

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

The regular meeting of the Town of Lysander Planning Board was held Thursday, July 14, 2022 at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

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

OTHERS PRESENT: Al Yager, Town Engineer; Timothy Webb; Jodi Hunt;  
Courtney Pitman; Adam Maynard, Lucas Faria and Karen  
Rice, Clerk to Planning Board

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

John Corey, Chairman, welcomed Matt Hunt to the Planning Board. Matt was on the Zoning Board of Appeals and has been working with us on the Comprehensive Land Use Plan update over the last 1 ½ years and we're very confident that he's going to bring positive input and participation to this Board.

I. PUBLIC HEARING -- None Scheduled

II. APPROVAL OF MINUTES

Review and approval of the minutes of the June 9, 2022 Planning Board meeting minutes.

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

RESOLVED, that the minutes of the June 9, 2022 regular Planning Board meeting be approved as submitted.

3 Ayes -- 2 Abstain (Darcangelo was not in attendance and Hunt was not a Board Member)

III. OLD BUSINESS

- |                        |                            |
|------------------------|----------------------------|
| 1. Controlled Site Use | Baldwinsville PV I, LLC    |
| Case No. 2022—003      | Wight Property, Sixty Road |

John Corey, Chairman, stated that the schedule has changed from where we thought we'd be tonight. We planned on reviewing Part 2 of the Long Environmental Assessment form and scheduling a Public Hearing; however we came across information from the DEC (Department of Environmental Conservation)..

Al Yager, Town Engineer, concurred stating that we received confirmation from the DEC about the Stormwater Exemption Memo for solar. Essentially if these solar projects do not change the hydrology of the site i.e. there's no change in run-off rates, they can be treated as an open space project, similar to an open space ball field. Essentially it waives the water quality and water control components of the SWPPP (Stormwater Pollution Prevention Plan). Because they have a forested area that has a good ground cover and relatively low potential for run-off and you're going to a newly created mowed field you do have an increase in peak flow rates from the site. While the actual increases are not exorbitant they do exceed the 10% that's allowed in the DEC Stormwater Design Manual. That's something the applicant will have to work through as part of the development requirements. The Town doesn't want to be the Stormwater Police, we're mandated to be the Stormwater Police.

Site conditions and percentages were discussed with Jodi Hunt, Tetra Tech, stating her office has prepared the SWPPP stating that the Town has a copy as it exists. What I'm taking from the conversation is that the calculation in that SWPPP doesn't meet the DEC's requirements.

Mr. Yager concurred.

Ms. Hunt stated that she believes Mr. Yager's interpretation is correct and I saw the interpretation from Region 7. Coincidentally I used to work for Region 7, but we agree and will prepare the SWPPP with the (unclear) calculations.

Mr. Yager stated that there will probably some changes to the actual site lay-out but there's certainly room to work with even if you had to do stormwater management to the northwest on the site if required.

Ms. Hunt that hopefully what we prepare will be acceptable to all without moving things around very much.

Lucas Faria, Galehead, questioned if an amendment is acceptable for those changes.

Mr. Yager concurred stating we have to have a SWPPP that we're comfortable signing off on.

Ms. Hunt stated that that's not a problem. We can redo the calculations.

Mr. Yager stated that that's all we're asking for, other than that the SWPPP is very well written.

Mr. Maynard stated that with regard to the mention of potential changes to the site plan, we do have some areas that are preserved for potential erosion control to the west, so I anticipate it will be more defined; but again we can definitely update and provide that.

Mr. Yager stated that it's not like the increase of flow is astronomical numbers, a couple cubic feet per second is minimal.

Ms. Hunt concurred stating that they understand there are different standards for different uses.

Mr. Corey stated that that will delay our SEQR process, the other thing we need to talk about tonight is the screening and the setback.

Mr. Maynard stated that in terms of the SEQR process, can it be done during the Public Hearing?

Mr. Corey stated that if we have everything we need in time we can do the SEQR in August at the start of the meeting and have the Public Hearing scheduled right after that. We can do that. It could be a one to two month timeline for approval of the project, September at the latest.

Mr. Maynard stated that they're just trying to plan for scheduling.

Karen Rice, Clerk, stated that you can't clear anything until October anyway.

Ms. Hunt questioned what the deadline for the SWPP would be for that.

Mr. Yager stated that ten days ahead of time would give him the opportunity to have his review complete.

Stormwater management from a water quality and quantity standpoint was further discussed.

Ms. Hunt stated that any extra stormwater run-off can be taken care of with swales, drainage strips, etc...

Hugh Kimball questioned if we were still waiting on something from Army Corp or DEC or SHPO?

Mr. Yager stated that we're in good shape on those pieces. We have a Determination from Army Corp. It's well outside of the DEC delineation boundary.

Ms. Hunt stated that they got that clearance as I was driving here this evening and I will forward it to Karen.

Mr. Corey revisited screening, stating that it is an issue. We mentioned this in the first meeting. We're trying to work with you in anyway we can under the discretion we have as a Planning Board. We will do everything possible with that discretion to make sure that the residential areas along Phillips Street and Sixty Road are screened...and now we've got this other issue on where an apartment complex is proposed to go in the field adjacent to this site in the Village of Baldwinsville. To be very blunt about it, the plantings you proposed, two rows of 15' on center plantings...

Ms. Hunt white cedar and black spruce alternating.

Mr. Corey stated that those are good trees but white cedar is like candy to deer and with the deer population that lives over in that area you're going to be replacing a lot of those trees. Just a heads up for you to think about.

Ms. Hunt asked if the Board has a preference.

Mr. Yager stated that with the Three Rivers Game Management area so close by there's a huge deer population that tends to get pushed to the residential areas in the Winter because of hunting pressure with the deer getting pushed out of the game management area. This is their Winter bedding area.

Mr. Corey added that there may be a lot of damage because they'll have better feed from the plantings around the homes than the plantings they have in the woods in the Winter time.

Ms. Hunt stated that they can look into that and find something they won't munch on.

Mr. Corey stated that his other concern is the plan shows you intend to take all of the trees down right up to the proposed property line; that makes screening more challenging. Right now those residents are used to looking at woods. I would encourage you to think about possibly putting a berm in if you want to take all of those trees to block the view.

Mr. Yager concurred stating do a berm a few feet high with your plantings on top of it, that would help from a viewshed aesthetic or save a strip of forest.

Mr. Corey suggested another option that would go a long way toward reducing most of your screening in that area would be to leave 50' of the woods and then they'd be looking at what they've always been looking at.

Mr. Corey further stated that he's not satisfied with the proposed screening as it is.

Ms. Hunt stated that the plan submitted is dated July 5<sup>th</sup>, with the double rows, is that the most recent plan you're referring to.

Mr. Corey concurred stating that we need good screening and not something that takes ten years to be a screen.

Hugh Kimball stated that's an issue when you plant trees because they start out (indicating with hands) until they get much wider and higher.

Ms. Hunt stated that conversely if you plant them too large they die off at frightening rates.

Mr. Corey and Yager concurred with Ms. Hunt stating that your success rate is low.

Mr. Faria questioned if we can pinpoint the changes that we've made and why we think the screening right now is adequate in terms of this proposal? We are definitely to consider some changes but if we can just go through the rationale of the changes that we've made and show you the updates to the Site Plan.

Ms. Hunt laid the plans side by side to show the changes.

Mr. Faria indicated that they had a single row where we now have a double row of screening. We've created the proposed setback by rearranging the modules.

Mr. Corey indicated on the plan where his concerns are with regard to screening. It appears that all of the forest is gone, we'd rather have a berm with plantings to visually block their view. That's our main concern, protecting these residents from a viewshed standpoint.

Matt Hunt stated that the other issue is the school campus is in close proximity, the noise from the school with the bands and sporting events carries up through that area. That sound will be worse once it's cleared out. A berm with screening would also help buffer noise coming from through.

Mr. Faria stated that we feel that clearing up to the solar array and then leave the natural vegetative buffer would actually have more of an impact on the viewshed if we were to install our own screening based on the current description. You're right, when it is Winter time there is no foliage, you can see through it much more easily and since this site doesn't contain trees that are much taller, much larger in diameter, it can actually be less cleaned with the natural vegetative buffer compared to the screen that we're proposing.

Mr. Corey stated maybe a berm with your planting closer together, instead of 15' off center, maybe come in some so that it tightens it up in the beginning. Or, you can put a 15' berm in here where it wouldn't require additional plantings. You're going to have more than enough earth moved off that site to build a berm. You're not building it all the way around, you're building it in two areas possibly. What we're concerned about is we get these wonderful renditions of what it's going to look like in 10 to 15 years and it's beautiful...I don't know, right now from my perspective, and I appreciate what you did on the setback, that is fine. This is the concern, the screening in the short term. Other than that I think we're on a plan for August.

Mr. Maynard questioned if the southeastern edge of the site is the only portion of the site where you have that concern or does that concern apply to where you see 2 rows of vegetation we're suggesting.

Mr. Corey (indicating on plan) stated that there's no houses, that's fine. The area to the south is where the proposed apartment complex is going, but is in the Village's jurisdiction.

Mr. Faria stated that the easements that were brought to our attention, one of which is on the southern boundary has been confirmed and we have adjusted the design a little bit around that southern boundary to accommodate that easement. That existing vegetative buffer will be left alone in that easement which will offer additional screening.

Mr. Corey stated that we will need some sort of agreement in place on that easement as well.

Mr. Faria continued stating that the 50' easement shown between two of the residential properties is not longer active, per our project attorney, so it won't jeopardize the project going forward.

Steve Darcangelo questioned if the easement was in any of the deeds.

Mr. Faria stated that it was not.

Karen stated that it was found when I was researching a parcel that was offered for sale adjacent to this parcel. That parcel appears to be landlocked, but has access through the 30' easement at the southern boundary. The 50' easement was left as a paper road as part of a Preliminary Plan that was approved in the 1920's but apparently was never accepted or filed.

Different options were discussed with regard buffering with Ms. Hunt stating that there will be a few complications when we take a look at it, stormwater controls, shading, there are a few things, but we can take a harder look at it.

Screening, berms, slopes, array locations, visibility were discussed. The slope of the property being one advantage to the residents as it slopes away from their property with their homes being closer to the road.

Mr. Maynard stated that part of their justification for moving the panels off of the project boundary for this portion of the site was to take advantage of the natural slope of the site. We're moving panels away from the boundary. They're moving downhill from those residences. We can also do some analysis to see how much of any of the arrays are visible. We can add that to our calculations that we're looking into.

Mr. Corey suggested renderings of what they can see from the back of these homes. If it's only the first row they can see you haven't got a lot to hide.

Mr. Faria questioned if it's the objective of the Board's perspective to not be able to see the panels at all from the abutting properties...is that a goal we're shooting for?

Mr. Corey stated that that would be wonderful but it might be impractical.

Mr. Faria...soften the view.

Steve Darcangelo stated that if you could make it so they don't see it all that would be ideal, but...soften it as close as you can get.

Mr. Faria stated that the max I would estimate at 12' it really depends on the type of equipment because we are currently experiencing supply chain issues, we have a spec for a module for not but in terms of availability as we get closer to construction that may not be available so that could switch the top height. Further, the home locations are closer to the street than they are to

the back portion so they already have some of that buffer within their own properties, understanding that we're still trying to provide them with as much as we can, but I think that is the advantage to this location.

Mr. Corey stated that when we have the Public Hearing you're going to hear things. We go through this all of the time.

Representatives concurred.

Ms. Hunt stated that there are things working for us with this property, the slope and the sideways vantage point of the residents...this isn't that hard of a site to camouflage. I don't think it's going to take very much more than what is already there. We'll see what we can do.

Representatives thanked the Board for their time.

#### IV. NEW BUSINESS

- |                      |               |
|----------------------|---------------|
| 1. Minor Subdivision | Webb, Timothy |
| Case No. 2022—004    | Kibby Road    |

Timothy Webb, 722 Kibby Road, stated that he owns a 25 acre parcel on Kibby Road and would like to subdivide his home and 3 acres. The existing house is too big for one person, so it's time to downsize, sell the house and perhaps build on the remnant piece. The aesthetics of the property are very nice, speaking of deer with the last application, I get 20 to 25 of them through there all of the time.

Karen Rice, Clerk, questioned if the property goes to County Line.

Mr. Webb concurred.

Karen stated that she thought it did, recognizing it from an adjacent subdivision so it will have to go to the Onondaga County Planning Board for their review and recommendation since it is within 500' of a municipality, Town of Granby.

Steve Darcangelo questioned the frontage on County Line Road...stating the subdivision doesn't meet the 4 to 1 ratio.

Karen concurred stating that we had to waive it for the Minor Subdivision that was adjacent as well. They changed the language in the Zoning from **shall to should** to allow the Planning Board to waive that requirement.

Mr. Darcangelo stated that he doesn't like deep lots, the remnant piece could be divided as well.

Mr. Webb stated that not for as long as my son is alive.

Mr. Darcangelo stated that unfortunately the shape of the land will far exceed the life of any of us.

Mr. Webb stated that he's a natural guy, that's why he moved out there and built that house in 2000 and purchased an additional 16 acres next door.

Mr. Darcangelo questioned the wording for the 4 to 1 ratio.

Karen stated that it is in the subdivision regulations, Section 270-14, Paragraph 4: Lot depth should not exceed four times the lot width, unless approval is granted by the Planning Board.

Karen further stated that the Comprehensive Land Use Plan is suggesting to the Town Board that it be taken out of the regulations completely.

Mr. Darcangelo questioned their reasoning for taking it out.

Karen stated that we have a lot of these deep 'bowling alley' type parcels all over the Town.

Mr. Darcangelo concurred but added that they are problems, why are we creating more.

Karen stated...it's a hardship on the owners of these properties to not be able to develop it.

John Corey, Chairman, stated that the application is pretty straight forward.

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 Timothy Webb, 722 Kibby Road, Baldwinsville, New York Minor Subdivision application.

4 Ayes -- 1 Opposed (Darcangelo)

Discussion: Karen Rice, Clerk reiterated that you're opposed to being Lead Agency?

Mr. Darcangelo stated that no he is not.

Vote Amended: 5 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)? N/A
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 Darcangelo

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 Timothy Webb, 722 Kibby Road, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

5 Ayes -- 0 Noes

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

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Timothy Webb, for a subdivision of property located at 722 Kibby Road, Baldwinsville, New York, Part of Farm Lot No. 35 and Tax Map No. 015.-03-02.2, for a development of two (2) lots from a parcel of approximately 25 acres.

4 Ayes -- 1 Abstain (Darcangelo)

Karen stated that the deadline is tomorrow. If the application is scanned and accepted we may be able to hold the Public Hearing in August.

Mr. Webb thanked the Board for their time.

V. ADJOURN

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

RESOLVED, that the July 14, 2022 regular meeting of the Planning Board adjourn at 7:54 pm.

5 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk to the Planning Board