

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 LOOP ROAD  
Thursday, January 14, 2021 @ 7:00 p.m.

The regular meeting of the Town of Lysander Planning Board was held Thursday, January 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; William Massaro, Belgium Cold  
Springs Fire Department; Steve Sehnert, Applied Earth  
Technologies; Dan Dziadula; Joe Mastroianni, Engineer;  
Mark Reeves and Karen Rice, Clerk

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

APPOINTMENTS:

William Lester, Deputy Chairman  
Al Yager, Engineer to the Planning Board  
Timothy Frateschi, Attorney to the Planning Board

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

RESOLVED, that the Planning Board appoint **William Lester**, Deputy Chairperson to the Planning Board to act on behalf of the Chairman if he is unable or has a conflict of interest for the 2021 calendar year.

5 Ayes -- 0 Noes

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

RESOLVED, that the Planning Board appoint **Allen Yager**, Engineer to the Planning Board for the 2021 calendar year.

5 Ayes -- 0 Noes

Mr. Yager thanked the Board.

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

RESOLVED, that the Planning Board appoint **Timothy Frateschi**, Esq., Baldwin, Sutphen & Frateschi, PLLC, attorney to the Planning Board for the 2021 calendar year.

5 Ayes -- 0 Noes

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

1. Major Subdivision	Eldan Homes
Re-subdivision	Crimson Ridge, Phase 5, Sabin Road

The Public Hearing at 7:00 p.m.

Dan Barnaba, Eldan Homes, stated that he was co-developer of the property known as the Estates of Crimson Ridge, Crimson Ridge, Section 5. The application has been before the Board previously, initially there were two building lots approved on this portion of Sabin Road; the new layout shows four building lots with access to both public sewer and water.

Dan Dziadula, 3014 Verona Court, questioned if more pipes would be installed along his parcel.

Mr. Barnaba stated that the sewer is already installed.

Mr. Dziadula stated that he has some concern with the water pressure, as with every house that gets built we lose pressure. Will this proposal make a bigger difference with the loss of water pressure.

Mr. Barnaba stated that he believes there is already a water main that runs along Sabin Road; however, I can't speak of the interaction between this water main extension and this water. I imagine it has more to do with the fact that these properties are relatively high; I can't imagine these four houses would impact that.

Mr. Dziadula stated that it just seems like as more houses get built it gets lower.

Mr. Barnaba stated as a side note you have a pressure reducing valve in your basement; you can have the Onondaga County Water Authority come and check that.

Al Yager, Town Engineer, stated that pressure in your home or the water distribution system is a function of the elevation of the water in the water tower. Additional homes really should have no affect on pressure. Potentially you can have a lower peak flow rate simply because if more people are drawing right off of that same main. If you do have a pressure reducing valve in your basement it would be worth taking a look at the adjustment setting on that.

Mr. Dziadula stated that that was his only question; he has no objection to the subdivision and thanked the Board for their time.

The Public Hearing closed at 7:06 p.m.

PUBLIC HEARING -- 7:05 p.m.

2. Minor Subdivision  
Case No. 2020—015

Hafner, David  
West Genesee Road

The Public Hearing opened at 7:06 p.m.

John Corey, Chairman, stated that the applicant has asked that this item be tabled awaiting the necessary material to move on this application.

The Public Hearing adjourned at 7:07 p.m.

## II. APPROVAL OF MINUTES

Review and approval of the minutes of the December 14, 2020 regular Planning Board meeting.

This review and approval of the minutes of the December 14, 2020 Planning Board meeting will be tabled until the February 11, 2021 Planning Board meeting.

## III. OLD BUSINESS

1. Major Subdivision  
Re-subdivision

Eldan Homes  
Crimson Ridge, Phase 5, Sabin Road

Steve Darcangelo questioned where the water comes from.

Dan Barnaba stated that it is serviced by the Onondaga County Water Authority (OCWA).

Al Yager, Town Engineer, stated that there's a water main on Sabin that those houses will tap into.

Hugh Kimball questioned if sewer access agreements are in place.

Mr. Yager stated that we will ask to review the deeds for the lots that are being created just to make sure the sewer easements are recorded correctly. Every lot does have access to the sewer. We are asking for an additional 10' easement so that if anyone ever has to dig out the sewer lateral you can put the dirt within that easement.

Mr. Kimball asked if we could condition that in our approval.

Mr. Yager concurred.

Mr. Kimball continued asking if, as stated in the RCA's letter, the Board can condition the approval on no clear cutting of trees.

Mr. Barnaba stated that it is his understanding that that is a condition of the Community Association and not a Town condition. I'm not aware of any Town Ordinance with regard to the removal of trees. I'm well aware of the Community Association's rules regarding the removal of trees.

Mr. Kimball stated that he is not saying anything one way or the other, just referencing their letter.

There is a letter on file prepared by Lynn Tanner, Executive Director, Radisson Community Association, dated January 14, 2020, that will be made part of the public record, in part:

James Bondur, on behalf of Eldan Homes, has applied to the Planning Board for approval of a resubdivision of the Major Subdivision, known as Crimson Ridge, Phase V, for property located at 8299 and 8305 Sabin Road, Tax Map No. 075.1-01-18 and 075.1-01-19.0, Baldwinsville New York. The applicant's proposal is to subdivide two (2) parcels into four (4) residential building lots. Maps of the proposed subdivision also show that a portion of the property is intended to be conveyed to the Radisson Community Association (RCA) becoming "common property" of the Association.

I have been asked to provide you with this letter to inform you that the RCA finds this project acceptable. Upon review of the Amended Final Site Plan, dated November 20, 2020, the RCA Board of Directors approves of this project, in as much as it fits the concept of a Radisson residential development, as per the General Project Plan (GPP). Our approval excludes, but is not limited to, drainage issues, engineer issues, existing or potential environmental concerns and non-compliance with applicable Federal, State, County, Town or local codes, standards or requirements.

We were also asked to provide you with this letter to inform you that the RCA might be amendable to accepting this property area land conveyance provided that no impairment physical or otherwise is created on or to the land as a result of the subdivision of the aforementioned parcel or any construction activity associated with the subdivision that could become a liability to the RCA. These impairments include but are not limited to drainage issues, existing or potential environmental concerns and non-compliance with applicable Federal, State, County, Town or local codes, standards or requirements. Any decision to accept the proposed common area properties would be subject to a final walkthrough of the property prior to conveyance and the approval of the RCA's board and its professionals.

The location of the Sanitary Sewer Easement and Access Easement must be noted in the deed for the properties of Lots #12 and 13A with instruction that no permanent structure (i.e. fence) can be erected in that easement, as that area is for use of Lots #12, 13A, 13B and 13C to receive curbside services from the RCA on Verona Court. The deeds for Lots 12, 13A, 13B and 13C must recite this easement, as must the deed for Lots 7 & 8, which will be subject to the easement.

The RCA is agreeable to the concept of entering into a maintenance agreement with the Town of Lysander for all of the stormwater management practices located within this parcel to be deed to RCA. The details of said agreement are to be determined.

**The developer is to be reminded that only trees necessary for construction are to be removed, there is to be no clear cutting of trees.**

Mr. Darcangelo questioned if the Town Engineer checked to see that there's adequate slope for the sewer line...that's a long run for that sewer line.

Mr. Yager stated that Julian Clark, Plumley Engineer, updated the profiles. We're in good shape.

There is a letter on file prepared by Al Yager, Town Engineer, dated January 14, 2021, that will be made part of the public record, in part:

I have completed my review of the revised Subdivision Plat for Phase 5 of the Crimson Ridge project prepared by Applied Earth Technologies, dated November 20, 2020. The developer has addressed all of the engineering comments from my previous review letter dated October 10, 2020. At this time, I would not be opposed to the Planning Board granting plat approval to the revised Crimson Ridge, Phase V subdivision.

This application was forwarded to the Onondaga County Planning Board for their review and recommendation, whose findings will be made part of the public record, in part:

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

Mr. Darcangelo questioned what prompted this modification.

Mr. Barnaba stated that when the subdivision was originally approved we had two large building lots that had a market value fairly high at \$50,000 each. After 4 ½ to 5 years of marketing efforts we weren't getting anybody who was interested in building here. I'm speculating that if I made the lots smaller, which will reduce the lot prices considerably I can go to some lower price points. I have some small ranch homes that I can build in this neighborhood. I also feel that four homes that are all built at the same time with common architecture will look like they belong together on that street where there are older homes as opposed to two larger homes.

Mr. Darcangelo asked if the infrastructure that is put in place adequate to support four; knowing that it was originally designed for two.

Mr. Barnaba stated that there's a sewer main extension that was already built that will be extended a little bit further and there will be four homes on the sewer main as opposed to two.

Mr. Darcangelo questioned the size of the sewer main.

Mr. Yager stated that it is an 8" main.

Mr. Darcangelo reiterated that there is no other public infrastructure, correct?

Mr. Yager and Mr. Barnaba concurred.

**RESOLUTION #4** -- Motion by Corey, Second by Lester

RESOLVED, that a Public Hearing having been held on the application of Eldan Homes for a resubdivision of property located at Crimson Ridge, Phase 5, Sabin Road, Baldwinsville, New York, Part of Farm Lot No. 82 and Tax Map No. 075.1.-01-18, for a development of four (4) lots from a parcel of approximately 33,000 square feet; as shown on a map dated \_\_\_\_\_, prepared by \_\_\_\_\_, Licensed Land Surveyor.

**DISCUSSION:**

Mr. Kimball questioned if the Board wants to add the easement condition.

Mr. Yager stated that the Board certainly has that ability; the easements are shown on the map. They should just be referred to in the deed. I don't know if it's necessary simply because we have the map that gets filed that shows these.

5 Ayes -- 0 Noes

Mr. Barnaba thanked the Board for their time stating that the only face that has been with the project for thirteen years is Karen; Al came a little bit after. The project started in 2007 and this is our last site. Thank you very much; I've gotten a lot of cooperation from the Town.

Karen Rice, Clerk, thanked Dan stating that his Dad, Dan Barnaba as well, was a good man. It was a pleasure working with him too.

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|----------------------|-------------------|
| 2. Minor Subdivision | Hafner, David     |
| Case No. 2020—015    | West Genesee Road |

This item will be tabled until such time that the applicant contacts the secretary to be placed back on the agenda.

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|------------------------|-------------------|
| 3. Controlled Site Use | Reeves, Brian     |
| Case No. 2020—016      | West Genesee Road |

Joe Mastroianni, Engineer, represented the applicant stating that the site is located at 1184 West Genesee Road. There are existing farm worker housing units on the property. The owner, Brian Reeves, on behalf of Reeves Farms, is putting up a 36' x 80' dormitory building with ten rooms to house up to 40 people. Twenty of the existing 50 people living on the site will be moved to the new facility with an additional 20 being hired. The existing septic system is a 1500-gallon tank and enough 'beds' to handle what currently exists. To put 20 more people in

we have to expand the system. The 'beds' will handle 70 people total. Plans have been submitted to and approved by the Onondaga County Health Department. There is an existing block building that houses the bathroom facilities and kitchen. Because we are adding 20 more people we have to increase the number of sinks, showerheads and stove per the Health Departments. Those plans are shown on Map A-6 of the package submitted this evening. A table has been provided, showing what we currently have, what is required. For example, one toilet is required per 15 people. There are four in the block building and four in the wood frame house, none in the trailers.

Mr. Mastroianni further stated that they went before the Zoning Board of Appeals Monday, January 11<sup>th</sup>, because the location of the building is supposed to be 25' from any other residential structure. We are going to be 10' from the next nearest one. The 10' was established because meeting the 25' would mean we'd lose 15' of agricultural lands and taken out of production. The ZBA granted the 15' setback variance.

Hugh Kimball questioned how many people are going to be living inside the complex.

Mr. Mastroianni stated that currently 50 with 20 more being brought in.

Mr. Kimball stated that the only concern he has relates to fire and safety because that's a lot of individuals in small quarters. I'm curious about fire access, ambulance access...is there any way to approach from the back or one of the sides to get more than what you can get just from the front?

Mr. Mastroianni indicated on the plan how the existing buildings would be accessed, explaining that the proposed building would be steel on both the outside and inside. The chance of anything burning would be small unless it's a smoldering mattress or something. You can easily access the other units.

Mr. Kimball questioned if there are gates on the fence.

Mr. Mastroianni stated that there are not gates...

Mark Reeves added that as you come out of the basement of the house there's an open area where there is no fence whatsoever; so, there is access that way. The only place there isn't access is along the backside where there is an existing swale that has existing water when it rains hard; but you can get in three-quarters of the way around the site. The back of the proposed building is going to be open as well. We can put a fence there if it's required; which would be gated if need be.

Karen Rice, Clerk, stated that she spoke with one of the Commissioner's of the Plainville Fire Department, who said they don't have a problem at all with this project and that they would bulldoze that fence if they had to to get into a fire.

Mr. Kimball questioned why we would even require a fence.

Farm Worker Housing, Article XXV, Section 320-70, Paragraph C(7), in part: Farm worker housing...to the greatest extent practicable, be screened by vegetation, fencing or land form from adjacent properties and public roads and highways unless situated at least 150 feet from the nearest lot line. The Planning Board shall be authorized to waive the need for screening, in whole or in part, on a case by case basis, upon presentation by an applicant of proof that screening is economically or otherwise unreasonable in the particular situation.

Mr. Kimball stated that he would prefer not to have any more screening. The only surrounding land is owned by the Reeves.

Steve Darcangelo stated that it's unlikely you're going to send a fire fighter between two buildings with a ten-foot clearance.

Mr. Darcangelo stated that he's more concerned with the centralized bathrooms and not requiring restrooms in the proposed building. The applicant has no interest in putting restrooms in the building?

Mr. Mastroianni stated that they have they have the centralized kitchen, bathroom, shower building...that's the standard way they do it.

Mr. Darcangelo stated that he can appreciate that but he does not know why the NYS Code allows that. You cannot build a college dormitory without one. A building such as this should

have a restroom...you're going to have 40 people and you have to leave the building in order to use the restroom. To me that's not 2020.

Mr. Reeves stated that it's treated like a campground. You go to a campground, people tent, park their campers and use bathrooms off site. The workers eat in the centralized building, bathe there, use the laundry facilities, etc... Everything they need to do is in the building except sleep.

Mr. Darcangelo stated that you know your workers better than I do but I doubt they consider it to be out camping. I just think that it's absurd that that's the Code, but I'm not going to argue that...that's the Code, but I would say that it would seem to me that we are a Planning Board and our objective is to have good planning within facilities that are constructed within a community. Quite honestly to me a building that is intended to house 40 people should have a restroom and I would say that any other building to house 40 people would have a restroom, 40 college students, 40 students in class for the day, 40 people coming to eat in your restaurant...we would have a restroom.

Mr. Kimball stated that the rules that cover farms are also largely governed by the State Department of Ag & Markets and the regulations are theirs. I think Mr. Reeves knows far more about it than I do. Years ago, before I was on the Planning Board there was an issue with another farmer and the Town took him to Court and got their hand slapped; so, you have to be careful with what we try to do.

Mr. Darcangelo stated that I would never ask someone to do something that is not required by Code, I wouldn't go beyond what I believe is our jurisdiction; however, I think there's an opportunity here to bring this up to the Town Board asking that the local code be adjusted to do this (require a bathroom facility).

Karen stated that we'd be challenged I'm sure.

Mr. Darcangelo concurred, but that's just his opinion, I just want to say it for the record that as a Planning Board I'd be remiss the fact that I think this is poor planning. It's a private facility, but to me to build a facility that houses people and they have to exit the building to go into a restroom.

Mr. Mastroianni stated that it's ten feet to the door...

Mr. Darcangelo stated that we have nowhere else where that is permitted. If it was anyone else, besides these agricultural workers. I can't believe that there's a sector of our society that we'd allow a dorm to be built that would not require it.

John Corey, Chairman, stated that what we're dealing with here tonight is all covered under the Code.

Mr. Kimball questioned any DOT (Department of Transportation) concerns with the driveway?

Mr. Mastroianni stated that nothing is changing. The people coming in will not have vehicles that they will be driving in and out. There's not going to be an increase in vehicles.

There was additional discussion with regard to the septic system/distribution box.

Mr. Mastroianni explained what is flowing where.

It was determined that the Onondaga County Health oversees and regulates the septic system.

There is a letter on file prepared by Al Yager, Dated January 13, 2021 that will be read into the record, in part:

I have completed my review of the plans for the Reeves Farm Migrant Housing Project. At this time the site plan with a cover sheet dated November 25, 2020, prepared by Mastroianni Engineering, PLLC appears to meet all applicable local and state code requirements including NYS Department of Health Part 15 requirements. The total area of soil disturbance proposed in the plans is less than 1 acre so a stormwater pollution prevention plan and SPDES construction permit will not be required for the project. At this time, I would not be opposed to the Planning Board passing a resolution of site plan approval for the project.

The application was forwarded to the Onondaga County Planning Board for their review and recommendation and will be made part of the public record, in part:

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

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

RESOLVED, That the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as Lead Agency for Reeves Farm Holding LLC, 1184 West Genesee Road, Baldwinsville, New York, Controlled Site Use application for Farm Worker Housing.

5 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, an Area Variance was granted by the Zoning Board of Appeals January 11, 2021.
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)? N/A
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No
7. Will the proposed action impact existing:
  - a. public / private water supplies? No
  - b. public / private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health? No

**RESOLUTION #6** -- 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 Reeves Farm Holding LLC, 1184 West Genesee Road, Baldwinsville, New York, Controlled Site Use application for Farm Worker Housing, the Board issues a NEGATIVE DECLARATION.

5 Ayes -- 0 Noes

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

RESOLVED, that having reviewed a site plan as defined on a map dated November 25, 2020. prepared by Joseph A Mastroianni, Professional Engineer, associated with the application of Reeves Farm Holding LLC, on behalf of Reeves Farm, for a Controlled Site Use to allow the

