

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 Loop Road  
Thursday, April 14, 2022 at 7:00 p.m.

The regular meeting of the Town of Lysander Planning Board was held Thursday, April 14, 2022 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John Corey, Chairman, Hugh Kimball; Steve Darcangelo and Doug Beachel

MEMBERS ABSENT: William Lester

OTHERS PRESENT: Al Yager, Town Engineer; Greg Sgromo, Dunn & Sgromo; Corey Buyck and Karen Rice, Clerk to the Planning Board

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

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

1. Minor Subdivision  
Case No. 2022—002

Buyck, Corey  
8896 Smokey Hollow Road

The Public Hearing opened at 7:00 p.m.

Recapping the meeting of March 10, 2022, Corey Buyck stated that he currently lives at 8896 Smokey Hollow Road on a ten acre lot. We'd like to subdivide out a new lot approximately 7 acres in size with plans to build a single family house. As you can see on the plan we had a wetland delineation done by the DEC. We have had perc tests done and the initial plan has been submitted to the Health Department for a septic design.

Mr. Buyck stated that he's here to answer any questions the Board may have.

John Corey, Chairman, stated that we will get to that under Old Business.

The Public Hearing closed at 7:01 p.m.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the March 10, 2022 Planning Board meeting minutes.

John Corey, Chairman, stated that B & F Development has asked that we not act on the minutes of the March 10, 2022 Planning Board meeting until such time that they can listen to the audio portion of the minutes. If the Board members are not comfortable with approving the minutes given the questions being raised we can table them until there's time for adequate discussion between appropriate parties to achieve clarification. I know we had a lot of discussion about it at our last meeting. I know Tim Frateschi, Esq., has put a great deal of work into capturing it. I know, not being either an engineer or lawyer, Karen Rice, Clerk, captured the essence, core and intent in that language of what we agreed on. So, I'll ask each one of you what your feeling is.

Steve Darcangelo stated that he has no problem with the minutes in the sense that I do believe that they capture the essence of the discussion. I think the minutes themselves are accurate. I think...

Mr. Corey stated that the resolution in question is in the minutes.

Mr. Darcangelo concurred but the resolution has already been passed (at the last meeting). If we have to make a change to the resolution we have to anyway, whether minutes are approved or not.

Mr. Corey reiterated...we'd have to go back and amend the resolution.

Mr. Darcangelo concurred stating that he wouldn't have a problem amending the resolution or having a discussion that went in to some report that became a part of something...but the

minutes themselves they reflect a resolution that was brought up in front of the Board and passed. That's accurate.

Greg Sgromo, Dunn & Sgromo, stated that there was some discussion 33 minutes into the meeting relative to the definition of 'background traffic'. We had a long discussion about the projects would increase traffic on 31, timing changes on the light that DOT implements or anything like that, that we would not be penalized for that. We had that discussion and it was back and forth. Tim was working on the wording, fine tuning it because it was kind of hard to tweak it (unclear)...so the resolution as Tim has written it, it's not that it's wrong, it's that I would like a definition of the background traffic analysis that did mention in the final Item 12.

Mr. Darcangelo questioned if a formal request from you or your attorney, could that be done? It does not present an issue in itself, but the minutes reflect the activity of the meeting in my opinion at least.

Mr. Corey concurred.

Hugh Kimball stated that he can see both sides. Is there any requirement that we have to approved the minutes?

Mr. Corey stated that there is not but the thing is if you approve the minutes you don't shut off the issue or the resolution of the issue being raised.

Mr. Kimball stated that if there is something in the recording that is not presented properly, maybe we should wait; whatever you want to do.

Doug Beachel questioned contingent approval, make minutes contingent upon the resolution being defined. If there's no harm in tabling them...it's not starting or stopping a clock table until we can find an answer.

Mr. Kimball stated that we haven't heard everything that was said except what was said a month ago and we haven't seen and you haven't actually seen whatever your lawyers are going to come up with, so why should we approve something then have to change it if something is needed, and/or may not be.

Mr. Corey stated that first of all the minutes wouldn't be changed it would be the resolution.

Mr. Kimball stated that the resolution is in the minutes.

Mr. Corey stated that that was an approved resolution, this Board voted on it and approved it unanimously, so those minutes reflect that. So, approving these minutes does not change what happened and does not prevent if after discussion there is an agreement reached that there needs to be some definitional terms added to that resolution that resolution can be amended and those minutes of that meeting will reflect that change and will bring everything up to date. There's obviously two of you here who are more comfortable with tabling it and since two to two means no, we're tabling the minutes.

Action on the Minutes of the March 10, 2022 regular Planning Board meeting will be tabled until the May 12, 2022 regular Planning Board meeting.

### III. OLD BUSINESS

1. Minor Subdivision  
Case No. 2022—002

Buyck, Corey  
8896 Smokey Hollow Road

John Corey, Chairman, stated that since the last meeting we have received the wetland delineation and there is not an issue there. Percolation tests were performed and a septic plan is under review at the Onondaga County Health Department. The application was forwarded to the Onondaga County Planning Board and their recommendation will be made part of the Findings, as well as the review letter from the Town Engineer.

Steve Darcangelo questioned why the wetlands came into play.

Karen Rice, Clerk, stated that the buffer is on Corey's property, right Corey?

Mr. Buyck concurred.

Karen Rice stated that they just have to show the 100' setback from the buffer. That's the only reason. He can't build within that buffer.

Hugh Kimball stated that it's a NYS Wetland, that's the reason that's a buffer.

Mr. Buyck concurred.

There was some discussion with regard to the driveway.

Mr. Buyck stated that he received an email from the DOT stating that I wouldn't need....because it's an existing driveway and I'm not modifying it, I don't need any permits.

A copy was made of the email for the public record.

Mr. Darcangelo stated that their comments are well taken because of the speed on Smokey Hollow in that long stretch there. You'd want to have a driveway that you don't have to come to a full stop in order to enter. You'd want to have a nice turning radius because it could be dangerous. I think in your development of the property you should keep that in mind, not only meeting the requirement of the County but for your own safety and that of other drivers.

#### FINDINGS:

An Environmental Assessment Form indicates that the proposed action will not result in any significant adverse environmental impacts.

There is a letter on file prepared by Al Yager, Town Engineer, dated April 12, 2022, that has been made part of the public record, in part:

I have completed my review of the map for the Buyck, 8896 Smokey Hollow Road Minor Subdivision, prepared by Lehr Land Surveyors, dated March 2, 2022. The proposed subdivision conforms to all rules and regulations of the Town of Lysander. I would have no objection to the Planning Board approving the proposed Minor Subdivision at this time.

There is a letter on file from the Onondaga County Planning Board, dated March 7, 2022, that has been made part of the public record, in part:

#### Advisory Notes:

1. Per the Onondaga County Department of Transportation, all existing or proposed driveways on Smokey Hollow Road must meet Department requirements.
2. Any proposed development in, placement of fill in, or drainage of a state wetland or 100'foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation.

Onondaga County Planning Board Recommendation: NO POSITION WITH COMMENT

The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve a sewage disposal plan for the proposed lot prior to Department endorsement of the subdivision.

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

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

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

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

RESOLVED, that having reviewed the Minor Subdivision application, as defined on a map dated February 2, 2022, prepared by Douglas R Lehr, Licensed Land Surveyor, associated with the application of **Corey Buyck**, for property located at 8896 Smokey Hollow Road, Tax Map No. 023.-01-08.0, Baldwinsville, New York is hereby approved.

4 Ayes -- 0 Noes

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

RESOLVED, that in granting a subdivision to **Corey Buyck**, for property located at 8896 Smokey Hollow Road, Baldwinsville, New York, the Planning Board invokes its right to impose a fee of \$250.00 per lot for one (1) lots in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.

4 Ayes -- 0 Ayes:

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. Buyck thanked the Board for their time.

IV. OTHER BUSINESS

1. Amend 2022 Planning Board Meeting Schedule

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

RESOLVED, that the Town of Lysander 2022 Planning Board Meeting Schedule be approved as amended.

4 Ayes -- 0 Noes

V. ADJOURN

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

RESOLVED, that the April 14, 2022 regular Planning Board meeting adjourn at 7:20 p.m.

The next regular Planning Board meeting is scheduled for Thursday, May 12, 2022 at 7:00 p.m.