

TOWN OF LYSANDER
PLANNING BOARD MEETING
8220 LOOP ROAD
Thursday, September 8, 2016 @ 7:00 p.m.

The regular meeting of the Lysander Planning Board was held Thursday, September 8, 2016 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

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

MEMBERS ABSENT: Hugh Kimball

OTHERS PRESENT: Al Yager, Town Engineer; Tim Frateschi, Planning Board Attorney; Tom Quinn; Ron Merle; Bill Warner; Sandi McFarland; Steve Jenks; Russ Roth; Frank Costanzo, Zoning Board of Appeals; Geoff Hillenbrand, Plumley Engineering; Joe Karrat; Russ Johnson; Sylvia Cleveland; Bryan Cleveland; Ed Kirk; Kim Ventura; Connie Burke; A. Koproski; Steve Sehnert, Licensed Land Surveyor; Pete Smith; Joe Saraceni, Town Supervisor; Fred Burtch; Robert Baum; Jim Stirushnik; Tim Coyer, Ianuzi-Romans and Karen Rice, Clerk

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

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

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

Tim Coyer, Ianuzi-Romans Land Surveyors, represented the applicant in his proposal for a 2 lot subdivision for property located at 9254 River Road. It's approximately 5.15 acres. Proposed Lot 1 will consist of the existing home and 1.47 acres along River Road and Lot 2 will be for Mr. Quattrocchi's personal residence down by the riverfront. Access to Lot 2 will be through the existing private right-of-way. There is a notation on the plan that there will not be another access point to River Road to alleviate the concerns of the Onondaga County Planning Board. A subsurface sewage disposal system plan has been submitted to the Onondaga County Health Department for their review and approval.

Al Yager, Town Engineer, stated that initially Lot 2 was going to be for future development; now that the applicant is proceeding with building his home and the installation of a septic system will there be enough time to file the final plat?

Karen Rice, Clerk, stated that the final plat will have to be filed within 62. There is nothing in the Code where the applicant would have to come back before the board...we just approve the lot. The septic installation is part of the building permit process.

William Lester stated that the plan before us states that it's not a residential building lot.

Karen concurred stating that as soon as he provides the percolation results and septic design it will be.

Mr. Yager suggested making any approval contingent upon the final plat showing the pertinent information.

Mr. Coyer stated that they will have the septic design well before the 62 days.

Tim Frateschi, Esq., stated that it's simply a note on the map indicating that the Onondaga County Health Department has not approved a septic system; once they do approve that septic system that note can come off of the map. Having the note on it is really of no consequence until after the County Health Department signs off on it.

Karen added that then the Town signs off on it.

Mr. Frateschi concurred.

James Hickey questioned the gravel driveway.

Mr. Coyer stated that there's an existing private gravel driveway that accesses River Road. Other residents use the same right-of-way. His home will be down by the river, constructing his own driveway to access the right-of-way but he will use the same access out to River Road. That will be the one and only access to River Road.

Steve Darcangelo stated that he currently has no legal right to that 'road'.

Mr. Coyer stated that he does through the right-of way...

Mr. Darcangelo and Mr. Hickey stated that the driveway is not in the right-of-way.

Mr. Coyer concurred stating that it's not in the right-of-way but he has rights to it (he'd have to cross a small portion of private land).

Mr. Hickey questioned if the Denny's did not want to allow them access to that road...

Mr. Yager stated that he would have to construct a parallel driveway right next to it and tie in where the current road is in the access easement.

John Corey stated that the other residents have to cross private property as well.

Mr. Lester questioned if it's possible to get a fire engine through that access point.

Mr. Coyer stated that 8' of the actually existing driveway is in the right-of-way.

Mr. Frateschi stated that the same concept holds...if the person whose property the access point is on says 'don't use my property anymore'; they do have the option of moving the existing driveway into the right-of-way.

Mr. Darcangelo stated that it appears that the existing driveway is approximately 5' from an existing structure. If they were to be required to establish a new roadway it could be as close as 5' to an existing structure.

Karen stated that that existing structure is grandfathered.

Mr. Frateschi concurred stated that it's a legal non-conforming structure/use.

Mr. Hickey questioned if there'd be an issue if the curb cut had to be moved.

Karen stated that that would be up to the County if it had to be removed.

Mr. Darcangelo...to abandon one and establish another would probably be permitted.

Mr. Yager concurred.

Mr. Frateschi stated that a certain percentage is already in it so you'd be just shifting it over.

John Corey questioned how long the driveway has been there.

Karen stated that the original owners built in 50's...one of the neighbor's came in to see how they were going to access the property and whether or not they were going to use the existing 'road'.

There was some discussion as to whether or not the SEQR has to be reviewed again as a house is being planned for the lot where it wasn't at the last meeting.

It was determined that that the lot was considered a 'buildable' lot in the beginning as it met all of the Town's standards; it just was not recognized as one from the standpoint of the Onondaga County Health Department. It is not a material change in terms of the environmental significance of the subdivision so the SEQR determination from the last meeting will still hold true.

Jim Stirushnik, Dinglehole Road, questioned the zoning of the property and whether the applicant intends to further subdivide?

The property is zoned AR-40, there could potentially be additional subdivisions if he meets all of the Town Standards; however with the Canal Corp Flowage Easement on the east side of the property may make it difficult.

The Public Hearing closed at 7:16 p.m.

PUBLIC HEARING -- 7:05 p.m.

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| 2. Major Subdivision
Case No. 2016—008 | Cabbage Patch
Whispering Oaks, Section 4
8185 Emerick Road |
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The Planning Board will review the SEQR procedures and the Short Environmental Quality Review Form prior to opening the Public Hearing.

Tim Frateschi, Esq. stated that a couple people have questioned if SEQR needs to be done as the Town Board has recently made a SEQR determination on this; but their SEQR determination was limited to the Incentive Zoning component of the application. In an abundance of caution this board is going to be looking at the subdivision component of this and should also do a SEQR analysis to determine whether or not a 35 lot subdivision will have a significant environmental impact.

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

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 Cabbage Patch Partners LLC, for property located at 8185 Emerick Road, Baldwinsville, New York, Major Subdivision application.

6 Ayes -- 0 Noes

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

RESOLVED, that having reviewed the SEQR regulations, determined that the Cabbage Patch Partners, LLC, 8185 Emerick Road, Baldwinsville, New York, Major Subdivision is an UNLISTED ACTION.

6 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, with the assistance of Tim Frateschi, Esq., reviewed Part Two—Environmental Assessment, with the board, and will perform an analysis:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No or small impact may occur...zoning allows for residential development and it does not conflict with the Land Use Plan.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No or small impact may occur...it's a residential development. It's zoned for residential development and the intensity of use is for 35 more building lots in an extension of an existing subdivision.**
3. Will the proposed action impair the character or quality of the existing community? **No or small impact may occur...this is a residential, which is next to other residential developments, it's in keeping with the existing community.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **No or small impact may occur...we don't have any Critical Environmental areas designated in the Town of Lysander.**
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 or small impact may occur...per a traffic study that was prepared GTS Consulting; which the applicant has provided to the Town dated October 20, 2015. The Town Engineer has reviewed that traffic study. The level of service will not be degraded in any way. There was one turn that brings it from a B to a C. Al Yager, Town Engineer, concurred stating with less than a two (2) second increase in delay for left turns onto NYS Route 370.**

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 or small impact may occur...based on the applicant's information they say no, this will not be the case. It will not use energy that fails to incorporate reasonable available energy conservation. This is geared more towards large industrial projects as opposed to residential.**
7. Will the proposed action impact existing:
 - a. public / private water supplies?
 - b. public / private wastewater treatment utilities?
No or small impact may occur...this will be on a sewer system. The Town Engineer has reviewed the impacts of the 35 new units on the sanitary and wastewater sewer and his determination is that it will not have a significant environmental impact. The impact is going to be small as it relates to the capacity.
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No or small impact may occur...There is a letter on file from the NYS Historic Preservation Organization that indicates that this will have no impact on any of those items.**
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 or small impact may occur...there are some wetlands that will be impacted but there is a permit from the Army Corp of Engineers. Less than 1/10th of an acre will be disturbed.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No or small impact may occur...a preliminary Stormwater Pollution Plan has been submitted and reviewed by the Town Engineer; based on that he is comfortable that all stormwater can be managed on the site. The site is large enough to manage stormwater so that it won't have an impact and can meet all of the requirements of the MS4.**
11. Will the proposed action create a hazard to environmental resources or human health? **No or small impact may occur...residential subdivision next to another residential subdivision.**

Mr. Frateschi stated that those are the eleven questions you are required to review. Based on that review I think it's the Town Engineer's recommendation that this board issue a Negative Declaration, meaning that the project will not have a significant environmental impact for the Town.

RESOLUTION #3 -- 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 Cabbage Patch Partners LLC, 8185 Emerick Road Baldwinsville, New York, Major Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

6 Ayes -- 0 Noes

Mr. Frateschi stated that the Board is now in a position to open up the Public Hearing; listen to the public as it relates to the subdivision and any issues that might be brought to this board in terms of your review of the actual subdivision itself.

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

William Warner, 1940 West Genesee Road, stated that his only comment is traffic...38 units all coming down Emerick.

Mr. Yager stated that there will be two access points for the 35 lots, Emerick and Rubicon to Ashington.

Mr. Warner stated that he lives across the street of 370 between Emerick and Whispering Oaks. There is a lot of traffic there with buses, garbage trucks, etc...thrown in.

Steve Darcangelo stated that he is familiar with the area. Traffic has increased over the last 15 to 20 years. One of the issues regarding to traffic is traffic speed. It may be prudent for a review by the State to determine whether or not a speed limit modification is necessary there. Traffic has increased significantly and because there are a lot of houses along 370 buses stop there. The abrupt stops of buses catches some people by surprise. You also have queuing up at the 690 entrance sometimes that comes back to Emerick Road that creates a little bit of an issue there at Emerick Road and Byrne Dairy, particularly for a short period in the morning. I think the study presented shows that there's very little additional impact to these two intersections but that's not to say that maybe with the traffic volume already...it would be prudent to talk to the State about a speed evaluation of that stretch of the road.

Mr. Warner stated that he agrees with Mr. Darcangelo.

Mr. Frateschi questioned the speed limit currently.

It was determined that it's 50 mph up to Ashington and turns 55 mph going west.

Gentleman: ...and that's not to mention the blind dips on 370 along that stretch. I live on the corner of 370....

Russ Roth, Top Ridge Drive, stated that he is part of the Whispering Oaks Subdivision. We purchase our home there four years ago because we found it was the ideal setting we were looking for. We weren't looking for a Radisson; we weren't looking for an area of the Town that was going to be overly congested. We were discouraged after we moved in just because of the volumes of traffic that were on 370 but that was our mistake. I worry that not only the speed but volume of traffic is going to be negatively impacted by this. I respect the studies that have been done. I'm not sure if they were performed in real world scenarios...I am consistently awoken in the middle of the night by brakes squealing with 'almost' collisions happening at the corner of our neighborhood and that concerns me (Ashington & 370). I also respectfully understand that the studies that have been done as far as environmental concerns. I don't know if I agree with them. My backyard, even though I am the furthest from this proposed subdivision, it is already suspect to significant ponding throughout the Spring as well as Fall months because there's nowhere for the water to go. It simply does not drain off fast enough; so I have concern that additional developed areas will not improve that and could detract from that. As far as septic I don't have a lot of history and respectfully appreciate your opinions as far as the capacity of the system. I know that there have been issues in the past and know that those were mostly related

to the prior on-site septic system not the proposed sewer connections; however I don't know that there are any guarantees there so I would like to voice concerns that was the system really designed to handle an additional 35 homes on top of what is currently using the existing pipes to get back to the main lines at 370 or would it be better down Emerick Road through its own connection back to the municipal supply? Beyond that, my family is a pretty quiet group. We don't come to board meetings. We don't voice our concerns unless we're passionate about it. That's one of the reasons we like Lysander so much, because people here are so passionate about their community. The 45 or so homes that are in our neighborhood right now enjoy a quality of life that is probably second to none inside of this Town. We don't have traffic concerns; we're confident that we can let our kids walk along the side of the street. We take our kids out in strollers; we walk our dogs...there are no sidewalks in that neighborhood. We look out for each other to make sure that nobody gets hurt, but we don't have to work too hard at that because there's not a significant amount of traffic flowing in and out of that community. We're talking about basically doubling that traffic. I really question the need for it to connect to the existing Whispering Oaks subdivision; whether there really is a need for that to (unclear) primary ingress and egress mechanism for that new build. I don't know the laws so there maybe Federal regulations that surround that. However, I don't see an overall (unclear) beyond that. I would propose that if the Board considers moving forward with this you consider not making a connection between those two neighborhoods because they are going to be distinctly different neighborhoods. Beyond that...I don't know if any of you have driven through this area...I don't have all of the facts behind the proposed development. I do know based on my cursory review of the amount of property that is being proposed to be subdivided as well as the average lot size that could possibly fit into that space...we're talking about much smaller lots than that community currently is built upon. I cannot see that there would be anyway for that to be complimentary to the existing properties that are in that neighborhood. I don't want to sound selfish, but I am. I don't want my property values to go down because of a new development trying to dovetail on top of just the name to be able to sell their properties. I am concerned that lots of one acre or less cannot support the types of homes that are in that neighborhood. My house is probably on the low end of that scale and it's a half-million dollar house. I've heard talks around for this development are \$300,000 or less for homes. So, I am concerned that it's going to detract from the overall value of that community and I can see how that may long-term overall negatively impact the Town instead of benefit the Town when people in that neighborhood find it more difficult to sell their homes then it's going to be a lot harder for anybody to see any of the newly developed homes either. I don't see how that's going to benefit the Board at all. My proposal would be a compromise between what has been proposed by removing the connection the existing Whispering Oaks subdivision; rely on access from Emerick Road and to maintain the quality of what we have there today without adding any additional burdens. Require that there be 100' or so natural barrier maintained between the new division and the existing subdivision so that additional noise, traffic, etc... doesn't detract what we bought into when we purchased our home there. Thank you for your consideration. I appreciate your time.

Jerry Hole sated that one of your major concerns was to just have the access on Emerick Road, when you have that many homes in there, you've got to have a second access to a development with this many homes because of safety considerations. If something happens and access is unusable (the road collapses)...services and things will have to be able to enter this area. People are expecting to get in and out of their houses. If you have a problem at one entrance you've got to have another one with this many homes.

Mr. Yager stated that that is why the original development included stub streets to the East and to the West.

Mr. Roth...off of Penfold as well as to Emerick?

Mr. Yager concurred.

Mr. Roth stated that that is going to add a significant amount of traffic to that neighborhood. Thirty-five homes doesn't sound like a lot, but you're adding it on top of 45. We don't have sidewalks. We don't currently have to look both ways when we're thinking about walking our dogs and our kids and now we will. I would recommend that the Board consider additional access to Emerick instead of through an existing subdivision. I don't see the point in that...just my opinion.

Mr. Hole stated that he's just letting you know why there has to be a second on there.

Mr. Roth stated that we only have one today and we're doing ok, but I'm sure the regulations have changed since the neighborhood was developed.

Mr. Yager stated that that is why the developer was required to put stub roads to the East and West so ultimately as development continued in that area there would be points of ingress and egress to your development.

Mr. Roth thanked the board for the clarification and added that his biggest concern is the quality of life and the property values. If you bought a \$500,000 home and it was going to be inundated with properties of \$300,000 you would be concerned about that as well I think.

Mr. Corey stated that he has a \$500,000 home across the channel from his \$300,000 home. Seneca Estates has a large mixture of different values. It doesn't seem to affect the value. If a person wants to buy a half-million dollar home they'll buy it.

Mr. Roth stated that if you were in my shoes I'd imagine you'd be (unclear) against it.

Mr. Corey: Maybe...thank you for your comments.

Mr. Roth thanked the board for their time tonight.

Ed Kirk, Ashington Drive, stated that one of his concerns he needs clarity on...there's a retention pond that is supposed to be built somewhere around Lot 11 in the 35 lot plan. The question/concern is with standing water and mosquitos. We're always told to get rid of standing water...my question is how is that retention pond going to work? My property backs up to the drainage swale that is the exit swale down to 370 from that retention pond. How is that pond going to operate; is there going to be standing water at a regular basis; how is it going to exit once you have storms, etc...

Geoff Hillenbrand, Plumley Engineering, stated that the whole site gets designed per NYS DEC regulations. The stormwater run-off conditions for the existing conditions have to meet twelve conditions. No more water can be released off site than currently is being released. We're working with the Town on cleaning up the existing swale. Everything will be coming to two separate bio-retention areas where stormwater will infiltrate. What doesn't get infiltrated passes into a micro-pool, that's your 4' permanent pool of water that builds up in elevation as a control structure from the pond. That controls your peak discharge rates.

Gentleman: Can you explain the control structure....is it a dam.

Mr. Hillenbrand: It's concrete structure that limits what can get out of the pond. It holds back the water...

Mr. Frateschi stated that it's a basin...it's a retention basin with 4' of standing water. The point is the rate of run-off from the site can be no more than what is coming off the site now. That's why they have that retention...to hold the water back so that it's not coming off of that property at a greater rate.

Mr. Hillenbrande stated that they're aware of the current problem and have been working with the Town Engineer to get the existing swale cleaned out so that it will relieve the issues.

Joe Karrat, 8210 Ashington, apologized for his voice as he was very hard to understand due to allergies and questioned why you don't go out Emerick Road. You're comparing run-off with bare land. You've got more homes with everything else going in there. They're going to have a lot more water coming in than what you're looking at now. Also, in the Spring and after we've had a bad Winter all of the rain and winter run off will have a lot of water coming in there. Sure you've got a retention but I'm not sure it's big enough; that swale has not been cleared or anything else done with it in at least 8 years. They haven't been able to handle that water. One of the neighbor's, Pete, who is not here yet this evening, has been working with the Town Engineer about drainage problem. He said he never would have moved into this neighborhood if I had known they were going to build that development behind me, and that they're going to have all of this traffic in here.

Mr. Hillenbrande stated that the pond is designed to handle a 100 year storm.

Mr. Karrat questioned who was going to handle this...the Town is going to have to try and take care of the swale. It hasn't been done it eight years because no one had money or desire to do it. I am definitely against it. We've got an excellent community, people love it. The developer is running off of our name (Whispering Oaks). If this development is so good why don't they just come out of Emerick. They don't need our development. The first lots that are being developed are coming in off of Whispering Oaks. What they're doing is running off of our good name (unclear). The homes that are in Whispering Oaks are in the \$500,000 to \$800,000 range. They're saying one acre lots aren't economical for the Town...but you're talking \$300,000 homes vs the ones that are built now. It's beautiful back there.

Mr. Karrat further stated that he has reviewed the questions from the Onondaga County Planning Board with regard to capacity for the sewers. In the past they have had problems, are they going to have more problems in the future...it's not going to show instantly. We don't want to overburden the system. How is it going to be protected and who is going to be responsible making sure. Everything gets put on the Town...the developer, God Bless him is out to make money and this is going to be a money maker for him. There's nothing to do to help our little community...stormwater run-off, the houses along Ashington (unclear). One neighbor had to put in a swale in the back. His yard has been underwater and they had to build a swale, put piping in and draw it out from his house. Who is going to be responsible for that, the maintenance, because it wasn't being done; it hasn't been done. The only reason it's being done now is because somebody is putting pressure on for the swale otherwise it still wouldn't be done. When you get houses in there you're going to have sump pumps running, a lot. Where's that water going to go? You can't put it in the sewers. It's going to go off into the run-off. If the sump pumps are working overtime it's going to cause a big problem. With regard to the traffic study...I live at 370 and Ashington. It's dangerous. People are coming 50 mph. The State

doesn't clean the swale there...there are trees growing up. We've talked to the Town Highway Department and they said they can't clean it. They ended up putting in big boulders but all that did was give it places for trees to grow. They don't cut it down. We had a visitor last year who almost got t-boned because she couldn't see. Construction traffic...a permanent road is not going to be built until the proposed cul de sac is constructed, so no one is going to use Emerick. That whole development is going to be coming through Whispering Oaks. Everyone I have talked to in Whispering Oaks is dead set against it. When we heard about Cabbage Patch, Cabbage Patch was on Emerick. No one complained about it. It wasn't an extension. I don't think it's beneficial to us or to the community to do this. There are many places around that they can build. God Bless them they have a piece of land there that they can make a million or two million dollars off of, that's fine, because you're going to have \$80,000 or more per lot per acre. That's a minimum. Anything here that's being done benefits the developer. I see no benefit at all to us in the Whispering Oaks community. Having everything off of Emerick makes more sense. Go over there...leave our community alone. I'm sorry for taking up so much of your time.

Mr. Darcangelo questioned who is responsible for the maintenance of Town owned drainage easements through private property.

Mr. Yager stated that the Town is responsible.

Mr. Darcangelo questioned the capacity of the lift station.

Mr. Yager stated that he does not know off of the top of his head, but the capacity of the lift station was designed for additional development around the Whispering Oaks community. I believe 95 or 99 additional homes were included in the capacity.

Mr. Darcangelo raised a question to Mr. Hillenbrande: Do your stormwater calculations include factor for the addition of ground water that may be from residential sump pumps.

Mr. Hillenbrande stated that they do not. They don't take into account any infiltration.

Mr. Darcangelo stated that the assumption is that there's zero infiltration. I think it may be prudent, if we're talking about a water elevation that is shallow, to look at what some of these homes may be contributing to the water flow to see whether or not it does change your calculations for sizing your retention basin.

Mr. Frateschi asked if Mr. Darcangelo is talking about sump pump discharge and how it will impact the drainage.

Mr. Darcangelo concurred stating it was a neighbor's concern.

Drainage calculations and topography were discussed.

Mr. Darcangelo stated that it was a good comment. We're concerned about stormwater; it would be a shame if ten years down the road that stormwater capacities are not sufficient as a result of sump pump contributions.

Mr. Kirk questioned how much natural topography gets changed when you're building lots and backfilling...is that going to change significantly from your analysis or not.

Mr. Hillenbrande stated that it gets flattened out more than it is currently. It will help the situation. You're not running downhill as much.

Mr. Frateschi stated that the SWPPP is going to take into account the grading of the property and where the water is going to flow, correct, so no matter what the grading is, the grading is going to be considered part of the SWPPP.

Mr. Hillenbrande stated that roads will be built to Town Standards, you have to minimize your slopes on the roads, storm sewers in the road... Almost everything is directed to a vegetative swale so you'll get some infiltration there and to the bio-retention area which is another infiltration practice. You'll see significantly less from your current conditions.

Joanne Daprano questioned if there would be any impact from permeable and impermeable surfaces that are going to be created.

Mr. Hillenbrande stated that that is all taken into account with your water quality and quantity calculations through the SWPPP. It all conforms to the NYS DEC's requirements.

Mr. Darcangelo reworded the question: Is stormwater quantity going to increase because of permeable areas.

Mr. Hillenbrande stated that it will...it has to.

Mr. Darcangelo added that the rate of run-off is compensated by the retention basin.

Mr. Roth asked if it takes into consideration the average volume of snow that area receives.

Mr. Hillenbrande stated that it's based on the 100 year 'rain' storm.

Mr. Roth...not snow, not melt off from a 7' snow pile.

Mr. Yager stated that the rate of run-off from snow melt would be equivalent...the most run-off you're going to see during a snow melt run-off event would be equivalent to less than an inch of rainfall over a 24 hour period. Those events are accounted for (unclear) maps that are the basis of the stormwater design manual that the NYS DEC publishes.

Mr. Roth stated that there is significant ponding in my yard, my neighbor's yard and other neighborhood yards during any run-off. I don't care whether it's six inches or twelve inches of snow, compacted...Springtime in that neighborhood you cannot use your yard for anything and you won't be able to use it for seven months during the heaviest snow seasons. I know that's not unique to my neighborhood, but I am concerned whether or not this development will increase the likelihood of becoming worse or whether it will improve it.

Mr. Hillenbrande stated that it should improve it working in conjunction, getting that swale cleaned out and be able to handle it.

Mr. Roth asked whose on the hook if it doesn't improve it for all the damage it could potentially do. Probably not the developer, probably me and the Town.

Pete Smith, 8226 Ashington Drive, stated that he purchased his home a year ago. By the way, AI has been great. I came and saw AI before I even knew about this Cabbage Patch, because the drainage back there is so poor. I have never seen a sump pump run as much as I have in this house. My pump was running three to four times a minute, draining ¾'s of the crock right down and it did it all Spring. It has done it through June, August it was running...I think the ground water is a little higher than what you're thinking. I know studies are great, but that back corner where my house is, is right where the swale is. The adjacent house is even lower and that floods out. Merle builds a great house...I trust that he'll build nice houses. This is most likely going to happen no matter what. All I am asking is...if you say you have a 100 year plan, plan it for a 150 year plan because I promise you it is worse than you think it is. I currently don't have to have flood insurance; this is going to force everybody in that development to have flood insurance if this is unintendedly screwed up and at the end of the day I've already taken another \$50,000 policy out on my basement since I've moved in. That's how much my sump pump runs, just to secure what I have.

Mr. Lester questioned if there was standing water in the swale that is discharging to your grade.

Mr. Yager stated that the swale currently has very poor grading. It's virtually flat for about 700' without some elevation change. Water does not want to run. It just sits and infiltrates into the ground or stands if it can't infiltrate fast enough. We're looking at options on this right now. The developer has proposed completely reconstructing that swale with a ½ percent grade over that 700'. If he can grade it at that level of accuracy, lessening the side slopes, it'll be easily maintained at an increased capacity so that when we have Spring run-off events there is additional capacity in that swale.

Mr. Lester stated that the swale could be designed in such a way where there is no standing water and could lower the groundwater table.

Mr. Smith stated that we had a 45 minute rain today and there's water sitting in that swale right now. The water coming out of the water in that area in the Spring is indescribable. Other neighbor's sump pumps run and run. We knew we had a ground water problem, even when I bought the house, because there are French drains around the house; but the ditch outback is not deep enough where we can even use them because you can't get the proper grade. When the developer built those houses originally with those French drains around them and they built the swales out back, even though they weren't usable, somebody knew there was a groundwater problem before we even got to that situation now. These houses here are most likely going to make more water no matter how you cut it. Those sump pumps are going to run. It's not like you're going to build next to a field right next to a wet field that all of a sudden doesn't run a sump pump. All it is going to do is push water into that swale and down that. My biggest concern is, if you're going to do this, which I think you are, is that you triple and quadruple check it. I've spent a lot of money on my house, others have spent a lot of money on their house...flooding those houses shouldn't even be an option to this deal. It should be a guarantee that this is not going to flood a house. He gets the 35 houses he wants but it's going to cost to do this correctly.

Mr. Smith continued stating that the property has an Emerick Road address. I'm confused how it's a Whispering Oaks development if it has an Emerick Road address.

Mr. Yager stated that the address is simply the tax parcel address assigned by the County. They base it on the parcels longest frontage on a public road.

Mr. Smith stated that if it's an Emerick Road kind of address it should be an Emerick Road kind of development. When you talk about traffic...I'm in the front end of the neighborhood too. There are kids up there...the average house in there has three to four cars. If you're spending \$300,000 everyone knows you have three to four cars in the driveway. If you have kids it could be four to five cars. The average trips per day are five to six times, depending on who is going to school, whose coming back times 35 houses you're talking about an extra 300 cars going by my house a day, even if you cut it in half it's 150. That's still a lot of cars. My biggest thing is, Al has been great, but that water is nuts. I think he's going to have his hands full when he starts digging basements, what he's gotten himself into when he starts building those houses and he sees the water in the ground; but that is his problem. My problem is making sure that water doesn't end up in my basement. I beg you guys, Al has been great, he assures me that you guys have been working as hard as you can to get this right, for me and the sake of my neighbors I hope you look at this triple and I would hope that the board...there is enough concern about this, that there should be a contingency plan if this gets screwed up. Nobody is perfect. I am not going to blame him if my basement floods, I'll say I told you so because I told you so. I'll tell the Ron the same thing...I told you so, but there should be a contingency plan that if this ruins those houses, that water is a lot more significant than you think and there should be a contingency plan/insurance plan, something to protect the people in that neighborhood.

Mr. Hillenbrande stated that from past pond design experiences, these are almost always empty. It does infiltrate. We will design it to help the situation.

Mr. Darcangelo stated that we're hearing it loud and clear that there is a concern regarding stormwater. The developer will consciously work with the Town Engineer. There are stormwater concerns now and we need to do what we can to alleviate them if possible, but certainly not contribute to them any further.

Mr. Corey stated that these are very similar comments when the Highland Meadows/Lysander Preserve subdivision was being looked at. The neighbors in Indian Springs were very concerned about drainage because they had the same issues along the back line of the development. The developer brought their engineer, showed them the studies, gave them the numbers, promised they were going to make it better...well, they did. Their drainage problems went away in Indian Springs. Part of that was due to the concerted effort of the Planning Board to work with the developer. We can assure you we are going to do that.

Mr. Stirushnik questioned if a similar situation exists with the Cabbage Patch development.

Mr. Yager stated that from what Mr. Smith just said, it's a similar situation.

Mr. Stirushnik questioned if it was related to the water table.

Mr. Yager stated that some of the problems appear to be Spring related. That area of Lysander has plenty of springs. It's not uncommon in Upstate New York to have springs all over the place. They may not have come to the surface; it may ultimately just drain the water table of the surrounding soils but it's a fairly common occurrence in Upstate New York.

Ron Merle, 8176 Blue Ridge, stated that he lives across the street from Whispering Oaks and is the proposed builder. I want to reassure everyone that between Al and our engineer I think everything we do over there is going to improve some of the problems, not all of the problems that they have in Whispering Oaks. Some of those houses are not elevated enough. When the

builder built them they didn't have the run-off away from the house because of how they developed the lower levels. I've built four houses in there, the one I just built is a half-million dollar house, and the sump pump doesn't run at all. If it does run it runs 10' away from the house as the County requires us to do. Most of it percolates into the ground. What doesn't percolate into the ground goes to the street, through the storm sewer. It's not increasing anymore stormwater to the existing Whispering Oaks. As I mentioned there is more capacity than these 35 lots for the sewers. I actually thought it was more than 95, I thought it was 120 at one point. Further, the cost of the homes have come up. We have increased their values. I can pretty much guarantee you that the first house we build in there will be at least \$350,000 to \$500,000 whether it's a ½ acre lot or a 1 acre lot or a 4 acre lot. They're building \$500,000 to \$600,000 houses on ½ acre lots in Radisson. The size of the lot does not determine the cost of the house. The Town wants smaller lots per the Comprehensive Land Use Plan. They don't want acre lots. They are discouraging them. Again, I think the retention pond we're doing will take care of a lot of the problems that back up to the existing subdivision. That subdivision does not have a retention pond. It was never designed for a retention pond. They didn't have to do that back then, as where I live in River Mist. All of ours goes to the river anyway. It will definitely improve their problems with that retention pond. It controls the water on that site. It controls it and sends it out to where it always went before. The Town Engineer will make sure that happens. As far as the speed limit, people coming through the existing subdivision, probably the first 9 to 11 lots will have to come through the existing subdivision. The next section we will break through to Emerick Road. I'm sure that will be the quickest route to get out of that subdivision. With regard to the safety of the children in that subdivision...I have been in and out of there for one year, every day, morning and night. I'd be more afraid of some of the people in that subdivision. Some of the people, bringing kids to school, bringing them home...they go more than 30 mph.

Mr. Hole questioned what you use as a determination when you excavate for a house for the basement, for the depth, when do you stop? Do you stop when you start to see modeled soil?

Mr. Merle stated that if we have a problem with soil conditions we raise...

Mr. Hole: ...you bring the subsoils up and around the house and elevate the house.

Mr. Merle stated that you always want to elevate the house anyway.

Mr. Hole concurred stating that that is how he always built. We have heard a lot of talk about sump pumps running. It sounds to me like there are some down there that dropped 7' in the ground and said here we are and they have to pump water out of the hole to build the house.

Mr. Merle stated that because of that design that they've got the finished basement (Smart Space), a lot of the lots are more level than they should be.

Mr. Hole questioned why access can't be brought to Emerick Road at the onslaught....stay out of the neighborhoods.

Mr. Merle stated that the sewers are right there at the stub street so we have to start there anyway. We will do the haul road so that any construction vehicles will use Emerick Road.

Robert Baum, Emerick Road, questioned what happens to the homes on Emerick Road if all of the properties in and around this subdivision are elevated? We've got a water problem down

there already. We're in a low section. Where is the water going to go? Plus you've got 35 more houses with travail drives, roofs, etc...

Mr. Lester stated that the SWPPP is going to be put together for the subdivision will be done in such a way that run-off is no greater when it's fully constructed than it is today.

Mr. Yager stated that he believes Mr. Baum's problem will be significantly improved. All of the run-off on this side of the site (indicating on plan) essentially runs into your backyard. They're going to collect it above and send it around. Your problem should be significantly reduced by the construction of the swale.

Mr. Baum stated that he has to see it...water doesn't run up-hill. Another thing, this swale, 4' of standing water. is it going to be fenced in?

Mr. Yager stated that it will not.

Mr. Baum stated that you have people who are going to buy these houses with little kids. They could drown very easily in four foot of water.

Mr. Yager stated that there are aquatic benches/safety benches built into the design.

Mr. Lester stated that at the edge of every retention pond there is a safety bench that is no more than...than is above the water level. Then there is an aquatic bench that has water only one foot deep at ten feet down. If somebody falls into the pond...

Mr. Baum stated that kids today have no fear. They'll go in that pond and be gone.

Mr. Lester stated that there is a river nearby too.

Mr. Baum concurred, but down on 370, not in their backyards.

Aaron Koproski, 8147 Emerick Road, stated that he has some concerns about the traffic flow that is not only going into Whispering Oaks, but onto Emerick Road. There is already a lot of traffic there as it is. People come flying down through that road. Even you plow, in the middle of the Winter, come flying down that road and I don't even know how he stops when he gets to the end of 370. I understand the people of Whispering Oaks are concerned about their traffic and their kids. We have kids too, including one in my house. It's not just about Whispering Oaks, it's about Emerick Road too. You're going to have construction vehicles through there on top of regular vehicles that come through, delivery trucks...how is that going to be managed. Is there going to be a Trooper going by every half hour? I count 2 or 3 cars every 2 or 3 minutes. Whether they use it for a cut-off to go to the other side or to Mud Lake Road...how are you going to manage that? I perfectly understand the Whispering Oaks people because I'm with you, but we have concerns too. I understand that you guys dug the ditches in front of our houses...we had water in our basement this year from the Spring and it was a mild Spring. So...how is all of this going to happen? Are you guys going to come in here and take care of my basement when it floods again? Two years ago I had three inches of standing water because there was nowhere for it to go. It was nice for the Town to come in and dig the ditches but there is a point between my house and the neighbor's house that is flat and it's going to go right in between our two houses and our house gets flooded. How is that going to be taken care of? To me you're adding more to the problem. I know you're saying it's going to be significantly reduced but it's still going to come down hill and it's going to come in the back of my yard. Are you going to leave the trees that are there or are you going to take the trees out to for a lot? I

just want to know because the trees are supposed to take some of that water. I'm technically on a hill. I shouldn't have any water in my basement.

Mr. Hillenbrande stated that it's all designed to take everything to that stormwater basin. The existing swales are not part of the development. We are certainly working on the west side...

Mr. Koproski stated that he would like the Town to come back through...I already talked to the Highway Superintendent and told him there's an area between my house and the neighbor's house. The ditches they dug is flat between our houses and then it goes into our backyards. I would like the Town to come back and make it a little deeper. I know there are DEC parameters that they have to meet. They can't dig it, in his words 'like a Grand Canyon', it's got to be kind of like a gradual slope' but there is a section there that is flat and all of the water is going to run right between our houses. I would like the Town to come back through and dig that a little deeper if that's going to help. I hope what you're saying is going to help but we won't know until it actually happens and by then...what happens if there's water in my basement again. Who is going to pay for that? Should I have to pay for that out of my insurance?

Mr. Darcangelo posed a question to Mr. Hillenbrande: The drainage you are proposing for this site, I'm not looking at anything with any contours on it, will not help or hinder current roadway drainage on Emerick Road. Is that true?

Mr. Hillenbrand stated that it will remain as is on Emerick.

Mr. Yager stated that significantly less water will get to Emerick Road.

Mr. Darcangelo stated that you're not doing anything to improve the grade or anything to the swale on Emerick Road. To answer this gentleman's question regarding this, this project, not to say what the Highway Superintendent might need to do, will not be improving or have a negative impact on the condition of the drainage swale on Emerick Road. There is a possibility that it will actually result in less drainage going into the drainage swale on Emerick Road.

Mr. Koproski: What if the current plan doesn't work. Are you going to come in and fix the problem so that it does work?

Mr. Hillenbrande stated that if it's a current problem this isn't impacting you. This is slightly helping you.

Mr. Corey stated that the worst case scenario would be that nothing changes around this development. There could be better conditions that you have today. The issue you're talking about right now exists today without the development.

Connie Burke, 8147 Emerick Road, stated that the whole time I've grown up in this area we've never had a wet basement and we've had storms. We never had a problem until the development was built across the street (Irene Drive, Emerick Heights). We now have water in our basement pretty much every year with massive flooding in our backyard where it becomes sand. When that subdivision was built they diverted the water over to the west side of the road. Ever since then we have had problems with our basement.

Mr. Frateschi stated that this development has to meet NYS DEC standards for run-off which are in place and are relatively new. The developments that took place 15 to 20 years ago didn't

have to meet those standards. The standards that are going to be guiding this development are significantly different to whatever standards were in place when that development went in. In fact that's why the standards are in place now because we as a State have changed our philosophy as to how we're going to allow how drainage is going to come off of a site. In the past, 20 years ago, the concept was to get the water off of the site as quickly as possible. Today, the concept is to keep the water on the property as long as possible so that the rate of run-off is no different and won't affect downstream neighborhoods. That's precisely why we're talking about the regulations we're talking about. They are designed to prevent impacts to downstream residents.

Mr. Lester stated that that is why this Planning Board will not approve a subdivision until there is a SWPPP in place.

Mr. Koproski: Would you put that in writing.

Mr. Frateschi stated that it's not a matter of putting it in writing, those are the regulations.

Mr. Koproski: He understands that but it doesn't affect your house, it affects my house. So if you're telling me, if the Board is telling me that it's going to dramatically improve my drainage system the you can put your Joh Hancock on it.

Mr. Frateschi stated that what we're going to tell you is we're going to follow the rules and regulations that we're required to under DEC and our engineer has to sign off on the Notice of Determination...that's what we will tell you.

Mr. Koproski: I want it in writing too because when it does happen, which it will, I can come back to this board and say, 'here you go'.

Mr. Lester stated that it will be in the Planning Board records and resolutions.

Mr. Koproski: Can I get a copy of that mailed to my house?

Mr. Frateschi stated that you can get it on line, all of our resolutions are on line, and all of our resolutions are on line.

Mr. Koproski: That's fine, can I get it mailed to my house, a simple yes or no; because I want to have a record of it whether it is on line or not.

Mr. Lester stated that if we were to mail a hard letter to everybody who asks; is the Town willing to pay the cost of doing that?

Mr. Koproski: I pay taxes, why not? I'm a tax payer.

Mr. Yager stated that if you'd like a copy of them you can do a FOIL request and we would gladly provide you with a copy.

Mr. Koproski: Thank you, that's what I'm asking. Now my other concern is the traffic flow. There is a lot of traffic that there is now and my friends over at Whispering Oaks...I totally agree with them. They should be able to walk down their street and now have to worry about traffic. We have kids too...we walk up and down Emerick. I walk on the traffic side of the hill because I know cars come down the opposite of the hill and they don't stop for anything. So we have kids,

we have a little 3 year old. What are you going to do about the traffic flow on Emerick? It's already busy now. It's going to get even busier. Is there going to be a Sheriff patrolling that every once and awhile. How is that going to be taken care of as far as this Board? There are kids across the street, there are kids about on Irene. How is that going to be taken care of? My neighbors also walk up and down the street/road. How is that going to be taken care of.

Mr. Frateschi reiterated that your concerns are with traffic and drainage...

Mr. Koproski: No offense to my Whispering Oaks friends, but you know what...we have a lot of traffic too, just like they do and adding all of this is just adding to the problem...for a tax base. I've got my friends over here, they want to live in the Country and now it's becoming residential and unfortunately it's coming into his backyard. Are there any of you who live close to Emerick or Whispering Oaks?

Mr. Corey and Mr. Hickey stated that they live down the road about a half-mile.

Mr. Koproski: Put yourself in my shoes or my friend's shoes in Whispering Oaks.

Mr. Hole: What's the speed limit on Emerick?

Mr. Baum: There isn't any.

Mr. Frateschi stated that non-posted is 55.

Ms. Koproski stated that if that's the case...I would (unclear) if this board can post it at 45 or below.

Mr. Corey stated that this Board cannot set speed limits.

Mr. Koproski questioned if there was a recommendation that this Board could do whether it's the State or County.

Mr. Yager stated that you'd have to write a letter to the Town Board requesting that they have the NYS DOT do a speed study. The Town's local municipalities do not set speed limits. NYS DOT takes recommendations for speed limits at the request of each local municipality.

Mr. Korposki thanked the board for their time.

Mr. Smith stated that Mr. Hillenbrande stated that some of the water from Emerick will be displaced back towards the retention pond. I just want to go on record that yes there is a current water problem behind our houses currently. In that statement alone, if it does change the current water behind my house....

Mr. Hillenbrande stated that it all ends up there.

Mr. Yager concurred stating that you have to understand the topography of the site. Ultimately it comes down, flows across the Baum's backyard...ultimately it's getting to this ditch over here, the low spot (indicating on plan).

Mr. Smith stated that either way he wants to go on record that a) We can say it's going to go that way; b) you're intentionally directing more water to your pond...

Mr. Hillenbrande stated that it's not more water, it's getting there now.

Mr. Smith stated that it's engineered to come my way, not gravity. Technically, it could change. You're going to say no, but I'm going to go on record, hopefully it's being recorded, so later on if that's not perfect your engineering changed it maybe not the direction, how it gets there, how you hold it...you're changing that. I do have a problem now. You could be making it worse. I want to say it on record so it's there. Have a good night.

Brian Cleveland, 1927 West Genesee Road, spoke with regard to how the water runs now. There is significant surface water right now that comes here (indicating on plan) across my property that pools in here and it can't quite get into the swale because my property ends before the swale. I would have to take my (unclear) in the dark of night in order to let that through. What's now is a retention pond and let that drain into the swale that he'd love to do.

Mr. Hillenbrande stated that the site is all directed to the swale.

Mr. Merle added that that might be a wetland if you look at the map.

Mr. Cleveland stated that there are trees in there, ash...secondly, speaking of the swale along 370, an earlier speaker mentioned neighbors going out and cutting it down. My driveway is such that if I see a car coming from the west it's too late for me to pull out. So, when the brush grows up by the middle of Summer I can't see soon enough. For the last few years I've been going out and cutting it down myself. The State doesn't come along until about three weeks after that, after it's too late for me. Nobody has complained about me doing that.

Mr. Yager stated that he strongly encourages those who have vegetation in a roadside swale that is hindering a highway, whether it be a State Road, a County Road or a Town Road, to contact the entity who owns that road and request that it be mowed. NYS DOT is very responsive. They don't want to see accidents on their highways. I have yet to hear of someone calling the DOT and complaining that they're having a problem entering a State road because of vegetation and have them not respond within a day or two. They are very responsive to those requests. If people are having those issues please contact the municipality that maintains the road and that issue will be addressed. Nobody wants to see traffic accidents as a result of inadequate maintenance of roadside vegetation. If you're having that problem it's more than likely that your municipality is not aware of it.

Mr. Cleveland questioned the notation of 'future street' going out the north side of the property. Does anybody know about any additional future development to the north of Cabbage Patch?

Mr. Yager stated that it's zoned for residential development; there's potential for residential development there. To limit the potential for additional curb cuts you try to have interconnecting developments as we did with the Whispering Oaks development when it was initially developed. It is just good planning practice.

Mr. Frateschi added that there is no application before the board.

Mr. Yager concurred stating that there are no known plans.

Fred Burtch, 8865 Plainville Road, stated that he does not own property in the existing development, I don't own any property on Emerick Road, I am not encouraging the additional

development but I'm also not 'dissuading'. I'm just here. I have been watching a lot of meetings and making some observations. A few things that I'd like to bring up or ask about is...I think that the big elephant in the room here that nobody is talking about is the sewage system. We wouldn't even be here right now if the sewage system wasn't approved from what went in there in the original development. They did have side-cut roads for Penfold and Rubicon but it has been 25 years...it has taken a 25 year build-out. We wouldn't even be talking about putting additions on either side of that if the drainage wasn't fixed. Now correct me if I'm wrong, and I could be wrong, but I thought a big part of fixing that drainage system was not only for that existing development but along with what the lines of we developed with CLUP...we realize we have an asset in our community that's called the Seneca River and there are housing developments that are located along that river that are not on septic systems, including Seneca Estates, including Crane's Watch, River Mist...

Steve Darcangelo stated that those developments are on septic systems.

Mr. Burtch continued stating that he thought a lot of the reasoning behind increasing that capacity, instead of just to the existing development to fix the problem that they had, was to get these existing developments on the sewage system so that we can reduce the amount of stuff going into the Seneca River. I know that they also have a problem with that with homes that are located down further and on Hayes on the peninsula. So...my concern would be, if we're going to build out and develop in new developments, what's it going to leave for these existing developments to eventually be hooked up to that. If we build out with Whispering Oaks and then they...as you can see...just like you're seeing a dead-end road with Rubicon and there's one on Penfold. Anybody who thinks there isn't going to be a development 10 years from now on the dead-end road on Penfold, they're dreaming.

Mr. Darcangelo stated that the existing force main could never service Seneca Estates, I don't think it was intended to but it certainly could, if there was ever a need to provide sanitary sewers to Seneca Estates or any of the other housing developments on the southside of 370 they would have to be an independent system.

Mr. Burtch stated that he remembers the Bullis Board, back five or six years ago, discussing this when they were talking about getting rid of the old leach field and septic system that they had there (Whispering Oaks) and they were going to go with a resized main. Part of the reason for going for a larger one with what they came up with was we could eventually hook these subdivisions up to it and clean up the waterway. That was a big part of the discussion back then. I don't understand why that wasn't addressed back at that time. They were originally going to go in there with like a...I could be wrong but with a 6" or 4" main...they went with a 6" main because a lot of the discussion was, "Hey we could clean up some of these areas that have been on private septic for 40, 50, 60 years and we've got a problem downstream with our water quality"...so, I just thought that that was a big premise with CLUP, was to get an incentive, to get some of these older homes...the developments connected to that and if we build out then it's less propensity to hook up these developments onto that. That's all I'm saying.

Mr. Lester stated that that is exactly why the CLUP put the Incentive Zoning Overlay in this area...to help extend sewers out towards those areas along the Seneca River; and that is exactly why the Cabbage Patch, one of the benefits coming out of the Cabbage Patch development is \$1,500 per lot to be set aside to help implement that program.

Mr. Burtch stated that he saw some of that language in some of the communication that was on line, but in another observation that I made, so...you've got the dead-end road that's right here;

how many years do you give it before there's 20, 40 more houses in this area (indicating on plan). Are we factoring in for the drainage that they were considering; another thing...eventually when that's going to go in, I'm just concerned that if we build out here, we're not going to be able to hook up developments that were part of the original intention before increasing the size of it to begin with because they could have gone in through smaller mains (unclear) to the existing developments. You wouldn't be worried about stuff going along on the outside of it.

Mr. Lester stated that when this Planning Board looks at these kinds of subdivisions those are the kinds of questions that we answer.

Mr. Burtch...by leaving this dead-end road, that's just to tell right there..., and some other observations that I've made is looking at the environment from the west side of 690 to the east side of 690. I am a contractor. I do a lot of work throughout the Town, one thing I notice, correct me if I'm wrong, I don't think we have a development on the west side that has flag driveways. They have them in Radisson...a lot of them. I'm not sure how many of the homeowners are happy with them, but I can tell you that all the contractors hate them when you have to get in there and you have to ...this is going to be a situation where they are going to have to contract out and have their snow removal done. I can tell you that it's the worst kind of setup. I'm concerned about that kind of look coming to the west side of the Town of Lysander. I don't have a problem with development going in there, nice looking homes, the development that's in there now, it's gorgeous, but when you start introducing those flag driveways like that it's going to have a completely different look. Drive down the dead-end roads in Radisson once in a while. You pull in onto Esprit Glade and take a couple of left hand turns down in there and you'll see what I'm talking about. Another observation is I've never seen a one sided coin before, so we all know a coin has two sides...if we're talking about a situation where there's a drainage problem coming down through there, but we're going to, could fix it or could make it better by wrapping it around here (indicating on plan). That means that these people in here are going to have more of an issues than they currently have right now, because there's two sides to every coin. Although those two dead-end roads, Rubicon and Penfold went in with the initial development...that was a 25 year build out and if we didn't fix the sewage problem they never would have had a second entrance to those developments. It has been a development with a single entrance for 25 years. Now I know one of the Planning Board members mentioned that there's a Town rule that you have to have two entrances per development...does that have a point where it kicks in? A certain amount of houses? I know Irene has 8 or 9 houses and only has a single entrance; the same with River Mist with about 10 or 13 houses. Is there a certain point where it kicks in where you have to have two entrances?

Mr. Yager stated that we go by the maximum length of the cul de sac...500' from the connecting road right of way to the point of the tear drop for a cul de sac.

Mr. Burtch questioned how we would have treated the original Whispering Oaks development if we never fixed the sewage problem...there never would have been a second entrance to that development and that's 500'...

Mr. Yager stated that we have revolved from a planning standpoint in the Town of Lysander through our Code and through our Comprehensive Land Use Plan and tried to address some of these issues. Now you're always going to have...a development always has to start someplace and there's always going to be periods of time where there is only one entrance to a development, but ultimately the goal is to have inter-connecting development from a long term planning standpoint within the Town of Lysander.

Mr. Burtch continued stating that another observation, something to consider...this is a commercial agriculture corridor. We've got equipment going down there taking up 1 ½ lengths on a daily basis. You have to interject that with the cars that are going 60 in a 50 zone. I know as a contractor going on there, it's a difficult area. I think something should be considered. You've got Hafners', Emmi's, CNY Crops, Reeves and Hahn's...excuse me if I'm leaving a couple out, but every single day, high yield sprayers, cleaners, articulating tractors, and they take up 1 ½ lanes up. It's not going away too soon. They're there every day on a weekly basis. One last thing...just to help you out a little bit.

Mr. Burtch addressed the members of the audience concerned with speed: You were mentioning about the traffic and the speed. I live on Plainville Road and I have an issue with cars going too fast. I created a petition and got every single neighbor to sign it. I gave it to the Town Board and they sent it to the Department of Transportation. They came out and did a study and reduced the speed from 45 to 30. That didn't change anything...all that means that there are people that are going 15 mph more over the speed limit than they were before. That's about it. I'm happy we got the sign changed but it didn't affect anything. Just to help you out. I appreciate your time, thank you!

Russ Johnson, 8246 Ashington Drive, thanked the board for their patience, we're going on hour three, you're giving people enough time to speak and I appreciate that...you don't get paid much for your service. Really, just a couple of questions for AI, I may Mr. Chairman refer to the engineer...it's not so much about the specific plans. I know in 2013 when I was on the Town Board we passed the Road Plan. Ashington Drive was a 12 year plan to do the infrastructure over again and enhance that road, that would bring us to year 9. I don't know if that's changed or not.

Mr. Yager stated that it has changed actually. We have done a very good job since 2013 with the Pavement Management Plan. The intent...we would like to do Ashington and Penfold next year. That's the goal. We're trying to address some of the negligence that happened in the past and the reason we're bumping Ashington up is...because what we found through the last three years, Ashington was built with a 1" top course. As many of our developments were. What we're finding is...we mill these roads off the binder is not too far gone and what is breaking up really is the top course, which is 1" thick, which is actually a ½ inch less thickness than what is the State minimum for Type 6 top. What we're finding is, the damage that we have, if we can get these roads over laid now, hopefully we can save the binder and that is why your development has moved up in the schedule.

Mr. Johnson stated that that would be good and would allow for the overflow. I don't expect we're going to have 34 or 35 houses within the next year. It's probably a longer term plan.

Mr. Yager stated that they're still building houses in your development. This is a three phase project. Historically we're not seeing huge growth on the west side of Town.

Mr. Johnson raised a question about the sewer district...with the increased capacity in the infrastructure, which is something that we planned for as Mr. Burtch indicated...can you explain a little bit about how that impacts the current payers.

Mr. Yager stated that the additional units this developer will provide will reduce your debt service burden annually. That is one of the benefits of allowing this development to go forward. Off the top of my head I don't remember the exact figure but I think it's a reduction of

\$150/year...a couple hundred bucks a year less that you're going to pay towards that debt service for the pump station that was constructed in your development.

Mr. Johnson addressed the board and asked if the Board intends to vote on this today.

Mr. Corey indicated that they do not.

Elmer Ryan, 8205 Emerick Road, would like to make one observation and ask one question. This development comes out to Emerick Road, just south is the Byrne Dairy. We know that there's too much traffic on Emerick Road that goes too fast...these kids here are going to want to go down to that Byrne Dairy all the time; like the kids from Irene Drive do now. With this development...they're going to be doing it all the time. If we could, I don't know what influence you have, but now would be the time to try and get some sidewalks in here to keep the kids off of the road. The traffic as it is now...and the reasonable extra congestion... is not going to be that bad, but the extra kids using it is going to increase the likelihood of something happening there. I don't think it's too much of a burden for the developer to put some sidewalks along the frontage there.

Mr. Yager stated that currently we don't include sidewalks in our typical roadway section....

Mr. Ryan ...I know it's not a standard and I'm sure there's a study, but I'm telling you common sense, probably stop someone from getting hurt.

Mr. Yager continued stating that the other problem we have is Emerick Road is a 3 rod road. It's a 49 ½ foot right of way. We have ditches that are approximately 8 to 10 feet wide on either side of the 24' road and utility poles. To construct sidewalks along Emerick Road would require a right-of-way taking and likely additional closed drainage to be installed and potentially some utilities to be relocated.

Mr. Ryan suggested the other side of the swale that's laid there now. It doesn't have to be close to the road....

Mr. Yager stated that that's private property...you can't construct things on private property.

Mr. Ryan stated that you can request them to.

Mr. Yager stated that you can't instruct them to build on private property either.

Mr. Ryan stated that they could on their own property.

Mr. Yager concurred but it won't go all the way to 370; so you're essentially creating a sidewalk to nowhere.

Mr. Ryan stated that you'd be putting in some short sidewalks and you're going to go father (unclear)...looking ahead would be a good thing, if you don't do it, ok. The second question I had is, why are the lots so small? Can you explain how that was developed...is that a request from the development or the Town.

Mr. Yager stated that it's included in the Town's Comprehensive Land Use Plan. The CLUP was adopted in July of 2015. Essentially it's a tool for long term planning within the Town. Part of what we did with that study was we looked at what our current highway tax rate was and what

the anticipated maintenance needs for a road within the Town were. What was determined was that the frontages required in AR-40 residential development areas...because the density is so low, essentially the rest of residents of the Town paying highway tax were supplementing maintenance of the roads in AR-40 development. We found that the breakeven point for the Town and for new development was for R-20, 20,000 square foot building lots with according frontage. There was an in-depth economic analysis study done and a template developed so that any time a project comes to the Town, essentially we provide this template to the development's engineer...they input the variables, which include anticipated value of homes, number of homes, length of road way and all of our known variables of our roadway maintenance expense and it gives us a number of...is this development self-sustaining at our current tax rate. We don't want to see taxes go up...it accounts for inflation and everything else. That is where the 20,000 sf lots came from.

Mr. Ryan reiterated that the lots were reduced at the request of the Town to increase the taxes to make it self-sustaining, alright, thank you!

Mr. Merle stated that with regard to the sidewalk question...we have kept a 100' easement for the 'view scape'. They'll be able to walk...it's going to be a green area on our property that they can walk on to the west of the swale.

Mr. Ryan...why not make that a sidewalk....not on the private property, on the developments piece.

Mr. Yager stated that that will be owned by private property too, ultimately that's going to be someone's side yard or backyard.

Mr. Ryan...if you sell it that way they would own that part of the sidewalk.

It was determined that all sorts of liability would go along with that.

Mr. Burch apologized stating that he had a couple of bullet points he wanted to make. I mentioned that I was a contractor and I do a lot of work and have done a lot of work in Whispering Oaks. I support Pete's comments about where he lives. He's going to have the property where the drainage pond is going to be located behind his property. I have personal experience with lawn maintenance and putting in drainage systems for five or six houses in a row on Ashington. One thing I always remember is that it's about the second week of June before you can get back in there to cut their yards back to the backs of their property. In other words you're sinking two or three inches down into the backyard leaving the (unclear) lines. Sometimes I would be cutting the grass and get a phone call and they'd be 'cussing' me out because those lines end up staying there. The alternative was to let it grow up like a field. The other point where Pete said Mr. Merle built a good home. I believe that he does. He does travel 20 mph in that development, I've seen him recently. Most of those homes out of the 48 that are in there now, 40 of them were built by Wolcik & LoVuolo. They're both good homes....but to Mr. Merle's observation about the new house that was just built that he finished and they don't have a sump pump that runs. If you were to drive down there and see, you'd see that it's 4 to 6 feet higher off the ground than any other properties that are there because it's built on the old existing leach field. Since it's 4 or 6 feet higher than anybody else it probably won't even have a sump pump that ever turns on; but the house that's directly south of that on Ashington, I know the people that live there as well as the people who lived there before them. They went through three or four sump pumps in a decade because it never shuts off. You have a home that's right next to each other where one never shuts off and the other one never turns on. Really you

need to go out and kick the tires and take a look at it. The last think I wanted to say is I appreciate seeing the Town Supervisor attend the meeting. I think this Planning session is that important. I am a little bit concerned that I didn't see the four other board members. I don't know what their situation is, but I just wanted to say thank you and thank you to the board for their time.

Mr. Karrat addressed a question to the developer/builder as to why they are coming in from Rubicon. It was asked before but I couldn't hear the reason.

Mr. Merle stated that the sewer and water connections are at Rubicon.

Mr. Karrat: So what...why can't you go in from Emerick. Sewer lines are going to be built anyway. You're saying this is more for your convenience than ours.

Mr. Merle stated that this is how the Town designs (unclear) of subdivisions so that it could be done...

Mr. Karrat: You have to connect to it, it doesn't say you have to connect there. You could go all the way up Emerick.

Mr. Merle stated that the Town wants the second exit out of Whispering Oaks. It was left for that reason. It's good planning.

Mr. Karrat: This is grandfathered in. (unclear) connection in. This has been there for 25 years. There's no reason I see that if this is a viable project and it can exist on its own why go through Whispering Oaks. You're coming off the reputation of Whispering Oaks. You can build some nice homes (unclear). It's not going to help our neighborhood. It's not going to do anything. I think when they did the original subdivision...the lot sizes (unclear). The homes built in our neighborhood, \$500,000 to \$700,000-\$800,000 makes a difference to us.

(Others talking at the same time)

They're going to be substantially higher than \$350,000 home. You'll have one acre lots, there will be better taxes in their at a much better rate...I am not an engineer but I worked in engineering for 32 years. The County Planning Board raised the concern that you're not really utilizing the sewer system for what they wanted it for. We've got more land in Lysander, you could put this anywhere. To put this in here there's no benefit that I see to Whispering Oaks and only a benefit to the developers in the sale of their land. It was farm land you're turning it into \$80,000 or more per acre. That's a benefit to the developer. I don't see how it's helping the Town any. I don't see that the tax rate increasing in the way you're doing that is beneficial. Does this mean that the project is not viable...if you don't go into Whispering Oaks and you don't have that entrance, does that mean your project is not viable.

Mr. Yager stated that the Town would not allow the project to move forward without a connection to Whispering Oaks.

Mr. Karrat: Why?

Mr. Yager: Because of what I discussed from a planning standpoint.

Mr. Karrat: For 25 years...people on the other side don't want it. They don't want their land to be utilized. (Unclear)...you can bring an Article 78 if this goes through and we can have this brought up. I think we can get a legal thing to stop this.

Mr. Corey stated that the board understands Mr. Karrat's point.

Mr. Karrat thanked the board for their time.

Kevin Rode, 1405 Greymoor Way, questioned the process from here. We had the Public Hearing tonight. The Planning Board will make a decision...with what the County Planning has said, what moves forward with this.

Mr. Corey stated that after we close the Public Hearing tonight, we are going to table the action for this that we had planned for later tonight because we did not receive enough of the information we need from the developer to conduct our due diligence and studies that we've been talking about. This will be rescheduled for our October 13th meeting where we'll actually try to look at it and act on this subdivision application. At that point we will respond to any comments that have been made here tonight; any comments that have been made by County Planning and make a decision and vote on it.

Mr. Rode reiterated that the Public Hearing will close.

Mr. Corey concurred.

Mr. Rode: Does it go back to County Planning at all.

Mr. Corey stated that it does not.

Mr. Rode: If it moves forward does it need to receive a vote of the Town Board.

Mr. Corey: It will require a majority plus one from the Planning Board. The Town Board has already voted with a majority plus one to move Cabbage Patch forward. That's why it's here now in the subdivision process. The next vote will be by this board and because the County has issued a negative recommendation we too would have to have a majority plus one vote to override it.

Mr. Rode reiterated that it's solely in the Planning Board's stage.

Mr. Corey concurred stating that we're now in the subdivision application stage.

Mr. Rode thanked the board for their time.

Mr. Striushnik questioned if the County's opinion will be read into the record.

Mr. Corey concurred.

Mr. Striushnik continued stating that he realizes that the engineer did a very good job of designing this subdivision but I think it 'stinks' myself. I just look at it and it looks awful. I think every trick in the book has been used to make it look possible. A much better design should be out there.

Sylvia Cleveland, 1927 West Genesee Road, asked for clarification on the comment about County's recommendation being Negative. What do you mean by that...they're against this?

Mr. Corey stated that they have recommended against this and gave their reasons and that will be read into the record and available to read.

Mr. Frateschi stated under Section 239M of the Town Law, any proposal, any subdivision, which is within a County or State road has to be referred to the County Planning Board. The County Planning Board reviews that application and they get back to us with their recommendation as it relates to this subdivision. The County had some concerns about this subdivision and expressed those concerns in the resolution. Their recommendation was not to approve the subdivision based on their review of it and based on their analysis and understanding of the subdivision. It's simply a recommendation from the County; because they're not in charge of subdivisions, the Planning Board is in charge of subdivisions. Every Town has its own Planning Board or a Town Board if they don't have Planning Board. This board will make a decision on the subdivision. If they decide that they want to approve the subdivision they have to approve it by a majority plus one vote or a super majority to overturn the County's negative recommendation.

Mr. Stirushnik questioned where is the County's recommendation available to the public.

Mr. Corey stated that it will be read into the record at the next meeting when we discuss this application into greater detail.

Mr. Stirushnik questioned if copies would be available through Karen Rice.

Mr. Corey concurred stating that it's public information.

Ms. Cleveland still had questions with regard to County's findings and how that impacts the board's impact.

Mr. Lester stated that he chaired the committee that wrote the Comprehensive Land Use Plan. The County Planning Board worked very closely with us to put together the Incentive Overlay that includes this particular project. In the period of time since that, the plan was approved in June 2015. There was two years' worth of effort that went into that plan. County Planning worked with us hand in hand at bi-weekly meetings for nearly two years. Everything was fine. Something changed at County Planning between June of 2015 and today. County Planning's attitude basically is Town properties are better suited for commercial and industrial development because all we are doing is moving residential people from one Town to another. There is no increase in population in the County; therefore lets have residential incur in the City and keep the land in the County preserved for agriculture, which we do a very good job in the Town of Lysander; and for industrial and commercial development. Therefore, almost every application that gets sent to County Planning with the kinds of recommendations that discourage residential development. I can't fully explain why that happened; why that changes from the two years that we worked hand in hand with County Planning to put the plan in place that we're talking about tonight.

Mr. Lester continued stating that this is just for information for those of you who have been patient enough to sit through this public hearing and give us your comments. Those comments certainly will be reviewed when this subdivision comes before this board.

Ms. Cleveland thanked Mr. Lester for explaining that.

Mr. Burtch stated that he didn't realize that this project doesn't need to go back before the Town Board again. I apologize about my statement about other board members not being here because I assumed that that was the pathway. We have six members here now, but a full board would be seven. So we're clear a majority plus one would be five people out of the seven would have to approve this in order for this to go forward.

Mr. Corey concurred.

Mr. Burtch stated that the onus is not on the five Town Board members anymore, the onus is on the seven Planning Board members. Will that vote require the vote of the full board or could six people possible vote.

Mr. Corey: Five people could vote.

Mr. Burtch: Some could abstain.

Mr. Corey: You need five positive yes votes, however you get it.

Mr. Burtch: If three people were to abstain you couldn't possibly get that.

Mr. Roth: One last question with regard to the connection at Emerick. As I understand it, Mr. Merle is going to have the construction vehicles to enter and exit as the first phase was built. Is that going to be passable all four seasons for emergency vehicles ingress/egress as the site is built out?

Mr. Merle: No probably not. That will happen in Phase II after the first nine to ten lots are developed and sold...that's when we will complete the road for emergency vehicles and anyone else.

Mr. Roth stated that he does have a concern about adding additional neighbors to our development currently without expanding to a second four season ingress/egress for emergency vehicles. Obviously things have been good in our neighborhood now, knock on wood we haven't had any significant emergencies in the four years that I've been there. I don't know whether construction sites are more or less prone to injuries or fires or anything else, but I certainly don't want to see anybody get hurt. If that road is going to have to be built for this development to be viable anyways I would recommend that you start making it mandatory that it be passable earlier than Phase 2.

The Public Hearing closed at 9:30 p.m. with Mr. Corey thanking the public for their time.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the August 11, 2016 regular Planning Board meeting.

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

RESOVLED, that the minutes of the August 11, 2016 regular Planning Board meeting be approved as submitted.

6 Ayes -- 0 Ayes

III. OLD BUSINESS

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| 1. Minor Subdivision
Case No. 2016—006 | Warner, William
1940 West Genesee Road/Goodfellow Lane |
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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 completed my review of the Warner Minor Subdivision. Overall it appears that the site conforms to all applicable Town Zoning Code requirements. I would have no objections to the Planning Board approving this minor subdivision at this time.

Mr. Yager added that the with regard to the County's comments about the Special Flood Hazard Area. There is currently a 40' river access street that does have a portion of the property in the floodplain, however due to the 20' side yard setback in the current zoning this piece is considered undevelopable and is not a concern from the Planning Board's standpoint.

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.

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 completed my review of the William Warner Minor Subdivision. Overall it appears that the site conforms to all applicable Town Zoning Code requirements. I would have no objections to the Planning Board approving this Minor Subdivision at this time.

This action has been referred to the Onondaga County Planning Board who have determined that the referral be acted upon by the referring board with the following modification:

All access to proposed Lot 2 shall be from the Goodfellow Land ingress/egress easement per the New York State Department of Transportation.

The Board offers the following comment:

The plan should be updated to show the location of the Special Flood Hazard Area based on current FEMA Flood Insurance Rate Maps data.

There is a letter on filed from Stephen J. Darcangelo, Village Engineer, dated on or about August 8, 2016 with regard to water service to this property; that has been made part of the public record.

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

RESOLUTION #5 -- 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 two (2) lot subdivision application by , William Warner 1940 West Genesee Road/Goodfellow Lane, Baldwinsville, New York, Part of Farm Lot No. 78 and Tax Map No.048.-01-01.1 and 048.-01-9.1, as shown on a map dated June 28, 2016, prepared by Douglas J Reith, Licensed Land Surveyor, is hereby approved.

6 Ayes -- 0 Noes

RESOLUTION #6 -- Motion by Corey, Second by Darcangelo

RESOLVED, that in granting a subdivision to William Warner for property located at 1940 West Genesee 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:

Mr. Warner thanked the board for their time.

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| 2. Minor Subdivision | Quattrocchi, Gabe |
| Case No. 2016—005 | 9254 River Road |

John Corey, Chairman, reviewed the Findings with the Board:

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.

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 completed my review of the Gabriel Quattrocchi Minor Subdivision, prepared by Ianuzi & Romans Land Surveying, P.C., dated July 8, 2016. It appears that the proposed Lot 2 conforms to the requirements of the Lysander Subdivision Code if the southern lot line is used for the front building line dimension. This will prevent any new driveway cuts onto River Road in the future which has been included in the map notes. It also appears that the proposed subdivision could be completed under the division of land procedure at the Board's discretion.

[It was determined at the last meeting that the owner intends to build a future home on the remnant piece, therefore a Division of Land won't be sought.]

This action has been referred to the Onondaga County Planning Board who have determined that the referral be acted upon by the referring board with the following modification:

1. Per the Onondaga County Department of Transportation, the location of the common driveway right-of-way shown on the plan is subject to the availability of sight distance, and the applicant is required to obtain a permit for any proposed driveways and prior to any proposed work within a county road right-of-way, per the Onondaga County Department of Transportation.
2. The Onondaga County Department of Transportation has determined that the proposed access road must provide access to any proposed future development on proposed Lot 2 and on any future adjacent parcel(s) to the south. No additional access for Lot 1 or 2 will be permitted. Maintenance responsibility for any shared driveways must be written into deeds and shown on the filed map.
3. As the proposed Lot 2 is less than five acres, the Onondaga County Health Department requires that the plan note regarding the lots status as a building lot be removed from the plan prior to Town subdivision approval.
4. The applicant must contact the Onondaga County Health Department to review any existing or proposed septic system to serve this property prior to Town approval.

The Board also offers the following comments:

1. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.
2. Regarding any future development on the site, per the New York State Department of Environmental Conservation (NYS DEC), the project is in an area containing threatened or endangered species and/or associated habitats, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional NYS DEC Division of Environmental Permits office.
3. For any development on site, the Town is advised to contact the New York State Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the SEQRA process.

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

RESOLUTION #7 -- Motion by Corey, 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 , Gabriel Quattrocchi, 9254 River Road, Phoenix, New York, Part of Farm Lot No. 42 and Tax Map No.022.-03-19.0, as shown on a map dated July 8, 2016, prepared by Ianuzi & Romans, Licensed Land Surveyors, is hereby approved.

6 Ayes - 0 Noes

RESOLUTION #8 -- Motion by Corey, Second by Hickey

RESOLVED, that in granting a subdivision to Gabriel Quattrocchi for property located at 9254 River 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:

Mr. Coyer thanked the board for their time, while the board thanked him for his patience.

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| 3. Major Subdivision
Case No. 2016—008 | Cabbage Patch
Whispering Oaks, Section 4
8185 Emerick Road |
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This item will be tabled until the Thursday, October 13, 2016 regular Planning Board meeting.

IV. NEW BUSINESS

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| 1. Minor Subdivision
Case No. 2016—009 | Mott, Patricia
Cromie Property: 912 924 & 936 Lamson Road |
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Steve Sehnert, Licensed Land Surveyor, represented the applicant stating that the Cromie's have about a 30 acre area of land on the south side of Lamson Road, approximately 700' west of Prine Road. We have two distinct owners of this property, Steven Cromie and Florence Cromie. Patricia Mott, daughter, is going to act on her mother's behalf. Lot 1, 912 Lamson Road will be increased in size to 85,559 square feet, with a reversed flag lot configuration. They have a buyer for this parcel and they are ok with this lay-out; Steven Cromie owns Lot 2, 924 Lamson Road which will be increased in size to 4.41 acres and Lot 3, the remnant piece will be 21.99 acres will remain vacant. We are trying to make Lots 1 and 2 conform as much as possible to the Agricultural zone of this site.

There are Freshwater Wetlands in the lower southwest corner of the property. There are no plans for building any structure on Lot 3.

Steve Darcangelo questioned what the dotted line is behind Lot 1.

Mr. Sehnert stated that that is kind of like an unknown piece of ownership at the present time. There is no claim by them, or the owners of the adjacent piece. There's nothing in their deed...it was recently surveyed in 2011 by another surveyor. It's going to take a title investigation to resolve this. I have a feeling it took place back in the 1800's.

Mr. Frateschi stated that it won't affect this subdivision. It will affect it when they go to sell it...an abstract will be developed that will show the chain of title on this lot (Lot 1).

Mr. Darcangelo questioned what the purpose of the long leg of property with Lot 1.

Mr. Sehnert stated that it is necessary to conform with the 80,000 square foot requirement.

Mr. Darcangelo stated that if the dashed parcel ends up belonging to Lot 1 they would not need that leg.

Mr. Sehnert concurred however there could be some problems chasing down who actually owns it. It's going to take more than a 40 or 60 year abstract.

Jerry Hole questioned what's on Lot 3.

Mr. Sehnert stated that it's open land; there is a lot wet land around the creek, but not official wetlands.

This application will be forwarded to the Onondaga County Planning Board for their review and recommendation.

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

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 Patricia Mott on behalf of Florence and Steven Cromie 912, 924 and 936 Lamson Road, Phoenix, New York, Minor Subdivision application.

6 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:

c. public / private water supplies? No

d. 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 #10 -- 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 Patricia Mott on behalf of Florence and Steven Cromie, 912, 924 and 936 Lamson Road, Phoenix, New York, Minor Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

6 Ayes -- 0 Noes

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

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Patricia Mott, on behalf of Florence and Steven Cromie, for a subdivision of property located at 912, 924 and 936 Lamson Road, Phoenix, New York, Tax Map No. 027.-03-13.2 and 14, for a development of three (3) lots from a parcel of approximately 28 acres.

6 Ayes -- 0 Noes

Mr. Sehnert thanked the board for their time.

V. OTHER BUSINESS

1. Major Subdivision--Final Plat White Tail Woods, Section B-2
Long Bow Way

There is a letter on file prepared by Al Yager, Town Engineer, dated September 8, 2016, that will be made part of the public record, in part:

I have completed my review for the White Tail Woods Major Subdivision, as prepared by Applied Earth Technologies, dated August 9, 2016. The proposed 6 lot subdivision final plat matches the previously approved preliminary plat for the overall development. 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 #12 -- Motion by Corey, Second by Lester

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat for the six (6) lot subdivision application of White Tail Woods, for property located at Long Bow Way, Baldwinsville, New York, Part of Farm Lot No. 95 and Tax Map No. 071.1-04-16.1 and finding that all modifications and conditions have been met and that the Final Plat is 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.

6 Ayes -- 0 Noes

VI. ADJOURN

RESOLUTION #13 -- Motion by Lester, Second by Daprano

RESOLVED, that the September 8, 2016 regular Planning Board meeting adjourn at 10:05 p.m.

6 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk