

TOWN OF LYSANDER
PLANNING BOARD MEETING
8220 Loop Road
Thursday, October 14, 2021 at 7:00 p.m.

The regular meeting of the Town of Lysander Planning Board was held Thursday, October 14, 2021 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John Corey, Chairman; Hugh Kimball; William Lester;
Steve Darcangelo and Doug Beachel

OTHERS PRESENT: Al Yager, Town Engineer; Tim Frateschi, Planning Board
Attorney; Frank Costanzo, Zoning Board of Appeals; Dan
Barnaba, Eldan Homes; Steve Sehnert, Applied Earth
Technologies; Frank Fava, B & F Development; Greg
Sgromo, Dunn & Sgromo and Karen Rice, Clerk

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

I. PUBLIC HEARING -- None Scheduled

II. APPROVAL OF MINUTES

Review and approval of the minutes of the August 12, 2021 and September 9, 2021 regular Planning Board meeting.

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

RESOLVED, that the minutes of the August 12, 2021 regular Planning Board meeting be approved as submitted.

5 Ayes -- 0 Noes

RESOLUTION #2 -- Motion by Corey, Second by Kimball

RESOLVED, that the minutes of the September 9, 2021 regular Planning Board meeting be approved as submitted.

5 Ayes -- 0 Noes

III. NEW BUSINESS

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| 1. Controlled Site Use-Amendment | Pollock, Dan/High Country Storage
2079 Church Road |
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This item will be tabled.

IV. OTHER BUSINESS

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| 1. Major Subdivision | Collington Pointe East/Copper River
Phasing Plan—Patchett Road |
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James Trasher, CHA, represented Bella Casa Builders who are looking for a modification to their phasing plan (indicating on plan), outlining Phases I that is under construction, Phase II and III. We are requesting Phase II to be broken into three sections, Section 2A, 2B & 2C. Bella Casa Builders would like to come in and complete ten units along what would be Stoney Pond Way. They would do the construction of the sanitary, storm and water prior to the Winter of this year. National Grid will take six to eight months to figure out what they're doing, so by the time we want to really come in for paving would probably occur in the Spring of 2022 so that he can sell and build on these lots (indicating on plan). We would then commence construction of 2B from Lot 75 up to Chillingham Way; once these lots are sold and half are under construction the extension of Stoney Pond Way out to Patchett Road would be completed to culminate these two phases. The biggest thing here is the pond that is part of Lot 93, where people want to build. Phases III and IV is dependent on how things go. By Winter of next year, you're looking at a full loop around. That's our proposition and hoping the Board approves to all the builder who has been doing a lot of work in the Town of Lysander for years to continue on because he's really out of lots right now.

Steve Darcangelo stated that the only access for those homes for a period of time will be through Collington Pointe.

Mr. Trasher concurred. There is a construction road coming off of Patchett but it is not for public use. It's for construction vehicles, cement trucks, dump trucks, contractors staying away from the residential development. That's why it was required as part of the approval. Homeowners are not supposed to be utilizing that access point. When we do Phase II, it will be gone.

Mr. Darcangelo They're not real isolated, they're probably $\frac{3}{4}$'s of a mile from the Patchett Road/Collington Pointe vicinity. Can the construction road be made accessible for emergency vehicles?

Mr. Trasher stated It is capable of handling emergency vehicles. It's all stone and can handle the weight.

Hugh Kimball stated that he did that tonight just to see, but it seems like it's quite a lot of houses before there is a second connection. I'm thinking kind of what we did up at Highland Meadows. We let him build so much then we said, 'ok, the next step you have to extend the road all the way to Giddings Crest.'

Mr. Trasher stated that that's sort of what we're doing. We've met with the Highway Superintendent and we've met with the Town Engineer in regards to this...the biggest thing that the Highway Superintendent wants to see is when it comes to the next winter. That's where this loop of the 2A, 2B and 2C scenario works and we understand the desire to do this but we also work within a cash flow scenario; so, we're trying to do stuff that works for what he's doing and mostly works with you and all safety and welfare issues.

Mr. Darcangelo stated that the entire subdivision is approved, correct, what's the significance in approving the phases.

Al Yager, Town Engineer, stated that they're altering the phases.

Mr. Trasher concurred stating that that was the best guess at the time. If you look at Timber Bank's there wasn't anything followed in that phasing plan because things change...if patio homes are going, patio homes are going, if big lots are going, big lots are going.

Phases and lot numbers were addressed with Mr. Trasher stating that there are 23 lots in Section I and between Phase 2A and 2B there will be a maximum of fifteen (15) more houses under construction, not all complete, so when fifteen are under construction this connection gets complete, so 38 lots before the connection to Patchett Road is made.

John Corey Chairman, stated that he believes 33 or 36 was the trigger point so that's pretty comparable.

Mr. Yager stated that his only comment is, if they can't do the temporary construction entrance out to Patchett Road Lot 81 get taken out of Phase 2B and put into Phase 2C so that that temporary construction access road can remain. We would take dedication of the road in front of Lot 81 but not file the plat.

Mr. Trasher stated that they can move Lot 81 into Phase 2C right now.

Mr. Yager stated that that would be his only thought, as long as we have a secondary point of ingress and egress for emergency vehicles, which we would have, as long as the plat isn't filed for Lot 81. The Highway Superintendent has indicated that he's ok with it as well as on as the loop is completed by snow flying in 2022.

Mr. Trasher concurred.

Mr. Kimball questioned if the construction will be open in the winter, plowed, accessible...

Mr. Trasher concurred stating that it will be plowed every day.

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

RESOLVED, that the Planning Board makes the following modifications from the Resolutions passed on September 5, 2017 on the application Bella Casa Builders by Alberici, for an 89 lot subdivision on approximately 122 acres of land immediately adjacent the Collington Pointe subdivision and Patchett Road, Baldwinsville, New York, with regard to phasing, accepting the phasing plan as proposed by CHA Associates, as shown on a map prepared by CHA Associates, dated May 26, 2017, revised October 12, 2021 is hereby approved, with the following conditions:

- 1) Contingent upon a revised map being provided that removes Lot 81 from Phase 2B and places it in Phase 2C;
- 2) Requiring the road connection to Patchett Road for Phase II be completed by the start of Winter 2022; and
- 3) Once fifteen (15) building permits in Phase 2A and 2B have been issued the developer shall start construction of Phase 2C.

5 Ayes -- 0 Noes

Mr. Trasher thanked the Board for their time.

2. Major Subdivision

Eldan Homes
River Grove, Phase II

Bill Lynch, River Grove Homeowners Association, asked to be places on an earlier agenda with regard to the River Grove Subdivision, however, since the Board did not have an application at that time his request was tabled until such time that the Board had an application and plan in place. Mr. Lynch prepared a letter dated August 17th, 2021 and asked that it be made part of the public record, in part:

I am writing on behalf of the River Grove Homeowners Association in regards to the potential sale and development of River Grove. WE have been informed by Paul Fowler that he is in the process of selling the undeveloped area within River Gove to Mr. Dan Barnaba.

I would like to bring to the Planning Board's attention that River Grove has its own Homeowners Association with its own declarations of Covenants and Restrictions and Architectural Standards and Vocabulary. We would be glad to provide these to the Planning Board upon request.

The River Grove Declaration of Covenants and Restrictions states that River rove will have 44 lots. These Declarations of Covenants and Restrictions state that there will be 22 lots in the currently development section and 22 lots in the Tulip Path section. Stated in Article 5- Development and Easements-Section1-Limitations on Development- the Sponsor shall in no event develop more than 44 lots on the property.

In the currently developed section 19 lots have been sold to residents with 17 homes built. The current developer Paul Fowler owns 3 lots, one resident owns 1 lot and two residents own a second lot. The three residents have stated their interests in having the opportunity to sell the lots for development in the future if they choose.

Dan Barnaba, the potential buyer, has informed the River Grove HOA that he intends to build 23 homes in the currently undeveloped area which has a limit of 22 lots. We point this out so if Mr. Barnaba request to build 23 houses in the undeveloped area, one of these 23 lots should NOT be considered to count as one of the 22 lots in the currently developed section of River Grove.

I would like to thank you for your attention to our request.

In an email request from Lisa Kelly Russo, dated October 13, 2021, she asked that her statement be made part of the public record:

Good Evening Karen,

Thank you for your time, and forwarding this to the Town of Lysander Planning Board prior to the meeting scheduled for tomorrow, October 14th.

Per our conversation, a letter from Bill Lynch, President of the River Grove Homeowners Association (copy attached) was delivered to the Town of Lysander on August 17, 2021. The premise of the letter was to share with the Board that River Grove, Town of Lysander, County of

Onondaga including River Grove Trail, Hickory Knoll Lane and Tulip Tree Path has a River Grove Homeowner's Association with CPS #7 Declaration of Covenants and Restrictions. It was filed with the State of New York Office of the Attorney General on February 8, 2007. Within the Declarations of Covenants, it states in Article V - Development and Easements that the Sponsor shall in no event develop more than 44 Lots on the Property. (copy of Article V attached).

As shared in our letter, there are currently 22 developed lots on River Grove Trail and Hickory Knoll Lane. This currently encompasses 17 homes, 3 lots owned by Paul Fowler, the current Sponsor/Developer, 1 Resident owns 1 lot, and 1 lot is owned by two residents. The three residents have stated their interest in having the opportunity to sell the lots for development in the future if they choose.

Mr. Barnaba, the potential buyer has informed the River Grove HOA that he intends to build 23 homes/lots in the current undeveloped Tulip Tree Path area. We point this out as the request would exceed the limitation of 44 Lots in our Declaration and Covenants.

In addition, and of high importance to the homeowners of River Grove is the safety of the neighborhood given the potential development of Tulip Tree Lane, and in our meetings with Mr. Barnaba our request is to have the access road to Glacier Ridge as part of the initial development. We have requested that either the Glacier Ridge access road be put in immediately, or a construction road for access to Tulip Tree Lane. We currently only have one entrance (River Grove Trail), and the residents are concerned that the amount of traffic with the addition of construction vehicles could cause safety issues for emergency (fire, ambulance, police) to our residents. We unfortunately experienced an emergency situation about a month ago that brought our neighborhood to a lock down with Police, National Guard, and SWAT vehicles with no way out for several hours. It was a very tense situation that further raised our concerns on a private road that access was designed with two access points and need to be present to not put the safety of our residents in danger. We ask that the Lysander Planning Board assist in this review and discussion to recommend the Glacier Ridge access of Tulip Tree Path be part of the immediate plans.

We would like to thank you for consideration and attention to these requests.

River Grove HOA Board
Lisa Kelly Russo
Sue Kline
Merri Bragg
Ken Patrick

Attachments were printed out and made part of the public record.

Dan Barnaba, Eldan Homes, stated that he is under contract to purchase the remainder of the River Grove Subdivision. This is my first appearance with this Board regarding River Grove. I don't know how much is necessary by way of background. Paul Fowler and another business partner owned this project. What I am trying to accomplish tonight is to determine the Board's expectations as far as construction and the number of home sites we are going to have. I understand the Board has been in communication with the residents of the current section of the subdivision. I think everybody on the Board is well aware of the fact that this is in Radisson, which is part of a Homeowner's Association. There is also a Homeowner's Association just specific to these residents that handle lawn care, snow removal on the well-known private road. Our intention is to build the community out much like what was originally designed (indicating on plan); the grey section representing the first phase of lots that were developed with the white section what we intend to build-out. There was lot of discussion about the number of home sites and as with all of my proposals that are bounced off of Radisson, the Community Association has some say over the lot count and layout. This particular Homeowner's Association put a covenant in their State approved by-laws that mandated no more than forty-four (44) homes. This was brought to my attention when I reviewed the by-laws. I've actually met with the residents of that Board. I want to clarify a couple of things. That's a private covenant and it ultimately deals with how many homes are built and not necessarily how many building lots are approved. I really wouldn't be up against the covenant unless we get to a point where we want to actually see what's in their private covenants. Often times when I come before this Board I ask for a building lot count that intends to be the maximum that I may ever need, because we found it easier to relinquish lots and not have to go back through a hearing process where you ask for more. When all of the lots are totaled, our request won't be more

than forty-four (44) lots. What we discovered is that the first section was built out although more lots were approved, Paul often combined lots for whatever reason and gave lots up. My apologies to Steve Sehnert, LLS, there's a minor inaccuracy to the map, the bottom section shows twenty-two (22) home sites, but if you count what's on the filed tax map, one of the home sites was relinquished, Lot 12, as it's shown on Steve's map was split and sold, half to the owner on Lot 11 and half to the owner on Lot 13; and when that is done and the map is actually amended, that's no longer a valid building lot. In order for that lot to come back, it would have to be recombined and you'd have to come back to this Board and ask for an amendment to the subdivision and it would have to be refiled. So, counting that that lot, although residents may desire to do that, it's not viable building lot. You can't come to the Town and request a building permit on that lot.

Steve Darcangelo reiterated that the lot doesn't exist anymore.

Board members and the representative concurred.

Mr. Barnaba continued stating that there's also a situation with Lot No. 5, which was sold to the owner of Lot No. 6; but as of today, although it's decorated and looks like a park space, I believe it's still a viable home site and if the owner wanted to sell it to an individual to build a house they could. So, for the time being it is still counted as one of the home sites. So, if you counted what's on the tax map that Al gave you, there are seventeen (17) existing homes and three (3) vacant lots that Paul's company still owns and the one lot the resident bought. We are asking for a twenty-three (23) home sites. We would never really be up against the private covenant the residents have in their Homeowner's Association. What we're trying to do is take advantage of the fact that some lots were relinquished but it doesn't mean that they can't be put in another part of the community. We've established an architectural vocabulary for the community that is somewhat similar to what we've done in other sections of Radisson (unclear) similar to what's already there. That has already gone to the Radisson Board of Directors and that's been approved. We dealt with issues like setbacks on the home sites and issues of cladding on the homes, vinyl siding was approved. What we're really trying to do is establish count and then if you like I can discuss what my current thoughts are as to how it will be constructed.

Mr. Darcangelo questioned what authority a Homeowner's Association have to make a covenant that restricts development on property...

Al Yager, Town Engineer, stated that the original developer wrote the Homeowner's Association Covenants and he agreed when he wrote them that there would only be forty-four (44) home sites. Typically, developers don't hand over control of the HOA until the project is built out. This developer did not do that and handed over control of the HOA to the residents once he had twelve or fifteen houses built.

Mr. Darcangelo questioned if the total of forty-four (44) includes the two parcels in grey on River Road that don't have a lot number to them.

Mr. Yager stated that those are not part of the development.

Mr. Barnaba stated that Paul had a partner where there may not have been of communication. The Homeowner's Association is a little bit different, control really means that the residents hold a certain number of Board seats on their Board of Directors and they out-number the number of Board seats (unclear) so if the residents want to propose changes to their by-laws, they can. There is still an obligation however that somethings need to be done and approved by the State Attorney General's Office. There are some things that the law protects. You can't alienate the marketability of property, things like that. They can't put rules in place and make it impossible for us to sell homes. I think the residents I have met with aren't particularly savvy to managing Boards and things like that so I think they're going to have to feel their way through that process.

Hugh Kimball questioned if the white portion of the map is going to be part of the same Homeowner's Association?

Mr. Barnaba concurred, trust me if I didn't have to do it I wouldn't, the issue really is the roads connect and I see no other way than keeping the road private. Their original suggestion to me was, 'well can't you make our road public' and I said no, I can't. Again, we're going to be building a private road and everybody should be contributing to the maintenance of that road; which makes the whole idea of how many home sites you have kind of silly because you'd think you'd want as many contributors to maintain that road as possible.

Mr. Kimball reiterated that Lot 12 has already been split and reflected in deeds.

Mr. Barnaba concurred stating that they wouldn't be able to amend the County's Tax Map.

Mr. Yager concurred stating that that's shown on the 11 x 17 handout provided; it is the actual plat map where I numbered the lots in blue ink so you can see what we're actually talking about there.

Mr. Barnaba stated that the prior applicant this evening alluded to this in their presentation about phasing. There's an awful lot on a developer's plate these days when we deal with the (unclear) and what works best for the size of our project. Earlier today we were going to do the whole site at once, but we just don't consume building lots as quickly as we used to. I met with a lender today who is supporting us on this project and what we originally contemplated, which was a very small phase, we're going to get a little more aggressive and bring the road right out here, we're going to pave all the way out to Glacier Ridge; so, the first phase would basically be this connection right here (indicating on plan) and we will grab lots that area already contiguous to this road. The only challenge will be to get the sewer connection in for all of the home sites to come out the way that it was intended to be designed in the first section, then the balance would be to complete the loop in this direction (indicating on plan).

Mr. Barnaba continued stating that they're proposed to do it in two phases and basically 250 to 300 feet of road plus adding a couple of lots that are already contiguous to the road stub (Tulip Tree).

William Lester questioned if the Homeowner's Declaration have a stipulation that they have to approve this site plan?

Mr. Barnaba, no, as a matter of fact, the way the by-laws were written, they're responsible for governing the Association of Homes after they're built, they have nothing to say. Now, what the Offering Plan did show was a map with the roads and we're keeping the road network the same.

Mr. Lester stated that the developer has indicated that the Radisson Community Association has already approved what we're looking at??

Mr. Barnaba stated that we have not requested a vote or resolution as of now. If you believe you have to turn this over to that Board to either weigh in on approving it or not approving it, that's your prerogative. I presume that they would have no problem with what we're trying to do.

Doug Beachel, Planning Board and former RCA Board Member, stated that what they approved was the Architectural Vocabulary, which is their section by section building materials catalog. They have already seen it, that has happened.

John Corey, Chairman, stated that when this development was initially approved, they approved both Phase I and Phase II with forty-four (44) lots.

Mr. Beachel concurred.

Mr. Corey continued stating if these tax map counts are correct vs what the homeowners say, and combined, we're still within the guidelines of the existing preliminary plat approval. So, there would be no increased density or anything else.

Mr. Yager added that it would be an amendment to the Preliminary Plat at this point in time. It would not be approval of a new Preliminary Plat.

Mr. Darcangelo questioned what the amendment is, what's changed?

Mr. Yager stated that one (1) lot out of what is Phase I and moved it to Phase II.

Mr. Barnaba stated that the road network hasn't changed at all, the lot layout is the same. The prior builder built bigger, more massive houses than we build, they took up a little more space, so we may have a couple more lots in this section. Out setbacks will be a greater distance than his. He left only five (5) feet between side yards, we typically go with 7 ½ feet. Although there may be a couple more homes in there, they'll be further apart from one another.

Mr. Kimball revisited the issue that was raised about an extra home, really doesn't exist.

Mr. Yager stated that if the HOA's find it does...but from a legal perspective, because the tax map shows that Lot 12 was combined into Lot 11 and 13, that lot does not exist at this point in time.

Mr. Barnaba stated that these items were brought to my attention at a meeting asking what if some day the two owners want to combine the lot back again, my response was, 'go ahead, go back before the Planning Board and do it'. The issue is really going to become who gets to build the 44th house, and once that's done you can't have any more homes without amending the Offering Plan. I suppose if within five years and those two go to do it and I'm stuck and I and I can't build my 44th home because they sold the lot to somebody else, I will lose the opportunity to build a house. I suspect that the people who bought that home site and split it had no intention of combining it again and putting a house on it.

Mr. Yager added that quite honestly if you look at the aerial I don't even think they would meet the five foot setback that's approved in the Radisson HOA Covenants for this project. It looks like the house that's on Lot 11 is built over the original property line on the tax map.

Mr. Barnaba concurred saying that that may have been what happened. The developer might have said, the only way I'm going to make the sale on Lot 11 is if I give myself a little bit more land so he found a creative way to sell off the piece and he got something for it.

Mr. Corey stated that it appears that Phase I consists of 21 complete, identified lots in Phase I and Mr. Barnaba is proposing 23 more lots which brings us to the total of 44 lots, so basically, all we have to do is pass an amendment to the Preliminary Plat removing one from Phase I and replacing it in the proposed Phase II. I suggest a stipulation, since you put it on the record, that the construction phasing will start with Phase I and the completion of the road out to Glacier Ridge Road, so that all construction traffic comes that way and not through the existing development.

Mr. Barnaba stated that he can't stipulate what truck traffic can do, I can stipulate that there will be an opportunity for that they go in there.

Mr. Corey suggested good signage, that's all you can do.

Mr. Darcangelo stated that River Grove is made up of private roads.

Mr. Barnaba concurred. You are allowing for an accommodation in your approval over a road that the Town's not going to have any governance over.

Mr. Darcangelo concurred stating that we don't have that authority.

Mr. Barnaba stated that in other words, if I'm inclined to damage their road, I have to deal with it anyway because I'm going to own lots, because I'm going to own lots I'm going to have to pony up road repair money; but I'm ok with the stipulation. It gives me a little political leverage when I go back to them.

Mr. Darcangelo concurred stating that the access into the site is between you and the Homeowners Association.

Mr. Barnaba concurred. I find it very helpful, there's more than 50% chance we won't even use 23 home sites, if Crimson Ridge is any measure of it. Every section I conceded some lots here and there...somebody comes along and wants to put two together, but it's nice to have a starting point, so that if I want to do that, give up a lot, it's just administrative.

There was considerable discussions as to how to proceed. We need a copy of the letter from the Radisson Community Association when this application was before their Board in 2013. The Town Engineer's comment letter and any fees associated with this application.

It was determined that this item will be tabled until the November 15, 2021 Planning Board meeting.

Mr. Darcangelo questioned the number and phasing of lots throughout the overall development and asked that an updated map be provided.

Mr. Yager concurred.

Mr. Barnaba thanked the Board for their time.

Greg Sgromo, Dunn & Sgromo Engineers, represented the applicant stating that they appreciate the Board's time to give you an update of where the project stands since our last visit before the Board a year ago. It has taken us that long to get two things sorted out, one is the SHPO (State Historic Preservation Office) Study, who previously cleared the site, but an archaeologist was hired who performed excavations and came back with no findings. We have a letter of clearance from SHPO to that affect.

Hugh Kimball questioned if it has been made part of the public record.

Karen Rice, Clerk, concurred.

The second item was the Army Corp of Engineers. We have wetlands on the site. The previous delineation expired so we had to have the site redelineated, which we did twice now. The current plan shows the revised wetlands. They got a little bit bigger which forced us to modify the site. We are waiting for final clearance from the Army Corp. We have met with them on site, walked it with our wetland consultant, from a field standpoint I think everybody is in agreement that the report is getting finalized and getting submitted to Army Corp so that they can hopefully sign off of its next month. The plan before the Board this evening is slightly modified. The last plan showed seven (7) buildings with 26 units each for a total of 182 units. We received a 'sign-off' from the Department of Transportation for traffic for the old plan, the new plan will be slightly smaller (indicating on plan what has been removed). We still have two stormwater management areas, clubhouse, maintenance building and six (6) buildings with 27 units each. We are looking at two driveways. There was some desire from the Board to investigate possibly constructing one across from Oakbrook, due to the wetlands that's going to be impossible at this point. The intersections function at a Level A, this intersection had minimal degradation.

Al Yager, Town Engineer, stated that any degradation is mitigated because you're constructing less units so that would mitigate the potential for conflict. You're going from 182 to 162.

Mr. Sgromo concurred stating that the proposal is changing the mix of the units a little bit, 26 apartments per building to 27 and converting some of the units. The square footage is not really changing any.

Hugh Kimball questioned if the six buildings on the footprint are exactly as they were on the previous photograph/maps that we received and in the same position.

Mr. Sgromo stated that the six apartment buildings yes, the clubhouse and maintenance building are in different locations. We met with the Radisson Communication Association, that meeting went very well, some questions went back and forth and some concerns about visibility, but everyone is very happy with the fact that we're not going into the hill and revising our disturbance area.

William Lester questioned if there have been any view shed renderings put together.

Mr. Sgromo stated that they are trying to finalize those for the next meeting.

Steve Darcangelo questioned if snow was going to be stored on-site.

Mr. Sgromo concurred and indicating areas where that can take place.

Mr. Darcangelo stated that it looks tight, that's my only thought.

Mr. Sgromo indicated additional areas where snow could be piled.

Mr. Yager questioned if they are going to try and maintain a tree buffer along Drakes Landing and NYS Route 31.

Mr. Sgromo stated that they'll go out and tape off trees that we want to preserve. If there are bare spots trees will be brought in. Sometimes existing trees may not be worth keeping and we'll have to plant new where in a year or two and long term they will be better. When we get to that point, you can put it in the resolution...we will plot out where trees should be saved and/or what to put in. At this point it's difficult. There's an enormous amount of trees out there but not necessarily all worth keeping.

Mr. Yager concurred stating that there are a lot of Box Elder.

Mr. Sgromo concurred stating that we could get out there and determine that we can replace with nice maple or a nice spruce in there.

Mr. Darcangelo questioned if the Army Corp identified any trees that had to remain.

Mr. Sgromo stated that they did not. I am not a soils expert or a wetlands expert, but they're tricky to identify and there was a lot of back and forth between our Consultant and Army Corp.

Mr. Yager stated that this matches much closer than what was delineated for the YMCA project. It's slightly but it's much closer. The wetland delineation is pretty close to what the Y had, it's not far off.

Mr. Sgromo identified areas of change and stated that it's going to be a great project, we've heard nothing but positive about the buildings that are being proposed, they're nice looking buildings. We will have no problem keeping them occupied with top-notch tenants.

Mr. Darcangelo questioned how many garage parking spaces will there be.

Frank Fava, B & F Development, stated that there will be ten (10) detached garages per building.

Mr. Sgromo added that there will also be ten (10) within each building. That's one of the reasons it may look so dense, there are a lot of other apartments that don't have garages.

Mr. Darcangelo stated that you have a lot of auxiliary parking, capacity there.

Mr. Sgromo concurred stating that they will be doing a final count, they've got a lot of experience in this, they know how many they need...we're going to do a final count and tweak dumpster locations, etc... No question, they will have enough parking.

Mr. Kimball stated that he'd like to make a couple of suggestions before you appear before us again, things for you to look at, maybe anticipate what has already been asked. No. 1 is to look back at our minutes, July 9, 2020, February 13, 2020 and December 12, 2019. No. 2 I would suggest you take a look at River Knoll across the street, which I understand they're subsidized housing, but it's pretty nice over there. There's no visibility from 31. They have grass around each of the buildings. It's quite pleasant. I'm not seeing that with what I visualize here. Thirdly, I ask that you look at the Multi-family Development Controls, if you haven't already, that was developed by the RCA back in 2014, which was done maybe with this spot in mind, because it was after the Y. I have a feeling that there are things in there, particularly relating to density, height of the buildings, so forth that I suspect we would be asking some questions on. Lastly, if you haven't seen them, we've had a ton of emails from the neighborhood, not just the ones on Oak Brook. You might want to look at those and see what their concerns are. Thank you!

Mr. Sgromo...absolutely, thank you for your in-put.

John Corey, Chairman, questioned where you are in discussions with Radisson.

Mr. Sgromo stated that we met with them last year. The meeting went very well and they had no concerns relative to the buildings, as they're almost exactly like the ones built in Center Pointe. If you want to take a look, that would be a good one to look at. They have some concerns but they are pretty minor relative to views from up here (indicating on plan). When you take a look at perspective from elevations and stuff you really don't see a development.

Mr. Lester stated that that is why they would like to see view sheds.

Mr. Sgromo continued stating that there is an enormous amount of trees in between and there are height differentials where they sit much higher than the building, it's not like these buildings are towering over them. Just the opposite, so I think that helps tremendously. It was positive.

Mr. Corey questioned if they have given any indication that they are willing to provide a letter stating that they approve your project?

Mr. Sgromo stated that they may have to go back and talk to them and show them the new plan. We never got to that point, it kind of stalled out.

Mr. Corey stated that that would be a good idea. The Planning Board, traditionally, which always worked, Radisson provides us with a letter stating that, what you would be bringing to us, they have reviewed and are ok with the approval. Then we take it from there. Without that letter we really can't approve it. That would be very helpful.

Mr. Sgromo concurred as long as it is stuff within their purview to approve.

Mr. Yager concurred...from their purview.

Mr. Corey concurred stating that he has heard that they are positive for this, at least the building and stuff yet there is reluctance to provide us with a letter. You might indicate to them that it's kind of important for that process as it comes to us.

Mr. Sgromo stated that they will have that conversation. We have just gotten to the point where the wetland kind of finalized...

Mr. Corey...you can start to put your picture together.

Mr. Sgromo stated that they wanted to come back to the Board...we knew you had concerns, see if there are any new ones, the comments we just received. This gives us some time to look at it so we're not sitting here month after month wasting everybody's time.

Mr. Lester questioned if it would be possible to gather the resident's emails and letters that you and the Town Clerk received and share them with the developer.

Karen Rice, Clerk, concurred.

Mr. Lester stated that he spent at least four (4) hours today re-reading them. They're extensive. In fact, it goes back to the YMCA meetings where one of the letters I read today referenced Judge Paris's ruling on the YMCA wasn't going to be allowed because he ruled that the parcel was zoned for single family homes and multi-family attached homes. I don't know where he discovered that ruling or if the letter I read is factual or not, but it's something for sure will come up at a Public Hearing.

Mr. Sgromo stated that they will be happy to look at those and address the ones that are relevant and need to be addressed. That one there sounds (unclear)...some information there may need to be clarified.

Mr. Kimball stated that when he mentioned the multi-family development controls, one of the things you might want to look at in there is what they call common property because there is some specific stuff related to tot-lots and play areas and it's kind of specific as to how many for how many buildings, or whatever, so you might want to take a look at that.

Mr. Sgromo that that is some of the stuff that came up before, it's one of the reasons there is a tie in to the trail here (indicating on plan). The park is right around the corner. At some point in time, how many tot-lots do you want to have, especially if there's not a lot of tots in this development to begin with. There will be open areas, there will be play areas, there will be extra stuff...

Mr. Kimball questioned if there is a plan as to how to get to those without crossing Drakes Landing.

Mr. Corey concurred.

Mr. Sgromo stated that there is a path across Drakes Landing (indicating on plan) if they want to ride their bike, walk the trail system.

Mr. Kimball stated that he understands, but just to get to the Hornaday Park.

Mr. Sgromo stated that they will look at all that.

Mr. Darcangelo questioned the wetland delineation identified next to Building 7...there's a small area identified.

Mr. Sgromo stated that that was always there, from the YMCA days, it's not connected to anything. It's isolated.

Mr. Yager added that typically areas that are less than 10,000 square feet they do not take jurisdiction.

Mr. Darcangelo....delineated, but they're not requiring anything.

Mr. Yager concurred stating that the Army Corp of Engineers is not taking jurisdiction over it.

Mr. Sgromo stated that God forbid something changes between now and the final stamp comes, but I've got some reserve area there that we can deal with; but the Army Corp has already said they're not really interested in that.

There being nothing further, Mr. Sgromo thanked the Board for their time.

4. Major Subdivision

White Tail Woods
Section C-1, Longbow Way

Karen Rice, Clerk, stated that she was just going to give Board members maps from April of 2020. They already received Preliminary Plat for twelve (12) lots.

Al Yager, Town Engineer, stated that the lots have not changed from the Preliminary Plat. The developer is coming to the Town Board at their next meeting, October 21, 2021, asking the Town Board to take dedication of the roads and utilities. They do have some lots under construction in this development, under or Town Code you're allowed to construct one spec house before you file your final plat, so once the Town Board takes dedication they want to be able to file their map and close on those houses that are under construction.

Steve Darcangelo questioned if an engineering letter will be prepared.

Mr. Yager stated that he has not had the opportunity to do so but will. I am fine with what is shown.

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

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat, for White Tail Woods, Section C1, Part of Farm Lot No. 95, Part of Tax Map Number 07.1-04-16.1 for the twelve (12) lot subdivision application of White Tail Woods, for property located at Longbow Way, Baldwinsville, New York, and finding that all modifications and conditions have been met; the Board authorizes the Chairperson to waive the Final Plat public hearing and sign the Final Plat with the following condition:

- 1) All outstanding fees associated with this application, including expert fees and fees in lieu of land for public use, and
- 2) Letter from Al Yager, Town Engineer, with regard to his review.

5 Ayes -- 0 Noes

V. ADJOURN

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

RESOLVED, that the Thursday, October 14, 2021 regular Planning Board meeting adjourn at 8:17 p.m.

5 Ayes - 0 Noes

Respectfully submitted,

Karen Rice, Clerk