

PLANNING BOARD MEETING
Thursday, August 14, 2014 @ 7:00 p.m.
8220 Loop Road
Baldwinsville, NY 13027

The special meeting of the Town of Lysander Planning Board was held Thursday, August 14, 2014 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

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

OTHERS PRESENT: Al Yager, Town Engineer; Don Payne, Wendy Meagher, Meagher Engineering; Justin Kellogg, Meagher Engineering; Gary Cottett; Vince Kearney, Belgium Cold Springs Fire Department and Karen Rice, Clerk

I. OLD BUSINESS

- | | |
|-----------------------|--------------------------------|
| 1. Site Plan Approval | Country Max |
| Case No. 2014—005 | 2964 Belgium Road/NYS Route 31 |

Wendy Meagher and Justin Kellogg, Meagher Engineering, represented the applicant.

Ms. Meagher stated that they have met with Al Yager, Town Engineer, on all of his concerns from our last meeting.

Ms. Meagher further stated that she has been working with Elizabeth Parmley, P.E., NYS Department of Transportation, and summarized the Traffic Data Summary, dated August 5, 2014, that will be made part of the public record and is on file with the secretary.

Approvals have been received from both Onondaga County Water Authority (OCWA) and the Onondaga County Health Department with regard to water and sewer.

All of the SWPPP items have been addressed, as requested by the Town Engineer.

There is a letter on file from the Belgium Cold Springs Fire Department dated July 15, 2014. Ms. Meagher stated that a response letter was prepared and submitted to the Fire Department.

Vince Kearney, Belgium Cold Springs Fire Department, stated that he has not seen a copy yet.

Ms. Meagher stated that the Fire Department had the following concerns and they have all been addressed:

- Will there be access for fire apparatus into the fenced in display area?

Yes, there will be access for the display areas.

- Where will the hydrant(s) be placed on the site? We would like to work with OCWA regarding placement.

There is an existing hydrant within 500'.

- What type of building materials will the structure be built with? Overall building height.

The building materials will be steel columns and joists with metal panel insulation and some wood framing in the front.

- Will the building have a sprinkler system? Fire Department connection location?

The whole building will be sprinklered.

- Will we be able to navigate the parking lot with our 48 foot Tower? Can you provide examples with a modeling tool?

I can give you a copy of the turning radiuses of the emergency vehicles.

- Is it possible to have an alternative exit added to the site?

The NYSDOT only allows us one entrance. The access road adjacent to us is not an option.

- How many employees in the building during a normal day and hours of operation?

There will be twelve employees with operating hours between 8:00 a.m. and 8:00 p.m.

- We would like some specifics on the building contents: combustibles, hazardous materials, etc.

We have lawn and garden fertilizers, over the counter pesticides. With regard to the location within the structure. They might move around seasonably. It's not an extensive amount.

Don Payne concurred stating that it's a relatively small amount. No straight ingredients. For the most part it's not 1000 lbs. of ammonia nitrate; it's all small retail packaged fertilizers. Any chemicals are no larger than gallon size lawn fertilizers. Nothing that requires a license to store or carry; there will be no restricted chemicals.

- We would like to schedule several walk-throughs of the facility once construction has started and is completed at your convenience.

We can schedule a walk-through for you to get a better feel for the products that are in the building.

- 1) The center lane of Route 31 should be restriped to create a left turn hand lane for west bound traffic entering the project site, provided the NYSDOT concurs with this request; and
- 2) The developer obtaining the required right-of-way work permits from the NYSDOT.

Mr. Kimball suggested that any approval be conditioned upon review and approval by the Belgium-Cold Springs Fire Department.

Fred Allen stated that there is a letter on file from Al Yager, Town Engineer, dated August 14, 2014, that will be made part of the public record, in part:

I have completed my review of the revised site plan and SWPPP dated August 4, 2014 and August 2014 respectively. Overall it appears that the site layout conforms to all applicable Town and state specifications and that the developer has addressed all the review comments from my previous review. It is my understanding that the developer would like to start the project in September or October 2014. In the interest of not causing unnecessary project delays the board could consider granting **final** site plan approval this evening, provided the developer is willing to address the following comments.

Mr. Yager stated that initially he was concerned with the perc test and the deep hole test pit data however additional information provided shows it's a sandy material that should work and will perc just fine. It appears that their stormwater management system will function as intended in the confines of the stormwater design manual.

Hugh Kimball questioned the drainage review and whether it takes into consideration what would happen if the banked parking spaces are paved over.

Mr. Yager concurred stating that you will see on the revised plan that if they have to use the banked parking they will have to increase the size of the infiltration basin to accommodate for that. That's an awful lot of parking for a facility like this; I don't ever see it being used. It's just not that type of store where you're going to have 180 cars at it at once.

William Lester stated that the Town Engineer recommended a cast iron vent, trap and cleanout...

Mr. Yager concurred stating that they only show the cleanout. I suppose the gentlemen at OCWEP are ok with that. They say they didn't necessarily want a trap or vent, so it's ultimately their...I wouldn't put it in if it was mine, but...

Mr. Lester concurred. Whether the County wants it or not it's just good practice.

Mr. Kimball questioned whether a lighting study was done.

Ms. Meagher stated that one was done and is included in the landscaping plan shown on Sheet C-5.

James Aust questioned if a left turn lane.

Mr. Yager stated that that has been included in my review. I am hopeful that the NYSDOT would allow it. My concern would be people turning left and not pulling into that lane because of that yellow hatched/stripping and somebody whipping around them on the right on the shoulder and clipping somebody turning left out of Loop Road or turning right onto Loop Road that doesn't see them. There is plenty of width in the State Route to do that, it's just a matter of restriping that center aisle.

Mr. Aust questioned if the board could make that a condition.

Mr. Allen stated that it's a recommendation of Al's letter.

Karen Rice, Clerk, stated that ultimately it's DOT's decision...

Mr. Yager concurred stating that he's hoping DOT concurs with that, however it is their decision, it's their roadway. I talked with Betsy Parmley and she doesn't see a problem with it. It's just a matter of a plan being drawn up and their engineers reviewing it.

Mr. Allen questioned if Ms. Meagher has talked to DOT about that.

Ms. Meagher stated that the initial County did not comment on that.

Mr. Allen reiterated that you haven't gone back to them and suggested that it's a good idea?

Ms. Meagher stated that they did not. They did their review and their comments were with regard to the culvert and some other minor comments. That was not one of them.

Mr. Yager stated that his letter copies Elizabeth Parmley and have spoken on the phone twice about this. She is in concurrence. During the engineering analysis if they feel it's a feasible thing to do they will make a request for a plan that shows it and base the permit on that.

Ms. Meagher stated that they have been in close contact with them. We have provided them with the same traffic study, so they know what the volumes are going to be and will make that determination.

Mr. Kimball questioned if there is an agreement or written document between the applicant and DOT about expansion and so forth....

Mr. Yager...further subdivision of the parcel or further development.

Ms. Meagher stated that they show a hammerhead at the board's request. It will access the additional parking or another parcel if that gets subdivided in the future, but we don't have any intension of doing that at this time. I do know that DOT, in their first round of reviews, said they only want one entrance out of this parcel. I imagine if something does decide to go through here it will have to go before DOT again. I don't imagine that they're going to give us anymore access along Route 31.

Mr. Kimball reiterated that there is no document or Memorandum of Understanding between Country Max and DOT.

Ms. Meagher stated that they have a letter stating that they want one access and indicate that location.

Mr. Lester reiterated that if another facility goes in next door, the only access is through the Country Max driveway.

Ms. Meagher stated that they can subdivide it off and sell the parcel. If any buyer wants access off of Route 31 it's another whole review process before here and DOT and will be decided at that time. Right now we don't have any intension of subdividing it off. In our initial conversation with the DOT, they said we're going to let you have one access off this parcel; we don't want two, so that's what we did.

Mr. Kimball stated that basically what you're going to wind up with is this letter that says this is all you get?

Ms. Meagher stated that she doesn't know how they're going to state the letter. We have had preliminary reviews with them and they've given us the permit to submit for final submittal, but no, I don't anticipate them wanting more than one access. How they state that, I don't know. I do know that it will go through a full review process again if anything ever gets built there. It's hard to anticipate what's going to happen in the future.

Mr. Kimball stated that as long as it's in the minutes that we discussed all of this at least there will be something in our files that would warn somebody that there could be an issue there.

Ms. Meagher concurred.

James Hickey stated that there's really nothing we as a board can do with regard to the turn-lane. It's up to the DOT.

Mr. Yager concurred, stating that it's not a condition it's a recommendation.

Karen stated that normally the only condition we make in that regard is conditioned upon review and approval of the Town Engineer, we don't spell that out because it's not a function of this board.

Mr. Yager concurred that is more of a recommendation rather than a condition.

There being nothing further, Mr. Allen stated that the Board has already appointed themselves Lead Agency at their July 21, 2014 Planning Board meeting and is ready to review the SEQR.

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 #1 -- Motion by Allen, Second by Kimball

RESOLVED, that having reviewed the SEQR regulations, determined this is an UNLISTED ACTION, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the Farmington Lawn Care d/b/a Country Max Site Plan application, the Planning Board issues a NEGATIVE DECLARATION.

7 Ayes -- 0 Noes

FINDINGS:

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

There is a letter on file from the Empire State Development Corporation, dated June 16, 2014, stating that they have reviewed and approved the application with the following one waiver from the Radisson Declaration:

- 1) Article VI General Covenants & Restrictions of the Radisson Declaration Section 6. Animals, Birds and Insects.

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 have made the following recommendation, in part:

The municipality and the applicant must continue to coordinate NYS Route 31 access and drainage requirements with the NYS 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 encourage 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.

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

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

RESOLVED, that having reviewed the site plan as defined on a map dated August 4, 2014, revised August 13, 2014, prepared by Meagher Engineering, associated with the application of Farmington Lawn Care, Inc. (Country Max) and part of The Radisson PUD, for a retail establishment, the Site Plan is hereby approved with the following modifications and conditions:

- 1) All outstanding fees, including expert fees if applicable, be paid to the Town Clerk;
- 2) Review and approval by the Town Engineer; and
- 3) Resolution of any comments and concerns of the Belgium Cold Springs Fire Department.

7 Ayes - 0 Noes

Ms. Meagher thanked the board for their time.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the July 17, 2014 Planning Board meeting.

RESOLUTION #3 -- Motion by Aust, Second by Daprano

RESOLVED, that the minutes of the July 17, 2014 regular Planning Board meeting be approved as amended to include the Site Plan Approval Resolution for the Alberici Excavating application.

6 Ayes -- 1 Abstain (Hickey who was not present at the meeting)

III. PUBLIC HEARING -- 7:30 p.m.

1. Minor Subdivision
Case No. 2014—009

Bitz, Mark/American Tower
Tater Road

The Public Hearing opened at 7:30 p.m.

The application was forwarded to the Onondaga County Planning Board for their review and recommendation, who will be reviewing the application on Thursday August 28, 2014. This item will be tabled until the next Planning Board meeting.

The Public Hearing adjourned at 7:31 p.m.

IV. OLD BUSINESS -- Continued...

1. Minor Subdivision
Case No. 2014—015

Bitz, Mark/American
Tater Road

This application will be tabled until 7:00 p.m. September 15, 2014 at the regular Planning Board meeting.

V. ADJOURN

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

RESOLVED, that the August 14, 2014 Town of Lysander special Planning Board meeting adjourn at 7:31 p.m.

Respectfully submitted,

Karen Rice, Clerk