

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 LOOP ROAD  
Thursday, August 11, 2016 @ 7:00 p.m.

The regular meeting of the Lysander Planning Board was held Thursday, August 11, 2016 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John Corey, Chairman; Joanne Daprano; Hugh Kimball; William Lester; Jim Hickey; Steve Darcangelo; Jerry Hole

OTHERS PRESENT: Al Yager, Town Engineer, Robert Clark; W.F. Warner; P. Smith; Frank Costanzo, Zoning Board of Appeals; D.J. Smith; Geoff Hillenbrand, Plumley Engineering; Ron Merle; Joe Karrat; Julie Cox; Carl Mosegard; Jim Stirushnik; Andy DeStephano, Ianuzi-Romans and Karen Rice, Clerk

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

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

- |   |   |
|---|---|
| 1. Minor Subdivision<br>Case No. 2016—004 | Warner, William<br>1940 West Genesee Road/Goodfellow Lane |
|---|---|

The Public Hearing opened at 7:02 p.m.

William Warner stated that he owns approximately 6 acres of land on West Genesee Road/Goodfellow Lane that he would like to subdivide and sell off a building lot.

Julie Cox, 194 Goodfellow Lane, questioned the road as it's a right-of-way and how will this subdivision impact it. Further, who is responsible for the maintenance of the road because currently there's not a lot of road maintenance.

Mr. Warner stated that Ms. Cox is correct about the road maintenance. I use 5% of that road. There's very little maintenance on a private road with the cost being incurred by me.

Steve Darcangelo questioned if it is an easement to cross private property or is it truly a public right-of-way.

Mr. Warner stated that it's an ingress and egress for all property owners.

Mr. Darcangelo reiterated that other property owners have an easement across private property for ingress and egress.

Mr. Warner concurred.

Mr. Darcangelo questioned if there is any reference in that easement with regard to the quality that the road needs to be maintained to.

Mr. Warner: There is not.

Karen Rice, Clerk, stated that there is no Maintenance Agreement on file with the Assessor's office.

Mr. Darcangelo stated that presents the issue to Ms. Cox, that she has an easement across private property that provides an access to your parcel. There's not necessarily an established standard that that easement has to be maintained. You may want to do that, but it is a private matter as opposed to something that would be managed by the Town.

Ms. Cox questioned where the ownership of that easement goes if the property is separated.

Al Yager, Town Engineer, indicated on the plan how the property would be split. Access is a private matter between the owner of the right-of-way and those who are granted ingress and egress across it.

Mr. Warner stating that the private road will go with the parcel his residence is on.

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

## II. APPROVAL OF MINUTES

Review and approval of the minutes of the July 14, 2016 regular Planning Board meeting.

Page 5, 1<sup>st</sup> paragraph, omit last sentence.

Mr. Yager stated that both public sewer and water is available to the site.

### **RESOLUTION #1 -- Motion by Hickey, Second by Daprano**

RESOLVED, that the minutes of the July 14, 2016 regular Planning Board meeting be approved as amended.

7 Ayes -- 0 Noes

## III. OLD BUSINESS

- |                      |  |
|----------------------|--|
| 1. Minor Subdivision | Warner, William                        |
| Case No. 2016—006    | 1940 West Genesee Road/Goodfellow Lane |

John Corey, Chairman, stated that this application was forwarded to the Onondaga County Planning Board for their review and recommendation. The Planning Board has not had the opportunity to review the application, therefore there will be no action this evening. Action will be tabled until the September 8, 2016 Planning Board meeting.

- |                       |                           |
|-----------------------|---------------------------|
| 2. Site Plan Approval | Diverse Food Products LLC |
| Case No. 2016—007     | 8242 Loop Road            |

Bill Cotter and D.J. Smith, O'Brien & Gere, represented the applicant, stating that the plans have changed slightly since the last visit before the board. A truck delivery area has been

identified, indicating on plan for receiving and shipping. Stripping has been added and a dumpster enclosure has been provided.

Parking: Existing is 183, proposed is 106 with the required being 94 based on the use.

Landscaping: Landscaping is being removed around the perimeter of the building and replaced on the front of the building facing the road; the side facing the Town Building and the back. A landscape legend has been provided. We will be pretty much relocating what is there. A buffer will be provided around the storage building. A 20' clear way will be provided, if more is desired, we will move stuff around, but we're trying to buffer the building working with the existing trees.

Building Exterior: Colors will match the existing building with white metal panels in three different colors to break it up. Metallic window frames, the roof and the roof edge. The column, fascia and the top portion is a white, stone white. The lower portion will be a French grey. (Renditions provided)

There is a letter on file from Empire State Development Corporation that will be made part of the public record.

There is a letter on file from Al Yager, Town Engineer that will be made part of the public record.

The applicant has prepared a response letter to the concerns of the Belgium Cold Springs Fire Department, both will be made part of the public record, in part:

1. Will the new storage building have a sprinkler system?  
Response: At this time, Diverse Food Products (DFP) does not intend to install a sprinkler system in the storage building. We are currently working through the details of the floor plan/material storage arrangement with DFP. If it is determine that fire protection or alarm systems are required, then we will notify the Town and Fire Department during the building permit process.
2. What will be store in the building?  
Response: Mostly wooden CHEP pallets, Hickory wood for smoking, cardboard, and a forklift for moving materials between the detached storage and the main building.
3. What type of supports will be used for the roof at the new storage facility? Adequate for our Central New York snow loads?  
Response: The building primary steel supports shall be clear span steel frames spaced approximately 20 to 30 feet on center. The secondary roof framing will be steel roof purlins. The roof structural shall be designed to accommodate the local snow load requirements and shall be in conformance with the state building code requirements.
4. How wide/tall is the overhead door?  
Response: 12' wide x 12' high.
5. Are the insulated aluminum tinted windows security window? How big are they?  
Response: No, the windows are thermally broken aluminum framed windows primarily for day light optimization. The windows are approximately 3' h x 15' w.

6. Will there be power and heat in the new storage facility?  
Response: Yes, there will be power and heat. Minimal heating to keep the building at a minimum temperature of approximately 50 degrees.
7. The external landscaping – will there be enough room between the building and the landscaping for the fire department to operate?  
Response: Approximately 20 feet of space is provided between the building and the landscaping.

#### DISCUSSION:

Accessibility to the building won't be a problem based on past experience. If the fire department wants us to move things around and provide other access points we'll be more than happy to accommodate them.

Hugh Kimball expressed his concern of having to fight a potential fire from Willett Parkway. I don't think we want fire trucks parked in the middle of Willett. It's a major thoroughfare as well as a State route.

Mr. Cotter stated that that would be only in the event of an emergency, it's a two way highway. In the event of an emergency they would be taking up one lane on the side. They can get around.

Mr. Smith stated that the bottom line is if they want us to work with them on landscaping we're flexible.

Mr. Cotter stated the only way they'd be out there is if the building was engulfed.

Jerry Hole added that the types of material you are putting in there are all combustible.

Mr. Cotter concurred stating that they're allowed by Code. It's a commodity thing...if you put plastics in there and toxins in there then it becomes a concern.

8. The Fire Department would like to perform a site visit once the new storage building is nearly done and the renovations are near completion at the main building. Who can this be schedule with?  
Response: This will be scheduled with OBG and the owner. OBG will coordinate the meeting as the detached storage building nears completion. We anticipate this will take place during January.
9. How many people are expected to work at the facility and what are the hours of operation?  
Response: The facility will have approximately 25 to 30 employees when it opens. Future plans include an increase in the number of employees to about 50. Hours of operation will vary based on seasonal demand. Typical hours are anticipated to be from 3:30 a.m. to 8:30 p.m.
10. Are there any hazardous materials stored on site? Quantities?  
Response: There are three different products used in the cleaning process. Primarily mixtures of caustics (potassium hydroxide, sodium hydroxide) and acids (phosphoric acid) used during the sanitization process after cooking operations end for the day. In

addition, DFP plans to use sodium hydroxide and sulfuric acid for wastewater treatment pH adjustment. Quantities will be one to two 55-gallon drums of each.

DISCUSSION:

Mr. Smith stated that the storage of the chemicals will take place in the existing building. There's not a lot of volume of chemicals. There is an area inside that building to do so.

Mr. Kimball stated that the areas of the loading dock and dumpster storage are all on paved areas, correct?

Mr. Smith stated that there is a little grassy area for the loading dock that we will be cutting into, perhaps a 12' x 20' area.

Mr. Yager stated that lot coverage will not be an issue. It's not significant on the calculations on a site of this size.

There was some discussion with Biological Oxygen Demand as part of the food processing plant itself, flow rates, grease traps, etc..., which is not part of the site plan review for the storage facility, however those engineering details/issues will be addressed between the Town Engineer and the project engineer.

FINDINGS:

Review of the Short Environmental Assessment form indicates that there will be no significant or adverse impacts resulting from the.

There is a letter on file from the Empire State Development Corporation, dated July 21, 2016, 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 August 11, 2016, that will be made part of the public record, in part:  
I have reviewed the revised site plan for the Diverse Food Products, Cool Plan Renovations, prepared by O'Brien & Gere Engineers, dated July 7, 2016. At this time a detailed grading plan for the site has not been provided. However, due to the majority of the proposed storage building being constructed over a current parking lot and the adjacent lawn area being relatively flat I do not consider a grading plan for this project a necessity. At this time it appears that the revised site plan is in compliance with all State of New York, Onondaga County, Town of Lysander and Radisson GPP requirements.

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

This action is consistent with the Town's current Zoning Ordinances.

This action has been referred to the Onondaga County Planning Board for their review and recommendation who take NO POSITION.

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

**RESOLUTION #2 -- Motion by Corey, Second Lester**

RESOLVED, that having reviewed the site plan as defined on a map dated August 10, 2016, prepared by Robert Ganley, Licensed Professional Engineer, associated with the application of Diverse Food Products, LLC, 8242 River Road, Baldwinsville, New York and part of the Radisson PUD, to allow the construction of an 80' x 150' storage building, the site plan is hereby approved.

7 Ayes -- 0 Noes

Mr. Cotter and Mr. Smith thanked the board for their time.

IV. NEW BUSINESS

- |                      |                   |
|----------------------|-------------------|
| 1. Minor Subdivision | Quattrocchi, Gabe |
| Case No. 2016—005    | 9254 River Road   |

Andy DeStephano, Ianuzi-Romans, represented the applicant in his two lot subdivision application for property located at 9254 River Road; subdividing the house and 1.47+ acres from approximately 5 acres, to allow the construction of a single family residence on the remnant piece with access off of an existing common driveway right-of-way.

Steve Darcangelo questioned what the agreement is for access.

Mr. DeStephano stated that the gravel driveway is on the adjacent property, owned by the adjacent property owner.

Al Yager, Town Engineer, concurred stating that the road is actually constructed outside of the existing easement. They have an access point to River Road from that existing easement.

Jim Hickey questioned if the easement agreement...

Mr. Yager: ...includes this parcel. He has a couple of options here: construct a new driveway parallel to the existing driveway and tie in at the end where the existing easement/cut into the road is; or negotiate a separate easement with the adjacent parcel owner to actually bring his driveway out onto where the road actually is.

Mr. Hickey stated that the board would have to know that before we subdivide it or we'd have a landlocked parcel.

Mr. Yager stated that he has access...if you look where the property line is you can see that it extends out to the common driveway with his parcel included in the common right-of-way.

Mr. Hickey reiterated that he has the ability to build his driveway within that 16.5'.

Mr. Yager concurred adding that he's 'entitled' to the other 16.5' on the other property as well. Worst case scenario would be that he has to come all the way up to River Road and tie in up there.

Hugh Kimball questioned if he could do both.

Mr. Yager stated that he can't have a new driveway out onto River Road, he will have to come off of the frontage off of the existing private road. The surveyor has provided a note on the plan: No new driveway cuts onto River Road will be permitted.

Mr. Kimball questioned if percs have been done for both properties.

Karen Rice, Clerk, stated that there's an existing septic system on Lot 1. They have not done percs at this time for Lot 2. There is a notation on the plan that a septic design will be approved before the issuance of a building permit. .

*This is not a residential building lot under Onondaga County Health Department subdivision regulations and is therefore not approved by the Department for residential use. Individual sewage disposal plans must be approved by the Health Department prior to conversion to residential building lot and issuance of a building permit.*

Mr. Kimball questioned if there were any problems with the land, wetlands??

Mr. DeStephano stated that there is a note on the plan stating that they're not affected by any wetlands, either DEC or Army Corp of Engineers.

Mr. Darcangelo questioned if there was any concern with the setback off of the right-of-way for the existing structure and what could likely be a 'future' road.

Karen stated that currently it's grandfathered (with the 21" feet to the property line. That will not change.

Mr. Yager concurred stating that it's a non-compliant structure already.

Mr. Hickey stated that if you put a road in there you're less than 4' off of the house.

Mr. Yager stated that if he's going to construct a driveway down at that end he's going to want to be as tight as possible to that existing driveway. The existing driveway is 10' into the easement. If he widens it by 2' your actual edge of your driveway is going to be 25' from the house if you constructed it at 12' wide along the edge of that easement.

Mr. Hickey questioned if they could widen the curb cut a little bit.

Mr. Yager stated that they cannot...if you look at the radius of the curb cut you don't have to widen it at all.

Karen stated that she doesn't think he's putting one in...

Mr. Yager concurred stating that he doesn't believe it will be a huge issue with him obtaining an additional right-of-way to tie into that driveway.

**RESOLUTION #3 -- 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 the Gabe Quattrocchi, 9254 River Road, Baldwinsville, New York Minor Subdivision application.

7 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)? 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 #4 -- Motion by Corey, 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 Gabe Quattrocchi, 9254 River Road, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

7 Ayes -- 0 Noes

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

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Gabe Quattrocchi, for a subdivision of property located at 9254 River Road, Baldwinsville, New York, Part of Farm Lot No. 42 and Tax Map No. 022.-03-19.0 for a development of two (2) lots from a parcel of approximately 5.15 acres.

7 Ayes -- 0 Noes

Mr. DeStephano thanked the board for their time.

2. Major Subdivision	Cabbage Patch
Case No. 2016—008	Whispering Oaks, Section 4
	8185 Emerick Road

Geoff Hillenbrand, Plumley Engineering, represented the Cabbage Patch Partners, and introduced Robert Clark, Developer, and Ron Merle, Builder, stating that they are before the board this evening with a 35 lot subdivision. We are before the board this evening to give some updates on the project since the last time the board reviewed the plan and start the preliminary subdivision approval.

We have gone through the Incentive Zoning process with the Town Board and was granted for an additional thirteen (13) lots for some benefits to the Town.

- Some road alignment changes have been made where the access road now comes out across from the existing Irene Drive. The former plan had two cul-de-sacs, we're now down to one cul-de-sac with a private drive.
- A small portion of wetlands have been identified as an isolated wetland. A wetland permit was granted in December 2015.
- Space has been left for a future connection to the north.
- We have laid out the sewer.
- We have shown the stormwater management area on the site. As part of the NYS Department of Environmental Conservation permit we cannot discharge more than what's currently on the site. Those regulations will be adhered to.
- Extensive landscaping will be undertaken along the eastern and western side with a 50' vegetative buffer along the west side and tree plantings throughout.
- A swale on the western side of the property will be implemented as part of the drainage facilities if needed.
- Construction road will be built from Emerick Road. No construction vehicles will go through the existing subdivision. Phase I will consist of twelve lots and will be constructed at the northwest end of the property at Rubicon..

Mr. Hillenbrand stated that if the board is ready we'd like to move forward with the SEQR process and forward the application to the Onondaga County Planning Board for their review and recommendation and added that he's open to any questions.

Hugh Kimball questioned if the proposed road that goes all the way through to Emerick will still be called Rubicon.

Mr. Hillenbrand stated that Rubicon will be the cul-de-sac.

Mr. Kimball stated that that could be confusing. It seems to make more sense to have Rubicon to go all the way through.

Al Yager stated that then you'd have a turn in it. We've done that in the past and it's confusing to folks.

Steve Darcangelo questioned the wetland shown on the plan and asked if it would be part of the Homeowner's Association's responsibility or will the developer retain that piece.

Mr. Yager stated that it goes with Lot 15.

Mr. Kimball questioned if it was a Federal wetland.

Mr. Hillenbrand concurred stating that there will be 0.071 acres of disturbance.

Mr. Kimball questioned if the Highway Superintendent has taken a look at the turn-around of the cul-de-sac.

Mr. Yager stated that it meets the standards the Town approved.

John Corey, Chairman, questioned if the Town Engineer is comfortable with what he has seen so far.

Mr. Yager stated that we haven't received all of the drainage calculations yet, this is all preliminary. I believe they're just looking to move the process forward. SEQR is actually handled through the Town Board during the Incentive Zoning process. We are simply scheduling a Public Hearing tonight.

Mr. Darcangelo questioned if the driveways would be private and not dedicated.

Mr. Hillenbrand concurred.

Mr. Darcangelo continued stating that public sewers will be dedicated.

Mr. Yager concurred stating that we will have an easement to tie into the sewer.

Mr. Kimball questioned if this property was farmed way back when.

Robert Clark stated that a certain percentage was. There were some areas that were not farmable.

Mr. Kimball stated that the only reason he's asking is if there are any archaeological things that should be dealt with.

Mr. Clark continued stating that they have been working with Nancy Herter, SHPO. It was a cabbage patch originally, that's kind of where the name came from, among other things. They rotated the crops. The property was purchased from Paul Hafner, however he continued to farm it.

Mr. Kimball stated an archaeological study revealed that there was a 'site' up there that was found in the 1800's that went back to the 1400's. It is part of the Highland Meadows/Lysander Preserve Subdivision and is probably at the same height from the river as this parcel, about the same distance.

Mr. Clark stated that the area was completely tilled. They went in and did a pretty comprehensive job and didn't find anything at all.

Mr. Darcangelo questioned connection to water and whether or not it would be in its own district.

Mr. Yager stated that what we'll probably do now, now that we have this connecting piece is roll Emerick Road and the Whispering Oaks District into one; but we'll treat this as an extension of Whispering Oaks initially and then through the process of district consolidation.

Mr. Kimball questioned the connection to the neighboring property to the north; don't we normally insist that the road be built.

Mr. Yager stated that a stub to the north be left but it was determined by the committee that negotiated the zoning compromise that it wasn't necessary.

Mr. Kimball stated that we'll just leave the provision there for it...

Mr. Yager concurred adding with a right-of-way that will be dedicated to the Town but no road will be constructed at this time.

**RESOLUTION #6 -- Motion by Corey, Second by Kimball**

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Cabbage Patch Partners, LLC, for a Major Subdivision of property located at 8185 Emerick Road, Baldwinsville, New York, Part of Farm Lot No. 78 and Tax Map No. 049.-02-03.0, for the thirty-five (35) lots from a parcel of approximately 27 acres.

7 Ayes -- 0 Noes

Mr. Hillenbrand and other representatives thanked the board for their time.

3. Minor Subdivision--Tentative Case No. To Be Determined Pelland, Linda Dunham Road

This item will be tabled until such time that the applicant makes a complete application.

V. OTHER BUSINESS

1. Major Subdivision—Final Plat Timber Banks  
3455 Long Shadow, Lot 18

Al Yager, Town Engineer, has reviewed the request to waive the final Public Hearing for Lot 18, 3455 Long Shadow, and authorize the Chairman to sign the Final Plat.

There is a letter on file dated August 11, 2016, that will be made part of the public record, in part:

I have completed my review of the final plat for the Timber Banks, Lot 18, Major Subdivision as prepared by Clifford James Rigerman dated June 16, 2016. The proposed one lot subdivision appears to be in compliance with the Timber Banks General Project Plan. At this time I would not be opposed to the board waiving the final public hearing and authorizing the Chairman to sign the final plat.

**RESOLUTION #7 -- Motion by Corey, Second by Kimball**

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat for the one (1) lot subdivision application of The Timbers LLC for property located Lot 18, Long Shadow Drive, Part of Tax Map Number 072.1-03-36.1 and finding that all modifications and conditions have been met; and that the Final Plat in consistent with the approved Preliminary Plat; and that any differences found are not significant; the Board authorizes the Chairperson to waive the Final Plat Public Hearing and sign the Final Plat.

7 Ayes -- 0 Noes

2. Major Subdivision—Final Plat Giddings Crest  
Hourglass Lane, Lots 30 & 36

Al Yager, Town Engineer, has reviewed the request to waive the final Public Hearing for Lots 30 & 36, Hourglass Lane and authorize the Chairman to sign the Final Plat.

There is a letter on file dated August 11, 2016, that will be made part of the public record, in part:

I have completed my review of the final plat for Giddings Crest, Section C-7, Lots 30 & 36, Major Subdivision as prepared by Ianuzi & Romans Land Surveying, dated June 29, 2016. The proposed two lot subdivision final plat appears to be identical to the previous approved preliminary plat for the project. At this time I would not be opposed to the board waiving the final public hearing and authorizing the Chairman to sign the final plat.

**RESOLUTION #8 -- Motion by Corey, Second by Daprano**

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat for the two (2) lot subdivision application of Heritage Homes, for property located at Lot 30 and Lot 36, Hourglass Lane, Part of Tax Map Number 055.1-01-13.1 and finding that all modifications and conditions have been met; and that the Final Plat in consistent with the approved Preliminary Plat; and that any differences found are not significant; the Board authorizes the Chairperson to waive the Final Plat Public Hearing and sign the Final Plat.

7 Ayes -- 0 Noes

**VI. ADJOURN**

**RESOLUTION #9 -- Motion by Lester, Second by Hickey**

RESOLVED, that the August 11, 2016 regular Planning Board meeting adjourn at 8:12 p.m.

7 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk