

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 Loop Road  
Thursday, October 13, 2022 at 7:00 p.m.

The Town of Lysander Planning Board meeting was held Thursday, October 13, 21022 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John Corey, Chairman; Hugh Kimball; Steve Darcangelo; Doug Beachel and Matt Hunt

OTHERS PRESENT: Al Yager, Town Engineer; Tim Frateschi, Planning Board Attorney; Anthony Cimpi; Judy Santimaw; Steve Sehnert, Applied Earth Technologies; Pat Reynolds, Ianuzi-Romans; Warren Abbott and Karen Rice, Clerk

The Planning Board 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 September 8, 2022 Planning Board meeting minutes.

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

RESOLVED, that the minutes of the September 8, 2022 regular Planning Board meeting be approved as submitted.

5 Ayes -- 0 Noes

III. OLD BUSINESS

1. Controlled Site Use  
Case No. 2022—003

Baldwinsville PV I, LLC  
Wight Property, Sixty Road

Via ZOOM, Cameron Knowles stated that he works with Tony Cimpi, who is in attendance tonight, Adam Maynard and Lucas Faria, the Galehead Development team, having been with Galehead for 3 years.

Mr. Knowles noted that changes that have been made:

50 foot buffer strip of natural vegetative screening provided on the eastern and southern side of the property.

100' setback from solar panels to property lines on the southern side, along the residential property lines..

Planting another buffer of evergreen trees where there are gaps of natural vegetation. If there is a gap they are open to providing evergreen trees as a natural layer of defense.

It's important to note that because of these new setbacks, we were looking for ways that we could have the project be a little more efficient. One thing we did do is change the racking structure; which is going to be a tracking system, as opposed to a fixed head. A tracking system very slowly follows the sun from east to west and we plan on going with a smaller array, less than what was originally proposed. It's new piece of equipment that we're looking at taking advantage of, it's not a large material difference to the project.

We do need to submit another final civil design set as well as provide a Stormwater Pollution Prevention Plan. With that I'll open it up for comments from the Board.

John Corey, Chairman, stated that basically where we're at now is you have responded to the Planning Board's concern with regard to screening and setbacks. So, now we're at a point where we really need to get the final material for the SWPPP because we have to get that done before we can do the SEQR. We need to do the SEQR before we hold the Public Hearing. We can schedule a Public Hearing for next month and if you have all of the material into Al Yager,

Town Engineer and we get a letter on the SWPPP we would do the SEQR first and then open up the Public Hearing.

Tim Frateschi, Esq., stated that it would be nice if we had the information at least a week before the Public Hearing to allowing both AI and I time to review it.

Mr. Knowles reiterated that from a design standpoint, the setback and screening look good but the SWPPP should be to you 7 days prior to the November 10<sup>th</sup> meeting in order to schedule the Public Hearing.

Mr. Yager stated that the Public Hearing will be scheduled tonight. Opening and completion of the Public Hearing will be dependent on the final civil plan and the SWPPP.

Mr. Knowles concurred and said he and Tony (Anthony Cimpi) will meet up and have the SWPPP all set by November 3<sup>rd</sup>.

Mr. Cimpi concurred.

Mr. Frateschi questioned how you're going to access the back of this property if there are panels that go out? It looks very tight.

Mr. Yager stated that the scale is somewhat deceiving. There is room to drive a vehicle between the stormwater swales and the panels themselves.

Mr. Frateschi asked if there were going to be gravel roads or driven over...

Mr. Yager stated that they will be driven over grass or whatever is there.

Mr. Frateschi questioned potential fire issues.

Mr. Yager stated that the panels themselves are inert. The racking is steel so there's no fire hazard there per se. I suppose you can have a short in a wire, potentially a brush fire concern. I think it's a very low probability with how these systems are wired. I don't want to say it is a zero percent chance because there is always a chance of something, but I think it's unlikely. We can ask the Fire Department if they need additional setback for fire apparatus.

Mr. Frateschi stated that to him it seems like an access issue. It just seems very crowded. I don't know how anybody is going to get to those panels in the middle or at the back.

Mr. Cimpi stated that the spacing is typically wide enough to drive vehicles throughout. We design roads that meet the standards of NYS Fire Code. It's typically taken into account when the design is made. There will be adequate spacing to drive vehicles throughout.

Mr. Frateschi questioned if we would also be reviewing the site plan.

Mr. Yager concurred stating that we haven't gotten the final civil plan. We are waiting for final civil design plans.

Steve Darcangelo questioned the grade.

Mr. Cimpi stated that it's fairly flat with some topography but nothing that is more than a few feet different than the rest. It's a little steeper as you get closer to the adjacent properties behind the southeast corner. In general the site slopes towards the wetlands offsite to the west.

Mr. Darcangelo stated that the contours show 25'

Mr. Yager stated that the actual percent grade is 8 or 9 percent.

Mr. Darcangelo questioned how you're going to do level spreaders, where do you put them?

Mr. Knowles stated that quite honestly the product that we've been looking at for some time...we can supply the data sheet for the trackers. These are trackers that I believe can hit steep grades at over 15%. We certainly wouldn't be setting ourselves up for failure. 8 to 9 percent is absolutely something that can be handled.

Mr. Darcangelo stated that he's not worried about your ability to install the equipment. My questioned is you had fixed tilt before, you've got trackers now...you're over 5% so your

SWPPP will require you to have level spreaders at the base of these. Where do you put the level spreaders when the drip edge is changing throughout the course of the day?

Mr. Yager stated that the level spreaders are staggered throughout the site. I believe the requirement is no more than a 50' interval so You'd have to construct the level spreaders either before you install the panels or as you are installing the panels from a grading standpoint.

Mr. Darcangelo stated that he believes it's 5% at every drip edge...that's the Maryland Memo and DEC has put that into effect.

Mr. Yager stated that he believes there's a spacing...

Mr. Darcangelo stated that that should be looked into because your drip edge is going to change throughout the course of the day. As long as you address that, that's fine.

There was additional discussion as to the placement.

Mr. Yager stated that they haven't seen a final SWPPP.

Mr. Darcangelo concurred about access, I don't know what the Fire Department would say, but that is the only concern, if an electrical fire ignited and caught the vegetation around the site. There is very limited access on the site. We can defer that to the Fire Department.

Mr. Knowles questioned if the Board wanted them to get in touch with the Fire Department.

Karen Rice, Clerk, stated that a package was given to them through a neighboring Fire Department, but we never heard from them. They were also invited to the Coordinated Review with no response. Tony DiGregorio, Baldwinsville Fire Department, would be the contact person on that.

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

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Baldwinsville PV I, LLC, on property located at Sixty Road, adjacent to the Village of Baldwinsville Boundary Line, Tax Map Nos. 057-01-03.1, Baldwinsville, New York, for a Controlled Site Use to allow the construction of a Solar Farm.

5 Ayes -- 0 Noes

Mr. Knowles and Mr. Cimpi thanked the Board for their time.

#### IV. NEW BUSINESS

- |                      |                |
|----------------------|----------------|
| 1. Minor Subdivision | Abbott, Warren |
| Case No. 2022—006    | Hicks Road     |

Steve Sehnert, Licensed Land Surveyor, represented the applicant, stating the Abbott's own 29 acres on the east side of Hicks Road. Currently there is a cell tower constructed north east corner with a gravel drive to it, at the intersection of Gloria Drive. Warren would like to propose two lots in the north west corner of this parcel, each on being over 80,000 square feet. The zoning is AR-40, however this parcel is in Ag Zone #4 requiring a bump up to 80,000 square feet. The Hicks Road being a County road requires an additional 50' since it is a Collector road, giving them 200' of lot width. Preliminary percolation tests have been taken with adequate perc. The remnant piece will remain under agriculture. There are wetlands to the extreme east of the property and an isolated one down in the corner, but none affected by this proposal. There are no 100 year flood hazards on this property. Our original intent of this site was to develop two more lots behind it with access through a 40' strip to allow four lots with shared access, however 'flag-lots' are not allowed in the Town.

Warren Abbott stated that they would like to cut four lots of, but we don't think four lots in a row down Hicks Road with four driveways is in the best interest of the Town. I told Steve at this point we'd do two and revisit the flag-lot rule to see if we can't cluster them up in the north end and end up with one driveway.

Al Yager, Town Engineer, stated that his concern is the access, because obviously a future subdivision will occur here, is having a compliant lot for the cell tower also. That's the other piece of this that has to be considered.

Mr. Abbott stated that he had Steve prepare a sketch showing all four stacked up, basically like what was done on NYS Route 370 across from the former Tabatha's Restaurant. That was where I originally got the idea. These are my father's lots and we're trying to clean some stuff up as we're all getting older.

Mr. Darcangelo questioned why you don't want to propose your entire plan now.

Mr. Abbott stated that it's because they're not 'legal'.

Karen Rice, Clerk, stated that flag-lots are not allowed. He'd have to do a cul-de-sac built to Town standards

Mr. Abbott stated that the expense at that point....

Mr. Yager stated that an overall development plan for the parcel needs to be looked at.

Mr. Abbott stated that they don't have any future plans.

There was considerable discussion with regard to future development and access to adjacent parcels owned by the Abbott family and by having four road front lots could hinder access to the adjacent parcel and they don't want to have lots too close to the Hicks/Hayes/Cold Springs Road intersection.

Mr. Abbott continued stating that one of the biggest concerns of the Town's people has been the viewshed. By putting the four lots one behind the other you're cutting the amount of viewshed changed in half. We just thought that four lots off of one driveway right in front of the cell tower was the right way to go.

Mr. Darcangelo...why not propose your plan development now?

Mr. Abbott stated that we proposed it and we were told by the Town that two other lots weren't conforming.

Mr. Darcangelo...not if you build a road.

Mr. Abbott stated that they can't build a road because the money isn't there.

Hugh Kimball....aren't we supposed to review a full build-out regardless if we go ahead and approve anything like that.

Mr. Darcangelo concurred stating that SEQR isn't supposed to be phased and you're telling us there's another phase.

Mr. Abbott ...there can't be another phase if the Town doesn't change the law, that's what it comes down to. As far as the one lot behind the other. Otherwise the next phase is two more lots directly to the south from what's there, probably saving a 60' strip in there to access the remainder.

Mr. Darcangelo...I'm with you on everything you've said, the idea of having a single curb cut on Hicks Road, rather than driveway after driveway as you go down; but I don't like the idea of subdividing a piece of property and leaving a 40' strip...

Mr. Yager stated that we'd like to see at least 60'.

Mr. Darcangelo continued stating that even the narrow gravel driveway at 30'.

Mr. Yager stated that that would be non-conforming...how do you get the frontage for that (cell tower).

There was additional discussion with regard to constructing a road with Mr. Abbott stating that there are no plans to build a road, that's not on the table at all. We just can't afford to put that much infrastructure in.

Mr. Yager stated that your lot width requirement would go down if you had a Town road. You could theoretically make more than four lots to reduce your cost per lot burden because your frontage then would be off of the Town road cul-de-sac. You'd go back down to the 150' of the AR-40 zone.

Mr. Abbott stated that you'd now be at a Major Subdivision and I don't think my Dad at 89 years old wants to deal with that expense. We could take that 40' strip and make that 60' if the Board desires.

Mr. Yager stated that that cell tower lot would some day be subdivided off as its own parcel. That's what this plan doesn't account for; how do we handle that to make this a compliant lot. There isn't a good way to do it without a Town road. With a Town road you might be able to finagle something to make it work. This way it severely limits how you'd ever be able to subdivide that parcel out on its own.

Mr. Frateschi stated that from an environmental review standpoint it can't be purely speculation that you might do something someday. I don't think there is a definitive plan today other than to do those two lots.

Mr. Abbott stated that the only definitive plan was to do the four (stacked) lots; so we may come back in and do two more down the road because that's what's legal today.

Alternative lay-out, access easements and water and sewer availability were discussed.

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

RESOLVED, That the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as Lead Agency for the Warren Abbott, Hicks Road, Baldwinsville, New York Minor Subdivision application.

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
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 #4** Motion by Corey, Second by Hunt

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 Warren Abbott Hicks Road, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a **NEGATIVE DECLARATION**.

5 Ayes -- 0 Noes

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

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Warren Abbott, for a subdivision of property located at Hicks Road, Baldwinsville, New York, Tax Map No. 071.-02-53, for a development of two (2) lots from a parcel of approximately 30 acres.

5 Ayes -- 0 Noes:

Mr. Sehnert and Mr. Abbott thanked the Board for their time.

2. Minor Subdivision  
Case No. 2022—007

Janowski, Susan  
1677 South Ivy Trail

Pat Reynolds, Ianuzi-Romans, represented the applicant stating that currently the existing tax parcel exists of three of the original lots filed for the Seneca Estates Subdivision Amended. Mrs. Janowski is looking to carve off one of those existing lots. The original subdivision showed Lots 6, 7 & 8, she would like to carve off Lot 8 and retain 6 & 7 for herself. The three lots combined are 3 ½ acres; she would like to remove 1.2 acres.

Hugh Kimball stated that it appears that the house has already been sold; how do you do that and divide off a piece. The movers were there yesterday too.

Mr. Reynolds stated that he doesn't know personally what their situation is or anything about the sales; I do know that they are eager to get this through so I would imagine if there is a contract for one of these parcels that could be why.

Steve Darcangelo stated that it also looks like someone built the house in a drainage easement.

Mr. Reynolds concurred stating that it's not over the boundary line though. Both of the proposed lots are compliant with today's Code.

John Corey, Chairman, he is familiar with the property stating that they were compliant building lots when Mr. Janowski purchased three lots and combined them into one. All they want to do is basically break out that far western lot. What they're going to do with it I'm not sure, because I know others who have purchased property have run into a lot of changes in the NYS DEC regulations. Septic tanks were also allowed to be built near the channel and the river at that time.

Mr. Yager stated that any septic system would have to be on the South Ivy side of the property to meet the setback requirement from the water.

Mr. Kimball reiterated that it would have to be in the front yard.

Mr. Darcangelo stated that On some subdivisions we get percolation tests, is that a requirement?

Karen Rice, Clerk stated that it is a requirement for a residential building lot, have you done perc tests on this lot?

Mr. Reynold's stated that they contacted Onondaga County to see what's required for a perc test before they sign off on the map or allow us to file. We are in the process of getting that. We have an engineer lined up and actually getting somebody with the time to get out there and get the test.

Mr. Darcangelo reiterated that if a lot is zoned residential it's required.

Karen concurred stating that if the lot is being subdivided for residential purposes, no matter what district it is required, if it's under 5 acres. They can make a notation 'not for residential purposes' and get by it.

Tim Frateschi, Esq., stated that it's a conforming lot, it's a pretty simple process.

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

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 Susan Janowski, 1677 South Ivy Trail, Baldwinsville, New York Minor Subdivision application.

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
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:
  - 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

Mr. Darcangelo questioned any property setbacks along the water...

Karen stated that there's a retaining wall and boat slip that are allowed.

Mr. Corey concurred stating that there are no setbacks for that.

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

RESOLVED, that having reviewed the SEQR regulations, determined this is an **UNLISTED ACTION**, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the Susan Janowski, 1677 South Ivy Trail, Baldwinsville, New York, Minor Subdivision application, the Planning Board issues a **NEGATIVE DECLARATION**.

5 Ayes -- 0 Noes

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

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Susan Janowski for a subdivision of property located at 1677 South Ivy Trail, Baldwinsville, New York, Tax Map No. 046.-01-40.1, for a development of two (2) lots from a parcel of approximately 3.5 acres.

5 Ayes -- 0 Noes

Mr. Reynolds thanked the Board for their time.

3. Minor Subdivision—Info Only  
Case No. 2022-009

Abbott, Warren  
7484 North Hayes Road

The history of this parcel and why it's laid out as it is dates back to the Transfer of Rights Development days.

Warren Abbott stated that the plan being considered today is to break this parcel out of the Ag Taxing District and create three (3) residential building lots. We have been talking with Al Yager, Town Engineer, with regard to the placement of a Sewage Pumping Station, as shown on the plan.

Al Yager, Town Engineer, stated that he doesn't know that the parcel needs to be a fee parcel, it can be an easement. We would like to see it closer to the road from an access standpoint, especially in the Wintertime if we have to get to those pumps in a quick and orderly fashion. We should try to get it up closer to Hayes Road. We certainly don't need 170' lot width for the pump station; 50' would be more than adequate, then if we could just show a sewer easement to service that pump station, whether it be on the southside of the boundary line or...

Mr. Abbott stated that that was one of their questions, assuming you wanted to bring everything in from the road.

Mr. Yager concurred stating that the same with from Melia Park, where we will need another access easement.

Steve Darcangelo questioned if there are sewers down there now.

Mr. Yager stated that there are not.

Mr. Darcangelo reiterated that this is future development.

Mr. Yager concurred. Ultimately the Melvin Farms Subdivision.

Lot configurations and proposed easement locations will be further discussed.

Mr. Abbott stated he will meet with Al to discuss the future of this parcel (pump station)...

Mr. Yager concurred stating that WEP will need to be involved because they will be doing the pump station maintenance.

Hugh Kimball stated that it would be helpful to see where exactly this parcel is and what's around it.

Mr. Abbott questioned if a copy of the tax map would suffice.

Karen Rice, Clerk, provided a copy of the tax map for reference.

Mr. Yager stated that he will print something off of the GIS.

This item will be tabled until such time that a formal application is made.



V. OTHER BUSINESS

1. Waive Hearing/Sign Plat

Highland Meadows/Lysander Preserve  
Lot #52, 147 Giddings Trail

Al Yager, Town Engineer, stated the preliminary plat is consistent with the final plat and ready to be signed for filing.

Hugh Kimball stated that he can attest that the house is pretty much built from what he can see, except it doesn't have a lawn yet.

Karen Rice, Clerk, stated that Dan Bargabos was hoping to have a few more lots approved this evening; they're almost there but not quite ready.

Mr. Yager concurred stating that he has three or four that are close.

RESOLUTION #9 -- Motion by Corey, Second by Kimball

RESOLVED, that the Planning Board authorizes the Chairperson to review the Final Plat for the one (1) lot subdivision application of Highland Meadows Development, LLC, for property located at Highland Meadows, Phase 3G, Lot 52, 147 Giddings Trail, Part of Farm Lots No. 78 & 79, Part of Tax Map Number 049.2-03-06.4 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.

5 Ayes -- 0 Noes

VI. ADJOURN

RESOLUTION #10 -- Motion by Corey, Second by Darcangelo

RESOLVED, that the October 13, 2022 regular Town of Lysander Planning Board meeting adjourn at 8:27 p.m.

Respectfully submitted,

Karen Rice, Clerk