

DISTRIBUTION LIST

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Edmond Theobald, Trustee
Ronald Cronk, Trustee
William Brazill, Trustee
John Champagne, Trustee
Steven Primo, Attorney
Thomas Petterelli, DPW Superintendent
Janet Stanley, Justice
Richard J. Greene, Codes Enforcement Officer
Chief Pat Flannery
Town of Manlius
Village of Fayetteville
Donna DeSiato, Superintendent ESM School District
Manlius Historical Society
Minoa Library
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June 16, 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, June 16, 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: Deputy Mayor Brazill
Trustee Champagne
Trustee Cronk
Trustee Theobald
Attorney Primo
Clerk/Treasurer Snider

ABSENT Mayor Donovan

ALSO PRESENT: Loretta Clark, Rachel Murphy, Chris Beers, Dan DeLucia, Frank Greiner III, Ernie Green, John Sears, Elliot Lasky, and Thomas Petterelli.

CONTINUATION OF PUBLIC HEARING Deputy Mayor Brazill reconvened the Public Hearing to order at 6:35 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.

NAPOLEON TRAFFIC STUDY Deputy Mayor Brazill explained to the Board and the audience members that Mayor Donovan was unable to attend the Public Hearings and Board Meeting due to illness and that as Deputy Mayor he was filling in for him that evening.

Napoleon Traffic Study

Deputy Mayor Brazill said the purpose of the Public Hearing was to discuss the

completed Napoleon Traffic Study and confirmed with Chris Beers that the Minoa Farms residents had received a copy of the study. Deputy Mayor Brazill turned the meeting over to Attorney Primo.

Attorney Primo said there were a couple of changes following the prior Board meeting in discussions with Mayor Donovan. He said he sent letters to Elliot Lasky and Mr. Ryan, Ryan Homes, asking them to clarify the situation on the restrictive covenants and a completed copy. He said his third request was for the completed Napoleon Traffic Study in time for the Board to study before the Board meeting, which was delivered on June 12, 2008 and forwarded to the Minoa Farms residents via email.

Attorney Primo said that Jim Napoleon was given the contact information of Chris Beers to provide them a copy of the traffic study. He said that Mr. Napoleon considered a full built status when completing the traffic study and was willing to evaluate it with a heavier distribution as the Minoa Farms residents had previously discussed. Attorney Primo said they measure items at intersections through a higher level of service and the goal of the traffic study is to see if the levels of service remain the same based on the additional property lots. Attorney Primo said that only one intersection between Kirkville Road and Schepps Corner decreased from B to C. He said the intersection at Baird Street improved slightly and that the traffic is roughly a 60/40 or 50/50 split between the Minoa Farms egresses.

The completed Napoleon Traffic Study is attached hereto as Schedule "A".

**DECLARATION OF
COVENANTS AND
RESTRICTIONS**

Attorney Primo said he had received a letter from Attorney Dan Shulman, dated June 13, 2008, stating that if 100% of the present owners of lots and homes in Phase 1A and Phase 1B agreed to the covenants and restrictions, then Ryan Homes would agree to record the covenants. Attorney Primo said that because the original homeowners could not come to an agreement, Attorney Shulman's letter said that to impose covenants and restrictions at this late stage for these phases, after lots have been sold and homes are built and occupied, a number of complications, including the need for homeowners or lot owners to approach the holder of the mortgage companies holding the properties and requesting that mortgagee's consent to the proposed Declaration of Covenants and Restrictions. Attorney Primo said this could be a lengthy and cumbersome process in today's financing environment. In addition, without 100% participation there will be difficulty in forcing it if problems arise and while some prospective purchasers would have the benefit of the Covenants and Restrictions, others would not. Attorney Primo said that Ryan Homes has agreed to impose their typical Covenants and Restrictions on lots in the new sections.

Attorney Primo said that Attorney Shulman had received a Declaration of Covenants and Restrictions on May 19, 2008 from Ryan Thompson, which Ryan Homes and the Minoa Farms Development Company are willing to have recorded in the County Clerk's Office in connection with the next phase of lots to be approved.

Attorney Primo said the letter stated there would only be one final change and that the homeowners would be allotted above-ground pools that were not originally allowed previously, assuming they are built in accordance with Village requirements and are surrounded by a fence and out of the public view from the front of the home.

The proposed Declaration of Covenants and Restrictions are attached hereto as Schedule "B".

**MINOA FARMS
RESOLUTION**

Attorney Primo said there were numerous items that needed to be addressed by resolution with Minoa Farms. He said the Codes Enforcement Officer had sent a letter to Elliot Lasky and Ryan Homes for items that needed to be completed, which would be detailed in the resolution. Attorney Primo said there were items that need to be added to the Amended Preliminary Plat per Alex Wasniewski, LJR Engineering, before the Board could approve any changes and folded into the resolution as well.

Attorney Primo said he would provide a draft resolution for the Board to review before the next Board meeting. Attorney Primo said the Board had received all of the documentation available pertaining to the amended preliminary plat and felt that there was no reason to continue the Public Hearings as the records are complete.

PUBLIC COMMENTS

Chris Beers, 113 Beresford Lane, asked if the amended resolution would be available for public viewing and Attorney Primo said the resolution would be available and included with the minutes upon approval. Attorney Primo said the resolution would address drainage issues, parks, downed trees and outstanding areas cleaned up. Attorney Primo said the working document would be presented to the Board for review and voted upon.

Mr. Beers asked if there were any timelines or conditions for Elliot Lasky and Ryan Homes to complete the items listed in the resolution. Attorney Primo said there would be guidelines for Elliot Lasky to adhere to and continuing obligations.

Dan DeLucia, 103 Norbert Place, requested confirmation that the covenants would not be in place for existing property owners and that Ryan Homes would implement the covenants in Phase II, which are less restrictive than their standard covenants. Mr. Beers said he had distributed the covenants to all of the neighbors and the only

difference was the allocation for the above ground pools, but there would have to be a six-foot fence surrounding the pool. Mr. Beers said a representative from Ryan Homes stated that they felt that disallowing pools would be too restrictive for future homeowners, as homeowners in Phase I are currently allowed to own pools.

Elliot Lasky arrived at 6:45 p.m. and Deputy Mayor Brazill asked him for clarification on the covenants that Ryan Homes had submitted. Mr. Lasky said the covenants were based on Ryan Homes' standard covenants and were consistent with what had previously been discussed.

Mr. DeLucia expressed deep concern over the fact that the covenants would not be implemented in Phase I and Mr. Lasky explained that due to mortgage and legal issues; it was difficult to implement the covenants after the fact, especially if they could not get a unanimous agreement between the residents. Attorney Primo provided a copy of the letter from Attorney Shulman to audience members which had been discussed earlier in the meeting. Attorney Primo said there'd be selective enforcement issues if they were to be implemented in Phase I.

Loretta Clark, 116 Forest View Lane, asked for clarification of the drainage problems in Minoa Farms because there was a ditch built behind her home and this is the third summer it has not been taken care of. Attorney Primo said that until there was a full built of the development there would only be Band-Aids put in place to handle the situation. He said the drainage system is only partially built at this point, and will only be built upon when the development progresses. Attorney Primo said the developer will address the issues as they arise on a short-term basis.

Mr. Lasky said he is working with Paul Joynt in addressing the next section to be built, which would alleviate the drainage issues in Mrs. Clark's area. Attorney Primo said the engineers had very specific ideas of the next areas to build, because those sections will correspond with the drainage facilities needed to correct the problem. Attorney Primo said that future development cannot be based on market need, but will need to address the drainage needs. Mr. Lasky said the next portion of development would indeed address all of the drainage issues in the Forest View Lane area.

Mr. Beers asked Mr. Elliott if the proposed Amended Preliminary Plat were to be approved, what is the expected date of construction in the next phase that would help eliminate drainage issues? Mr. Elliott said they would need to approve a plan and in a best case scenario they would start clearing and earth balancing around mid-October.

John Sears, 103 S. Main Street, asked if all of the information discussed at the public hearings would be available for an engineer friend of his to review. Attorney Primo

said the records are on file in the Clerk's Office and can be reviewed with a Foil Request. Discussion ensued regarding the amount of files, maps and plans available for review by Foil Request.

Mr. Sears said he would like to review the files because he has concerns with the additional lots being put in and the potential flooding of his property. Attorney Primo said there is a drainage plan in effect that ensures that off-site drainage effects are no different then pre-development drainage from the initial development.

Rachel Murphy, 150 Forest View Lane, said she is building in Minoa Farms and asked if there were sidewalks going in throughout the development. Mr. Lasky said there would be no sidewalks in the development except for sidewalks between Forest View Lane and Baird Street, which have already been installed. He said the distances from the sidewalks to the houses were too invasive and the lot owners did not want sidewalks. Mr. Lasky said a passive park would be built with tree chippings and would be completed in by August 31, 2008.

Ms. Murphy said the sounds of the trains were quite loud and asked if they planned on installing sound barriers. Mr. Lasky said no sound barrier walls were planned for installation. Ms. Murphy asked how the developer expected to sell homes worth \$350,000 with the loud sounds coming from the trains. Mr. Lasky said the lots by the railroad are deeper lots and would act as small sound buffers and there was never the intention to have consistently sized homes throughout the development, especially in the back section.

Ms. Murphy suggested that Ryan Homes provide a more grandiose version of homes for Phase I to remain consistent with the Parade of Homes.

Mr. Sears said he did not have a chance to review the traffic study and asked why he had not received a copy. Attorney Primo said a traffic study was done for the Board to review and was provided at the expense of Elliot Lasky, which will be available for public review and attached to the minutes.

Mr. Lasky said he commissioned a report for the Board to review and provided a copy for the Minoa Farms residents before the meeting. Mr. Sears said he was concerned that no one was there to address the traffic study. Mr. Beers and Mr. DeLucia explained that they had all had a chance to review the study and had no further comments.

Mr. Sears said the CSX Railroad habitually has accidents and he has a tenant who is in a wheelchair and he is afraid that they will have difficulty getting out of their area if there is an accident if there are additional lots.

Mr. Beers said the traffic study showed minimal changes with the addition of the 44 lots and their levels of service were at a level A. He said the only change would be where Clemons Road and Route 290 meet and there were only a few other areas that were at a Level C, which are still considered a very acceptable level to safely exit the development.

Mr. Lasky said the additional lots do not adversely affect the traffic patterns. Mr. Sears continued to calculate the amount of cars that could potentially leave Minoa Farms at once.

Mr. Beers asked if the covenants allowed for him to bring legal action against a resident under the covenants. Mr. Lasky said this would only apply to the residents involved in the covenants and other residents would not be party to the covenants and would not have standing to bring an action against the homeowners. Mr. Beers asked if it would be possible to include something that they could take legal action if it brought down their property values. Attorney Primo said that it would be problematic for a resident in a section that is not subject to the covenants to try to enforce the covenants in another section. Attorney Primo said the comment could be made including the public at large, but would probably not be effective and peer pressure appears to be the common denominator in complying with covenants.

Frank Greiner, 109 Creekview Path, Kirksville, said that he has experience in the building and development business, said the drainage issues existed before and there were a lot of promises made and not a lot of money to complete them in the first quarter, money comes in the second and third quarter with the fourth quarter being the bulk of the income. What has the village done to protect themselves so that drainage issues are not left behind? Attorney Primo said there is currently a bond in place and the security agreement, which is dependent upon specific items, such as erosion control areas. Attorney Primo said that if the developer was forced to walk away from the site, the infrastructure would be completed.

Mr. Lasky said the drainage study has been submitted and moving forward into the next phase would eliminate the majority of drainage issues. He said the water was contained during storm events with retaining ponds.

Mr. Sears asked if the bond would end at the end of the project or would the developer be responsible until after a 100 or 500 year flood occurs. Attorney Primo said the Village relies on their Village engineers to insure that there is a good drainage design in place submitted by Mr. Lasky. He said the engineers have had the added benefit of watching the system in action for a couple of years now. Attorney Primo said that after

the Minoa Farms subdivision is completed, there is a warranty period that expires after one year and the developer is released upon a successful period. He said that if there were to be a 100 or 500 year flood, the Village of Minoa could possibly be at risk, but the Village relies on the developer's engineer and the Village engineer for proper reviews.

Deputy Mayor Brazill said that there have been numerous storms and the retaining ponds have proven to be successful.

Deputy Mayor Brazill asked the Board what their pleasure was pertaining to the Public Hearing.

Trustee Theobald said that Mayor Donovan has done a tremendous job bringing Elliot Lasky, Ryan Homes and the Minoa Farms residents together over the past six months for discussions. He said the Board has reviewed the details with a fine tooth comb and it was important that they did. Trustee Theobald said that on behalf of the Village Board, he wanted to thank everyone for their patience while trying to solve the issues at hand and suggested that the Public Hearing be closed that evening.

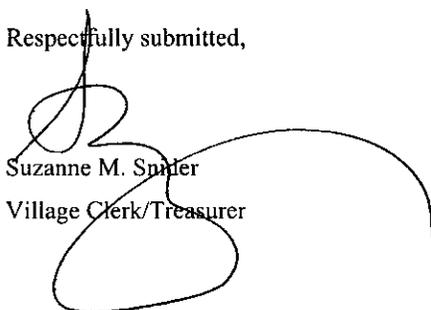
Trustee Champagne said they have all worked very well together and a lot of good has come out of the Public Hearings by giving the Minoa Farms residents the opportunity to work with the developer and Ryan Homes.

Trustee Cronk agreed that it was time to close the Public Hearing and that it has been a learning experience for the whole Board. He said they have learned quite a few things through Mr. Lasky and Ryan Homes getting together to get things done. Trustee Cronk said he appreciated their patience and hopes the best for the new homeowners.

**PUBLIC HEARING
CLOSED**

A motion was made by Trustee Champagne and seconded by Trustee Theobald to adjourn the Public Hearing for the purpose of considering the resolution regarding the (Amended) Preliminary Plat of Minoa Farms Subdivision at 7:28 p.m. All in favor. Motion carried.

Respectfully submitted,


Suzanne M. Spier
Village Clerk/Treasurer

Jim Napoleon & Associates

Transportation Engineering Consultants

104 Kreischer Road
Syracuse, New York 13212-3237

Office: 315-452-9611
Fax: 315-452-9625

June 12, 2008

Mayor Donovan & Board of Trustees
240 North Main Street
Village of Minoa, NY 13116

Re: Minoa Farms - Supplementary Traffic Analysis

Dear Mayor and Trustees:

The following information is submitted in addition to our original analysis and Traffic Report. It concerns the addition of 44 lots within the development and analysis of the conditions resulting from the travel patterns suggested by existing residents of the area.

It was decided for analysis purposes that the "worst case" scenario would include a distribution of peak hour site generated traffic as depicted in **Figure A**. This distribution includes:

- ◆ 70% of site traffic using Forest View Lane as it enters and leaves the site, and, 30% of the traffic using Beresford Lane.

- ◆ 95% of all site related traffic will travel to and from the south along Baird Street; only 5% will travel to the north.

We expanded the volumes of site generated peak hour traffic to include the proposed 284 dwelling units (our former analysis included 240 units) and added that traffic to the volumes currently using area roadways. The resulting volumes, in accord with the trip distribution described

above, are shown in **Figure B**. The projected volumes on Forest View Lane and Beresford Lane are as follows:

	Morning Peak Hour		Afternoon Peak Hour	
	Eastbound	Westbound	Eastbound	Westbound
Beresford Lane	47	16	30	52
Forest View Lane	109	36	71	121

Putting these volumes in perspective:

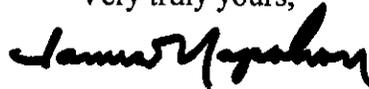
- ▶ Each roadway has a capacity of almost 2,000 vehicles per hour
- ▶ The heaviest volume along Forest View Lane includes an average of over three minutes between passing vehicles. Typical car following headways are in the range of 1.5 to 2.5 seconds.

Analyses were performed to identify the “worst case” expected Levels of Service at the Baird Street intersections with Forest View Lane and Beresford Lane as well as nearby intersections given these volumes and travel patterns. The results of these analyses of 284 units were compared to our former analyses (which included 240 residencies) and are shown in the following Table:

Location		AM			PM		
		Existing	Projected 240 units	Projected 284 units	Existing	Projected 240 units	Projected 284 units
Baird Street & Beresford Lane							
	Eastbound		A	A		A	A
	Northbound Left		A	A		A	A
Baird Street & Forest View Lane							
	Eastbound		A	A		A	A
	Northbound Left		A	A		A	A
Baird Street, Clemons Road & E. Richmond Road							
	Westbound	A	A	B	A	A	B
	Southbound Left	B	B	B	A	B	B
Costello Parkway & Hulbert Street							
	Eastbound	B	B	B	B	B	B
	Northbound Left	A	A	A	A	A	A
NYS Route 290 & Clemons Road							
	Southbound	B	C	C	B	B	B
	Eastbound Left	A	A	A	A	A	A
Kirkville Road & Minoa Shepps Corner Road							
	Eastbound	A	A	A	A	A	A
	Westbound	A	B	A	A	A	A
	Northbound	B	B	B	B	C	C
	Southbound	B	B	B	B	B	B

As can be seen in the Table, all Levels of Service are very acceptable and will permit safe and convenient conditions to exist. The results of these analyses serve to confirm the conclusions contained in our 2000 Report.

Very truly yours,

A handwritten signature in black ink, appearing to read "James Napoleon".

James Napoleon, P.E.
Jim Napoleon & Associates

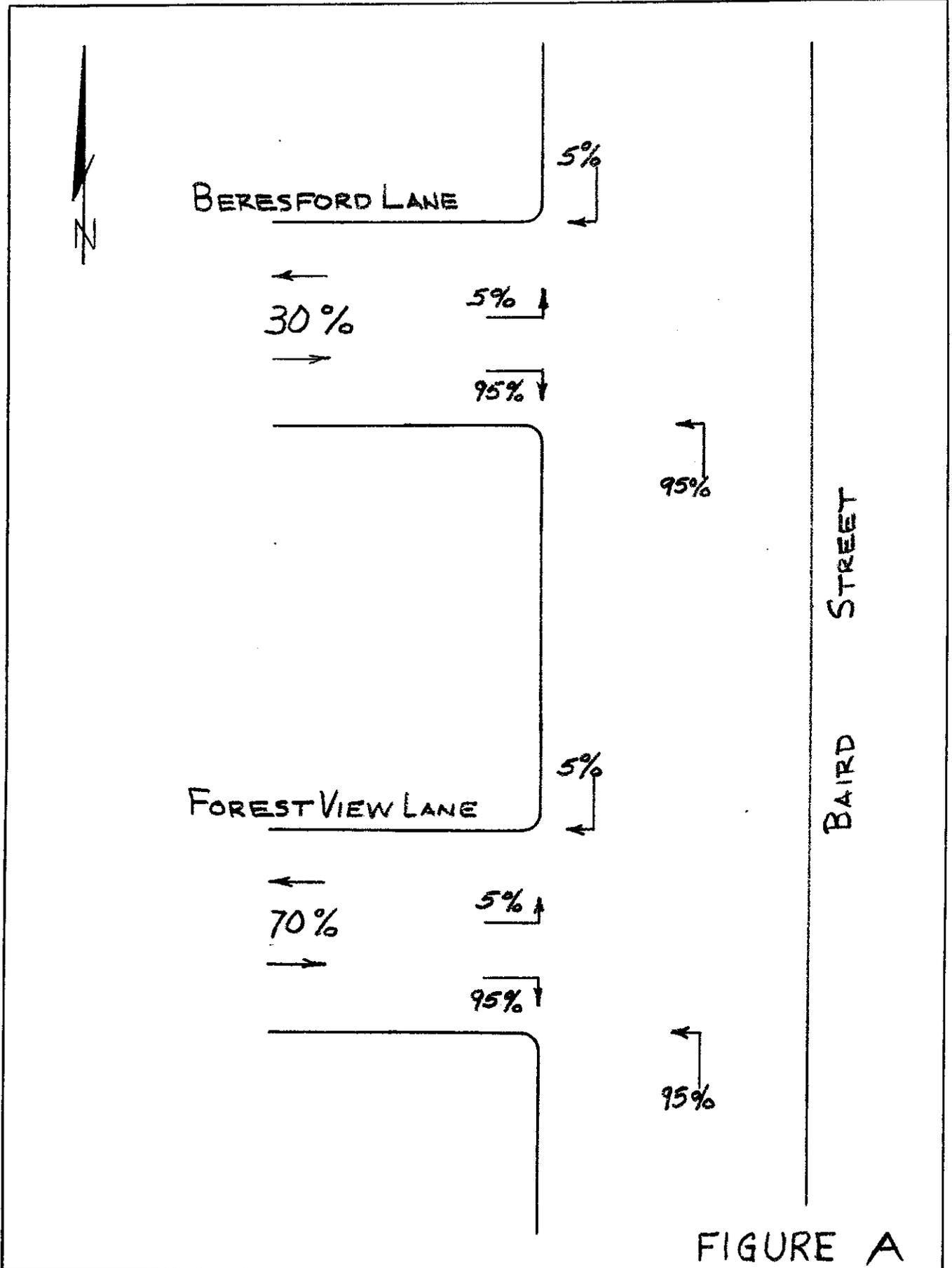
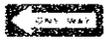


FIGURE A

**Jim
Napoleon
& Associates**

Transportation Engineering Consultants

104 Kreischer Road

Syracuse, New York 13212

Office: 315-452-9611

Fax: 315-452-9625

TRIP GENERATION CALCULATIONS

TRIP GENERATION, 2003, 7th Edition

I.T.E. Land Use Code: 210

"Single-Family Detached Housing"

Independent Variable: **284 Dwelling Units**

Average Vehicle Trip Ends on **Weekdays**

R squared = 0.96

Total Daily Traffic: 2716 vehicles per day

During the peak hour of adjacent street traffic:

between **7 and 9 AM**

R squared = 0.89

Entering Traffic: 52 vehicles per hour

Exiting Traffic: 156 vehicles per hour

Entering + Exiting: 208 vehicles per hour

between **4 and 6 PM**

R squared = 0.91

Entering Traffic: 173 vehicles per hour

Exiting Traffic: 101 vehicles per hour

Entering + Exiting: 274 vehicles per hour

During the Peak Hour of the Land Use:

before noon

R squared = 0.89

Entering Traffic: 55 vehicles per hour

Exiting Traffic: 156 vehicles per hour

Entering + Exiting: 211 vehicles per hour

after noon

R squared = 0.91

Entering Traffic: 180 vehicles per hour

Exiting Traffic: 101 vehicles per hour

Entering + Exiting: 281 vehicles per hour

Average Vehicle Trip Ends on **Saturdays**

R squared = 0.93

Total Daily Traffic: 2807 vehicles per day

During the peak hour of the land use:

R squared = 0.90

Entering Traffic: 143 vehicles per hour

Exiting Traffic: 121 vehicles per hour

Entering + Exiting: 264 vehicles per hour

Average Vehicle Trip Ends on **Sundays**

R squared = 0.94

Total Daily Traffic: 2498 vehicles per day

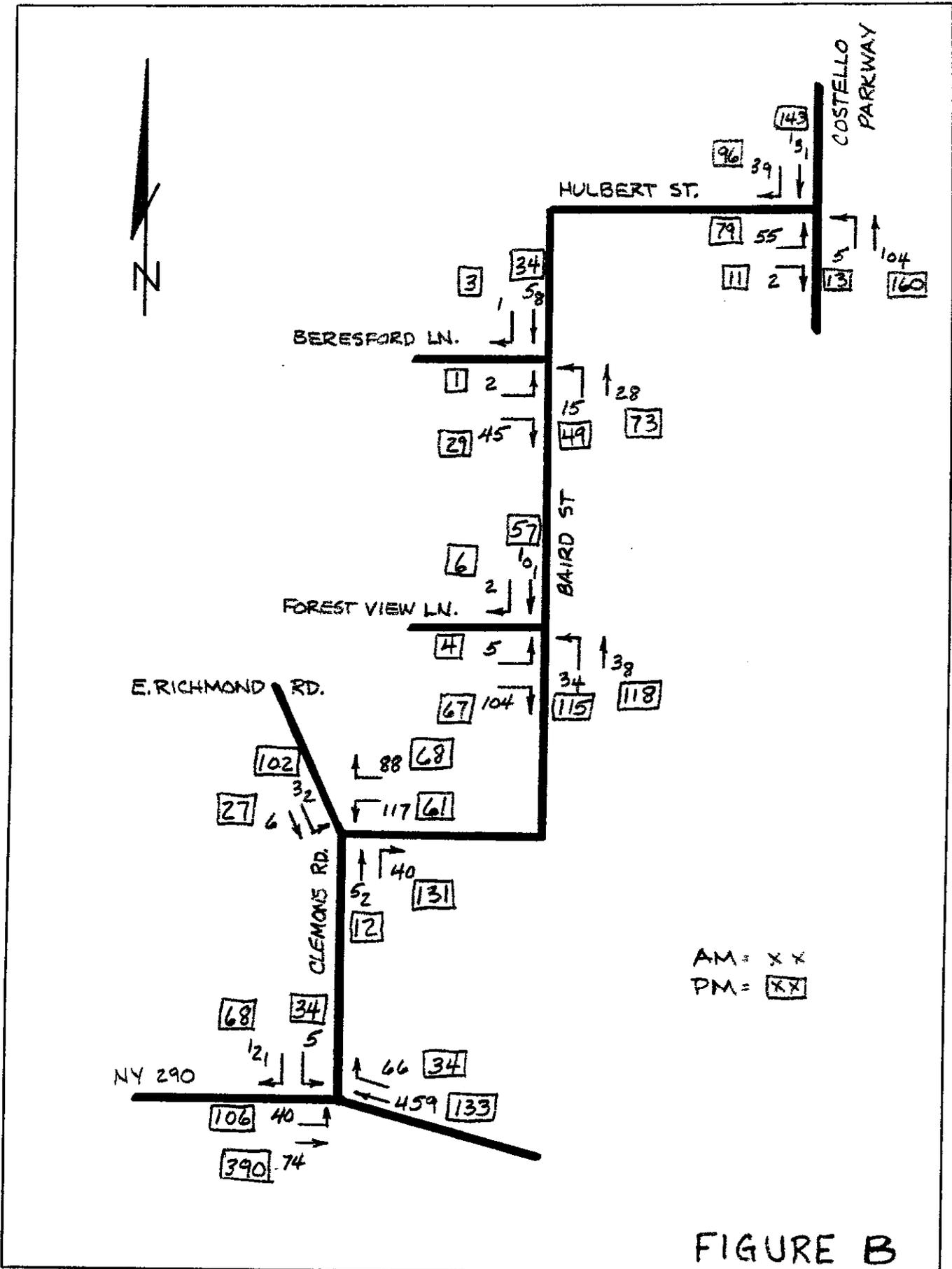
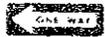
During the peak hour of the land use:

R squared = 0.88

Entering Traffic: 126 vehicles per hour

Exiting Traffic: 111 vehicles per hour

Entering + Exiting: 237 vehicles per hour



AM = x x
PM = xx

FIGURE B

TWO-WAY STOP CONTROL SUMMARY

Analyst	RSFanelli	Intersection	Baird St. & Beresford Ln.
Agency/Co.	Jim Napoleon & Associates	Jurisdiction	Village of Minoa, NY
Date Performed	5/20/2008	Analysis Year	2008 - Projected (95/5 split)
Analysis Time Period	Weekday AM Peak Hour		

Project Description *Minoa Farms - 284 units*

East/West Street: *Beresford Lane*

North/South Street: *Baird Street*

Intersection Orientation: *North-South*

Study Period (hrs): *1.00*

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	15	28			58	1
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	16	31	0	0	64	1
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	<i>LT</i>					<i>TR</i>
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	2		45			
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	2	0	50	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		<i>N</i>			<i>N</i>	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration		<i>LR</i>				

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	<i>LT</i>						<i>LR</i>	
v (veh/h)	16						52	
C (m) (veh/h)	1550						1000	
v/c	0.01						0.05	
95% queue length	0.03						0.16	
Control Delay (s/veh)	7.3						8.8	
LOS	<i>A</i>						<i>A</i>	
Approach Delay (s/veh)	-	-					8.8	
Approach LOS	-	-					<i>A</i>	

TWO-WAY STOP CONTROL SUMMARY

Analyst <i>RSFanelli</i> Agency/Co. <i>Jim Napoleon & Associates</i> Date Performed <i>5/20/2008</i> Analysis Time Period <i>Weekday PM Peak Hour</i>	Intersection <i>Baird St. & Beresford Ln.</i> Jurisdiction <i>Village of Minoa, NY</i> Analysis Year <i>2008 - Projected (95/5 split)</i>
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Project Description <i>Minoa Farms - 284 units</i>	
East/West Street: <i>Beresford Lane</i>	North/South Street: <i>Baird Street</i>
Intersection Orientation: <i>North-South</i>	Study Period (hrs): <i>1.00</i>

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	49	73			34	3
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	54	81	0	0	37	3
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	<i>LT</i>					<i>TR</i>
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	1		29			
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	1	0	32	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		<i>N</i>			<i>N</i>	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration		<i>LR</i>				

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	<i>LT</i>						<i>LR</i>	
v (veh/h)	54						33	
C (m) (veh/h)	1583						1027	
v/c	0.03						0.03	
95% queue length	0.11						0.10	
Control Delay (s/veh)	7.4						8.6	
LOS	<i>A</i>						<i>A</i>	
Approach Delay (s/veh)	--	--					8.6	
Approach LOS	--	--					<i>A</i>	

TWO-WAY STOP CONTROL SUMMARY

Analyst	RSFanelli	Intersection	Baird St. & Forest View Ln.
Agency/Co.	Jim Napoleon & Associates	Jurisdiction	Village of Minoa, NY
Date Performed	5/20/2008	Analysis Year	2008 - Projected (95/5 split)
Analysis Time Period	Weekday AM Peak Hour		

Project Description *Minoa Farms - 284 units*

East/West Street: *Forest View Lane*

North/South Street: *Baird Street*

Intersection Orientation: *North-South*

Study Period (hrs): *1.00*

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	34	38			101	2
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	37	42	0	0	112	2
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	<i>LT</i>					<i>TR</i>
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	5		104			
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	5	0	115	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		<i>N</i>			<i>N</i>	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration		<i>LR</i>				

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	<i>LT</i>						<i>LR</i>	
v (veh/h)	37						120	
C (m) (veh/h)	1488						935	
v/c	0.02						0.13	
95% queue length	0.08						0.44	
Control Delay (s/veh)	7.5						9.4	
LOS	<i>A</i>						<i>A</i>	
Approach Delay (s/veh)	-	-					9.4	
Approach LOS	-	-					<i>A</i>	

TWO-WAY STOP CONTROL SUMMARY

Analyst	RSFanelli	Intersection	Baird St. & Forest View Ln.
Agency/Co.	Jim Napoleon & Associates	Jurisdiction	Village of Minoa, NY
Date Performed	5/20/2008	Analysis Year	2008 - Projected (95/5 split)
Analysis Time Period	Weekday PM Peak Hour		

Project Description *Minoa Farms - 284 units*

East/West Street: *Forest View Lane*

North/South Street: *Baird Street*

Intersection Orientation: *North-South*

Study Period (hrs): *1.00*

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	115	118			61	63
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	127	131	0	0	67	70
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	<i>LT</i>					<i>TR</i>
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	4		67			
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	4	0	74	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		<i>N</i>			<i>N</i>	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration		<i>LR</i>				

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	<i>LT</i>						<i>LR</i>	
v (veh/h)	127						78	
C (m) (veh/h)	1459						915	
v/c	0.09						0.09	
95% queue length	0.29						0.28	
Control Delay (s/veh)	7.7						9.3	
LOS	<i>A</i>						<i>A</i>	
Approach Delay (s/veh)	-	-					9.3	
Approach LOS	-	-					<i>A</i>	

TWO-WAY STOP CONTROL SUMMARY

Analyst	RSFanelli	Intersection	Baird & Clemons/E.Richmond
Agency/Co.	Jim Napoleon & Associates	Jurisdiction	Village of Minoa, NY
Date Performed	5/20/2008	Analysis Year	2008 - Projected (95/5 split)
Analysis Time Period	Weekday AM Peak Hour		

Project Description *Minoa Farms - 284 units*

East/West Street: *Baird Street*

North/South Street: *Clemons/E.Richmond Rds.*

Intersection Orientation: *North-South*

Study Period (hrs): *1.00*

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		52	40	32	6	
Peak-Hour Factor, PHF	0.90	0.25	0.25	0.25	0.25	0.90
Hourly Flow Rate, HFR (veh/h)	0	208	160	128	24	0
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration			TR	LT		
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				117		88
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	0	0	0	130	0	97
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LR				
v (veh/h)		128		227				
C (m) (veh/h)		774		590				
v/c		0.17		0.38				
95% queue length		0.59		1.86				
Control Delay (s/veh)		10.6		14.9				
LOS		B		B				
Approach Delay (s/veh)	-	-	14.9					
Approach LOS	-	-	B					

TWO-WAY STOP CONTROL SUMMARY

Analyst <i>RSFanelli</i> Agency/Co. <i>Jim Napoleon & Associates</i> Date Performed <i>5/20/2008</i> Analysis Time Period <i>Weekday PM Peak Hour</i>	Intersection <i>Baird & Clemons/E.Richmond</i> Jurisdiction <i>Village of Minoa, NY</i> Analysis Year <i>2008 - Projected (95/5 split)</i>
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Project Description <i>Minoa Farms - 284 units</i>	
East/West Street: <i>Baird Street</i>	North/South Street: <i>Clemons/E.Richmond Rds.</i>
Intersection Orientation: <i>North-South</i>	Study Period (hrs): <i>1.00</i>

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		12	131	102	27	
Peak-Hour Factor, PHF	0.90	0.50	0.57	0.25	0.25	0.90
Hourly Flow Rate, HFR (veh/h)	0	24	229	408	108	0
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration			TR	LT		
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				61		63
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.95	0.90	0.95
Hourly Flow Rate, HFR (veh/h)	0	0	0	64	0	66
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LR				
v (veh/h)		408		130				
C (m) (veh/h)		965		519				
v/c		0.42		0.25				
95% queue length		2.18		1.00				
Control Delay (s/veh)		11.5		14.3				
LOS		B		B				
Approach Delay (s/veh)	--	--	14.3					
Approach LOS	--	--	B					

TWO-WAY STOP CONTROL SUMMARY

Analyst	RSFanelli	Intersection	Costello Pkwy. & Hulbert St.
Agency/Co.	Jim Napoleon & Associates	Jurisdiction	Village of Minoa, NY
Date Performed	5/20/2008	Analysis Year	2008 - Projected (95/5 split)
Analysis Time Period	Weekday AM Peak Hour		

Project Description *Minoa Farms 284 units*

East/West Street: *Hulbert Street*

North/South Street: *Costello Parkway*

Intersection Orientation: *North-South*

Study Period (hrs): *1.00*

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	5	104			131	39
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	5	115	0	0	145	43
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	<i>LT</i>					<i>TR</i>
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	55		2			
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	61	0	2	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		<i>N</i>			<i>N</i>	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration		<i>LR</i>				

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	<i>LT</i>						<i>LR</i>	
v (veh/h)	5						63	
C (m) (veh/h)	1398						706	
v/c	0.00						0.09	
95% queue length	0.01						0.29	
Control Delay (s/veh)	7.6						10.6	
LOS	<i>A</i>						<i>B</i>	
Approach Delay (s/veh)	-	-					10.6	
Approach LOS	-	-					<i>B</i>	

TWO-WAY STOP CONTROL SUMMARY

Analyst	RSFanelli	Intersection	Costello Pkwy. & Hulbert St.
Agency/Co.	Jim Napoleon & Associates	Jurisdiction	Village of Minoa, NY
Date Performed	5/16/2008	Analysis Year	2008 - Projected (95/5 split)
Analysis Time Period	Weekday PM Peak Hour		

Project Description *Minoa Farms 284 units*

East/West Street: *Hulbert Street* North/South Street: *Costello Parkway*

Intersection Orientation: *North-South* Study Period (hrs): *1.00*

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	13	160			143	96
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	14	177	0	0	158	106
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	<i>LT</i>					<i>TR</i>
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	79		11			
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	87	0	12	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		<i>N</i>			<i>N</i>	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration		<i>LR</i>				

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	<i>LT</i>						<i>LR</i>	
v (veh/h)	14						99	
C (m) (veh/h)	1312						613	
v/c	0.01						0.16	
95% queue length	0.03						0.58	
Control Delay (s/veh)	7.8						12.0	
LOS	<i>A</i>						<i>B</i>	
Approach Delay (s/veh)	-	-					12.0	
Approach LOS	-	-					<i>B</i>	

TWO-WAY STOP CONTROL SUMMARY

Analyst <i>RSFanelli</i>	Intersection <i>NY 290 & Clemons Rd.</i>
Agency/Co. <i>Jim Napoleon & Associates</i>	Jurisdiction <i>Village of Minoa, NY</i>
Date Performed <i>5/20/2008</i>	Analysis Year <i>2008-Projected (95/5 split)</i>
Analysis Time Period <i>Weekday AM Peak Hour</i>	

Project Description *Minoa Farms - 284 units*

East/West Street: *NYS Route 290*

North/South Street: *Clemons Road*

Intersection Orientation: *East-West*

Study Period (hrs): *1.00*

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	40	74			459	66
Peak-Hour Factor, PHF	0.67	0.80	0.90	0.90	0.78	0.63
Hourly Flow Rate, HFR (veh/h)	59	92	0	0	588	104
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	<i>LT</i>					<i>TR</i>
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				5		121
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.42	0.90	0.72
Hourly Flow Rate, HFR (veh/h)	0	0	0	11	0	168
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		<i>N</i>			<i>N</i>	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					<i>LR</i>	

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	<i>LT</i>						<i>LR</i>	
v (veh/h)	59						179	
C (m) (veh/h)	912						464	
v/c	0.06						0.39	
95% queue length	0.21						1.86	
Control Delay (s/veh)	9.2						17.6	
LOS	<i>A</i>						<i>C</i>	
Approach Delay (s/veh)	-	-					17.6	
Approach LOS	-	-					<i>C</i>	

TWO-WAY STOP CONTROL SUMMARY

Analyst	RSFanelli	Intersection	NY 290 & Clemons Rd.
Agency/Co.	Jim Napoleon & Associates	Jurisdiction	Village of Minoa, NY
Date Performed	5/20/2008	Analysis Year	2008-Projected (95/5 split)
Analysis Time Period	Weekday PM Peak Hour		

Project Description *Minoa Farms - 284 units*

East/West Street: _____ **North/South Street:** *Clemons Road*

Intersection Orientation: *East-West* **Study Period (hrs):** *1.00*

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	106	390			133	34
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	117	433	0	0	147	37
Percent Heavy Vehicles	0	-	-	0	-	-
Median Type	<i>Undivided</i>					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				34		68
Peak-Hour Factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	0	0	0	37	0	75
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT						LR	
v (veh/h)	117						112	
C (m) (veh/h)	1403						552	
v/c	0.08						0.20	
95% queue length	0.27						0.76	
Control Delay (s/veh)	7.8						13.2	
LOS	A						B	
Approach Delay (s/veh)	-	-					13.2	
Approach LOS	-	-					B	

SHORT REPORT

Analyst **RSFanelli**
 Agency or Co. **Jim Napoleon & Associates**
 Date Performed **5/21/2008**
 Time Period **Wkdy AM Peak Hr-284 units**

Intersection **Kirkville&Shepps Corner Rds**
 Area Type **All other areas**
 Jurisdiction **Village of Minoa, NY**
 Analysis Year **2008 - Projected (95/5 split)**

	EB			WB			NB			SB		
	LT	TH	RT									
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0
Lane Group		LTR			LTR			LTR			LTR	
Volume (vph)	17	73	64	30	357	14	57	70	17	5	58	52
% Heavy Vehicles	10	10	10	3	3	3	10	10	10	7	7	7
PHF	0.71	0.65	0.88	0.63	0.82	0.58	0.71	0.76	0.80	0.63	0.84	0.76
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time		2.0			2.0			2.0			2.0	
Extension of Effective Green		2.0			2.0			2.0			2.0	
Arrival Type		3			3			3			3	
Unit Extension		3.0			3.0			3.0			3.0	
Ped/Bike/RTOR Volume	0	0	12	0	0	1	0	0	0	0	0	2
Lane Width		12.0			12.0			12.0			12.0	
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour		0			0			0			0	
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	

Phasing	EW Perm	02	03	04	NS Perm	06	07	08
Timing	G = 27.3	G =	G =	G =	G = 12.7	G =	G =	G =
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis (hrs) = 1.00						Cycle Length C = 50.0		

	EB			WB			NB			SB			
Adjusted Flow Rate		195			505			193			143		
Lane Group Capacity		838			960			354			414		
v/c Ratio		0.23			0.53			0.55			0.35		
Green Ratio		0.55			0.55			0.25			0.25		
Uniform Delay d ₁		5.9			7.2			16.1			15.3		
Delay Factor k		0.11			0.13			0.15			0.11		
Incremental Delay d ₂		0.1			0.5			1.8			0.5		
PF Factor		1.000			1.000			1.000			1.000		
Control Delay		6.0			7.8			17.9			15.8		
Lane Group LOS		A			A			B			B		
Approach Delay		6.0			7.8			17.9			15.8		
Approach LOS		A			A			B			B		
Intersection Delay		10.4			Intersection LOS						B		

SHORT REPORT

Analyst *RSFanelli*
 Agency or Co. *Jim Napoleon & Associates*
 Date Performed *5/21/2008*
 Time Period *Wkdy PM Peak Hr-284 units*

Intersection *Kirkville&Shepps Corner Rds*
 Area Type *All other areas*
 Jurisdiction *Village of Minoa, NY*
 Analysis Year *2008 - Projected (95/5 split)*

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0
Lane Group		LTR			LTR			LTR			LTR	
Volume (vph)	82	336	73	22	115	7	44	89	32	18	72	16
% Heavy Vehicles	0	0	0	2	2	2	1	1	1	2	2	2
PHF	0.79	0.84	0.62	0.63	0.85	0.88	0.56	0.54	0.55	0.75	0.73	0.50
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time		2.0			2.0			2.0			2.0	
Extension of Effective Green		2.0			2.0			2.0			2.0	
Arrival Type		3			3			3			3	
Unit Extension		3.0			3.0			3.0			3.0	
Ped/Bike/RTOR Volume	0	0	15	0	0	1	0	0	3	0	0	1
Lane Width		12.0			12.0			12.0			12.0	
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour		0			0			0			0	
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	EW Perm	02	03	04	NS Perm	06	07	08				
Timing	G = 28.2	G =	G =	G =	G = 11.8	G =	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =				
Duration of Analysis (hrs) = 1.00						Cycle Length C = 50.0						

	EB			WB			NB			SB		
Adjusted Flow Rate		598			177			297			153	
Lane Group Capacity		958			900			380			394	
v/c Ratio		0.62			0.20			0.78			0.39	
Green Ratio		0.56			0.56			0.24			0.24	
Uniform Delay d ₁		7.3			5.3			17.9			16.1	
Delay Factor k		0.21			0.11			0.33			0.11	
Incremental Delay d ₂		1.3			0.1			10.9			0.6	
PF Factor		1.000			1.000			1.000			1.000	
Control Delay		8.6			5.5			28.8			16.7	
Lane Group LOS		A			A			C			B	
Approach Delay		8.6			5.5			28.8			16.7	
Approach LOS		A			A			C			B	
Intersection Delay		14.1			Intersection LOS						B	

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June 13, 2008

Michael A. Discenza

Steven J. Primo, Esq.
Primo, Primo & Kirwan, LLP
7075 Manlius Center Road
East Syracuse, New York 13057

Re: *Minoa Farms Development Company, LLC*

Dear Steve:

I am writing to advise you, Mayor Donovan and the members of the Village Board that I have recently spoken with a representative of Ryan Homes regarding the issue of recording Covenants and Restrictions against the lots in the present Phase 1A and Phase 1B of Minoa Farms.

It has been and continues to be the position of Ryan Homes that if 100% of the present owners of lots and homes in Phase 1A and Phase 1B agree to the Covenants and Restrictions, then Ryan Homes will agree to record same. To the best of our knowledge this unanimity cannot be achieved.

Attempting to impose Covenants and Restrictions at this late stage for these Phases, after lots have been sold and homes are built and occupied, has a number of complications, including the need for homeowners or lot owners to approach the holder of the mortgage encumbering the property and request that mortgagee's consent to the proposed Declaration of Covenants and Restrictions. This could be a lengthy and cumbersome process in today's financing environment. In addition, without 100% participation there will be difficulty in enforcement if problems arise and while some prospective purchasers would have the benefit of the Covenants and Restrictions, others would not.

Ryan Homes has agreed to impose their typical Covenants and Restrictions on lots in the new sections they intend to develop in Minoa Farms and Elliot Lasky has agreed to take such steps as are needed from the Developer to cooperate with Ryan Homes in this endeavor. I have attached a "Declaration of Covenants and Restrictions" received on May 19, 2008 from Ryan Thompson which Ryan Homes and Minoa Farms Development Company, LLC are willing to have recorded in the County Clerk's Office in connection with the next phase of lots to be approved.

Ryan advised that the homeowners have seen this Declaration and have agreed to the content except for one final change. In the Declaration reviewed by the homeowners, above-ground pools were not allowed in paragraph 10 however the attached Declaration provides in paragraph 10 that

SCHEDULE "B"

SHULMAN CURTIN GRUNDNER & REGAN, P.C.

Attorneys at Law

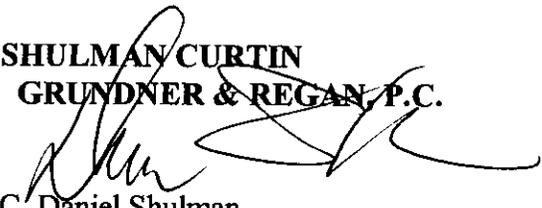
Steven J. Primo, Esq.
Primo, Primo & Kirwan, LLP
June 13, 2008
Page 2

above-ground or in-ground pools are acceptable if built and located in accordance with Village requirements, are surrounded by a fence and are out of public view from the front of the home. I will correct some clerical errors and cause the Declaration to be signed and in recordable form to then be recorded when the next phase is approved and before any lots therein are sold.

If you or the Mayor or the members of the Board have any questions regarding the Covenants and Restrictions, I will be happy to try to provide answers.

Very truly yours,

SHULMAN CURTIN
GRUNDNER & REGAN, P.C.


C. Daniel Shulman

CDS/lmb
Enclosure(s)
cc: Mr. Elliot Lasky
Mr. Ryan Thompson

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Rec'd
5/19/08


DECLARATION OF COVENANTS AND RESTRICTIONS

FOR

MINOA FARMS SUBDIVISION

In consideration of the premises herein , Minoa Farms Development Company with an address of P.O. Box 1454, Williamsville, NY hereinafter referred to as Owner, hereby agree that for a period of fifteen (15) years from and after the date of this instrument, every homesite in the community known as MINOA FARMS SUBDIVISION, "Section ____" according to a map filed in the Onondaga County Clerk's Office as Map # _____ shall be subject to the provisions contained in this instrument, and upon the filing of this instrument, these provisions shall be imposed upon all homesites in the community, and shall be binding upon all parties and all persons claiming under them during the aforementioned fifteen (15) year period, after which these covenants shall be extended for successive periods of ten (10) years each, unless these covenants are terminated by a vote of the majority of the then owners of the homesites in the community.

If any party of homeowner, his/her heirs, successors or assigns, violates or attempts to violate any of these provisions, it shall be lawful for any other party of homeowner to prosecute any proceeding in law or equity against the person or persons violating or attempting to violate such provisions to prevent them from doing so.

Invalidation of any one of these provisions by judgment or court order shall in no way affect the continuing validity of the other provisions of this instrument, the remainder of which shall remain in full force and effect.

1. ARCHITECTURAL CONTROL COMMITTEE

An Architectural Control Committee ("ACC") shall be and it is hereby established. It shall consist of Minoa Farms Development Company. No homeowner involvement will be allowed until 100 percent of the homes are sold and closed. When Minoa Farms Development Company own no further lots in the community, the ACC will consist of three (3) homeowners chosen by the owners of the lots in the community. Thereafter, approval of the ACC of any applications shall be a majority vote.

2. APPROVALS

When the approval of the ACC is required, such approval shall be in writing, and signed by the chairperson of the ACC. Applications for such approval shall be in writing unless the requirement is waved by the ACC.

3. RESIDENTIAL USAGE

No homesites shall be used for other than residential purposes and the usual and normal uses connected therewith. NO structure except for the home shall be used as a residence either temporarily or permanently.

4. CHANGES AND ADDITIONS

No building shall be erected or altered on any homesite until locations, construction plans and specifications have been approved by the ACC, with regard to designs, quality of materials, and workmanship. NO building, additional buildings or structures on any homesites may be altered or added to in any way that affects the exterior appearance without the above-mentioned approval by the ACC; included in this are dog houses, fences, additions to the frame of the home, porches, sheds and fireplaces chases and the like. No metal sheds are permitted. A non-metal shed, tool-house, greenhouses may be placed on any homesite if the design is compatible with the main house and out of view from the street and approved by ACC.

5. MAINTENANCE AND UPKEEP

Each homeowner shall maintain his/her homesite and any structures contained within it, including, but not limited to, repairing, staining and painting.

- A. Fences. Fences shall not be erected or placed on any homesite nearer to any street than the rear line of the home. Fences are limited to six (6) feet in height and are to be of wood, wrought iron or plastics material only (locations and type to be approved by ACC) and are to comply with all town and village requirements. These structures shall be maintained in such a manner so that they do not obstruct sight lines of vehicular traffic.
- B. Gardens and Lawns. Homeowners shall be responsible for additional seeding, watering and mowing of the entire homesite, including street rights-of-way. Lawns must be seeded within twelve (12) months of the date of closing the transfer of title. Responsibilities also include the trimming and pruning of trees, hedges, and plantings. No lawn or garden ornaments will be permitted unless approved by the ACC. Holiday decorations must be removed within thirty (30) days of the holiday. Decorations or ornaments shall be maintained in such a manner so that they do not obstruct sight lines of vehicular traffic.
- C. Driveways. Homeowners shall install a permanent asphalt driveway within twelve (12) month of the date of closing the transfer of title. Driveways must not be constructed of any other material other than blacktop asphalt unless approved by the ACC.
- D. Firewood. All firewood shall be stored in a building on the homesite or in the rear of the homesite in such a way it cannot be viewed from the front of the homesite.

6. PARKED AND STATIONARY VEHICLES

- A. No mobile homes, campers, snowmobiles, boats, recreational vehicles, trailers, commercial vehicles or the like are to be stored or parked on any portion of any homesite for longer than 7 days , unless they are hidden behind a fence, or are parked in a building on the homesite and out of public view.
- B. No extensive repair work on any of the items referred to in sub-paragraph A herein shall be permitted outdoors on any homesite.
- C. Non-operable and/or non-registered motor vehicles, recreational vehicles or trailers will not be permitted to be stored or parked on any portion of any homesite, except in a building on the homesite. No snowmobiles or all-terrain vehicles are permitted for operation in the community.

7. PETS

No animals/livestock or poultry of any kind shall be raised, bred or kept on any homesite except for domestic or customary household pets.

8. GARBAGE CONTAINERS AND CLOTHESLINES

Garbage and other waste materials shall be kept in sanitary containers and concealed from public view except on collection days. No clotheslines shall be permitted if viewable from the street and clothes are not to be hung or placed anywhere in public view. Clothes that are hung on clotheslines not viewable from the road are to be removed within 24 hours of when they are hung.

9. SIGNS

Signs shall not be displayed to the public on any homesite, unless it is approved by the ACC; provided, however, any sign used by the builder to advertise the property during the sales and construction period or real estate agent's signs shall be permitted without consent. These signs will be placed in a manner which will not obstruct sight lines of vehicular traffic.

10. POOLS

Above or in-ground pools are acceptable if built and located in accordance with Village requirements and are surrounded by a fence as described in Section 5 sub-paragraph A and out of public view from the front of the home.

11. ANTENNAS/SATELLITE DISHES

Antennas for both radios and televisions must be approved by the ACC and the homeowner must produce plans of such antennas for approval before installation. Full

size satellite dishes will not be permitted in the community. Up to eighteen (18) inch satellite dishes are permitted; however, the location of each must be approved by the ACC. In no case shall any satellite dish be placed on the front elevation of the structure (front elevation means that portion of the structure facing the road). Therefore, some lots may have more than one elevation facing the road.

12. WINDOW AIR CONDITIONERS

Window unit air conditioners shall not be permitted in windows located on the front elevation of the structure (front elevation means that portion of the structure facing the road).

13. GARAGES

All homesites must have a minimum two (2) car garage and a maximum four (4) car garage.

14. ENFORCEMENT OF COVENANTS AND RESTRICTIONS

The ACC or any homeowner shall have the right to enforce, by any proceedings at law or in equity, all restrictions, conditions or covenants now or hereafter imposed by the provisions of this instrument. Failure to enforce any restrictions, conditions, or covenants herein contained shall in on event be deemed a waiver of the right to do so thereafter. Violators must pay all attorneys' fees and expenses of enforcement.