

PLANNING BOARD MEETING
Thursday, July 21, 2014 @ 7:00 p.m.
8220 Loop Road
Baldwinsville, NY 13027

The regular meeting of the Town of Lysander Planning Board was held Monday, July 21, 2014 at 7:00 p.m. at the Town of Lysander, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Fred Allen, Chairman; Joann Daprano; Hugh Kimball;
James Aust; John Corey; William Lester

MEMBERS ABSENT: James Hickey

OTHERS PRESENT: Al Yager, Town Engineer; Zach Benjamin, Attorney to the
Planning Board; Frank Costanzo, ZBA; Don Payne, Country Max; Fred Kenyon; Jeanie
Kenyon; Aletha P. Evans; Stacey Alberici; Steve Sehnert, Licensed Land Surveyor;
Helen Schmid; DJ Tweedy; Roselia George; Joseph George; Cary Cottet, Pyramid
Brokerage; Vince Kearney, Belgium Cold Springs Fire Department; Scott Miller, Karen
Rice, Clerk and several others.

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

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| 1. Minor Subdivision | Monteleone, Anthony |
| Case No. 2014—008 | Dinglehole Road |

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

Stephen Sehnert, Licensed Land Surveyor, represented the applicant stating that Mr. Monteleone owns a 23 acre parcel on the east side of Dinglehole Road, approximately $\frac{3}{4}$'s of a mile from Church Road. The parcel has an existing residence, shown as Lot 1 with outbuildings to the north of that (Lot 2) as well as existing driveway configurations for access to both parcels. A minor change has been made to the preliminary plat per discussions with the Town Engineer. We show additional information with regard to the sewage disposal system that goes with the house is entirely on Lot 1 and the appropriate setbacks from the side lines are met as well as the setback from the two wells for the house. The property is zoned agricultural and meets all the zoning requirements. The property is not in an Ag Taxing District. With regard to the 100 year flood zone, there is none. The New York State Freshwater Wetlands have been plotted, most of it is off the actual property as far as the boundary itself, but the 100' buffer comes in it. It is in the back, way beyond the parcel we are talking about. The remaining lands have not been offered for a building lot at this time. No percolation tests have been performed. That would have to be done before any building could take place on there. All buildings shown on the property are existing.

Joseph George, 8785 Dinglehole Road, questioned why the property is being subdivided. Is he building a home or opening a business? What are the future plans for the parcel?

Mr. Sehnert stated that he is subdividing the house and three acres which will be offered for sale. He will retain the remaining lands with the buildings on it and will continue at its present use, storage.

There being nothing further, the Public Hearing closed at 7:07 p.m.

PUBLIC HEARING -- 7:05 p.m.

2. Minor Subdivision
Case No. 2014—005

The Timbers, LLC
Timber Banks, Section 1B, Phase 5
Summer's Gate/Split Rail/Timber Ridge

The Public Hearing opened at 7:07 p.m.

James Trasher, Clough Harbor Engineering, represented the applicant stating that they are seeking preliminary subdivision approval for forty (40) lots in the Timber Banks Development that will consist of attached housing with the exception of seven (7) single families. Currently the majority of the utilities in the area have been installed. The subdivision is off of Timber Banks Parkway and will include Timber Ridge Land, Summer's Gate and Split Rail. Once preliminary subdivision approval is received we will submit the contract drawings to the Town Engineer for the construction of the road, drainage structures, etc... We have potential homebuilders who are interested in these units and we require preliminary plat approval before they can be looked at.

Scott Miller, 5055 Prairie View Drive, Camillus, questioned the timeframe for the construction of the road as he they have a deposit on one of the lots on Timber Ridge.

Mr. Trasher stated that as soon as they receive preliminary plat approval we'll submit the construction drawings and once they're approved construction would commence. It's something that Pooler Development wants to get completed in short order. This is one of the steps, we can't construct a road without preliminary plat approval, from there we go to construction drawing approval, construct and come back before the board for final plat approval and at that point the lots become salable.

Bill Tweedy, 3409 Long Shadow, stated that they have been a resident of Timber Banks for three years now and he'd really love to see everything completed because it will make everything look much better. I am in total support of the project.

Vince Kearney, Belgium Cold Springs Fire Department, questioned if there were any changes made from the preliminary plan that was approved for Timber Banks.

Mr. Trasher stated that the lot sizes have changed, they're actually larger than what was proposed.

Mr. Kearney stated that the only other concern the Fire Department had was the offset from the road. A previous subdivision that was approved requiring modifications because you couldn't park your cars in the driveway.

Mr. Trasher stated that they had an issue with National Grid at that time, everything is per the General Project Plan in terms of setbacks. We're not looking for any variances, encroachments, etc...

Al Yager, Town Engineer, stated that he has not received a full set of drawings, so at this time I haven't given it a recommendation for approval. I just want to make sure everything works to

before we give it a preliminary plat approval. With that being said it will be in short order to get the necessary approvals from the Planning Board and the Town Board.

Mr. Trasher questioned if they can get preliminary plat approval this evening, as typically they get preliminary plat approval, which is lay-out and road profiles, then we come back with construction drawings.

Mr. Yager stated that that would be at the board's discretion, if they so choose they can approve it conditioned upon addressing any comments he has through the engineering review.

The Public Hearing closed at 7:14 p.m.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the June 16, 2014 Planning Board meeting.

Page 4, Paragraph 2: 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 and a guide/guard rail there. The DOT is comfortable with the location.

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

RESOLVED, that the minutes of the June 16, 2014 regular Planning Board meeting be approved as amended.

6 Ayes -- 0 Noes

III. OLD BUSINESS

1. Minor Subdivision
Case No. 2014—008

Monteleone, Anthony
Dinglehole Road

Fred Allen, Chairman, reviewed the Findings of the application.

FINDINGS:

An environmental assessment indicates that this action will not result in any significant or adverse environmental impacts.

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

This action is consistent with the Town's current zoning ordinances.

This action did not require referral to the Onondaga County Planning Board; as the property does not abut a County or State highway, park, public building or drainage channel, or involve a use variance within 500 feet of a farm in an Ag District.

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

This subdivision does not provide suitable land, as recommended by the Parks and Recreation Commission, for the development of parks, playgrounds, recreation or open land areas in the Town.

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

RESOLVED, that a Public Hearing having been held and there being no findings or grounds for decision contrary to the laws and regulations of the Town of Lysander, County of Onondaga or State of New York, Final Plat approval for a two (2) lot subdivision application by Anthony Monteleone for property located at 8820 Dinglehole Road, Baldwinsville, New York, Part of Farm Lot No. 57 and Tax Map No. 030.-03-15.1, as shown on a map dated June 11, 2014, prepared by Stephen Sehnert, Licensed Land Surveyor, is hereby approved.

DISCUSSION:

Hugh Kimball questioned Mr. Yager's letter, more particularly, "It should be noted that due to the frontage requirements in the Agricultural zone, further subdivision of this parcel will not be possible without a variance".

Mr. Yager stated that there's currently 280' of frontage on one side and 100.81' on the other side, therefore it's less than the 400' that are required for an additional two lots.

Mr. Kimball questioned if it's enough frontage for the second lot to have the capability of having a building lot on it?

Mr. Yager concurred stating that the plan indicates that it's not a building lot at this time because percolation tests weren't provided with this application, but it could be if that happens.

Mr. Allen reiterated that he can only build one house on the remaining parcel and will always have that "U" shape around it.

Mr. Yager concurred.

6 Ayes -- 0 Noes

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

RESOLVED, that in granting a subdivision to Anthony Monteleone for property located at 8820 Dinglehole Road, Baldwinsville, New York, the Planning Board invokes its right to impose a fee of \$150.00 per lot for one (1) lot, in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.

6 Ayes -- 0 Noes

All fees associated with this application have been approved.

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. Sehnert thanked the board for their time.

2. Minor Subdivision
Case No. 2014—005

The Timbers, LLC
Timber Banks, Section 1B, Phase 5
Summer's Gate/Split Rail/Timber Ridge

Fred Allen, Chairman, questioned whether or not SEQR was required.

Reading from the minutes of May 19, 2014, it was determined:

The subdivision plan, as shown, is consistent with what was originally approved in the Timbers General Project Plan and was included in the traffic study calculations that was done at that time. The application does not require SEQR review as that was also done for the entire community.

The application was forwarded to the Onondaga County Planning Board for their review and recommendation, who have made the following determination, in part:

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENTS:

- 1) Should additional approvals be required for any changes to the Timber Banks General Project Plan in the future, the applicant must complete an updated Traffic impact Study to meet the requirements of the Onondaga County and New York State Departments of Transportation and complete any mitigation required by these departments.
- 2) The New York State Department of Transportation notes that the intersection of River Road and Route 31 has capacity constraints, and with limited mitigation options, the ability to accommodate future development on the peninsula may be impacted.
- 3) The Town is encouraged to continue to study and plan for land use on the Lysander peninsula through its current comprehensive land use planning process, taking into consideration development pressures, limited transportation routes, availability and proximity of services, agricultural land preservation, and avoidance of costly expenditures for infrastructures.
- 4) The Board encourages the Town, applicant, and surrounding land owners to foster walkable connections and encourage bicycling accommodations onsite and throughout the Timbers community.
- 5) The municipality and the applicant are encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure, and to visit the Onondaga County Save the Rain Program website at <http://savetherain.us> and contact the Onondaga County Department of Water Environment Protection at (315)435-2260.

With regard to the traffic study, Al Yager, Town Engineer, stated that approximately 468 units was the number that would trigger a traffic study, there are 240 units approved including the apartments along Long Shadow Drive and Timber Banks Parkway; 111 have been approved in

the area of the YMCA, Sections 4 & 5 and the 40 units before the board this evening. The total is under that number.

Mr. Allen questioned if Mr. Yager has had the opportunity to prepare a review letter.

Mr. Yager stated that he has not prepared a review letter because all he had to go by was the Site Plan. Per the Town Code Preliminary Plat Approval requires not only site plan/lot lay-out but road profiles, etc...

Mr. Trasher stated that road profiles were provided.

Mr. Yager apologized and stated that since the road profiles have been provided, all sanitary sewer is in place and drainage has been installed, with the exception of the road side catch basins, he does not have a problem with the board granting a conditional preliminary plat approval conditioned upon engineering review. The final contract drawings will have to be reviewed and approved by the Town Board.

Mr. Kimball questioned if it's consistent with what was originally proposed.

Mr. Yager stated that it's actually less dense than what was originally approved.

Mr. Trasher added that the reason behind that was for sale-ability, people like to see more green space looking out their back patio, rather than another house sitting 5' away. We are fine with a conditional approval and will do whatever is necessary to see this through completion.

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

RESOLVED, that a Public Hearing having been held and there being no findings or grounds for decision contrary to the laws and regulations of the Town of Lysander, County of Onondaga or State of New York, Preliminary Plat approval for a forty (40) lot subdivision application by The Timbers, LLC for property located at Timber Banks, Section 1B, Phase 5, off of Timber Banks Parkway, to include Summer's Gate/Split Rail/Timber Ridge, Baldwinsville, New York, Part of Farm Lot No.88 and Tax Map No. 072.-01-08, as shown on a map dated May 7, 2014, prepared by Earl Geer, III, Licensed Land Surveyor, is hereby approved with the following modifications and conditions:

- 1) All outstanding fees associated with this application, including expert fees if applicable, are paid to the Town Clerk; and
- 2) Review and approval by the Town Engineer.

6 Ayes -- 0 Noes

Mr. Trasher thanked the board for their time.

3. Site Plan Approval
Case No. 2014—005

Country Max
2964 Belgium Road/NYS Route 31

Wendy Meagher and Justin Kellogg, Meagher Engineering, represented the applicant, stating that the property is located at 2964 NYS Route 31, consisting of approximately 13 acres. We are proposing a new retail store at the northeast corner of the parcel. The existing parcel is wooded and contained a single family residence with an existing access. We are proposing a new curb cut on Route 31 and are going through the final permit process with the NYS

Department of Transportation. The parking requirement for this facility calls for 197 parking spaces, however this is our 17th store and typically we have anywhere between 45 and 81 parking spaces at our other locations. We are proposing to bank 105 parking spaces because we want to reduce the paved areas and keep as much green space as possible. We are just clearing where needed. With regard to drainage, in this particular area the soils are the best.

Drainage was discussed with details being worked out between the engineers.

Existing utilities are on-site. There is a sanitary sewer main here (indicating on plan), which we are tying into. The building itself is going to be a timber framed structure to keep with the Country Max theme. There are two display areas, one constructed with a wrought iron fence with keystone tiered walk and rock wall. Plantings and shrubbery will be in this area. The other area will have a 12' fence, which will be framed and used for storage for bags of mulch, etc... There will be a picket fence along the front.

Ms. Meagher stated that there were some comments from the Town Engineer that we have addressed. The client doesn't anticipate developing the remaining parcel; it will be kept heavily wooded with the only clearing being for drainage and visibility. There was also a comment about moving the entrance towards Loop Road, however the embankment is very steep there; there's an existing guide/guard rail and as you move closer to Loop Road the sight distance is a lot less. The requirement per AASHTO (American Association of State Highway Transportation and Officials) is 344 and 378 and we have 1000 and 850. We are well within the requirements for the speed limit along Route 31.

Fred Allen, Chairman, stated that there is a letter on file prepared by Al Yager, Town Engineer, dated July 14, 2014 and questioned if some of those issues have been resolved.

Mr. Yager stated that he has not received a revised set of plans. I spoke to the NYS DOT about the need for a Traffic Impact Study; I do think it's a good idea in this instance just knowing that when leaving work here at night a left hand turn movement is difficult at times, especially at peak hour traffic. They indicated that part of the problem could be the signal timing between the two existing lights, one light is green while the other is red and it makes a left hand turn difficult. In the interest of Country Max having relatively easy access I think it's worth doing a traffic study and signal analysis for the project. Other than that, there were some issues with the SWPPP, which will be worked out. We just have to make sure we dot our i's and cross our t's for the design for the stormwater management facility before we say what you have will work and meet the DEC (Department of Environmental Conservation) guidelines. The other comments were similar or the same as DOT's as far as moving the existing driveway and such. There's nothing that can't be overcome. There's nothing in my comments that can't be addressed, it's just a matter of a little bit more work that needs to be done before I can recommend approval.

Ms. Meagher stated that she wanted to make a comment about the existing entrances; this one here (indicating on plan), the DOT wants us to remove that culvert at that entrance, which does make sense. However, this one is for OCWA's pump station. We are proposing to cutting the entrance short and putting a large landscape stone barrier so people know that you don't come in in this direction. There's a large swale in here in front and I don't know about taking that out.

Mr. Yager stated he will look contact OCWA about the pump station as well as looking into the brewery's access road.

Hugh Kimball stated that when the application was before the board the last time, there was some discussion with regard to the possibility of expansion or another business on the site. I noticed the Onondaga County Planning Board's comments on the first page, saying that NYS DOT is looking for confirmation that the submitted plan represents full build-out of the site. Those two comments are not consistent, is there a potential of an expansion or an additional business on this site or not?

Ms. Meagher stated that the way we were asked by the NYS DOT is, you're going to get one entrance off of Route 31 no matter what goes in here. We were asked to put in a hammerhead right here (indicating on plan) in the event that something did get developed or if we want to utilize those existing parking spaces. Don Payne, the owner, can expand on it, but right now I don't believe we are anticipating anything.

Mr. Payne stated that they really have no intention of doing anything with the rest of the property.

Mr. Kimball asked for further explanation of the "banked" parking.

Ms. Meagher stated that the requirements call for almost three times what we like and need; because we want to keep it as green as possible, we are showing that we have plenty of room for those spaces but we don't anticipate ever using them.

Mr. Kimball concurred stating that we have done that with one of our most recent applicant's right on Loop Road. We used the term reserved rather than banking and it has to be shown on the plan.

Ms. Meagher indicated on the plan where the additional parking is shown.

Mr. Kimball stated that he has some other comments as it's related to traffic and parking; County seemed to think it would be a good idea to put all the parking in the back and wondered if this has been considered. Further, I am anticipating problems with left turns, both in and out of your facility because of the traffic. I certainly echo our Town Engineer's comments about a light analysis.

Mr. Allen questioned a comment in Mr. Yager's July 14, 2014 letter, more particularly #6. The islands on the western end of the parking lot should terminate at the eastern edge of the proposed driveway.

Mr. Yager stated that they're half way out into what would be the travel lane for the exit drive; it seemed like it would be an awkward turning movement. Just for turning movement and getting trucks in and out it seemed like a good idea.

Mr. Kimball questioned if the entrance is wide enough to have two turn lanes out, one for left and one for right, or just one each way.

Ms. Meagher stated that it has two way traffic considered on it, two lanes.

Mr. Kimball stated that if somebody is sitting there for 20 minutes trying to make it out for a left turn all of your customers are going to be backed up.

Mr. Aust also expressed his concerns with regard to only one ingress/egress stating that the Post Office in the Village of Baldwinsville has a “U” to enter and exit. Maybe that would be the wise thing for you to do in this situation and asked if the DOT could look into it.

Ms. Meagher stated that they did the entrance permit per the NYS DOT's regulations. Mr. Kimball further questioned the parking, originally you were apparently going to have to go before the Zoning Board of Appeals and ask for a smaller parking space than the Code allows?

Ms. Meagher stated that we assumed that was the size of a standard parking space; we did not see in the Code where it said 9 ½ x 18. It was just an overlook and we have since corrected the parking spaces to meet the Code. (That regulation can be found in the Definitions, Article II, Section 139-4).

Mr. Kimball further questioned store hours, lighting and signage.

Mr. Payne stated that the hours of operation are 8:00 a.m. to 8:00 p.m.

Ms. Meagher stated that they have been working with the Empire State Development (ESDC) on the sign. It is a standard sign that we have used before with a timber frame, rather than the concrete rectangle with brown lettering that will ESDC requires. ESDC is entertaining changing it more to the look to our standard signage.

Mr. Yager stated that this project is within the Radisson PUD so ESDC really has jurisdiction on signage.

William Lester stated that he is concerned with the sight distance for the exiting traffic and the location of the sign so it doesn't impair vision.

Ms. Meagher stated that it's proposed for the right-hand side of the exit, perpendicular to Route 31 so that you can see it from both sides. It will meet the necessary setback per the Code.

Mr. Kimball stated that he realizes the lighting in the parking lot will be downcast. We certainly like the idea of dark skies to the extent that they can be done; are there any other lighting...lighting on the building or lighting toward the building or anything else.

Ms. Meagher stated that they have shown the gooseneck lighting on the building itself above the signs and along the side of the building on the warehouse. We do have some wall packs along where the trucks will back up to the dock as well. Other than that there is no other lighting on the building. The display area will have one parking lot line, lighting this area (indicating on plan). Photo-metrics have been provided with all the site lighting as part of the application. We don't spill too far out of our site. Again, we are surrounded by woods we're not really imposing any lighting on the neighbors.

Mr. Kimball questioned whether or not the Belgium Cold Springs Fire Department has had the opportunity to review the site plan.

Vince Kearney, Belgium Cold Springs Fire Department, stated that he hasn't had the opportunity to review the revised plans yet.

Ms. Meagher stated that they have addressed all of the comments in Mr. Yager's letter, with the exception of the traffic, we will continue to work on that. We will forward our response to the fire department. We also received Onondaga County's comments on Friday.

Mr. Kimball stated that County had comments with regard to approvals from WEP (Water & Environmental Protection) and OCWA, have those been addressed.

Ms. Meagher stated that they have received approval from the WEP and preliminary approval from OCWA. Copies of both will be forwarded to Karen when the final approvals come through.

Mr. Allen concurred that the application was forwarded to the Onondaga County Planning Board for their review and recommendation, who have made the following recommendation, in part:

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends the following MODIFICATIONS to the proposed action prior to local board approval of the proposed action:

The municipality and the applicant must continue to coordinate NYS Route 31 access and drainage requirements with the New York State Department of Transportation, and is required to obtain a highway work permit for any work within the state right-of-way.

The Board also offers the following comments:

1. The Onondaga County Department of Water and Environment Protection asks that the applicant contact the Department at (315)435-6820 early in the planning process to determine sewer availability and capacity.
2. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at (315)435-6820.
3. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.
4. A request for a project screening regarding the presence of any rare plants or animals should be submitted to the New York Natural Heritage Program or to the regional NYS DEC Division of Environmental Permits office.
5. The Town and applicant are encouraged to consider alternative site planning for this project, including locating the proposed building closer to the road frontages and removing parking from the front yard.

There was some discussion with regard to No. 5, as that's not one of their standard comments. Karen stated that it's usually just on projects on the corridor.

Mr. Yager stated that from a business it doesn't make sense. It would seem that if people didn't see cars there they'd think you're closed all the time. Nothing like that is referenced in the Radisson Corporate Park Development Controls for retail establishments.

Mr. Kimball concurred, stating that it doesn't make sense.

Mr. Allen stated that Lead Agency was established at the last meeting.

Karen concurred stating that the Long EAF was done when the zone change went before the Town Board. However the applicant did complete a short form SEQR for sight specific concerns.

There was some discussion as to whether or not it was required and Zach Benjamin, Planning Board attorney, stating that if the Town Board was the Lead Agency for that application, the Planning Board should review SEQR for projects seeking approval before their Board.

It was uncertain if the State of New York (Empire State Development Corporation) acted as Lead Agency prior to the Zone Change approval and not the Town Board.

It was determined that the applicant has completed Part I of the SEQR anyway so the board can review Part II when they are comfortable in doing so

Mr. Yager stated that he believes the traffic issues should be looked at a little closer before the Board entertain SEQR

There being nothing further, this item will be tabled until the August 14, 2014 Planning Board meeting, if the applicant is ready to proceed.

Ms. Meagher thanked the board for their time.

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| 4. Site Plan—Amendment | Alberici Excavating |
| Case No. 2004—004 | Loop Road |

James Trasher, Clough Harbor Engineering, represented the applicant in an amendment to Site Plan that was approved May 23, 2013 for the Loop Road Office 7 Storage Development, property located at Loop Road. The applicant is currently proposing to modify the storage unit configuration for the rear property with an address of 8245 Loop Road. The proposed modification includes six (6) buildings for storage units (223 total units) rather than four (4) Buildings with 221 total units. There would be no change to the previously proposed one-1 story 4250 square foot building and one-2 story 1750 square foot office building for this lot. Associated site amenities still include parking, sidewalks, landscaping, lighting and stormwater management. There would be no proposed changes to the front lot with addresses 8241 and 8237 Loop Road (two-1 story 8125 square foot office buildings). The reason for the change in configuration is for ease of access to the storage units to allow you to drive right up to the unit rather than have to walk your items in to be stored.

Hugh Kimball stated that he recalls a subdivision being required for the two different uses on the site.

It was determined that the subdivision was approved in 2013.

Mr. Kimball questioned the SWPPP (Stormwater Pollution Prevention Plan).

Al Yager, Town Engineer, stated that he has not had the opportunity to review the full set of plans, however James has indicated that they have addressed the higher groundwater situation and it shouldn't be that difficult to work around.

Mr. Trasher stated that we're +/- a couple of inches where the groundwater elevation is, so it's either we raise the finish floor elevation of the buildings by 4 to 6 inches or we just decide to

make these wet ponds and not have infiltration basins. It's seasonal high groundwater. We did our test pits after a monsoon's, it was the beginning of May and we were like what are we doing out here. Al said, James I trust you, you've got to sign and stamp this. If we went out there right now we would find groundwater four or five feet lower just because it isn't there.

Mr. Trasher stated that they're before the board this evening for an amended site plan approval. In the very near future we'll get the building permits and you'll see things happening.

Fred Allen, Chairman, asked if the Engineer wanted to wait for his final review before approving the application.

Mr. Yager stated that the board can grant conditional approval at this point in time since we have a set of plans on file.

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

RESOLVED, that having reviewed the Amended Site Plan as defined on a map dated February 8, 2013, last revision date of July 9, 2014, prepared by Clough Harbour Associates, identified as Loop Road Development, Project No. 18203 C-1 Title Sheet, C-2 Existing Conditions Plan, C-3 Removal Plan, C-4 Layout Plan, C-5 Grading & Drainage Plan, C-6 Utility Plan, C-7 Landscaping Plan, C-8 Erosion & Sediment Control Plan, C-9 Erosion & Sediment Control Details, C-10 Details, C-11 A.D.A. Accessibility Details and C-12 Utility Details associated with the application of Alberici Excavation and Development, for property located at Loop Road, Baldwinsville, New York and part of the Radisson PUD, for the construction of Office Buildings and Storage Units with associated parking, the amended Site Plan is hereby approved with the following modifications and conditions:

- 1) All fees associated with this application, including expert fees, be paid to the Town Clerk; and
- 2) Review and approval by the Town Engineer.

6 Ayes -- 0 Noes

Mr. Trasher thanked the board for their time.

IV. NEW BUSINESS

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| 1. Minor Subdivision | Bitz, Mark |
| Case No. 2014—009 | Tater Road |

Steve Sehnert, Licensed Land Surveyor, represented the applicant in his proposal for a subdivision of land on the east side of Tater Road, approximately ½ mile south of NYS Route 370 consisting of approximately 98 acres. Several years ago this board approved a subdivision for the purpose of creating a leased parcel around a cell tower that currently sits on the property. At this time the American Tower Company desires to purchase the parcel rather than lease it anything further. Mr. Bitz has asked us to create a parcel that would comply with the Town's subdivision regulations for non-residential uses in an agricultural zone. Also, although we didn't find any particular requirements in your regulations, it has been the general practice that we create a parcel big enough so that if the tower falls over it falls over on the owner's property. That's why we show a fall zone of 192' from the center of the base of the Tower that sits on a five acre parcel, which is larger than the 80,000 square feet required. We have also

shown the required 250' on Tater Road. All setbacks have been met. The remnant piece will remain under agricultural.

Hugh Kimball stated that there is something in the Code similar to the requirement for a fall zone, but it was for Wind Towers.

Fred Allen, Chairman, stated that they farm the land on either side and there's nothing there, even if it does fall it's not going to harm anything. Our fields don't go that close to the Tower.

RESOLUTION #6 -- Motion by Allen, 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 Mark Bitz, Tater Road, Baldwinsville, New York, Minor Subdivision application.

6 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 Corey

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 Mark Bitz, Tater Road, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

6 Ayes -- 0 Noes

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

RESOLVED, that a Public Hearing be held Thursday, August 15, 2013 at 7:00 p.m. on the application of Mark Bitz, for a subdivision of property located at the east side of Tater Road, approximately 2/3's of a mile north of Sprague Road, Baldwinsville, New York, Part of Farm Lot No. 83 and Tax Map No. 035.-02-03, for a development of two (2) lots from a parcel of approximately ninety-nine (99) acres.

6 Ayes -- 0 Noes

Mr. Sehnert thanked the board for their time.

V. ADJOURN

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

RESOLVED, that the July 21, 2014 Town of Lysander regular Planning Board meeting adjourn at 8:35 p.m.

6 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk
Planning Board