

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 LOOP ROAD  
Thursday, May 12, 2016 @ 7:00 p.m.

The regular meeting of the Lysander Planning Board was held Thursday, May 12, 2016 at 7:00 p.m. in the Large Group Room, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John Corey, Chairman; Joanne Daprano; Hugh Kimball; William Lester; James Hickey, Steve Darcangelo and Jerry Hole

OTHERS PRESENT: Tim Frateschi, Esq., Planning Board; Al Yager, Town Engineer; David Heath; Frank Costanzo, Zoning Board of Appeals; Jim Stirushnik and Karen Rice, Clerk

John Corey, Chairman, called the meeting to order at 7:00 p.m. and introduced Jerry Hole, Planning Board member.

I. PUBLIC HEARING -- None Scheduled

II. APPROVAL OF MINUTES

Review and approval of the minutes of the April 14, 2016 regular Planning Board meeting.

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

RESOLVED, that the minutes of the April 14, 2016 regular Planning Board meeting be approved as submitted.

6 Ayes -- 1 Abstain (Hole as he wasn't a board member at that time)

III. NEW BUSINESS

- |                      |                         |
|----------------------|-------------------------|
| 1. Minor Subdivision | Heath, David            |
| Case No. 2016—004    | Kibby/County Line Roads |

David Heath was before the board last year for a two lot subdivision on property that fronts on both Kibby and County Line Roads. At that time Mr. Heath subdivided out a 5 acre piece to construct his home and outbuildings. Leaving approximately 25 acres as the remnant piece.

Mr. Heath stated that he would like to subdivide three lots from the remnant piece, Lot 1A, which will be added to the existing 5 acre parcel along Kibby Road; Lots 2A and 2B with frontage on County Line Road with 5 acres each and Lot 2C with frontage on Kibby Road and 5 acres.

Al Yager, Town Engineer, stated that the board will need maps drawn to scale prior to the Public Hearing.

Mr. Heath stated that the surveyor will provided maps drawn to scale.

Jerry Hole questioned access to Lot 1A with having to cross the existing creek.

Mr. Heath stated that it is a Class C waterway, not regulated with the NYS Department of Environmental Conservation. Access already exists, Lot1A will be added to the parcel with the home.

Steve Darcangelo questioned any disturbance of land.

Mr. Yager stated that at this point in time it's just a subdivision of land, there are no development plans.

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

RESOLVED, That the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as Lead Agency for David Heath, Kibby/County Line Roads, Baldwinsville, New York Minor Subdivision application.

7 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, reviewed Part Two—Environmental Assessment, with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? No
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No
7. Will the proposed action impact existing:
  - a. public / private water supplies? No
  - b. public / private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No

11. Will the proposed action create a hazard to environmental resources or human health? No

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

RESOLVED, that having reviewed the SEQR regulations, determined this is an UNLISTED ACTION, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the David Heath, Kibby/County Line Roads, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

7 Ayes -- 0 Noes

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

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of David Heath, for a subdivision of property located at Kibby/County Line Roads, Baldwinsville, New York, Part of Farm Lot No. 35 and Tax Map No. 015.-03-03, for a development of three (3) lots from a parcel of 25 acres

7 Ayes -- 0 Noes

Mr. Heath thanked the board for their time.

IV. OTHER BUSINESS

1. Solar Regulations—review and recommendation at the request of the Town Board for On-Site Use Solar Energy Systems.

John Corey, Chairman, stated that the Town Board, at their meeting of April 11, 2016, passed a resolution asking that the Planning Board make a recommendation to the Town Board regarding a proposed Solar Ordinance; more particularly prepare, review and recommend a proposed Local Law.

Mr. Corey stated that he and Hugh Kimball reviewed several municipal laws with regard to Solar and worked with Tim Frateschi to come up with a rough draft for the board's review, comments, questions and concerns.

Steve Darchangelo stated that he has reviewed the document and asked for clarification on page 5(F) "Solar energy systems and equipment shall be permitted only if they are determined by the Town to not present any unreasonable safety risks, etc..." Is the Town in a position to make that determination?

Mr. Frateschi stated that that's standard language in the New York State Code.

Al Yager, Town Engineer, added that all drawings will be signed and stamped by an Engineer/Architect to verify compliance with the State Code.

Jerry Hole, speaking as a retired City of Syracuse Fire Fighter, stated that solar panels are like a slate roof to a firefighter, you can't step on them. There needs to be enough clearance to fight a fire.

Mr. Yager stated that the NYS Building Code requires an open area of 3' from the edge of the roof and the peak.

William Lester stated his concern with 'solar farms' being allowed in the Industrial and Commercial zoning districts throughout the Town (Page 4, Paragraph D). If we allow them in the industrial districts we are giving up jobs and tax revenue for the Town, County and State.

Mr. Frateschi stated that our role at the Town Board's request was to come up with a regulation; it will be up to the Town Board to determine if it's the highest and best use in the Industrial zoning districts and make those changes.

Mr. Hole questioned solar farms only being allowed in an AR40 district for personal use, not commercial. Mr. Hole stated that there are many farms across New York State leasing their farmland for solar energy. *Grassroots, Compliance Corner, Leasing Your Farmland for Solar Energy, By Lisa A. Ovitt, Paralegal, May 2016.*

Mr. Hole also stated that any Ag Tax Exemption you may receive on your farm operation may be jeopardized because you are taking productive land out and it becomes a commercial business with an increase in taxes.

Jim Hickey stated that that would be a legislative process and not up to the Planning Board.

Minor Changes:

Page 3, Section 139-92 Applicability, Paragraph A, first sentence: All requirements of this local law shall apply to all solar energy systems and equipment installations... An 's' added to systems.

Page 3, Section 139-93 Permits, Paragraph A: Remove the words 'updated and'.

Page 4, No. 2, first sentence should read: Rooftop and Building-Mounted Solar Collectors shall not exceed the height of the structure in any zoning district.

Page 6, Section 139-94 Safety, Paragraph H, third sentence: Fore residential should read, For a residential.

Page 7, punctuation change.

Discussion continued with the Board determining that the draft appears to be complete and ready for review by the Town Board.

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

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 12<sup>th</sup> day of May, 2016 at 7:00 p.m. The meeting was called to order by John Corey, as Chairman, and the following were present, namely: Joanne Daprano, Member, Hugh Kimball, Member, William Lester, Member, James Hickey, Member, Steve Darcangelo, Member and Jerald Hole, Member.

The following resolution was moved, seconded and adopted:

RESOLVED, that the Planning Board, at the request of the Town Board, prepare, review and recommend a proposed Local Law for On-Site Use Solar Energy Systems.

7 Ayes -- 0 Noes

V. ADJOURN

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

RESOLVED, that the May 12, 2016 regular Planning Board meeting adjourn at 8:09 p.m.

7 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk