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April 7, 2008

**AMENDED PRELIMINARY PLAT OF MINOA FARMS SUBDIVISION – SECTION II** Upon due notice to all members of the Village Board, the continuation of the Public Hearing was held on Monday, April 7, 2008 at 6:30 p.m. at the Municipal Building, 240 N. Main Street, Minoa, NY. The purpose was to consider the resolution regarding the (Amended) Preliminary Plat of Minoa Farms Subdivision prepared by D.W. Hanning, L.S., P.C. last revised on September 28, 2007.

PRESENT: Mayor Donovan  
Trustee Cronk  
Trustee Brazill  
Trustee Champagne  
Trustee Theobald  
Attorney Primo  
Clerk/Treasurer Snider

ABSENT None

ALSO PRESENT: Mike Pede, Chris Pede, Dan DeLucia, Chris Beers, Fran Stinziano, Jr., Tracy Callahan, Eric Christensen, and Tom Petterelli

**CONTINUATION OF PUBLIC HEARING** Mayor Donovan reconvened the Public Hearing to order at 6:31 p.m. to consider the resolution regarding the (Amended) Preliminary Plat of Minoa Farms Subdivision prepared by D.W. Hanning, L.S., P.C. last revised on September 28, 2007.

**PUBLIC COMMENTS** Mayor Donovan asked Chris Beers if they had any further information for the Board. Chris Beers, 113 Beresford Lane, said that Elliot Lasky had the draft covenants that were agreed upon by the majority of the residents. He said the finalized covenants would need to be signed and notarized. Dan DeLucia, 107 Norbert Place, said they have the majority rule, but there were a few residents who did not participate.

Mr. Beers stated that once the covenants are completed, Ryan Homes would institute the finalized covenants with the new homes.

Mayor Donovan reported that there was a meeting between the Village of Minoa, engineers, Ryan Homes and Elliot Lasky scheduled for April 29, 2008. Mayor Donovan said he would like to continue the Public hearing for May 5, 2008 and that hopefully the covenants would be agreed upon before then.

Discussion ensued regarding the proposed covenants and their current status with the following comments:

- Mr. Beers said Attorney Schulman would review and complete the covenants and then forward the covenants to Ryan Homes.
- Mr. Beers said only one resident is against the covenants and the rest approved approximately 96% of the list.
- Mr. DeLucia said they do not want to change things that already exist and they would be grandfathered into the covenants.
- Mr. Beers said it was difficult for the entire community to agree upon the covenants and Ryan Homes plans to hold Section II to the same covenants.
- Attorney Primo said he had not seen the proposed covenants to date and the current covenants in place only concerned the ponds.

Mr. Beers asked what Elliot Lasky had to complete before they start construction. Attorney Primo said they agreed back in October 2007 that they had to finish street lighting, paving, drainage issues, tree planting, amended security agreement, park, and various other items. Attorney Primo said Elliot Lasky is free to work in the subdivision on items that were previously approved. He said site work was approved which would include grubbing and clearing. Attorney Primo said building permits would not be issued until the amended plat has either been approved or disapproved.

Mr. Beers asked if there were securities in place if Elliot Lasky did not finish the punch-list concerning paving and parks. Mayor Donovan confirmed that there were securities in place.

Mike Pede, 94 Ferndale Lane, asked if the additional 44 lots were in Phase II and if the covenants would be in place before they build. Mayor Donovan said the additional lots were in Phase II. Mr. DeLucia said their covenants were stricter than Ryan Homes and they do expect them to be in place before Phase II begins and consistent with Phase I.

Mr. Stinziano asked if there was a commitment to the cul-de-sac and Mr. Beers said Ryan Homes would not build homes less than 2,200 sq ft. on the cul-de-sac.

Mr. DeLucia said safety is a concern around the Ryan Homes Model Home now that the signs are posted because traffic has increased, especially on the weekend and he had concerns about the parking. He said that Mr. Lasky told him they would create parking in front of the Model Home across the street. Mr. DeLucia said the fire alarm went off and the fire department had to wait until a car from the Ryan Homes Model Home was moved because vehicles were parked on both sides of the road. Mr. DeLucia said the parking should be set-up immediately and the representatives from Ryan Homes should take responsibility for making them move their vehicles.

Mayor Donovan said he had received an email from Greg Mills and he has addressed the problem with Elliot Lasky. Mayor Donovan said he met with representatives from Ryan Homes and he clarified that parking would be made available. Mayor Donovan said they would create parking across the street on Forrest View Lane with a sign that directs parking. He said they would discuss setting up a temporary barrier on the weekends and will be reviewed carefully.

Mayor Donovan asked Mr. Beers to keep him notified of any changes and to contact him immediately if he should have any concerns and/or questions before the next Public Hearing Continuation.

Mr. Pede said that he was concerned that cars were parked on both sides of the road and the fire truck could not get through. He said the plot had not been developed and the village could still mandate that parking is only available on one side of the street. Attorney Primo said the problem occurred because the Model Home is there and if a true emergency existed the Minoa Fire Department would have the authority to push the vehicle out of the way.

Mayor Donovan said the proposed Local Law #3 for 2008 addresses Fire Lanes and if they need to get through during an emergency they can do what they need to do when there are life and safety issues at stake.

**PUBLIC HEARING  
TO BE CONTINUED**

A motion was made by Trustee Brazill and seconded by Trustee Theobald to continue the Public Hearing on May 5, 2008 at 6:30 p.m. All in favor. Motion carried.

**PUBLIC HEARING**  
**CLOSED**

A motion was made by Trustee Champagne and seconded by Trustee Cronk to adjourn the Public Hearing for the purpose of considering the resolution regarding the (Amended) Preliminary Plat of Minoa Farms Subdivision at 7:02 p.m. All in favor. Motion carried.

Respectfully submitted,

Suzanne M. Snider  
Village Clerk/Treasurer