairman shall not sign the Final Plat until Legal and Engineering review of the above conditions are satisfied.

6 Ayes -- 0 Noes

Mr. D'Arrigo thanked the Board for their time.

## V. OTHER BUSINESS

Steve Darcangelo, wearing his Village Engineer hat, stated that the Village operates its Department of Public Works facility on property that's in the Township. We have 17 acres. There's a portion on the corner of Emerick Road and NYS Route 370 that we haven't used since we've been there, which is approximately 17 years. We just spend time and effort mowing it. We would like to subdivide the property and offer it for sale. We are in the process now of looking to get it surveyed for subdivision. We may go before the Town Board and request a Zone Change. It's zoned residential but we may request a change to Neighborhood Business and then come in for a subdivision of that property. If we do I will abstain from any action. It's probably out in the future a little bit because we have to get our survey done, Doug Reith is doing it and I don't know what his time frame is. With anything this will take some time. There will probably be some discussion by the Board of any anticipated use of that property in the long-term. We don't anticipate a day that we will ever need it. Quite honestly if we ever have the opportunity to expand a new piece of property would be in the Village. The reason being we drive equipment up and down NYS Route 370 and there is some equipment that I would identify as dangerous for that route. Street sweepers running up and down 370...it's going fast enough where you can't easily pass it but slow enough to cause a hindrance. Same with the loader. If we pursue something different for an expansion I would love to find a piece of property in the Village for that so I don't see us utilizing this piece.

William Lester questioned how much land is involved.

Mr. Darcangelo stated that they have 17 acres there and would probably break off between 3 to 4 acres. It's a corner lot that we believe has some value. Right now it's off the tax roll. If we were to sell it it would likely go to an entity that would result in a tax entity.

Hugh Kimball questioned if the Village would have to declare it surplus to get rid of it.

Mr. Darcangelo concurred stating that they would have to declare it as surplus prior to the sale.

John Corey, Chairman, questioned what the zoning is for the other side of the intersection.

Karen Rice, Clerk, stated that the Byrne Dairy on the opposite corner and the former Clarke's Stand are both zoned Neighborhood-Residential Business District.

Mr. Darcangelo stated that they have discussed this with Karen and Al Yager, Town Engineer. Al is the one who made the suggestion to consider a zone change. That might be down the road.

VI. ADJOURN

RESOLUTION #5 -- Motion by Lester, Second by Darcangelo

RESOLVED, that the July 11, 2019 Town of Lysander regular Planning Board meeting adjourn at 7:28 p.m.

6 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk