

TOWN OF LYSANDER
PLANNING BOARD MEETING
8220 LOOP ROAD
Thursday, September 10, 2020 @ 7:00 p.m.

The regular meeting of the Lysander Planning Board was held Thursday, September 10, 2020 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: Steve Sehnert, Applied Earth Technologies; Frank Costanzo, ZBA; James Trasher, Clough-Harbor Associates, and Karen Rice, Clerk

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

I. APPROVAL OF MINUTES

Review and approval of the minutes of the August 13, 2020 Planning Board meeting.

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

RESOLVED, that the minutes of the August 13, 2020 regular Planning Board meeting be approved as submitted.

6 Ayes -- 0 Noes

II. PUBLIC HEARING -- 7:05 p.m.

1. Minor Subdivision	Pierce, Michael
Case No. 2020—011	1484 Lamson Road

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

Steve Sehnert, LLS, Applied Earth Technologies, represented the applicant stating that he owns 46 acres on Lamson and East Mud Lake Roads and would like to create a new residential building lot for one of his children. Most of East Mud Lake Road has been developed into residential. There is an existing residential house on this parcel fronting Lamson Road. Lot 1 is 250', which includes the extra 50' per the Highway Overlay Controls. The property is zoned Agricultural. A Highway Work Permit has been granted for access onto Lamson Road. Installation is supposed to take place next week. Plans for a subsurface sewage disposal system has been approved for a single-family residence.

The Public Hearing closed at 7:06 p.m.

PUBLIC HEARING -- 7:10 p.m.

2. Minor Subdivision	J Alberici & Sons
Case No. 2020—012	Timber Banks Parkway

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

James Trasher, Clough Harbor Associates, represented the applicant stating that the Board previously approved the development of the lots for Townhomes in the area along Timber Banks Parkway and Summers Gate Drive. As we were going through the bank financing we realized that a section of this was owned by the Timber Banks Homeowner's Association (HOA). The HOA Board approved a land swap of Lot A (Summers Gate) and Lot B (Timber Banks)...we need to subdivide Lot A out from the overall HOA parcel because Summers Gate is privately owned. Lot A would be removed and Lot B would be removed from the piece of property owned by the Timbers LLC then there would be a land transfer between the HOA and the Timbers LLC so that we can continue construction of these lots.

Al Yager, Town Engineer, questioned how the lot got transferred to the HOA initially.

Mr. Trasher stated that it dates back to Bill Price, who represented Gary Pooler at the time. They came through and added areas where there would be cut-throughs and other things that they had in the 2007 General Project Plan; so, when they came and did Timber Banks Parkway and Summers Gate they left it there. All of the closings that were done between Pooler Development and J Alberici & Sons and the transfer of all of the properties it wasn't caught until title work was done and they found that this little section was there.

Steve Darcangelo questioned if the intention originally was supposed to be have a 'public way' between Timber Banks Parkway and Summers Gate?

Mr. Trasher stated that he's not sure...you can go back through the first GPP.

Mr. Yager added that those were work/live work units initially and I think it was going to be parking for the live/work units. There was to be commercial space on the bottom and residential space on the top. The HOA was going to be the parking area for the commercial space.

Mr. Darcangelo stated that thinks it is important to know why they panned it the way it was.

Mr. Yager reiterated that Summers Gate was originally proposed as mixed use/commercial/residential work/live units and that has since been removed from the General Project. Plan.

Mr. Trasher concurred.

Mr. Darcangelo reiterated that there's no current need for what the intended purpose was back when it was originally designed.

Mr. Yager and Mr. Trasher concurred.

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

III. OLD BUSINESS

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| 1. Minor Subdivision | Pierce, Michael |
| Case No. 2020—011 | 1484 Lamson Road |

This application was forwarded to the Onondaga County Planning Board for their review and recommendation, that will be made part of the public record, 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 this action:

To ensure access to Lamson Road will be granted and that the proposed lots meet minimum sight distance requirements, the applicant is advised to contact the Onondaga County Department of Transportation prior to municipal approval of the subdivision and submit sight distance estimates to the Department for their review.

John Corey, Chairman, stated that the applicant's representative indicated that this has been taken care of and approved.

There is a letter on file dated September 10, 2020, prepared by Al Yager, Town Engineer, that will be made part of the public record, in part:

I have completed my review of the plat for the above referenced minor subdivision prepared by Applied Earth technologies, dated September 1, 2020. Overall it appears that the proposed subdivision conforms to all applicable Town Code requirements as presented. I would have no objections to the Planning Board approving this minor subdivision at this time.

Steve Darcangelo stated that if this piece of property is developed further eventually you may not be able to do interior lots. As long as the property owner realizes that there's probably going to come a day where they may not be able to do continued peripheral development of that parcel.

Mr. Yager concurred stating that once you get to a point where you don't have more than 250' of frontage left here you're down to one large, odd shaped parcel that will be good for agricultural or recreational use.

Mr. Darcangelo stated that as these parcels start to develop some members of the Board may have an objection in relying on that 4 to 1 ratio, which can be waived, but can be used as guidance. It may be appropriate to consider that when considering further development should it occur.

Hugh Kimball concurred and suggested that the next time they want to do something on this land we should ask for a full build-out plan of some kind or at least an idea of how they're going to solve the problem Steve mentioned. There appears to be enough room on both Lamson and East Mud Lake Roads, but at some point, we ought to look at that.

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 has been forwarded to the Onondaga County Planning Board, whose findings have been made part of the public record.

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 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 Michael Pierce, for property located at 1484 Lamson Road, Baldwinsville, New York, Tax Map No. 026.-01-10.1, as shown on a made dated September 1, 2020, prepared by Stephen Sehnert, Applied Earth Technologies, is here approved.

6 Ayes -- 0 Noes

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

RESOLVED, that in granting a subdivision to Michael Pierce, for property located at 1484 Lamson Road, Baldwinsville, 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.

6 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. Sehnert thanked the Board for their time.

2. Minor Subdivision
Case No. 2020—012

J Alberici & Sons
Timber Banks Parkway

Steve Darcangelo reiterated that Lot A was owned by the Home Owner's Association and questioned who is taking possession of the property...

Karen Rice, Clerk, stated that she believes they'll be added to the adjacent building lots and once the homes are built the new lot line will be established.

Mr. Trasher concurred stating that we'll come in once the foundations are set; we could do it now but we could be off in the dimensions.

Mr. Darcangelo questioned how you get a building permit to build across the lot line.

Karen stated that they won't get a Certificate of Occupancy until the house is up and the common wall is...

Mr. Darcangelo...the building permit will be issued but no Certificate of Occupancy until that's finalized.

Karen concurred.

Mr. Darcangelo raised the same question for Parcel B...what was the original intent of Parcel B that's being swapped.

Mr. Trasher stated that that will be under Other Business...previously that was zoned for high-density. Gary Pooler didn't sell that portion to the developer of the apartments because he wanted less land; so that space was left to the HOA as well for possibly a dog park, as people let their dogs go out and use the golf course. This will give the HOA Board an opportunity to do some improvements along the main parkway for all of the residents.

Mr. Darcangelo reiterated that the HOA will make any improvements, used it as they so please and maintain it.

Mr. Trasher concurred.

There's a letter on file dated September 10, 2020, prepared by Al Yager, Town Engineer, 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 5C Amended major subdivision as prepared by Ianuzi & Romans Land Surveying, P.C., dated September 9, 2020. The proposed one (1) lot subdivision is in compliance with the Timber Banks General Project Plan. I would not be opposed to the Board waiving the final public hearing and granting authorization to the Chairman to sign the plat at this time.

There is a second letter on file dated September 10, 2020, prepared by Al Yager, Town Engineer, 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 1, Amendment #5 major subdivision as prepared by Ianuzi & Romans Land Surveying, P.C., dated September 9, 2020. The proposed one (1) lot subdivision is in compliance with the Timber Banks General Project Plan. At this time, I would not be opposed to the Board waiving the final public hearing and granting the Chairman to sign the plat.

FINDINGS: Section 1, Amendment #5

A separate environmental impact study is not required since this action is part of The Timbers Planned Unit Development and is consistent with the SEQR review included in the Timbers Land Use Plan.

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

This action is consistent with the Town's current Zoning Ordinances.

This action has not been referred 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 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 J Alberici & Sons, for property located at Timber Banks, Section 1, Amendment #5, Lot "A" Timber Banks Parkway, Baldwinsville, New York, Part of Farm Lot No. 88 and Part of Tax Map No. 072.1.-04-02.1, as shown on a map dated September 9, 2020, prepared by Ianuzi & Romans, Licensed Land Surveyor, is hereby approved.

6 Ayes -- 0 Noes:

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. Trasher thanked the Board for their time.

FINDINGS: Section 1B, Phase 5C

A separate environmental impact study is not required since this action is part of The Timbers Planned Unit Development and is consistent with the SEQR review included in the Timbers Land Use Plan.

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

This action is consistent with the Town's current Zoning Ordinances.

This action has not been referred to the Onondaga County Planning Board for their review and recommendation.

This action will cause no adverse effects to the health, safety and welfare of the neighborhood or district.

RESOLUTION #6 -- Motion by Corey, Second by

RESOVLED, 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 J Alberici & Sons, for property located at Timber Banks, Section 1B, Phase 5C, 5th Amendment, Lot "B" Timber Banks Parkway, Baldwinsville, New York, Part of Farm Lot No. 88 and Part of Tax Map No. 072.1-04-17.1, as shown on a map dated September 9, 2020, prepared by Ianuzi & Romans, Licensed Land Surveyor, is hereby approved.

6 Ayes -- 0 Noes

IV. OTHER BUSINESS

1. Recommendation to Town Board on Amendment to Timber Banks General Project Plan, Amendment #5.

John Corey, Chairman, stated that we have been asked by the Town Board to make a recommendation for an Amendment to the Timber Banks General Project Plan and asked if James Trasher, Clough Harbor & Associates would like to speak on this matter.

Mr. Trasher stated that they are proposing Amendment #5 to the Timber Banks General Project Plan (GPP) to 'clean-up' intersections of Forest Ridge, Timber Banks Parkway, Timber Ridge Land and Tall Tree Lane. Previously the Board approved Section 3, Phase 4, which is under construction. In going through GPP #4 and working with Al Yager, Town Engineer, there was clean-up in this area (indicating on plan) because of the work/live space we talked about. In our previous development we talked about townhomes; which have been approved. It's a reduction in land for high density apartments and converting it to high density residential which would be townhomes and community recreational which allows for pools and tennis courts, those types of things.

Mr. Trasher continued stating that GPP Amendment #4 was done when the YMCA came in; GPP Amendment #5 is just a modification of the land uses. None of the other matrixes in terms of density, number of units, etc... will change.

John Corey, Chairman referring to Clough Harbor's September 2, 2020 submittal of changes, were made part of the public record:

High Density Residential	+38,632 SF
High Density Apartments	1155,595 SF
Community Recreation	+80,987 SF
Open & Conservation Areas	+35,976

Mr. Trasher concurred stating that it will clean up some of the uses and how they're being utilized.

William Lester questioned what prompted the reduction of so many square feet of high-density apartments?

Mr. Trasher stated that Joe builds a lot of apartments and the area left here to put in those types of units didn't make sense, especially with this being owned by others...if it was something that he owned he could see expanding an apartment project. General Project Plans are always evolving and when you get out and look, there's a lot of land out there to be developed. There are beautiful areas where they never capitalized on it. With any future amendments we'd love to have the Boards out there to see the opportunities there on these 500 acres that sit back on Patchett Road.

Hugh Kimball stated that basically at this point you are reducing the amount of population, high-density, that would have occurred had the plan gone on as originally planned and making it less under this plan.

Mr. Trasher stated that total acreage of high-density apartments is being reduced...the total number of units in the development is changing, 669+/- was done based on the old calculation. There were different laws and regulations in zoning and how they calculated how many you could have in this development. It's just a redistribution of apartments; less apartments; a few more high-density residential; the same medium and low density residential. Basically, a shift.

Mr. Corey stated that we're reducing the traffic; we're increasing open space and we're adding greater amenities for the residents. Win, win all around.

Mr. Trasher agreed.

Steve Darcangelo stated that a Planned Unit Development should at least file the basic plan...

Al Yager, Town Engineer, stated that the Town Code reads that a Planned Unit Development is to allow greater flexibility to the Developer to change uses within the development as markets change.

Mr. Darcangelo stated that he can understand and appreciate that; but as time goes on...how many more vehicles might be anticipated from what was originally proposed? How many lots, homes, individuals, pedestrian opportunities, traffic flow, etc... What will the impact on the overall use of that piece of property be? It may not be a big issue this evening, but the whole purpose of having something planned is to follow a general plan. Yes, it has to be flexible because your consumers change, but I would just keep that in mind when we are asked for a recommendation on an amendment in the future.

Mr. Trasher stated that they understand that and if any major changes were to take place they would prepare a traffic study and whatever else would be required because we need to know the impacts as well.

Hugh Kimball stated that regardless of the different types of properties you're shifting around here, it's all still going to be owned by people, the HOA or whatever...

Mr. Trasher concurred.

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

RESOLVED, that at the request of the Lysander Town Board, and having considered the application of J Alberici & Sons, on behalf of The Timber Banks Residential Golf Community, for property located at The Timber Banks Residential Community, River Road, Baldwinsville, New York, for an Amendment to the General Project Plan to allow changes in Land Use, as shown on Sheet Number: Figure 11, revised May 11, 2020, the Planning Board recommends to the Town Board that the application be approved.

DISCUSSION: Steve Darcangelo questioned if the previous reviews and approvals consider the tax base? From my understanding you're converting land that was once identified for multi-family homes and I presume would have an assessment to them that would result in taxable income to the Town; and it's now being eliminated. Is that an issue we would take under consideration?

Karen Rice, Clerk, stated that the Town Board might.

Al Yager, Town Engineer, concurred stating that the Town Board is the Board that approved GPP No. 3 that allowed the apartments. They restricted the maximum number of units and the maximum number of units were built proposed.

Mr. Darcangelo reiterated that any anticipated assessment that they may have had has been fulfilled.

Mr. Yager concurred.

6 Ayes -- 0 Noes

Mr. Trasher thanked the Board for their time.

V. ADJOURN

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

RESOLVED, that the September 10, 2020 regular Planning Board meeting adjourn at 7:42 p.m.

6 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk