

PLANNING BOARD MEETING  
Monday, June 16, 2014 @ 7:00 p.m.  
8220 Loop Road  
Baldwinsville, NY 13027

The regular meeting of the Lysander Planning Board was held Monday, June 16, 2014 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 and James Hickey

OTHERS PRESENT: Don Payne, Country Max; Steve Sehnert, Licensed Land Surveyor; Ken Landon; Gary Bell; Vincent Kearney, Belgium Cold Springs Fire Department; Wendy Meagher, Meagher Engineering; Justin Kellogg, Meagher Engineering 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 May 19, 2014 Planning Board meeting.

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

RESOLVED, that the minutes of the May 19, 2014 Planning Board meeting be approved as submitted.

6 Ayes -- Abstain (Daprano, who was not present at the May 19, 2014 meeting)

III. NEW BUSINESS

- |                           |                      |
|---------------------------|----------------------|
| 1. Movement of a Lot Line | Ehle, Joseph         |
| Case No. 2014—007         | 3789-3793 Doyle Road |

Karen Rice stated that Mr. Ehle was called out of Town unexpectedly and asked that the board act without representation. It's rather self-explanatory, we approved this subdivision three years ago and when he went to his second placed on here they noticed that the septic system and garage were outside the boundary line of that lot. We're just moving the lot line.

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

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 the Joseph Ehle, 3789 – 3793 Doyle Road, Baldwinsville New York Minor Subdivision application.

7 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; Fred Allen, 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, waterbodies, 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 Allen, Second by Kimball

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 Joe Ehle, 3789 – 3793 Doyle Road, Baldwinsville, New York Minor Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

7 Ayes -- 0 Noes

There was some discussion as to what the setback is between the septic/leach field, as it only shows 11.9 feet. It was determined that the Onondaga County Health Department requires a 10 foot setback, therefore this application complies.

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

RESOLVED, that the Planning Board, having reviewed the application of Joe Ehle, for a subdivision of land for property located at 3789 -3793 Doyle Road, Baldwinsville, new York Part of Farm Lot No. 95 and Tax Map No. 071.01.-01-04.1, as shown on a map dated May 2, 2014, prepared by Ianuzi & Romans, Licensed Land Surveyor, it has been determined that the request for a division of land is not considered a subdivision of land the Planning Board authorizes the Chairman to sign the Final Plat with the following conditions:

- 1) A survey map be prepared and submitted to the Planning Board Attorney for his review and approval that identifies the boundaries of the division of land; and
- 2) A deed shall be prepared and submitted to the Planning Board Attorney for his review.

7 Ayes -- 0 Noes

|                       |                                |
|-----------------------|--------------------------------|
| 2. Site Plan Approval | Country Max                    |
| Case No. 2014—005     | 2964 Belgium Road/NYS Route 31 |

Wendy Meagher and Justin Kellogg, Meagher Engineering, represented the applicant, Don Payne, Farmington Lawn Care, Inc. dba Country Max.

Ms. Meagher stated that the property is located across the street from the Town Building at 2964 Belgium Road/NYS Route 31. The existing site is approximately 13 acres. We are proposing a 19,500 square foot retail space (plus 3,800 square foot indoor warehouse and loading dock), an attached 13,000 square foot fenced display area and 9,100 square foot fenced yard. The development will be in the northeast corner of the parcel. We have submitted application to the NYS Department of Transportation for access for a minor commercial driveway off of Route 31. The property is adjacent to the access road for part of the Anheuser Busch plant.

We have met all of the minimum setbacks from the front, side and rear yards. We are proposing 96 parking spaces with banked parking set aside for the future. This is Country Max's 16<sup>th</sup> store in the upstate area and all of their stores typically have between 75 and 85 parking spaces, which really seems to serve their business well. Some of the business is very seasonal those numbers seem to work very well. We want to minimize disturbing the trees and the greenspace around the site and are proposing just the 96 parking spaces. We are anticipating Fall construction of this year after October due to the Indiana bat and the sensitivity of the environment for that parcel.

The plan has been submitted to the Empire State Development Corporation (ESDC) for their review and recommendation. Their one concern was that the overhead door of the warehouse portion of the project wouldn't be exposed and facing Route 31. It has been relocated with a dock coming out to the side for access to the warehouse. There is a small overhead door at the front for smaller things, but the trucks will use the side yard.

There will be outside display areas as they sell garden plants and shrubbery that will be within a decorative fence. (photographs submitted of some of their product) The interior of the store was discussed, as well as elevations and different views of the building.

Ms. Meagher discussed how the drainage would be handled. There is a row of existing pine trees that will be retained. As much vegetation as possible will be preserved.

Fred Allen questioned if they considered access across from Loop Road.

Ms. Meagher stated that they started the DOT process early and already have preliminary approval. They asked if we would consider moving the access but there is a very steep embankment. The DOT is comfortable with the location.

Jim Aust also expressed his concern for the access as Route 31 is very busy, especially at 5:00 at night.

Mr. Allen added that there's a guard/guide rail there.

Ms. Meagher concurred stating that in order for us to do that it would be very difficult to do. They also suggested that we come off the access road but it's a private access and Empire Development discouraged us from doing that.

Ms. Meagher stated that per AASHTO (American Association of State Highway Transportation and Officials) the specification for this speed in both directions we need between 350 and 430 sight distance for each direction and we have 1000 and 850 for sight distance in both directions. We are well within the criteria required for that entrance.

Hugh Kimball questioned if they had any reservations about allowing a left turn out of the driveway.

Ms. Meagher stated that they did not. We are trying to minimize disturbance on the site itself and that's why we tucked it in the corner. There used to be a residence on the site and there is an existing access. DOT has asked us to eliminate that. That was their only comment.

Mr. Allen stated that there is a letter on file from the ESDC dated June 16, 2014 that will be made part of the public record, in part:

As per the Radisson General Project Plan regulations requiring Empire State Development (ESD) to review and approve all site plans, I am in receipt of the Preliminary Site Plan for the new Country Max store being proposed for 2964 State Route 31 in the Radisson Corporate Park, drawn by Meagher Engineering dated June 2, 2014. This letter serves as verification that the site plan has been reviewed and approved by ESD with the following one waiver from the Radisson Declaration.

1. Article VI, General Covenants & Restrictions of the Radisson Declaration Section 6. Animals, Birds and Insects: Except for dogs, cats and other common household pets kept as pets, and except as the Committee may otherwise approve in writing, no animals, birds, reptiles or insects shall be kept or maintained on any portion of the Property.

A copy of the email transmittal with NYS DOT will be forwarded to the secretary to be made part of the public record.

Don Payne stated that he is one of the family members of the ownership and operators of the store system. We started about 30 years ago as an Agway franchise in Farmington. That format is pretty much the same as it is today. We offer lawn & garden, animal feed, bag feed, plants, seasonal stock, nursery stock, bedding plants, bird seed and other pet supplies which

have been our biggest development over the years. We also sell pets, birds, rabbits, hamsters, guinea pigs, gerbils, aquatics, fish, some reptiles and some other “creepy crawlies stuff”. We don’t sell cats and dogs, but we do have different adoption agencies come in from time to time.

Mr. Allen questioned if they sell chicks & ducks.

Mr. Payne stated that they do, once a year; they have a “Chick Day”.

Mr. Payne continued that they have separate rooms throughout the store. There is a climate controlled room for the aquatics, reptiles, small animals, etc...

Mr. Aust discussed the waiver granted by ESDC with Mr. Kimball questioning how that fits with the Town. Will the Town accept that declaration and/or do we need legal advice as to whether ESDC is enough or does the Town have to weigh in, I don’t know.

Mr. Payne stated that it’s basically frogs, lizards, and some small snakes. It’s not a huge part of the business; it just rounds out the stock.

Karen stated that ESDC does not have to amend their GPP because they’re not taking that regulation out, the waiver is only site specific, the Town Board doesn’t have to take actions.

Bill Lester questioned how much of the site is being developed and how much is for future use.

Ms. Meagher stated that we will be using approximately 4.25 of the 13 acres. The Code calls for 197 parking spaces which are nowhere near what typically use; and this shows what we would need if we did it fully developed.

Mr. Lester stated that we are just trying to limit the curb cuts on Route 31. The thought of putting the access directly opposite Loop Road would be so that future site development could access through the same entrance.

Ms. Meagher stated that that was brought up when we had a preliminary meeting with the Town and ESDC. If this is developed in the future, whether it’s subdivided off or expanded, they would all enter from here (indicating on plan to proposed location). We have accommodated for anything that goes into there. We know that this is going to be the one and only access, period.

Mr. Allen stated that it’s certainly the most convenient for land suitability because it’s almost flat.

Ms. Meagher concurred stating that there’s a low spot in the woods (across from Loop), so it’s a little wetter back here. This is just the nicer area, it’s flatter and easier access because of the guide rail and topography. It gives us a nice sight distance from both directions for the entrance and the lay-out.

Mr. Kimball suggested working with the local fire department with regard to getting access when the building’s closed, getting around the buildings, making the turning radius, etc...

Ms. Meagher stated that they have proposed a 25’ fire lane in front with no parking in front of the building. We have the 30’ access on the side for fire trucks. We have to have a good radius for 75’ trucks which really only come twice a week, but we had to accommodate that so it will

accommodate a fire truck as well. We need to be within 500' of the nearest hydrant and we're within 500' of two fire hydrants. This is another reason we placed the building where we did.

Karen provided Vince Kearney, Belgium Cold Springs Fire Department, with a copy of the site plan.

Mr. Allen stated that there is a letter on file from Al Yager, Town Engineer, with the details of the Scope of Services that will need to be reviewed and approved by the applicant in order to establish escrow.

Ms. Meagher concurred.

Mr. Aust stated he's concerned with the low overhead utility lines and suggested the applicant may want to talk to the utility company.

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

RESOLVED, that the Planning Board having followed the prescribed SEAR procedures and having received no comments to the contrary, hereby designates itself as LEAD AGENCY for Farmington Lawn Care Corporation/Country Max, 2964 NYS Route 31, Baldwinsville New York Site Plan application.

7 Ayes -- 0 Noes

The application will be forwarded to the Onondaga County Planning Board for their review and recommendation and once the escrow has been established Mr. Yager can begin his review and we can schedule a public hearing at our next meeting.

Karen stated that a public hearing is not required for site plan, but it can be reviewed again after it comes back from County.

Mr. Kimball questioned if a long form or short form (SEQR) would be required.

Karen stated that a short form is all that is required because a Long EIS was done during the zone change.

Mr. Allen questioned if we took a tour of the Cicero store, will it be similar to this.

Mr. Payne stated that that was a renovation, but it is. The rooms will be there, you will be able to see the animals.

Karen added that there's a virtual tour on the website.

Mr. Allen questioned when they anticipate opening.

Mr. Payne stated that they'd like to get the concrete done before winter because our big time of the year is spring, so hopefully April, early May 2015.

There being nothing further, Ms. Meagher and Mr. Payne thanked the board for their time.

IV. OLD BUSINESS

1. Minor Subdivision  
Case No. 2014—008

Monteleone, Anthony  
8820 Dinglehole Road

Stephen Sehnert, Licensed Land Surveyor, represented the applicant stating that Mr. Monteleone owns approximately 23 acres on Dinglehole Road, approximately  $\frac{3}{4}$ 's of a mile north of Church Road. The sketch plan shows three buildings, his existing residence and two barns. He desires to subdivide his home and three acres out and offer it for sale, as the house is more than he needs at this time. The remaining lands would be retained for his continued use. The land is zoned agricultural. There is no Ag District on this property; however it is within 500' of this property. An Ag Data Statement has been prepared. There are no 100 year flood hazards involved with this site. There are NYS Freshwater wetlands in the back of the property that backs up to the Three Rivers Game Management area. There are no buildings proposed for the remnant piece at this time.

Hugh Kimball questioned if the line indicates the wetland or the buffer to the wetland.

Mr. Sehnert stated that it is the wetland itself.

RESOLUTION #6 -- Motion by Allen, Second by Hickey

RESOLVED, that the Planning Board having followed the prescribed SEAR procedures and having received no comments to the contrary, hereby designates itself as LEAD AGENCY for Anthony Monteleone, 8820 Dinglehole Road, Baldwinsville New York Minor Subdivision application.

7 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; Fred Allen, 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 #7 -- Motion by Allen, 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 Anthony Monteleone Minor Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

7 Ayes -- 0 Noes

RESOLUTION #8 -- Motion by Allen, Second by Hickey

RESOLVED, that a Public Hearing be held within sixty-two (62) days at a date and time designated by the secretary on the application of Anthony Monteleone, for a subdivision of property located at 8820 Dinglehole Road, Baldwinsville New York, Part of Farm Lot No. 57 and Tax Map No. 030.-03-15.1, for a development of two (2) lots from a parcel of twenty-three (23) acres. Conditioned upon filing a complete application and paying to the Town Clerk the appropriate fees.

7 Ayes -- 0 Noes

There was some discussion with regard to whether or not the septic system will be contained within the three acre parcel.

Mr. Sehnert indicated that it is.

V. ADJOURN

RESOLUTION #9 -- Motion by Lester, Second by Corey

RESOLVED, that the June 16, 2014 regular Town of Lysander Planning Board meeting adjourn at 7:50 p.m.

7 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk

