

TOWN OF LYSANDER
PLANNING BOARD MEETING
8220 Loop Road
Thursday, May 12, 2022 at 7:00 p.m.

The regular meeting of the Town of Lysander Planning Board was held Thursday, May 12, 2022 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

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

OTHERS PRESENT: Al Yager, Town Engineer; Tim Frateschi, Attorney to the Planning Board; Ed Rapson; Frank Costanzo, ZBA; Jen Ratliff; Anna Cusimano; Stephen Coburn; Eric Valentine; Michelle McIncrow; Brian Madigan, Dunn & Sgromo; Gene Dinsmore and Karen Rice, Clerk

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

- I. PUBLIC HEARING -- None Scheduled
- II. APPROVAL OF MINUTES

Review and approval of the minutes of the March 10, 2022 and April 14, 2022 Planning Board meeting minutes.

At the meeting of April 14, 2022 B & F Development asked that the minutes from the March 10, 2022 Planning Board meeting be postponed for clarification.

John Corey, Chairman, stated that the reality is that there was a concern expressed by the representative of the developer about concern there wasn't enough 'detail on the description of background traffic' in the minutes. The reality is, from my perspective the minutes were certainly well written to the point that they described the process in a general sense that would be used to determine that and they are in fact 'our' minutes, not the developer's minutes. Unless someone has a real difference of opinion I think they very fairly and accurately represent the essence of what went on at our March meeting. I would propose that we accept those minutes as written.

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

RESOLVED, that the March 10, 2022 regular Planning Board meeting minutes be approved as submitted.

5 Ayes --0 Noes

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

RESOLVED, that the April 14, 2022 regular Planning Board meeting minutes be approved as submitted.

4 Ayes -- 1 Abstain (Lester)

III. OLD BUSINESS

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| 1. Site Plan Review
Case No. 2020-001 | B & F Development
3285 Belgium Road |
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John Corey, Chairman, stated that he believes we have received all of the documentation to proceed.

Al Yager, Town Engineer, concurred.

Mr. Corey stated there is a letter on file dated May 12, 2022, prepared by Al Yager, Town Engineer, that will be read into the public record, in part:

I have completed my review of the following site plan drawings prepared by Dunn & Sgromo Engineering for the above referenced project.

<u>Sheet Number</u>	<u>Sheet Title</u>	<u>Final Revision Date</u>
SP-1	Site Plan	02/10/2022
SP-2	Site Aerial	02/10/2022
CS-1	Site Cross Section	02/10/2022
CS-2	Site Cross Section	02/10/2022
SP-5	Landscaping Plan	02/10/2022
TT-1	Truck Turn Plan	01/12/2022
C-1	Grading & Drainage Plan	05/10/2022
C-2	Erosion & Sediment Control Plan & Notes	05/10/2022
D-1	Drainage Details	05/10/2022
D-2	Drainage Details	05/10/2022
D-3	Erosion & Sediment Control Details	05/10/2022

I have completed my review of the revised SWPP for the project prepared by Dunn & Sgromo Engineers with a final revision date of May 10, 2022.

At this time I have no further engineering comments for the project and would not be opposed to the Planning Board approving the revised site plans and SWPPP for the project as presented.

Mr. Corey questioned if he was correct in assuming that the architectural plans that we have in this package is the final proposed architectural layout.

Brian Madigan, Dunn & Sgromo, concurred.

Mr. Corey stated that now that we feel we have that we will start the process of reviewing the process of reviewing that with the Town Engineer and the Planning Board in order to address one of the conditions that's in our Resolution.

Is there any member of the Board who has any questions for the Developer...at this point we've kind of reviewed everything pretty well. The changes that we asked for are reflected in the new drawings.

Hugh Kimball stated that the only question he has, just a matter of form...I'm not an engineer but I've had some experience at my house with flooding and the conceptions at the time certain improvements were put in in a neighboring area that resulted in my yard around my house, both sides. I just want the assurance from the Developer's engineer and our Town Engineer that there should be no downstream flow in this project greater than what has been in the past; because I've seen that area where there has been a lot of water going across Drakes Landing.

Mr. Yager stated that there's a significant reduction of flow actually from the peak flows off of he existing site in the 10 and 100 year storm events.

Mr. Kimball stated that that is the way he read it but I defer to your expertise and I assume the same with the engineers for the Developer.

Mr. Madigan concurred.

Tim Frateschi, Esq., stated that that's all part of the Stormwater Pollution Prevention Plan. (SWPPP).

Steve Darcangelo questioned what is 'significant', what percentage drop?

Mr. Yager stated that he believes the 10 year storm is over 20% and I think the 100 is close to that as well, going off memory. I can pull that documentation...

Mr. Darcangelo indicated that he was satisfied with that response.

Mr. Kimball stated that the program for when it's being under construction is pretty well laid out; what happens after it's finished? Who is responsible for maintaining the ponds and...?

Mr. Yager stated that the Developer will be. We do make them sign a Maintenance Agreement before we sign the Notice of Termination of this site; that gives us authority if they do not maintain the Stormwater Management Facilities as they're supposed to go in and maintain them and put the cost back on the tax bill for the parcel.

Mr. Darcangelo...when you say the Developer, is that Maintenance obligation transferable if the property is sold and is that...somehow we have an obligation that that Maintenance Agreement transfers with the sale of the property?

Mr. Yager concurred to both. By Town Law and NYS Law it is a requirement that that's the requirement, (unclear) Stormwater Management Facilities.

Mr. Kimball questioned if the Town Engineer is satisfied with the Fire Departments...

Mr. Yager concurred stating that they have accepted it, nothing has changed from what they have accepted.

Mr. Kimball stated that he's good.

There is a letter on file from the Belgium Cold Springs Fire Department dated January 13, 2022, prepared by Matthew Speech, Chief.

Board members indicated that there were no further questions at this point in time.

Mr. Corey asked that the Planning Board Attorney read the Resolution has been drafted regarding a proposed approval of this project.

Mr. Frateschi stated that the one that is before you today is modified to reflect AI's letter from today and the Site Plan package and how it has been updated. I do believe that probably Condition No. 8 will be removed once we talk about it. There are several Whereas clauses that speak about the building. Comment throughout the Resolution: It goes through the whole SEQR process that we have been going through for the last several meetings, since February 13, 2020.

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

RESOLVED, that 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 8220 Loop Road, Baldwinsville, New York 13027, County of Onondaga, State of New York, on the 12th day of May, 2022, at 7:00 p.m. The meeting was called to order by John B. Corey, as Chairman, and the following were present, namely:

John B. Corey	Chairman
Hubert D. Kimball	Member
William Lester	Member
Steve Darcangelo	Member
Doug Beachel	Member

Absent: None

WHEREAS, B&F Development, LLC (the "Applicant") is proposing the construction of six (6) three story multi-family buildings, 6 garages and 2 support buildings (a clubhouse and maintenance building) on a 22.1 acre lot at the intersection of NYS Route 31 and Drake's Landing Road (the "Project");

WHEREAS, the Applicant, through its engineers (Dunn & Sgromo Engineers), has submitted a site plan package (the "Site Plan Package") entitled Drakes' Landing, which consists of the following Sheets: SP1 Site Plan dated 2-10-22; SP2 Site Aerial dated 2-10-22; CS-1 dated 2-10-22; CS-2, dated 2-10-22; SP5 Landscaping Plan dated 2-10-22; TT-1 Truck Turn Plan dated 1-12-22; C-1 Grading and Drainage Plan dated 5-10-22; C-2 Erosion & Sediment Control Plan & Notes dated 5-10-22; D-1 Drainage Details dated 5-10-22; D-2 Drainage Details dated 5-10-22; and D-3 Erosion & Sediment Control Details dated 5-10-22. (Also see Engineers Letter, dated May 12, 2022 prepared by the Town Engineer, said Engineering Letter is made part of this Resolution);

WHEREAS, the Project is proposed to be situated on one vacant parcel, currently owned by the YMCA of Greater Syracuse, Inc. and identified as tax map nos. 075.-03-24.7, which equal approximately 22 acres (the “Property” or “Project Site”);

WHEREAS, of the 22 acres, the Applicant has proposed to disturb approximately 11.0 acres of the Property;

WHEREAS, the Planning Board and its engineer have reviewed the Site Plan Package and have considered it in relation to the SEQRA review and findings set forth herein;

WHEREAS, the existing zoning for the Project Site is Planned Unit Development which allows the multi-family apartments as set forth in the Application;

WHEREAS, by letter dated October 29, 2021, the Radisson Community Association has indicated that the Property has always been contemplated to have residential uses compatible to the one proposed in the Application;

WHEREAS, land uses in the adjacent surrounding area are single family, multi-family housing and open space/recreation;

WHEREAS, because 10 acres of the Property will be disturbed by the construction of the Project, it qualifies the Action as a Type I action under Article 8 of the New York State Environment Law and 6 NYCRR (“SEQRA”);

WHEREAS, on February 13, 2020, pursuant to NYCRR Part 617.6(b), the Lysander Planning Board (the “Planning Board”) declared itself the Lead Agency and issued to all involved agencies a Notice of Intent that classified the Project as a Type I action and further stated that it intended to be the Lead Agency for the Action;

WHEREAS, no involved agency responded in objection to the Notice of Intent for Lead Agency;

WHEREAS, on March 30, 2020, the Planning Board held a scoping session for all of the involved agencies to determine any environmental concerns they may have - none of the involved agencies attended or submitted comments;

WHEREAS, the Applicant has provided the Town Planning Board with a Traffic Impact Study (the “Traffic Impact Study”), dated January 2020, revised January 10, 2022, prepared by Dunn & Sgromo Engineers, PLLC (“Project Engineers”);

WHEREAS, by letter dated July 20, 2020, the Engineer for the Town has reviewed the Traffic Impact Study and based on his review generally agrees with the determination that the level of service will only be minimally degraded by the Project, however, the Town Engineer has also determined that based on the significant number of new apartment units being proposed further study should be undertaken upon substantial construction of the Project, especially as it relates to a possibility of a dedicated left hand turn lane on Drake’s Landing;

WHEREAS, Dunn & Sgromo submitted to the Town Engineer a Stormwater Pollution and Prevention Plan (“SWPPP”) dated November 2021, which identifies stormwater run-off issues and proposed stormwater facilities that will meet the NYS Department of Environmental Conservation regulations (See Engineer’s Review Letter of March 3, 2022);

WHEREAS, by letter dated January 4, 2022 to the Planning Board Chairman, Dunn & Sgromo Engineers submitted answers addressing the numerous comments, complaints and objections that the public provided to the Planning Board as it relates to the environmental impacts of the Project (the “D&S January 4, 2022 Letter”);

WHEREAS, by letter dated January 10, 2022 to the Chairman of the Planning Board, Dunn & Sgromo Engineers submitted answers to the Engineering Review Letter dated December 15, 2021 by the Town Engineer (the “D&S January 10, 2022 Letter”),

WHEREAS, by resolution dated March 18, 2020 the Onondaga Planning Agency determined that the Project would not have an inter-county wide impact and offered one modification, which modification is agreed to by the Planning Board;

WHEREAS, on February 10 2022, at its monthly meeting, the Planning Board reviewed, discussed and asked questions to the Dunn & Sgromo Engineers regarding Part 2 of

the Full Environmental Assessment Form (the "EAF") and answered the 18 questions set forth therein based on the Project;

WHEREAS, on March 10, 2022, the Planning Board re-reviewed the EAF and approved a resolution issuing a Negative Declaration for the Project under SEQRA (the "SEQRA Determination"), which resolution serves as part of the basis for the determination set forth herein;

WHEREAS, on March 12, 2022, the Engineering Letter was submitted to the Town Planning Board in which the Town Engineer stated that the Site Plan and SWPPP adhered to State and Town laws and regulations and he would not be opposed to approving the Site Plan Package;

NOW THEREFORE BE IT RESOLVED, that based on the SEQRA Determination, the **FINDINGS and DETERMINATIONS** set forth therein, the Site Plan Package, various engineer letters as stated in the above recitals and all other documents cited in the SEQRA Determination (all of which are incorporated into this Resolution and serve as the basis for this Decision), the Planning Board hereby approves the Site Plan Package with the following conditions:

1. Within 6 months of 80% occupancy of the Project, the Applicant shall pay for the cost of a traffic study (the "Future Traffic Study"), commissioned by the Town of Lysander, to determine if a dedicated left-hand turn lane should be added to Drake's Landing to prevent queuing that affects vehicles entering onto Drake's Landing, especially from the southern Oak Brook Road intersection.

2. The Future Traffic Study shall evaluate only the traffic generated from the Project. A background traffic analysis shall include a comparison of traffic volumes collected on January 23, 2020 for the Dunn and Sgromo Engineers Drakes Landing Traffic Impact Study during the initial study period which shall serve as a baseline for the 2020 predevelopment conditions and the 80% complete period to accommodate for any traffic deviation not related to the Drakes Landing development. Any traffic not related to the Drake's Landing Development shall be removed from the Future Traffic Study as it relates to the determination in 3. below.

3. In the event the Future Traffic Study warrants a dedicated left-hand turn lane on Drake's Landing the Applicant shall pay the cost of the construction of such a left-hand turn lane as set forth in FINDING and DETERMINATION 12 of the SEQRA Determination.

4. Before a building permit is issued by the Lysander Code Department for the Project, securities between the Applicant and the Town of Lysander shall be executed to implement conditions 1. and 3. above.

5. Before a building permit is issued by the Lysander Code Department for the Project, a new landscaping plan shall be submitted and approved by the Planning Board that sufficiently screens and beautifies the view of the Project from Drake's Landing and NYS Route 31 as set forth more fully in the FINDINGS and DETERMINATIONS set forth in the SEQRA Determination.

6. Applicant shall keep and maintain existing trees to the greatest extent possible along Route 31 and Drakes Landing.

7. Any trees that have been removed shall be supplemented with new plantings that will be presented as part of the final Landscaping Plan.

DISCUSSION:

Mr. Frateschi stated that that is the full content and extent of the Resolution for your consideration tonight.

Mr. Darcangelo questioned if we're only concerned with a turning lane; what other traffic devise may be needed as a result of traffic from this site, signage, a request to the State to modify the signal, any costs associated with that?

Mr. Yager stated that that was covered in the cost estimate.

Mr. Frateschi stated that while we are primarily concerned with the left-turn lane and the traffic queuing, we think that the future traffic study will also incorporate other traffic considerations and questioned if that should be added to the Resolution.

Mr. Yager stated that he's comfortable with the way it is. I don't see anything additional is needed. It will be done in accordance with the NYS DOT Highway Design Manual.

Mr. Corey stated that adding a lane will require whatever adjustments they want.

Mr. Yager stated that it's going to be in the NYS DOT right-of-way.

Mr. Frateschi stated that he'd like to flush through Condition No. 4 to make sure everybody is comfortable with it:

Before a building permit is issued by the Lysander Code Department for the Project, securities between the Applicant and the Town of Lysander shall be executed to implement conditions 1. and 3. above.

The way you envision that AI is somebody will do an estimate of the costs of the....

Mr. Yager stated that we've already gone through that with the Developer; I've forwarded on my estimate; I don't believe they are opposed to what I've come up with for costs...the security for the left-hand turn lane.

Mr. Madigan: Right

Mr. Yager continued stating that we've already worked through that part of it. The cost of the Traffic Study we will get a couple proposals from Traffic Engineers before we set that security amount.

Mr. Frateschi concurred stating he just wanted to know the process of that and it sounds like you've already worked it out with the Project Engineer and the Developer; so we have a sense of what the costs would be for that and the Security would be required.

Mr. Darcangelo questioned if there was any concern with the very qualitative measure of Condition No. 1:

Within 6 months of 80% occupancy of the Project, the Applicant shall pay for the cost of a traffic study (the "Future Traffic Study"), commissioned by the Town of Lysander, to determine if a dedicated left-hand turn lane should be added to Drake's Landing to prevent queuing that affects vehicles entering onto Drake's Landing, especially from the southern Oak Brook Road intersection.

More particularly 'to prevent queuing that affects vehicles entering'.

Mr. Yager stated that essentially if vehicles are queued up taking a left hand turn on Drakes Landing so that people can't turn off of Oak Brook Road. That would be the trigger for an additional turn lane.

Mr. Darcangelo stated that he understands that, however we have residents that tell us that that condition exists today.

Mr. Yager stated that he has monitored that many, many times over the past year; I have yet to see anybody queue past Oak Brook South. I have not seen it. I've sat there multiple mornings. I know many members of the Board have watched it as well. It may have been a condition that occurred occasionally previously; since the Pandemic I have not seen it.

Mr. Frateschi stated that that's what a Traffic Study is going to do, a Traffic Study will review it, make a determination whether or not there is a change in condition. If there is still traffic that is queueing beyond today then that will be understood in the new Traffic Study; but the Traffic Study that Dunn & Sgromo has provided to us says that that is not the case.

Mr. Darcangelo stated that he thinks Traffic Studies generally accessing Level of Service.

Mr. Yager concurred.

Mr. Darcangelo stated that the queuing could be back pretty far and a Traffic Study might say there's no need to change Level of Service at that intersection. I just want to make sure the intention...

Mr. Frateschi stated that if the Level of Service isn't degraded any then there should be no reason for the left turn lane.

Mr. Darcangelo stated I guess what we're saying is we're not talking about queuing we're talking about a study indicates that's there's no need to change the Level of Service at that intersection.

Mr. Frateschi...not that there's no need to change the Level of Service, that the Level of Service has not changed, has not degraded. Right now the Level of Service as indicated in the Traffic Study if I'm not mistaken...referring to the Town Engineer:

Mr. Yager stated that right now there is a slight degradation of Level of Service for the left-hand turn movement from Drakes Landing onto Route 31 as shown in the Traffic Study. There is no degradation in Level of Service for the left-hand turn movement of the intersection of South Oak Brook Road onto Drakes Landing in the Traffic Study. If that changes that condition changes after 80% occupancy; that will trigger the creation an additional left-hand turn onto Route 31 from Drakes Landing to accommodate that that traffic and reduces the queueing that is causing that degradation of Level of Service for the left-hand turn movement off of Oak Brook Road South onto Drakes Landing.

Mr. Darcangelo stated that you think our intention is fulfilled in the wording in a study like that.

Mr. Yager concurred.

Mr. Darcangelo stated the only other question he might ask is, is it worth putting in the record what the dollar value is that has been conveyed to the applicant of the costs.

Mr. Yager stated that he doesn't have that available, but can go to his office...

Mr. Frateschi stated that he doesn't believe it's necessary but he's sure AI would be happy to share it with the Board.

Mr. Darcangelo stated that he's satisfied, I don't need to know it, they do.

Mr. Yager stated that he will get the cost for the file.

5 Ayes -- 0 Noes

IV. ADJOURN

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

RESOLVED, that the May 12, 2022 regular Planning Board meeting adjourn at 7:26 p.m.

5 Ayes - 0 Noes

Respectfully submitted,

Karen Rice, Clerk
Planning Board