

TOWN OF LYSANDER
PLANNING BOARD MEETING
Thursday, March 21, 2013 @ 7:00 p.m.

The March 21, 2013 special meeting of the Lysander Planning Board was held Thursday, March 21, 2013 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Fred Allen, Chairman; Joanne Daprano; Hugh Kimball; James Aust; John Corey; William Lester; James Hickey

OTHERS PRESENT: Al Yager, Town Engineer, Tim Frateschi, Planning Board Attorney; Charles Farrell, Esq.; Jeff Dack; Steve Sehnert, Licensed Land Surveyor; Julian Clark, Plumley Engineering; Melinda Shimer, Town Board; John Salisbury, Town Supervisor; Vincent Kearney, Belgium-Cold Springs Fire Department; Karen Rice, Clerk

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

- | | |
|----------------------|--------------------|
| 1. Minor Subdivision | Fava, Frank |
| Case No. 2013—006 | Glacier Ridge Road |

Motion by Lester, Second by Kimball to open the Public Hearing at 7:00 p.m.

Charles Farrell, Esq., represented the applicant stating that the applicant is taking a portion of a separate tax map parcel and adding it to a piece of property that is part of the current Center Pointe @ Radisson Development to allow the construction of one apartment with twenty-six (26) units. In doing so the building and associated parking will be on one parcel and not straddle two lots. The property is wooded behind it and the grade drops off significantly.

There was some discussion with regard to side yard setbacks.

Karen Rice, Clerk, stated that they have zero lot lines in Radisson.

Tim Frateschi, Esq., concurred stating that there are no side yard setbacks for any structures in the Planned Unit Development (PUD); it's based on whatever our site plan is going to determine. The board will have the opportunity to review the site plan at a later date. This is strictly for a subdivision of land.

Motion by Corey, Second by Kimball to close the Public Hearing at 7:32 p.m.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the February 21, 2013 Special Planning Board meeting will be tabled until April 15, 2013.

III. OLD BUSINESS

1. Minor Subdivision
Case No. 2013—006

Fava, Frank
Glacier Ridge Road

Allen Yager, Town Engineer, stated that the subdivision is fine, ultimately there's no real lot definition in a PUD (Planned Unit Development) as far as dimensional requirements. However, while moving forward with the Site Plan Approval process, the applicant should show a full build-out plan for the remainder of the property so that we can insure that he has adequate space to meet NYS DEC's SPEDES requirements (New York State Department of Environmental Conservation State Pollutant Discharge Elimination System). Further, the SWPPP (Stormwater Pollution Prevention Plan) should address the remaining lands controlled by the developer also.

Tim Frateschi, Esq., stated that that relates primarily with the site plan.

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 action did not require referral to the Onondaga County Planning Board; as the property does not abut a County or State highway, park, public building or drainage channel, or involve a use variance within 500 feet of a farm in an Ag District.

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

RESOLUTION #1 -- Motion by Allen, Second by Daprano

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 Frank Fava for property located at Glacier Ridge Road, Baldwinsville, New York, Part of Farm Lot No. 70 and Tax Map No. 079.-01-18.0, as shown on a map dated February 12, 2013, prepared by Stephen Sehnert, Licensed Land Surveyor, is hereby approved with the following modifications and conditions:

- 1) All outstanding fees associated with this application, including expert fees if applicable, be paid to the Town Clerk; and
- 2) Comments reflected in a letter prepared by Allen Yager, Town Engineer, dated March 21, 2013, be addressed.

BE IT FURTHER RESOLVED that all conditions associated with this application must be completed with 180 days of this Final Plat approval or such approval shall expire.

DISCUSSION:

There was some discussion as to whether the subdivision meets ESDC's (Empire State Development Corporation) rules and regulations.

It was determined that it does and the remaining property is not compromised from future development as the applicant owns the surrounding property under different entities.

7 Ayes -- 0 Noes

All modifications and conditions, setforth in the Final Plat approval, must be met for the application to be considered approved for filing the plat in the Onondaga County Clerk's office and the issuance of building permits.

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. Farrell thanked the board for their time.

2. Site Plan Approval
Case No. 2013—005

Dennis Group
Fruit Processing Plant
Sixty Road

Julian Clark, Plumley Engineering, represented the applicant stating that the board has given a brief overview of the project last month of a 107,000 square foot food processing facility with offices & a warehouse on a thirty (30) acre parcel on Sixty Road, north of Specialized Packaging. The site plan hasn't changed much from the last presentation. It complies with the Radisson PUD General Project Plan as far as setbacks, etc... Stephen Sehnert, Licensed Land Surveyor, has prepared a survey for the property as the parcel will be subdivided off from a parcel owned by Empire State Development Corporation. The Town Engineer has prepared a Scope of Services for the project which has been agreed upon by the applicant. We have also received comments from the Belgium Cold Springs Fire Department with a meeting scheduled with Vince Kearney to go over those comments. A Full Environmental Assessment was

completed and submitted to the board at the February 2013 meeting. The board declared themselves Lead Agency and asked the applicant to provide letters from any involved agencies; which has been done and provided, more particularly the Onondaga County Department of Transportation (County DOT); Onondaga County Department of Health and the New York State Department of Environmental Conservation (NYS DEC). All agencies have signed off on the Town being Lead Agency for the project. We have not completed are design drawings nor the Stormwater Pollution Prevention Plan. That will be wrapped up and submitted to Al Yager, Town Engineer. We received a copy of the Onondaga County Planning Board's comments.

The application was forwarded to the Onondaga County Planning Board for their review and recommendation who made the following recommendation:

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(S) in regards to the above referral:

- 1. The Onondaga County Department of Water Environment Protection recommends that the municipality and/or applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.*
- 2. The Board encourages a continued discussion between the Town of Lysander and Onondaga County on the wastewater system in the Baldwinsville-Seneca Knolls Wastewater Treatment Plant service area, including current conditions, potential limitations, and options and implications for short and long-term planning and development goals.*
- 3. The Onondaga County and New York State Departments of Transportation have determined that the applicant must complete a Traffic Impact Study (TIS) for full build out to meet Department requirements and is required to first contact the Departments to determine the scope of the study; the applicant must submit the traffic study to both Departments for approval and complete any appropriate mitigation as may be determined by the respective Departments. NYSDOT notes that the limits of the study must include the intersection of Route 31 and Phillips Street.*
- 4. The Onondaga County Department of Transportation requests additional right-of-way equal to 40 feet from the center of Sixty Road for future highway purposes.*
- 5. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service*

options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.

6. *The municipality and the applicant are encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure, and to visit the Onondaga County Save The Rain Program web site at <http://savetherain.us> and contact the Onondaga County Department of Water Environment Protection at 315-435-2260.*

James Aust stated that it was his understanding that the project will be done in three phases.

Mr. Clark stated that Phase I will be the 107,000 square feet; which is submitted to the board this evening. If they do the future phases they will be back before the board. It is shown to let you know there is a possibility of future expansion.

Mr. Yager added that it is his understanding from talking to the Dennis Group is the production will be three phases, Phase I and II will be contained in this 107,000 square foot building; when they do Phase III they would have to do an expansion and come back before the board.

Hugh Kimball questioned the traffic study.

Mr. Clark stated that what County is basically saying is; before you do your traffic study contact them so the project doesn't go off in the wrong direction.

Mr. Kimball questioned traffic at the intersection of Route 31 and Phillips Street and asked if we expect truck traffic going that way.

Mr. Yager stated that it's signed, not permitting truck traffic so I don't understand that concern...

Mr. Clark suggested that perhaps they forgot the 6 and meant 631, which would be Hencle Boulevard.

There was considerable discussion with regard to traffic. I

Mr. Yager stated that the major amount of traffic won't be coming from Phillips Street; it will be coming from 690, 631, Hencle Boulevard North, Route 48, etc...not necessarily Phillips Street.

Mr. Clark reminded the board that County also said there would not be a significant amount of impact.

Karen Rice, Clerk, stated that those are all comments, not conditions.

Mr. Frateschi concurred stating that these are comments from the County, they're not modifications; they're not resolutions for modifications for any site plan or anything we do. They're not subject to the majority plus one requirement of this board.

Mr. Kimball stated that it sounds like we're going to get something more from State and County DOT.

Mr. Frateschi stated that this is a County road; if they're going to construct here they're going to have to get curb cuts from the County so we'll leave that in the capable hands of the County. These roads were constructed with this type of project in mind. Traffic capacity of these roads should be sufficient to handle the kind of traffic we are contemplating with this project. We'll turn to the Town Engineer to see whether or not he agrees.

Mr. Yager stated that he concurs 100% with what you're saying; County and State roads are designed to be in an Industrial Park. That's why Phillips Street is signed, No Truck Traffic and we have the 631 By-Pass through Hencle Boulevard and Willett Parkway.

Mr. Kimball concurred stating that if we're going to get comments from State or County we move to get them so that we can deal with them and get done with them..

Mr. Frateschi stated that he would simply say, we appreciate the comments that are being provided by the County, but this board is free to act the way it wants to act as it relates to this project. We will be doing an environmental review as it relates to the way this project is going to function within the Town of Lysander.

Fred Allen, Chairman, questioned if the Belgium-Cold Springs Fire Departments comments should be incorporated in the project prior to site plan approval.

Mr. Frateschi stated that the board can make that a condition. The purpose of tonight's meeting is to go through SEQR and make a SEQR determination.

Mr. Kimball questioned sewage capacity and what might be done to get it back close to where it was before the project and what the risks are to the Town. There are approximately 1000 lots in the Town of Lysander that have been approved but not built on yet. We have a YMCA that is a substantial building that is also being proposed as well as a lot of other areas in Radisson for industrial uses that hopefully will someday be developed. In that context, if you could give us an idea of where we are with the capacity of the plant.

Mr. Yager stated that the controlling factor for the Baldwinsville-Seneca Knolls Treatment Plant is Biological Oxygen Demand (BOD). The waste for this facility will

have a high BOD because it has a lot of sugar in it. Production Phases I and II of this project will consume about 75% of the remaining capacity of the treatment plant; Phase III would consume an additional 17 1/2% approximately of the capacity bringing the plant operating at 93% of capacity. New York State Department of Environmental Conservation (NYS DEC) does not allow plants to operate above 95% capacity because it would chew up the majority of the plant's capacity. With that being said, Agrana, because their waste is so strong, would be charged a BOD surcharge through the County of Onondaga. At full build-out, after Phase III of the project is complete, would about a half-million dollars annually. That's a big dollar amount. The goal of me and the Supervisor would be to apply for grants through NYSERTA, USDA and possibly having ESDC kick in some funding, to construct an anaerobic digester for the Radisson Industrial Park. An anaerobic digester would not completely treat the waste but it would knock the BOD down so that they would not be required to pay the BOD surcharge fee. In addition, the bi-product of the anaerobic digestion is the generation of methane gas which could be sold back to the plant or any other businesses in the Radisson Industrial Park at a reduced rate and generate revenue that would pay for the operational costs of the anaerobic digester. We assume Agrana would want to participate in a project like that to reduce their BOD surcharge from the County. We're in the very beginning stages of this; the next step will be to get a Design and Report prepared and Study so that we can apply for some of this grant funding. An addition of having an anaerobic digester in the Radisson Industrial Park would make it very attractive to other industries and hopefully attract other industries here once they see that Agrana has come and been welcomed with open arms by the County, State of New York and the Town of Lysander and will see that we are centrally located in the heart of Central New York with adequate transportation and infrastructure to handle their facilities and they'll want to come here.

Jim Hickey: If we build this anaerobic digester and the money that would be currently going, a half-million plus, will we have the opportunity as a Town to take some of that money back to offset that costs through some bonding and still give the opportunity to reduce their costs and anyone else that comes in and spreads it out.

Mr. Yager concurred stating that there shouldn't be any reason why we couldn't.

James Aust questioned if there is a certain amount of usage that would need to be used to get the grant.

Mr. Yager concurred stating that you have to show that you have a supply of waste and show that there's a need in that our treatment plant would be overwhelmed by the BOD being put on it through the waste stream. Those are things that we can easily prove.

Mr. Hickey stated that it's an interesting project given where the real growth is in agriculture in New York and where we're centrally located. I think it's a very good thing for the Town to pursue.

William Lester added, also the energy to be considered...

Mr. Yager concurred stating that this is a green sustainable project; that's where the grant funding is available through those sustainable energy projects. If there wasn't a buyer for the methane gas they could simply install a methane generator on the site to transmit the power back into the grid. We have transmission lines running right through the industrial park. It would be a low capital cost project to do that.

Mr. Aust questioned if there's anything the Dennis Group could do for us to encourage USDA or anybody else.

Mr. Yager concurred stating that it's our hope that the Dennis Group would want to be a part of this application. It seems that these grants are being given more at this time to private industries rather than the municipalities. If you have an industry and a municipality applying together I think would show it to be a cooperative effort to the funding agencies; which is important.

Mr. Hickey questioned the 1000 lots that are approved for development; if it is ever fully developed, what impact would that have on the current facility?

Mr. Yager stated that it would be about 10% or less. The BOD in residential development is minimal compared to industrial development.

Mr. Kimball stated that it could still process the flow even if...

Mr. Yager concurred stating that their flow capacity is huge at that plant, but their limiting factor is the BOD.

Mr. Kimball stated that if Phase I and Phase II were done and the 1000 houses wanted to get built they could still be built; they can still put the Y in or whatever...

Mr. Yager stated that there would be no problem.

Mr. Frateschi asked that the BOD be explained in terms of the manufacturing process so that it's understood for the record. You have determined that the capacity is there, right now for the 107,000 square foot, but any future expansion would require an additional capacity in the sewer system for the BOD. How many other manufacturing facilities would come in that would require...you mentioned residential uses doesn't have a high concentration of BOD...but this facility would. Why is that?

Mr. Yager stated that it's really because it's food processing; so much sugar is discharged in the process from the juice from the fruit that it makes the waste have a high BOD.

Mr. Lester stated that an anaerobic digester would be an attractive to other industries; perhaps a yogurt plant. It makes a lot of sense vs. $\frac{3}{4}$'s of a million dollars paid to the County.

Mr. Hickey questioned how you begin to scale what should be put in place so we're not going back from the future to expand upon it?

Mr. Yager stated that these are self-contained units; they're essentially packaged units that are produced by manufacturers so that once you see the processing capability of the first unit; you can simply add another unit on-line. A big portion of the cost of the project, the up-front costs, of a project like this is the infrastructure to get the waste and a holding tank so it can be steadily fed into the anaerobic digester. The important part of that is to size a holding tank that's big enough to take several industries waste in and feed it to, whether it be one, two or three anaerobic digesters in the future would be determined at the time. Future businesses that would want to come into the industrial park maybe to either contribute in through the purchase of an anaerobic digestion plant or BOD fee that currently would be collected by the County could be collected by the Town and we could bond to purchase another plant as needed in the future.

John Corey questioned what happens to the waste from the digester.

Mr. Allen questioned what happens to the waste from the digester.

Mr. Yager stated that you have sludge that will be produced, solids that will have to be trucked away. An anaerobic digester alone does not meet the requirements of the SPDES permit.

Mr. Lester questioned Anheuser Busch's composting facility and whether or not they would take waste.

Mr. Yager concurred stating that there are many composting facilities in the area that would take waste such as that; including OCRA who has just expanded their permit to take food processing waste. There are many outlets to get rid of that. It can even be sold as a commodity in some instances. Initially you would size this to handle Agrana and some other additional development; but improvements would be made in the future depending on what business may come in.

Mr. Hickey questioned up-front costs.

Mr. Yager stated that the County just installed a system at their Metro Plant and it was approximately \$5,000,000.

Mr. Hickey stated that when you're looking at \$500,000 in annual fees, that's nothing.

Mr. Allen stated that bottom line is Mr. Yager doesn't see any issues.

Mr. Yager concurred stating that he believes this is a great project and would be a great asset to our community. This is an ideal time to move on a project like this; there is

funding available; the green initiatives are looked favorably upon through the funding process. This is a good project for us.

Mr. Hickey questioned if there was anything the Planning Board had to do for the Town Board to look into this, a recommendation from us, etc...

Mr. Yager stated that he has been working with the board for a couple of months now about this. The next step is to get the Planning Board approval; from there the developer has to get their industrial waste discharge permit through OCWEP and then we can pursue this further. The Commission of OCWEP has indicated that they're interested in participating in a grant program.

Mr. Hickey questioned if the County could say no because they want the revenue?

Mr. Yager stated that they would not because they want to keep capacity in their treatment plant. It's advantageous for them to keep capacity in that plant.

Mr. Hickey questioned if the anaerobic plant doesn't get built and someone else wants to come in?

Mr. Yager stated that ultimately the County would say to any developer that they would either have to do pre-treatment of their waste on-site or they're going to pay to do upgrades to the waste treatment plant.

Mr. Hickey reiterated that we're in a very unique opportunity here, we can create a situation to move forward with Lysander vs. waiting to react when somebody comes in and chance not being chosen as the primary site because we don't have the capacity.

Mr. Yager concurred.

Mr. Allen stated that there are private companies that are putting these in to profit generators; so if the Town doesn't move on something like this it might easily go to the private sector.

Mr. Yager agreed stating that Kinsella Waste is in the process of developing one right next to a yogurt plant. They are taking the waste from the yogurt production as well as manure from farms and running it through the anaerobic digester, producing power and giving the compost back to the farmers as a revenue and income generator for Kinsella Waste. Waste companies don't spend that kind of money on infrastructure if there's not a healthy return in it for them.

Mr. Aust stated that the key to the whole thing is to get the Dennis Group in here.

The Board concurred and proceeded with the review of the Long EAF.

Mr. Kimball asked the secretary if she sent out the 30 day letter and whether replies were received.

Karen Rice, Clerk, concurred stating that everybody signed off on Lead Agency (Onondaga County Department of Transportation, New York State Department of Environmental Conservation and the Onondaga County Health Department).

Mr. Frateschi stated that in reviewing the Long EAF, if anybody has an issue with any of the subcategories, make it known to the board for the board for discussion.

IMPACT ON LAND:

1. Will the proposed action result in a physical change to the project?

Yes, small to moderate impact, the impact is within the character of an industrial zone.

2. Will there be an effect to any unique or unusual land forms found on the site? No

IMPACT ON WATER:

3. Will the proposed action affect any water body designated as protected? No

4. Will proposed action affect any non-protected existing or new body of water? No.

5. Will proposed action affect surface or groundwater quality or quantity? Yes, small to moderate, can be mitigated by project change.

- Proposed Action will require a discharge permit. Yes
- Proposed Action would use water in excess of 20,000 gallons per day. Yes
- OTHER IMPACTS: The Seneca Knolls-Barbara Lane Sewage Treatment Plant has sufficient capacity to take the effluent for Phase I and Phase II without compromising the capacity of the plant. If additional expansion is required, an additional review of the Seneca Knolls-Barbara Lane Sewage Treatment Plant Biological Oxygen Demand (BOD) capacity will be undertaken.

6. Will proposed action alter drainage flow or patterns or surface water run-off? Yes, small to moderate, as there is sufficient land mass to handle whatever drainage issues that would happen on that property. The applicant will provide a Stormwater Pollution Prevention Plan (SWPPP) before Site Plan Approval is granted.

IMPACT ON AIR:

7. Will proposed action affect air quality? No, we assume not, but we don't really know at this point in time. We haven't been given any answers, but I would assume the air quality permits that are required through the EPA would take care of any concerns. There are no stacks shown on the plans

IMPACT ON PLANTS AND ANIMALS:

- 8. Will proposed action affect any threatened or endangered species? No, none identified.
- 9. Will proposed action substantially affect non-threatened or non-endangered species? No

IMPACT ON AGRICULTURAL LAND RESOURCES:

- 10) Will proposed action affect agricultural land resources? No

IMPACT ON AESTHETIC RESOURCES:

- 11) Will proposed action affect aesthetic resources? No

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES:

- 12) Will proposed action impact any site or structure of historic, prehistoric or paleontological importance? No. Julian Clark, Plumley Engineering, stated that there is a letter from SHPO signing off on the project. A copy will be provided for our files.

IMPACT ON OPEN SPACE AND RECREATION:

- 13) Will proposed action affect the quantity or quality of existing or future open spaces or recreational opportunities? No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS:

- 14) Will proposed action impact the exceptional or unique characteristics of a critical environmental area established pursuant to subdivision 6 NYCRR 6.7.14(g)? No.

IMPACT ON TRANSPORTATION:

- 15) Will there be an effect to existing transportation systems? Yes, however based on the roads, which were built to handle manufacturing facilities, the traffic will have very little impact.

IMPACT ON ENERGY:

- 16) Will proposed action affect the community's sources of fuel or energy supply? No

NOISE AND ODOR IMPACTS:

17) Will there be objectionable odors, noise, or vibration as a result of the proposed action? No

IMPACT ON PUBLIC HEALTH:

18) Will proposed action affect public health and safety? No.

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD:

19) Will proposed action affect the character of the existing community? No

20) Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? No

RESOLUTION #2 -- Motion by Allen, Second by Kimball

RESOLVED, The **TOWN PLANNING BOARD OF THE TOWN OF LYSANDER**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Lysander, located at 8220 Loop Road, Baldwinsville, New York 13027, County of Onondaga, State of New York, on the 21st day of March, 2013, at 7:00 p.m. The meeting was called to order by Fred Allen, as Chairman, and the following were present, namely: Fred Allen, Chairman, James Aust, Member, JoAnne Daprano, Member, Hubert D. Kimball, Member, John Corey, Member, William Lester, Member, James Hickey, Member

ABSENT: None

WHEREAS, the Dennis Group, LLC the project manager and engineer and for the Agrana Group (collectively the “Applicant”) has proposed the construction of a 107,000 +/- sq. ft. building (the “Building”) on approximately 29 acres of currently wooded land (the “Land”), situated along Sixty Road in the Town of Lysander, in the Radisson New Community (“Radisson”);

WHEREAS, Radisson is a planned community established in 1971 by the Urban Development Corporation d/b/a Empire State Development Corporation (the “UDC”);

WHEREAS, the UDC established a General Project Plan (the “GPP”) that is used to guide development and construction in Radisson and the Town of Lysander has adopted the GPP and zoning for Radisson that allows for Industrial uses in conjunction with the GPP;

WHEREAS, the Applicant is proposing to use the Building and Land for the following purposes: office, warehousing, and a processing plant to process fruit that will be sold to manufacturers of yogurt and similar products (the "Action");

WHEREAS, approximately 9% of the Land will be used for buildings and 23% of the Land will be used for parking; the remaining 965,000 sq. ft. of the Land will remain open space as set forth on that site plan, dated March 2013, prepared by Plumley Engineering, Project No. 2013010, Sheet No. C201 (the "Site Plan");

WHEREAS, construction of a building greater than 100,000 sq. ft. qualifies the Action as a Type I action under Article 8 of the New York State Environment Law and 6 NYCRR ("SEQRA");

WHEREAS, the proposed site work includes the construction of access drives, parking lots that will provide 192 parking spaces for cars, storm detention facilities, and utility connections for sanitary, water, gas and electric, as detailed on the Site Plan;

WHEREAS, on February 21, 2013, pursuant to NYCRR Part 617.6(b), the Lysander Planning Board (the "Planning Board") issued to all involved agencies a Notice of Intent that classified the Agrana Project as a Type I action and further stated that it intended to be the Lead Agency for the Action, to which no involved agency objected;

WHEREAS, the Onondaga County Planning Board has reviewed the site plan and determined in their March 21, 2013 Resolution that the project will not have any significant county-wide impact.

WHEREAS, the GPP and amendments thereto, along with the related maps of Radisson have been adopted by the Town Board of the Town of Lysander and serve, along with the Town of Lysander Code, as the zoning regulations for Radisson;

WHEREAS, the Lysander Town Code Section 139-37 G.(1), requires the Planning Board to determine whether a detailed site plan "is consistent with and carries out the intent of the development plan as approved."

WHEREAS, the Lysander Town Code Section 139-37 B.(3) requires the Planning Board to undertake "an analysis of the relationship of the site to the surrounding community, including significant parcels of vacant land and the character of nearby built-up areas."

WHEREAS, the Lysander Town Code Section 139-35 A. requires the Planning Board to ensure that any detailed site plans will be the subject of "intensive review by the Town Planning Board to assure the projects' compatibility with the adjacent development, the general neighborhood ;

WHEREAS, the Land is zoned Planned Unit Development (PUD) with an Industrial land use under the Town Code and the GPP and the use proposed by the Applicant is in keeping with the allowed zoning and the character and nature of this area;

WHEREAS, on March 21, 2013, at its monthly meeting, the Planning Board reviewed the Long Environmental Assessment Form (the "EAF"), which was received by the Town of Lysander on or around February 12, 2013;

WHEREAS, the Planning Board identified the only area(s) under Part 2 of the EAF where the Project would have a potential large impact on the environment: (a) Section 5 of Part 2 - impact on the water because, while the sanitary system at Baldwinsville/Seneca Knolls (the "Sewer System") has capacity to accept the sanitary effluent from the Applicant during the first and second phase of the Project, any future expansion of the manufacturing process would require additional engineering review at the time of application to ensure enough biological oxygen demand capacity of the Sewer System at that time.

WHEREAS, each of the issues identified as potentially causing a significant environmental impact in the previous paragraph were discussed at Planning Board meeting of March 21, 2013 and were addressed as set forth below in the Planning Board's finding of facts and conclusions;

NOW, THEREFORE, THE PLANNING BOARD OF THE TOWN OF LYSANDER MAKES THE FOLLOWING FINDINGS AND DETERMINATIONS:

The use proposed by the Applicant is consistent with and carries out the intent of the development plan as required under the Lysander Town Code Section 139-37 G.(1) because the GPP contemplates industrial uses, such as that being proposed by the Applicant, and encourages the economic development opportunities that come with the operation such industry in terms of jobs and an increase in the tax base to the State, County and Town;

1. The relationship of the Land to the surrounding community, including significant parcels of vacant land and the character of the developed land is compatible as set forth under the Lysander Town Code Section 139-37 B.(3);
2. The Building as proposed, and its placement on the Land, provides adequate internal turn radius for vehicles and the traffic patterns proposed are sufficient to handle the traffic anticipated by the operation of the office, warehouse and manufacturing plant;
3. The public road network is equipped to accommodate the manufacturing business proposed, while keeping traffic out of the more dense areas of the Village of Baldwinsville;
4. Sufficient capacity on the Land (open space) exists to handle stormwater run-off and detention pond issues, which will require a SWPP acceptable to the Town Engineer during the Site Plan process;

5. While the current capacity of the Town's Sanitary Sewer System is sufficient to accept the sanitary sewer effluent from the Applicant's fruit processing operation, however, any future expansion of the Building or operation will require further Site Plan review and approval, and this Finding and Determination shall be a condition to any Site Plan approval granted by the Planning Board;
6. The size and scope of the Project does not conflict with the officially adopted plans or goals of the GPP;
7. Based on the findings and determinations, the Planning Board further finds and determines that the Project will NOT have a significant environmental impact on the aesthetics of the neighborhood and the community character of the surrounding area(s);
8. Although there is a presumption that a Type I action is likely to have a significant impact on the environment, the Planning Board makes this determination because it finds all identified adverse environmental impact will not be significant based on the Board's engineering review and the mitigating actions to be taken as set forth herein.

NOW, THEREFORE BE IT RESOLVED, that having reviewed the EAF and relating it to the criteria set forth in Section 617.(c) of the SEQRA regulations, and making the Findings and Determinations contained in this Resolution, the Planning Board hereby issues a Negative Declaration under Article 8 of the Environmental Conservation Law; and be it

BE IT FURTHER RESOLVED, that the Lead Agency is the Planning Board of the Town of Lysander, with a mailing address of 8220 Loop Road, Baldwinsville, Town of Lysander, New York;

BE IT FURTHER RESOLVED, that the person at the Lead Agency to contact for further information regarding this Negative Declaration is Karen Rice, Secretary to the Planning Board;

BE IT FURTHER RESOLVED, that the Project is a Type I Action under SEQRA;

BE IT FURTHER RESOLVED, that the proposed Action is located on Sixty Road in the Town of Lysander;

BE IT FURTHER RESOLVED that Secretary to the Planning Board is hereby directed to file this Negative Declaration with the appropriate entities as set forth under 6 NYCRR Part 617.

Daprano -- Aye
Kimball -- Aye
Aust -- Aye
Corey -- Aye
Lester -- Aye
Hickey -- Aye
Allen -- Aye

Mr. Frateschi stated that the Board has determined the environmental significant; the next step in the process will be the review and approval of the site plan. We don't have a SWPPP in place and I assume the Board would feel a little more comfortable with having that in place prior to doing any final approval of the Site Plan.

Mr. Clark stated that he has informed his client that action would in all likelihood not take place this evening. There has been discussion that there could be a special meeting on Thursday, April 4, 2013 and they are fine with that.

Mr. Kimball stated that we will do whatever is necessary, even if we do a conditional approval on the Engineer's comments being all resolved.

Mr. Allen stated that at this point in time, do we delay site plan review until we get this other information, or proceed.

Mr. Frateschi stated that the board is not delaying anything, we're waiting for more information from the applicant so that we can make a final review of the site plan. I don't think that's unreasonable.

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

3. Minor Subdivision—Amendment	CNY Crops
Case No. 2011—014	Plainville Road

Fred Allen, Chairman, stated that he is one of the owners of CNY Crops and will therefore recuse himself from the discussion of this application and voting on this application. Hugh Kimball has agreed to be Acting Chairman.

Steve Sehnert, Licensed Land Surveyor, represented CNY Crops, stating that a number of years ago the Bitz family sold most of the turkey farm; one of the parcels that remains is shown as Parcel A (as shown on the plan) at the northern end of the property on the west side of Plainville Road. At the time that Parcel A was sold to CNY Crops, Mr. Bitz retained the grain facilities. At that time a subdivision was created with the appropriate map being filed in the Onondaga County Clerk's office. Last year, CNY Crops decided

to sell residence north of the grain facility. Since that time CNY Crops has now purchased the grain facility. The potential buyer of the residential property fell through. Now that we have one owner, we have decided to resubdivide the grain facility parcel and the CNY Crops parcel (Lot 1) into a new parcel around the residence. Onondaga County acquired land in front of the parcel in 1962 for highway purposes to change Plainville Road. There's some confusion as to what is owned by the County for the highway boundary and what is owned by CNY Crops, however this is how it's filed in the County. The parcel we created for the residence is zoned Agricultural, 80,000 square feet outside of the highway boundary. There is a wet area to the north with steep banks. The septic tank and leech field will now all be on the same lot. There are no flood hazards or wetlands involved with the parcel.

James Aust reiterated that you want to expand Lot 1.

Mr. Sehnert concurred and added that they are contracting it also; basically moving a lot line.

Mr. Aust stated that when this was before the board the last time there were some concerns about the driveway. How will they access the residence?

Mr. Sehnert stated that they have a driveway that comes from the grain facility up into the house, which currently exists and is being used. They also have the remnants of the original Plainville Road; they can get access there also.

Tim Frateschi, Esq., stated that the applicant isn't creating any new lots.

Mr. Sehnert concurred stating that they're adjusting the lot line.

Mr. Frateschi continued stating that you're not creating any new lots; any new infrastructure, roads, etc... just a reconfiguration of an existing lot. We have done these before; they're technically not considered a "subdivision". I don't think this is enough of a change where it has to go back before the Onondaga County Planning Board for their review and recommendation.

There was additional discussion with regard to the existing driveway, it was determined that it was dictated by the taking of the road by Onondaga County. It's already in and being used. Onondaga County doesn't have a problem with it so it doesn't affect the Lysander Planning Board's decision.

Mr. Frateschi concurred stating that it would be related primarily to the SEQR process. After the SEQR determination has been made by the Town Board we still have the responsibility to look at and approve or disapprove a site plan. Those are two distinct and separate functions but the environmental impact determination should encompass all of the types of impacts that would take place because of the project. Having said all that, it's a good idea for this board to have a meeting that's going to be devoted specifically to the site plan application for the YMCA; this board can then let the Town Board know what it's concerns are as it relates to the site plan so they can incorporate our concerns into their SEQR determination.

James Aust stated that it's his understanding that Timber Banks wants to increase their home building in that area; does the size of the YMCA reduce the amount of homes that they're going to be able to build and is that something that should be considered.

Mr. Frateschi stated that it should be considered, however the Planning Board doesn't consider density, the Town Board does. Frankly, that's another good reason why the Town Board should be the Lead Agency because I assume that issue will be brought up and discussed. They're going to have to try to fit that all together and figure out what the environmental impact is of a YMCA and whether that changes density for residential or not; but that is really a function of the Town Board. The kind of analysis the Planning Board would do is traffic, drainage, building specifications, sewer capacity, lighting issues...all those types of things. We need to review and see if we're comfortable with it; if there are issues or concerns we need to let the Town Board know what they are so they can incorporate it into their SEQR findings.

Hugh Kimball stated that when this PUD (Planned Unit Development) was set up there was a requirement that after a certain number of homes were built there was to be a new traffic study. The Town Board will have to consider whether the change to putting in a YMCA should move that time up as far as doing a new traffic study.

Karen Rice, Clerk, stated that they're doing one anyway.

Mr. Frateschi stated that traffic would certainly be a significant issue that the Town Board is going to have to consider when they do their SEQR analysis. They'll want to know what the Planning Board's view is on that issue because we're the ones that usually deal with the traffic type issues.

Mr. Aust stated that the State is going to be repairing/replacing the NYS Route 370 Bridge; which has to be taken into consideration.

William Lester added that right and left turn lanes might be considered to accommodate the YMCA.

Mr. Kimball questioned if they're working on a traffic study.

Al Yager concurred stating that they have good traffic counts that were done last Summer on NYS Route 370 in that area. They can't put the traffic counter tubes out yet because they're still plowing snow. I believe their restriction date is May 1st for traffic counter tubes by DOT standards. My understanding with the Route 370 bridge is that the contract has not been awarded yet. It generally takes 60 to 90 days once they award a contract for a contractor to have all the bonds and insurances in place to move forward with the projects. More than likely we'll not see construction on the Route 370 bridge until July.

Mr. Frateschi stated that he has spoken with the YMCA attorney and they would be comfortable with an April 4th, 2013 special meeting of this board to begin a review of this site plan application. Hopefully, AGRANA will have their SWPPP done and they'll be on the agenda also.

The board members concurred to a special meeting on Thursday, April 4, 2013.

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

RESOLVED, that the Planning Board schedule a special meeting on Thursday, April 4, 2013 at 7:00 p.m., to consider two major projects before the Town, at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

7 Ayes -- 0 Noes

2. Jim Hickey, Board Member Work Sessions

Jim Hickey asked if the Planning Board members would consider work sessions prior to the meeting. I believe they'll be beneficial considering the work load that we have to be able to sit down and discuss things in a little more detail. I also feel that it will help newer board members. This is one of the few boards that don't have work sessions.

Joanne Daprano stated that she seconds that recommendation.

Tim Frateschi, Esq., stated that it would be considered an open meeting if the board has a quorum or more. It's not an uncommon practice.

Times were discussed, 6:00 to 7:00 p.m. being considered

Hugh Kimball stated that the only concern he has with doing that is that we don't get into such detail because when the regular meeting resumes we'll have an audience full of people who weren't there and won't know what's going on. If the work session is just to discuss procedure, general discussion and no debate over specific issues I can see doing that. I believe an hour is too long, having been in a premeeting with staff, they don't last that long.

Mr. Hickey stated that the goal from his standpoint is that there are several new people here, a lot of things to be considered such as the driveway in the previous application; so that our meetings don't get tied down with things unnecessary. There's a lot to learn, it takes time and would be very helpful for everybody involved; so that it's not the first time you've seen some of these things.

Mr. Allen suggested that the work sessions take place before the regular meeting rather than on a different date.

It was determined that a work session take place at 6:30 p.m. on Monday, April 15, 2013 with the regular meeting starting at 7:00 p.m.

Mr. Kimball questioned how that works with our two paid employees of the Town who already will have worked a full day, having to go home and come back.

Mr. Frateschi stated that there's no requirement for minutes for a work session.

Mr. Kimball stated that having staff here would be helpful; I don't expect the Town Attorney to have to be here, but the engineer and secretary.

Mr. Yager stated that he can be available.

Mr. Frateschi stated that work sessions should be on a case by case basis because there are going to be meetings where there aren't going to be questions. The other thing board members should do is go through your meeting materials that Karen sends out and make any notes; I'm certainly always available for questions; I'm sure AI is available for questions and Karen's available for questions...never hesitate to call any of us if there are questions that come up.

If we're going to hold a work session it should be done by a resolution so that we can advertise it. The secretary will also have dates and times posted on the website.

Mr. Hickey suggested the conference room be the location for work sessions.

Karen Rice, Clerk, stated that tonight the conference room is being used; I'll check the calendar for availability for each work session.

John Salisbury concurred stating that we have a meeting room calendar; it would have to be put on that calendar. There are three meetings taking place right now. We will place the work session on our meeting agendas.

William Lester stated that any time there is a quorum of this board, it's a public meeting.

Mr. Frateschi stated that generally that's true, but you do run into situations that you're at a social event and if there's a quorum but you're not talking public business so it's not

a quorum. If you're meeting to discuss Town business and there's a quorum it's definitely considered an open meeting.

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

RESOLVED, the Planning Board hold a work session on Thursday, April 15, 2013 at 6:30 p.m. in the Lysander Town Building, location to be determined upon availability.

7 Ayes -- 0 Noes

V. ADJOURN

RESOLUTION #5 -- Motion by Allen, Second by Aust

RESOLVED, that the Thursday, March 21, 2013 Special Planning Board meeting adjourn at 8:35 p.m.

7 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk