

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 LOOP ROAD  
Thursday, November 14, 2019 @ 7:00 p.m.

The regular meeting of the Town of Lysander Planning Board was held Thursday, November 14, 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; Doug Beachel and Keith Ewald

OTHERS PRESENT: Al Yager, Town Engineer; Harold Jenkins Marylyn Jenkins; Frank Costanzo, ZBA; Steve Sehnert, Applied Earth Technologies; Mark Harrison, Belgium-Cold Springs Fire Department; Corey Figueiredo; Jim Stirushnik and Karen Rice, Clerk

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

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

1. Minor Subdivision Case No. 2019—012	Emmi-Mangano LLC 1235 West Genesee Road
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The Public Hearing opened at 7:00 p.m.

Steve Sehnert, Licensed Land Surveyor, represented the applicant stating that the LLC owns property at the corner of Fenner Road and NYS Route 370, approximately 34 acres of land; most of it being cropland with the exception of the existing original farmhouse along Route 370. They desire to cut the farmhouse and outbuildings out of it and sell the home to the tenant as the farmer's don't want to be landlords. It's serviced by private utilities. The property is zoned Agricultural, no Ag District, no freshwater wetlands and no 100 year flood hazard areas. The proposed parcel meets all of the required zoning regulations.

Mick Jenkins, West Genesee Road, asked for clarification of the location and Mr. Sehnert indicated same on the plan, stating it was on the northwest corner of Fenner Road and NYS Route 370.

Jim Stirushnik, Dinglehole Road, stated that in the past it has been the practice of this Board to either take 8% of the land in a situation like this or accept a fee in lieu of that land. That fee was intended to create parks, acquire parkland and make major developments to that parkland. The Town Board has recently used these funds to make year to year expenditures for current parklands. I would suggest that this Board reconsider the assessing of these fees and whether it wishes to consider (unclear)...undue burden to the property owner for a long-term time.

Steve Darcangelo questioned if it was the authority of this Board to waive those fees.

Karen Rice, Clerk, stated yes...there are no new building lots being created. The remnant piece will remain under agriculture. They can choose to waive. **[Chapter 270, Section 270-16]**

John Corey, Chairman, concurred, stating that we have the authority to waive the fees. The Town Board sets the fees.

The Public Hearing closed at 7:04 p.m.

PUBLIC HEARING -- 7:05 p.m.

2. Minor Subdivision Case No. 2019—013	Emmi-Mangano 1573 West Genesee Road
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The Public Hearing opened at 7:05 p.m.

Steve Sehnert, Licensed Land Surveyor, represented the applicant stating that this is another parcel of land owned by the Emmi-Mangano, LLC on the northside of NYS Route 370 and the northeast corner of East Mud Lake Road. The parcel is approximately 55 acres in size and contains an existing farmhouse and barn along Route 370. They desire to cut the farmhouse

and outbuildings out from the croplands and sell the home most likely to the current tenant as the farmer's don't want to be landlords. It's serviced by public water and is on a septic system. The property is zoned AR-40, 40,000 square feet, no Ag District, there is a stream that runs through the site, there are no freshwater wetlands and no 100 year flood hazard areas. The proposed parcels meet all of the required zoning regulations; with the exception of the Front Yard Setback. We can't control that because the house is existing.

Jim Stirushnik, Dinglehole Road, stating that he has the same sentiment as the previous Public Hearing...these parcels are going to be a tax expenditure rather than dedicated towards acquisition of parkland which will be needed in the western part of the Town at some day in the future. Probably not in our lifetime but as things are developed we will need to acquire additional parkland and make an investment in the roads, 'plumbing' and structures and they're very costly. It was very prudent of our ancestors to choose this piece and I thank them...(unclear) I think the Town members of the Board should consider how they handle the situation and perhaps change their practices.

Hugh Kimball, directing his comment to Mr. Stirushnik, stated that we're not creating any new building lots in either piece so there won't be any fees in lieu of land.

Mr. Stirushnik stated that this is the first opportunity he has had to speak to the Board.

The Public Hearing closed at 7:10 p.m.

## II. APPROVAL OF MINUTES

Review and approval of the minutes of the October 10, 2019 regular Planning Board meeting.

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

RESOLVED, that the minutes of the October 10, 2019 regular Planning Board meeting be approved as submitted.

7 Ayes -- 0 Noes

## III. OLD BUSINESS

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|----------------------|------------------------|
| 1. Minor Subdivision | Emmi-Mangano           |
| Case No. 2019—012    | 1235 West Genesee Road |

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

I have completed my review of the above referenced minor subdivision prepared by Applied Earth Technology, dated July 24, 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 who made the following recommendation, in part: NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT in regards to the referral:

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.

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 two (2) lot subdivision application by Mangano LLC & Emmi LLC, for property located at 1235 West Genesee Road, Plainville, New York, Tax Map No. 033-02-03.1, as shown on a map dated July 24, 2019, prepared by Stephen Sehnert, Applied Earth Technologies, is hereby approved.

7 Ayes -- 0 Noes

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

RESOLVED, that in granting a subdivision to Mangano LLC & Emmi LLC, for property located at 1235 West Genesee Road, Plainville Road, 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 -- 7 Noes

There is an existing residence and the remnant piece will remain under agriculture.

All fees associated with this application have been 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. Sehnert thanked the Board for their time.

2. Minor Subdivision	Emmi-Mangano
Case No. 2019—013	1573 West Genesee Road

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

I have completed my review of the above referenced minor subdivision prepared by Applied Earth technology, dated October 1, 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 who made the following recommendation, in part: NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT in regards to the referral:

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.

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 Darcangelo

RESOLVED, that a Public Hearing having been held and there being no findings or grounds for decision contrary to the laws and regulations of the Town of Lysander, County of Onondaga or State of New York, Final Plat approval for a two (2) lot subdivision application by Mangano LLC & Emmi LLC, for property located at 1573 West Genesee Road, Plainville, New York, Tax Map No. 049-01-13.1, as shown on a map dated October 1, 2019, prepared by Stephen Sehnert, Applied Earth Technologies, is hereby approved.

7 Ayes -- 0 Noes

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

RESOLVED, that in granting a subdivision to Mangano LLC & Emmi LLC, for property located at 1573 West Genesee Road, Plainville Road, 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 -- 7 Noes

No, there is an existing residence and the remnant piece will remain under agriculture.

All fees associated with this application have been 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. Sehnert thanked the Board for their time.

3. Minor Subdivision--Amended Case No. 2019—011	Figueiredo, Corey 9237 River Road
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Corey Figueiredo stated that due to some suggestions made at the last meeting, we have decided to hold off on the two lot subdivision and only subdivide one out at this time. The width at the back of the lot has been changed to 250' to accommodate a barn for the keeping of horses by the potential buyer.

Karen Rice, Clerk, stated that at the last meeting we scheduled the Public Hearing for two new lots, we're just going to rescind that resolution and make it for one new residential building lot.

There was some discussion with regard to the proposed lot configuration; which was dictated by prior subdivisions.

Karen stated that Dan Knoblock is the potential buyer. He wants to have horses so he needs the 100' separation from any adjacent properties to accommodate the keeping of horses so they made it a little wider in the back for him. That has changed from the first map as well.

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

RESOLVED, that Resolution No. 5 of the October 10, 2019 Planning Board meeting be rescinded.

BE IT FURTHER RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Corey Figueiredo, for a subdivision of property located at River Road, Phoenix, New York, Tax Map No. 022.-02-19.6, for a development of one (1) lot from a parcel of approximately 142 acres.

7 Ayes -- 0 Noes

Mr. Figueiredo thanked the Board for their time.

IV. NEW BUSINESS

1. Major Subdivision  
Final Plat Approval

Timber Banks LLC  
Lots 55, 56 & 57 Bramble Run

There is a letter on file prepared by Al Yager, Town Engineer, dated November 14, 2019, that will be made part of the public record, in part:

I have completed my review of the final plat for the Timber Banks, Section 1B, Phase 4A Major Subdivision, as prepared by Ianuzi-Romans Land Surveying, P.C., dated November 1, 2019. Lots 55, 56 & 57 included in the final plat as submitted are in compliance with the Town of Lysander and Timber Banks PUD General Project Plan requirements. At this time I would not be opposed to the Board waiving the public hearing and authorizing the chairman to sign the final plat.

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

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat for the three (3) lot subdivision application of Timber Banks LLC for property located at Timber Banks, Section 1B, Phase 4A, Lots 55, 56 & 57, Bramble Run, Baldwinsville, NY, Part of Farm Lot No. 88 and Part of Tax Map Number 072.01-03-36.2 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.

DISCUSSION:

Steve Darcangelo questioned who the drainage easement is to on Lot 57, the Town?

Mr. Yager concurred, stating that he believes there is a pipe and/or swale coming through there.

Mr. Darcangelo stated that it's a little awkward, with Mr. Yager agreeing that it's not the best layout.

7 Ayes -- 0 Noes

2. Major Subdivision  
Final Plat Approval

Timber Banks LLC  
Lots 28 & 29 Split Rail

Al Yager, Town Engineer, stated that Lots 28 & 29 are one of the Town House lots that you see constructed throughout Timber Banks. They don't cut the lot in half until the foundation is built and they can locate the midpoint wall/foundation. It's purely a formality to finalize where that lot line is going to be between the two units.

Karen Rice, Clerk, concurred stating that these type of situations don't normally come before the Board.

Mr. Yager concurred stated that typically we have done these in the past without having them come before the Board.

Steve Darcangelo reiterated that there already is a subdivision and this is basically a lot line adjustment.

Mr. Yager stated that actually it's one lot until the foundation is in. The maps are then signed for filing.

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

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat for the two (2) lot subdivision application of Timber Banks LLC for property located at Timber Banks, Section 1B, Phase 5C, Lots 28 & 29, Split Rail Drive, Baldwinsville, NY, Part of Farm Lot No. 88 and Part of Tax Map Number 072.01-03-36.2 and finding that all modifications and conditions have been met; and that the Final Plat in 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.

7 Ayes -- 0 Noes

Hugh Kimball questioned if the fees in lieu of land have already been paid.

Karen stated that Timber Banks is part of a PUD that provides their own amenities therefore they are not assessed anything additional.

V. ADJOURN

RESOLUTION #9 Motion by Kimball, Second by Daprano

RESOLVED, that the November 14, 2019 regular Planning Board meeting adjourn at 7:35 p.m.

7 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk  
Planning Board