

PLANNING BOARD MEETING  
Thursday, July 23, 2015 @ 7:00 p.m.  
8220 Loop Road  
Baldwinsville, NY 13027

The special meeting of the Lysander Planning Board was held Thursday, July 23, 2015 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John Corey, Acting Chairman; Joanne Daprano; Hugh Kimball; William Lester; James Hickey

MEMBERS ABSENT: Fred Allen, Chairman and James Aust

OTHERS PRESENT: Al Yager, Town Engineer; Tim Frateschi, Esq.; Frank Costanzo, Zoning Board of Appeals; Steven Calocerinos; Mario D'Arrigo; Steve Sehnert, LLS; Nancy Butler; Michael D'Arrigo; Vincent Kearney, Belgium Cold Springs Fire Department; Jim Stirushnik; Karen Rice, Clerk

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

I. APPOINTMENT:

1. Planning Board Attorney

Timothy A. Frateschi, Esq.  
Frateschi Law Firm, PLLC

John Corey, Acting Chairman, stated that that first order of business was a pleasurable one and that he'd like to make a motion to appoint Tim Frateschi, Planning Board attorney with Hugh Kimball happily seconding that motion.

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

RESOVLED, that the Planning Board appoint Timothy A. Frateschi, Esq., Frateschi Law Firm, PLLC, attorney to the Planning Board for the remainder of the 2015 calendar year.

5 Ayes -- 0 Noes

Tim Frateschi stated that he appreciates the board's confidence expressed and thanked the board for wanting him to come back and represent the Lysander Planning Board a second time.

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

1. Minor Subdivision  
Case No. 2015—010

Butler, Bruce  
East Mud Lake Road

The Public Hearing opened at 7:05 p.m.

Stephen Sehnert, Licensed Land Surveyor, represented the applicant, stating that Mr. Butler owns approximately 20 acres of land 507' south of the Oswego County line. He would like to subdivide out 1.84 acres with 250' of frontage on East Mud Lake Road, consisting of a single family residence and outbuildings. The remnant piece will be approximately 17.83 acres is a residential/recreational area, with a well and septic. It's strictly a family administrative

procedure. The house will be sold to a family member with the remnant piece remaining with Mr. Butler.

There is a letter on file from Al Yager, Town Engineer, dated, July 23, 2015, that will be made part of the public record, in part:

I have completed my review of the above referenced minor subdivision. Overall it appears that the site conforms to all applicable Town Code dimensional requirements; however any existing septic systems on the property should be identified on the map. If both parcels do not have existing septic systems any lot without a septic system would not be considered a building lot without perc tests being performed. At this time I would have no objections to the Planning Board approving this minor subdivision contingent on the applicant addressing my comments regarding the septic system requirements.

This application was forwarded to the Onondaga County for their review and recommendation, who made the following comments, 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 COMMENT(S):

1. The Town and applicant are advised to contact the Onondaga County Department of Transportation at (315) 435-3205 regarding the undelineated driveway on East Mud Lake Road on proposed Lot 1. The Town and applicant are further advised that no additional access to East Mud Lake Road will be permitted.

2. The Town and applicant are advised that the Onondaga County Health Department should formally accept or approve, respectively, any existing or proposed septic system to service proposed Lot 1 prior to Department endorsement of this subdivision plan.

3. The subdivision plan should be amended to remove the note which states "NYS Freshwater Wetlands - None" and the applicant is advised to contact the U.S. Army Corps of Engineers and/or the New York State Department of Environmental Conservation to confirm the presence of federal and/or state wetlands, respectively, and/or the 100-foot state wetland buffer on this site, and obtain all necessary permits for any confirmed wetlands and buffers and show them on the plans for the site.

Mr. Sehnert noted County's concern with regard to wetlands, there are no NYS Freshwater Wetlands and It is not within a 100 Year Flood Hazard Area

With regard to Mr. Yager's concerns, the septic tanks are existing. Jeff Till, P.C., Onondaga County Health Department, said to disregard County's concern.

The Public Hearing closed at 7:09 p.m.

III. APPROVAL OF MINUTES

Review and approval of the minutes of the May 18, 2015 regular Planning Board meeting.

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

RESOLVED, that the minutes of the May 18, 2015 regular Planning Board meeting be approved as submitted.

5 Ayes -- 0 Noes

Review and approval of the minutes of the June 15, 2015 regular Planning Board Meeting.

RESOLUTION #3 -- Motion by Hickey, Second by Kimball

RESOLVED, that the minutes of the June 15, 2015 regular Planning Board meeting be approved as submitted.

5 Ayes -- 0 Noes

IV. OLD BUSINESS

1. Minor Subdivision  
Case No. 2015—010

Butler, Bruce  
East Mud Lake Road

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 application was forwarded to the Onondaga County Planning Board for their review and recommendation; those findings have been read into and made part of the record.

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

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

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 2 (2) lot subdivision application by Bruce Butler for property located at East Mud Lake Road, 508' south of County Line Road, Fulton, New York, Part of Farm Lot No. 37 and Tax Map No. 016-02-02.1, as shown on a made

dated May 6, 2015, revised July 20, 2015, prepared by Stephen Sehnert, Licensed Land Surveyor, is hereby approved.

5 Ayes -- 0 Noes

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

RESOLVED, that in granting a subdivision to Bruce Butler for property located at East Mud Lake Road, 804' south of County Line Road, Fulton, 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.

0 Ayes -- 5 Noes

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.

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|--------------------------------|------------------------------|
| 2. Major Subdivision Amendment | Highland Meadows             |
| Adjustment: Front Yard Setback | Mercer Street/Giddings Trail |

Mario D'Arrigo, Highland Meadows, stated that at the time that his subdivision was approved, the rules and regulations called for a 40' front yard setback. Section 1 was built to these standards, with the exception of three or four lots remaining to be developed. The roads and infrastructure are all in for Section 2. We have found that (indicating on plan), this area rises very steeply. When we started to do some grading we ran into some minor problems. It was determined that we'd be better putting the houses at the new 30' front yard setback rather than the old 40' for the 76 lots identified since that is now what the R-12.5 regulations call for. That would give them an additional 10' in the back with only a slight slope in the front. It would be a very minor change to the subdivision. What that does, unfortunately, is it affects the lot width on the few pie shaped lots on the curves. The second thing we're asking for is the lot width to be changed from 70' to 67', provided that the side yard setback requirement remains unchanged.

Karen Rice, Clerk, questioned which lots are affected, with the request for the reduction in lot width?

Mr. D'Arrigo stated, Lot 42 through 50, Lot 65 through 68 and 78 through 82.

Hugh Kimball questioned if the proposed changes will cause any water problems with the change in the grade in the back.

Mr. D'Arrigo stated no, no water problems. We will work with the engineer in that regard....

Al Yager, Town Engineer, concurred, stating that drainage provisions were provided in the original construction drawings. Your actual foot print of the house by NYS grade that slopes away from the house ten feet and sheet flows to the yard drains in the front yard to direct water away from the homes to the drain system. I have addressed this in depth with Tim Wolsey, Code Enforcement Officer, stating that a detailed grading plan must be provided with each building permit package and reviewed so a situation won't occur.



There is a letter on file from Al Yager, Town Engineer, dated July 23, 2015, that will be made a part of the public record, in part:

I have reviewed the amended site plan prepared by URS Consultants, dated July 2015. At this time it appears that the revised site plan is in compliance with all State of New York, Onondaga County and Town of Lysander requirements. In this instance the proposed disturbance is less than 1 acre so a SWPPP will not be required. However, the owner will be required to install erosion and sediment control measures on an as needed basis during construction. The site does not exceed the 60% lot coverage allowed.

There is a letter on file from Empire State Development Corporation, dated July 23, 2015, that will be made part of the public record, in part:

This is to acknowledge receipt of a copy of the Preliminary Site Plan for the Anheuser-Busch, Inc. expansion of their facility in the Radisson Corporate Park, dated July 2015, prepared by URS Corporation. This plan sets forth a proposed addition to the facility of a new specialty malt building, 18'2" x 16'1", totaling 293.02 square foot and a 12' x 22' specialty malt silo. In reviewing this plan, ESD has determined that it meets the requirements of the Radisson Corporate Park Development Controls.

A separate environmental impact study is not required, since this action is part of the Radisson PUD and is consistent with the SEQR review included in the Radisson Land Use Plan Amendment No. 3, however, the applicant has completed Part I.

RESOLUTION #7 -- Motion by Corey, Second by Daprano

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 Anheuser-Busch/In-Bev, 2885 Belgium Road, Baldwinsville, New York, Site Plan application.

5 Ayes -- 0 Noes

John Corey, Acting 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 #8** -- Motion by Corey, 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 Anheuser-Busch, 2885 Belgium Road, Baldwinsville, New York, Site Plan application, the Planning Board issues a NEGATIVE DECLARATION.

5 Ayes -- 0 Noes

**FINDINGS:**

An Environmental Assessment Form indicates that the proposed action will not result in any significant adverse environmental impacts.

There is a letter on file from the Empire State Development Corporation, dated July 23, 2015, stating that they have reviewed the application and it conforms with the rules and regulations in the Radisson PUD.

There is a letter on file from Al Yager, Town Engineer, dated July 23, 2015, stating that he has reviewed the application and finds the site plan acceptable, conditioned upon the final drawing needs to be stamped by a licensed Engineer or Surveyor as well as the construction drawings for the building permit.

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 for their review and recommendation.

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

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

RESOLVED, that having reviewed the site plan as defined on a map dated July 2015, prepared by URS, 1001 Highlands Plaza Dr., West, Suite 300, St. Louis, Missouri, associated with the application of Anheuser-Busch In-Bev, on behalf of Anheuser-Busch and part of the Radisson PUD, for Site Improvements, the Site Plan is hereby approved with the following modifications and conditions:

- 1) All outstanding fees associated with this application, including expert fees, are paid to the Town Clerk;
- 2) Applicant provide stamped engineered drawings to the Town Engineer for his final review.

5 Ayes -- 0 Noes

Mr. Drumm thanked the board for their time.

VI. OTHER BUSINESS

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| 1. Major Subdivision—Final Plat<br>Case No. 2014—006 | The Timbers, LLC<br>Timber Banks, Section 1B, Phase V<br>Lot 103 Forest Ridge Lane |
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Karen Rice, Clerk, stated that Clough Harbor was before the board July 21, 2014 for Timber Banks, Section 1B, Phase 5, subdivision. At that time the board approved a 40 lot subdivision. He doesn't want to file the final plat for all 40 lots. At this point in time they want to file a Final Plat for Lot 103 only, however that won't be done without a final review by the Town Board, Town Engineer and Town Attorney. They have a new builder going into Timber Banks and he's anxious to get started.

William Lester stated that this is consistent with what they have done in the past.

Karen concurred.

RESOLUTION #10 -- Motion by Corey, Second by Lester

RESOLVED, that the Planning Board authorizes the Chairperson to review the Amendment to the Final Plat, for The Timber Banks Subdivision, Phase V, Section 1B, the one (1) lot subdivision application of The Timbers LLC for property located at Lot 103, Forest Ridge Lane, Baldwinsville, New York, Part of Tax Map No. 072.1.-03-36.1, and finding that all modifications and conditions have been met; the Board authorizes the Chairperson to waive the Final Plat public hearing and sign the Final Plat.

5 Ayes -- 0 Noes

RESOLUTION #11 -- Motion by Corey, Second by Lester

RESOLVED, that a Public hearing having been waived 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, the Final Approval for The Timber Banks Subdivision, Phase V, Section 1B, Lot 103, Forest Ridge Lane, Baldwinsville, New York and Part of Tax Map No.

072.1.-03-36.1, as shown on a map dated May 21, 2015, prepared by Clifford James Rigerman, Licensed Land Surveyor, is hereby approved.

5 Ayes -- 0 Noes

VII. ADJOURN

RESOLUTION #12 -- Motion by Kimball, Second by Hickey

RESOLVED, that the July 23, 2015 special meeting of the Lysander Planning Board adjourn at 7:48 p.m.

5 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk