

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
Thursday, January 14, 2016 @ 7:00 p.m.

The special meeting of the Lysander Planning Board was held Thursday, January 14, 2016 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; Jim Hickey

MEMBERS ABSENT: Steve Darcangelo

OTHERS PRESENT: Al Yager, Town Engineer, Tim Frateschi, Esq.; Steve  
Sehnert, Applied Earth technologies; Jim Stirushnik; Vince  
Kearney, Belgium Cold Springs Fire Department; Karen  
Rice, Clerk

The meeting was called to order by John Corey, who was appointed Chairman to the Planning Board Monday, January 11, 2016. Mr. Corey stated that he was looking forward to this opportunity and stated that the main reason he took on this job was because he is surrounded by one of the greatest, talented group of people he knows and is comfortable and confident that together as a team we'll continue to do the job and looks forward to serving the people of Lysander and working with you in the future.

Board members gave their congratulations.

I. PUBLIC HEARING -- None Scheduled

II. APPOINTMENTS

Mr. Corey stated that there were three positions to fill, the first being Deputy Chairman/Chairwoman of the Planning Board

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

RESOLVED, that the Planning Board appoint William Lester, Deputy Chairman to the Planning Board to act on behalf of the Chairman if he is unable or has a conflict of interest for the 2016 calendar year.

4 Ayes -- 1 Abstain (Lester)

Mr. Corey stated that the next order of business is to appoint our Planning Board engineer, for the year. We've had nothing but a wonderful experience for going on three years with Al Yager. It has worked out very well and has been beneficial to the Town from not only a work standpoint, but from an economic standpoint.

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

RESOLVED, that the Planning Board appoint Allen Yager, Engineer to the Planning Board, for the 2016 calendar year.

5 Ayes -- 0 Noes

Mr. Corey stated that we have been blessed with our legal representation, adding that Tim Frateschi has offered his services to us as Planning Board attorney. .

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

RESOLVED, that the Planning Board appoint Timothy Frateschi, Esq., The Frateschi Law Firm, attorney to the Planning Board, for the 2016 calendar year.

5 Ayes -- 0 Noes

Steve Sehnert, Applied Earth Technologies, stated 'good choice' for both engineering and legal representation.

III. APPROVAL OF MINUTES

Review and approval of the minutes of the December 17, 2015 special Planning Board meeting.

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

RESOLVED, that the minutes of the December 17, 2015 special Planning Board meeting be approved as submitted.

4 Ayes -- 1 Abstain (Hickey was not present at the December 17<sup>th</sup> Planning Board meeting)

IV. OLD BUSINESS

- |                      |                      |
|----------------------|----------------------|
| 1. Minor Subdivision | Belle, Robert        |
| Case No. 2015—019    | 8152 Plainville Road |

John Corey stated Al Yager, Engineer and Karen Rice, Clerk, with input from Tim Frateschi, Esq., met with the Belle's in consideration of their application for a Minor Subdivision for property located off of Plainville Road.

Mr. Belle came in last month with a two lot subdivision. However, the stand alone parcel didn't have direct access to a road. The existing lot is currently accessed through an easement, which was allowed at that time. We explained to Mr. Belle and Doug Reith, Surveyor that creating a second lot would require a private road, built to Town Standards and the formation of a Homeowner's Association. They determined that that would create a lot of unnecessary expense for what they want to do. They have decided to extend the frontage of what is proposed as Lot 1 (indicating on plan) out to Plainville Road. Proposed Lot 2 contains the well for their residence along Plainville Road. Therefore proposed Lot 2 will be incorporated with their existing home/lot to accommodate their needs without having to go before the Planning Board for approval. They can achieve what they want to do under Division of Land, Subdivision

Regulations, Section 117-5.1 recently adopted by the Town Board. The Planning Board attorney will review the plan once revised along with the new legal description(s) and authorize the Chairman to sign off for filing in the Onondaga County Clerk's Office.

Mr. Frateschi added that our Code requires that all lots abut on a street, obviously if you created a new lot it would not be abutting onto a street and would not conform. They were offered a couple of other options. From practicable standpoint they weren't desirable, but this is a better resolution than the ones we were offering them.

Mr. Yager stated that we didn't really realize what the Belle's intent was in trying to keep proposed Lot 2 as a separate parcel until they came in and talked with us.

Mr. Frateschi reiterated that this good resolutions for the applicant, if the board has any concerns, please advise.

Hugh Kimball stated that as long as the easement is done correctly, which I'm sure it will be with legal consultation involved.

Mr. Frateschi stated that the easement/gravel driveway is already in place. That will not change.

#### IV. NEW BUSINESS

1. Major Subdivision  
Case No. 2016—001

Eldan Homes  
Crimson Ridge, Phase 4

Steve Sehnert, Licensed Land Surveyor, represented the applicant stating that this is the last phase of Eldan Homes @ Radisson, Crimson Ridge. A good number of years ago we submitted a conceptual plan of the entire parcel that runs from Samantha Drive to Deep Glade.

At that time they were proposing residential building lots in various sizes: flag lots, traditional lots, village lots and patio homes.

Mr. Sehnert stated that there are Federal Wetlands associated with this last section, the lots have been pulled out of those wetlands. The number of lots for this section has increased from 19 lots to 21 lots.

Al Yager, Town Engineer, stated that he has spoken the developer and the homeowner of Lot 49 with regard to a little triangular piece adjacent to Lot 49. That owner is willing to take ownership of that parcel and have it incorporated into his lot once the final plat is approved and filed.

William Lester questioned if this has gone before the Radisson Community Association (RCA) for their review and recommendation.

Mr. Yager stated that it has not. This is for informational purposes only at this point.

Hugh Kimball questioned if the RCA will be accepting the portions of land that appear to be in the wetlands.

Mr. Sehnert stated that this is something that has been offered to the RCA since the conceptual plan and will be included in their review letter.

James Hickey questioned the lot size requirements in the Code, as some of the lot widths are only 40' at the road.

Karen Rice, Clerk stated that we don't regulate the lot widths, it's covered under the Radisson PUD.

Mr. Yager concurred stating it's allowed.

Mr. Kimball added that the lot width is wider than that at the building line.

Tim Frateschi, Esq., questioned if the setback line is dictated by Radisson as well.

Mr. Sehnert concurred, stating as long as they are equal to or greater than...

Mr. Lester stated that Radisson will have to review this.

Mr. Sehnert concurred stating he wanted to get a little "chatter" back from this board and then approach them.

Tim Frateschi, Esq., stated that we are still responsible for doing the subdivision under our Code. We have a preliminary subdivision plan, which will require a Public Hearing.

There was some discussion as to whether or not a Preliminary Plat Public Hearing was held for the entire parcel.

Karen stated that they only received conceptual approval in 2005. A Public Hearing was held, however I don't know if it was for the entire parcel or just the first section. I think the assumption was that it was done and they just came in for subsequent sections where the final plat public hearing was waived and the chairman was authorized to sign the final plat once all of the roads and utilities were in and accepted by the Town Board.

Mr. Yager stated that a Long EAF was done for the Conceptual Plan approval, which covers the entire development. A short form is not required.

Mr. Frateschi stated that the minutes should reflect that SEQR for the overall plan was done and that this is substantially similar to the Conceptual Plan that was approved during that process, same number of lots, traffic issues that were reviewed back then are going to be the same, etc...

Mr. Kimball questioned if it is the same number of lots.

Mr. Yager stated that because of the way the lots have been divided in Phases 1, 2 and 3 it is significantly less than what was originally approved in the conceptual plan.

Kevin Barry and Eric Schaeffer, JK Tobin, Developers, were introduced to the board.

Mr. Frateschi stated that since we're waiting to hear back from Radisson anyway, we will go back through the records dating back to 2005 to see what actually took place. If the density is less, that's important to know.

Mr. Frateschi questioned when Radisson would review the application.

Al Yager questioned if Karen forwards the plans.

Karen stated that that is up to the applicant and/or his representatives.

Mr. Sehnert concurred stating that he would take care of that.

There being nothing further, Mr. Sehnert thanked the board for their time.

## V. OTHER BUSINESS

John Corey stated that that concludes our regularly scheduled agenda, however Hugh Kimball would like to give a brief summary of the coordinated review meeting that occurred in December in regard to Melvin Farms.

### 1. Marden Associates/Melvin Farms Incentive Zoning Coordinated Review Summary:

Hugh Kimball updated the board on the coordinated review that took place for the Melvin Farms Incentive Zoning application that is before the Town Board, which will be made part of the Public Record.

The December 21 Coordinated Review meeting for the Marden (Melvin Farm) proposal on 370, theoretically including various involved and interested agencies, went ahead despite the previous denial of both IZ proposals by SOCPA. It appears now that our Planning Board (or some of its members) may be asked by the new Town Board to meet with them in joint session or at a work session to answer their questions and perhaps assist them in their preparation of Part II of the EAF. So I thought it worthwhile to take a few minutes at the end to bring our board up to date. Bill, Al, and Karen, please feel free to fill in.

Such as it was, it was a pretty good meeting. Only County DOT and Belgium Cold Springs Fire Department (Vince Kearney) were represented. No one from SOCPA even attended, nor WEP, nor State DOT. Joe Saraceni and Bob Ellis from the new board were present. Both asked questions or made comments. Al Yager contributed to the conversation as did Mario D'Arrigo. Bill Lester and I also took part.

John Salisbury ran the meeting and presented the idea of a joint meeting or a work session with members of the Planning Board and the Town Board which I heartily supported. Bill Lester also seemed to agree that it was a good idea as did Joe Saraceni in a conversation we had after the meeting. Bob Geraci, who was unable to be there, had indicated he favored this approach previously. The two Town Board attorneys (Tony R brought his partner) also seemed to make it pretty clear that this would be the only formal coordinated review and that they did not think the Planning Board would need to have another one or even need to do another Environmental Assessment Form (EAF) when we get into subdivision.

Mr. Kimball asked the Planning Board attorney if he agreed with that determination.

Tim Frateschi, Esq., stated that it depends on how thorough SEQRA is for the Incentive Zoning. If that is done comprehensively, that should be sufficient to make a SEQRA determination for the entire project, including subdivision. This would be the best way to handle SEQRA

Mr. Kimball continued stating that during the discussion I brought up items that are Town Board responsibilities: The need to weigh incentives vs. benefits, the general number of lots and sizes, and looking at which developer costs go to benefits to the town as opposed to costs the developer would have to incur just to do a development of a certain number of homes. I made it clear that other than for safety and environmental concerns the Planning Board can only tweak the number of lots. The overall power to negotiate and define a number of lots as reasonable must fall to the Town Board and be accomplished before the subdivision process starts in the PB. If the Town Board wants a significant reduction in lots from what is proposed, they need to do that as part of the negotiation. I think everyone there understood this, and no one disagreed with what I said.

It is pretty clear that while this formal session ended, there will be scoping work to be done to identify issues and concerns and that that effort needs to be completed before the Town Board takes on the responsibility of providing their answers to Part 2 of the EAF. Meetings which the Town Engineer (possibly joined by Town Board members and other town representatives) with WEP, the two DOTs, DEC, Army Corps, and SOCPA will have to occur during the scoping process.

Bill Lester and I have copies of the full EAF. I plan to go through both parts and note anything that may not be in agreement with answers provided by the developers and to list any questions I may have. I hope to get this done well before any joint meeting between the two boards as it is in this area where the experience of PB members should be of use to the Town Board. Since we all may be involved in this you may want to ask for your own copy of the EAF as prepared by the developers.

There was considerable discussion among the Planning Board members with regard to the incentive zoning process and the negotiations that take place for the 'incentives' and 'amenities'. It was determined that the Board members would be willing to assist the town board in whatever manner they so choose during this process.

Mr. Corey stated that this was one of the first applications. We will see more of this application and will be given the chance to be involved with it.

Mr. Frateschi stated that we have the luxury of time now; which we didn't have before. This application still has to go through another review by the Onondaga County Planning Board because right now we have a Negative Recommendation from them.

Al Yager, Town Engineer, concurred stating that it would have to receive a majority plus one to pass. As it stands they have to revise and resubmit.

Mr. Lester questioned if some type of resolution should be prepared to go before the Town Board asking for involvement in the negotiations.

Mr. Frateschi stated that as part of the coordinated review the Planning Board should be an involved agency in that review. If you want to pass a resolution saying we have both environmental concerns and subdivision regulation issues, you can, but it appears that they already know that.

Karen Rice, Clerk, questioned if the board wanted to wait until the application goes back before the Town Board. Three of the five board members have not heard this application.

Mr. Kimball stated that that might be a good idea.

It was determined that Mr. Yager is involved from a Town Board standpoint as well as a Planning Board standpoint and can certainly make the concerns known.

Mr. Yager concurred stating that it was discussed again today that the Planning Board was going to be involved.

VI. ADJOURN

RESOLUTION #5 -- Motion by Hickey, Second by Kimball

RESOLVED, that the January 14, 2016 special Planning Board meeting adjourn at 7:52 p.m.

5 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk