

DISTRIBUTION LIST

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Steven Primo, Attorney
Thomas Petterelli, DPW Superintendent
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Minoa Library
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March 17, 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, March 17, 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: Loretta Clark, Tom Clark, Dan DeLucia, Michael deBerjeois, Chris Beers, John Sears, John Rosser, Tom Corsello, and Tom Petterelli

CONTINUATION OF PUBLIC HEARING Mayor Donovan reconvened the Public Hearing to order at 6:37 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. Mr. Beers said that he and a few neighbors have been working on a list of covenants with Elliot Lasky and Ryan Homes. He said they are in the process of reviewing the list and they hope obtain a legal list for Ryan Homes to honor for the new lots. Mr. Beers said they planed to meet again on April 7, 2008.

Attorney Primo asked Mr. Beers if the created covenants have been addressed with the current builders so they follow through with the covenants. Mr. Beers said that he believes the current builders who own properties will probably sell their properties to Ryan Homes and it is only an impression that he has received. Attorney Primo asked if the current homeowners do not agree with the covenants and do not sign will they be exempt from the covenants. Mr. Beers said that they would not apply to them if they do not sign the agreement. Attorney Primo asked if the covenants would be development wide regarding sheds, pools, etc., but wanted to know if they had discussed specific items with Ryan Homes regarding the smaller lots. Mr. Beers said Ryan Homes feels that they can provide a product that would meet the Residential B-1 Zoning requirements. Attorney Primo asked Mr. Beers if he was under the impression from Ryan Homes that what's done is done and Mr. Beers said he did get that impression. Attorney Primo said that impression is not consistent with the discussion between the Board and Ryan Homes.

Mr. Beers said Elliot Lasky has stated that the proposed preliminary plat modification for Section II, including lots from Beresford Lane to the railroad tracks would be B-1 zoning and the prime lots in Section I would remain the same Residential A zoning. Mr. Beers said he was pretty sure that they would not build smaller in Section I and limit the smaller homes to Section II. Mr. Beers said that Ryan Homes has a goal of putting larger cornerstone product homes in the front section and renaissance product homes in the back section. Mr. Beers said he could confirm that Ryan Homes has seven lots in Section I with homes that are over 1,800 square feet.

Dan DeLucia said that Ryan Homes planned for the cornerstone product line in Section I. Attorney Primo said that regardless of the zoning, the model home being built could be built in Section I stating again that the Village of Minoa has no authority over the contractor the developer chose to utilize.

Attorney Primo said he thought there was going to be a dialogue between Elliot Lasky, Ryan Homes and the homeowners to discuss items relating to the transition phase. Mr. Beers said he met with Elliot Lasky four times and talked numerous times on the phone. He said that Mr. Lasky provided him clarification on items and/or comments that Ryan Homes did not supply. Mr. Beers said it has been difficult scheduling a meeting with Ryan Homes and they have worked via email on the covenants based on current conditions. Mr. Beers said Ryan Homes has the vision to call the front part of Minoa Farms the "The Estates of Minoa Farms" and the back portion "The Villages of Minoa Farms". He said they plan on putting in permanent signs to separate the lots in the buffer zone.

Attorney Primo asked if they discussed square lot coverage and Mr. Beers said they

offered three to four lots, two lots on Norbert Place would not go below 2,200 sq. ft. and one lot on Taverly Drive and Beresford Place would not go under 1,680 sq. ft. Mr. Beers said that Ryan Homes provided those concessions in writing to Elliot Lasky.

Mr. Beers said the 1,300 sq. ft. homes would be in the back lots near the railroad tracks. Mr. Beers said they are in a Catch 22 position where if the plat isn't approved, it gives Ryan Homes the ability to build smaller homes in Section I.

Dan DeLucia said Ryan Homes has said they would build on the back lots, but they would expect Elliot Lasky to reduce the price of the lots.

Mayor Donovan said he would like to have a meeting with Ryan Homes and Elliot Lasky to discuss signage and issues that need to be resolved. Mayor Donovan said he is concerned that the residents are being held hostage. Mr. Beers said they don't feel as if they are being held hostage, but if they continue to table the Amended Plat, Ryan Homes will continue to build smaller homes in Section I and not force them to the back. Mr. Beers said that if they approve it too quickly, they will lose their opportunity to work on the covenants. He said if the Board is not aware of the signage then it would be a good idea to meet with Ryan Homes.

Trustee Cronk asked if there had been any concessions that Elliot Lasky and Ryan Homes have made that they agreed with. Michael deBerjeois said no they haven't because they have not built homes that are consistent with the homes that are currently there.

Attorney Primo reiterated that even if Elliot Lasky had never requested the initial zone change, he still could have used Ryan Homes and they could still have built the smaller homes on those lots.

Mr. Beers acknowledged that nothing the Board did could have prevented Elliot Lasky from bringing Ryan Homes in and building on the lots. He said their concern is that Ryan Homes could still build a 700 sq. ft. home anywhere in Phase I and the current homes would be the exception and not the rule and that there wouldn't be a transition phase between the phases.

Attorney Primo said he thought there would have been more give in the remaining homes in the cul-de-sac and the transitional area where they possibly create landscaping to separate the areas. Attorney Primo said that Elliot Lasky has stated that the smaller homes would be located in the back lots.

Mr. Beers said they are working on covenants in the back lots regarding pools, sheds,

trailers, and clotheslines. He said they agreed that clotheslines could be in the back and out of view, but clothing would need to be removed within 24 hours.

Mayor Donovan said he would try to schedule a meeting with Ryan Homes and Elliot Lasky, thus allowing Chris Beers and his committee the opportunity to check their availability and meet with Elliot Lasky before Mayor Donovan meets with him. Discussion ensued and all agreed that the Public Hearing be continued until April 7, 2008 at 6:30 p.m.

John Sears asked how the meetings with Minoa Farms are scheduled and Mayor Donovan said the meetings are scheduled by phone and the continuation of the Public Hearing is done at the close of each Public Hearing.

Mr. Sears asked why the continued Public Hearing was not publicized. Attorney Primo said notices are not required to be sent out for the continued hearings. Mr. Sears asked why they weren't posted at the Post Office and Attorney Primo said the residents who have a stake in the matter are kept apprised of the continuation meetings. Mr. Sears asked why he wasn't personally made aware of the meeting and Attorney Primo said the meeting schedule is on the village website and he could contact the Village Office to verify upcoming meetings. Mr. Sears said he missed the last meeting and felt that he should have been made aware of the continued meeting and that it was restrictive. Mr. Sears said the village should post everything at the Post Office to make it convenient for him. Mr. Sears continued with a barrage of similar questions to the Board about their posting procedures and limited communications with the public. Mr. Sears said he wants a legitimate answer to his questions why the Board limits communications.

Attorney Primo advised Mr. Sears that if he did not stop harassing the Board members the Town of Manlius Police would be called to remove him from the meeting. Attorney Primo said the Public Hearing was meant to be an opportunity to discuss the issue at hand and was not meant as a debating period for Mr. Sears to use as an opportunity to berate the Board repeatedly. Attorney Primo respectfully requested that Mr. Sears limit his questions and hostile comments directed to the Board and keep his comments to the Public Hearing topic.

Mr. Sears asked if he showed up on April 7, 2008 would there be a meeting or will it be randomly changed. Mayor Donovan said it would not be changed because the meeting is adjourned and continued at an agreed upon date and time as discussed. Mr. Sears asked how he would find out what happened if he cannot attend the meeting. Mayor Donovan said he could call the Village Office, look at the Calendar of Events on the village website <http://www.villageofminoa.com> or contact one of the residents who have attended the meetings. Mr. Sears said those were not enough options.

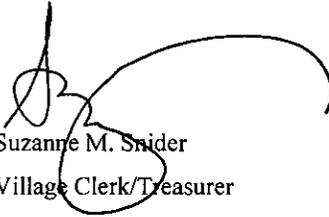
**PUBLIC HEARING
TO BE CONTINUED**

A motion was made by Trustee Champagne and seconded by Trustee Theobald to continue the Public Hearing on April 7, 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 Theobald to adjourn the Public Hearing for the purpose of considering the resolution regarding the (Amended) Preliminary Plat of Minoa Farms Subdivision at 7:04 p.m. All in favor. Motion carried.

Respectfully submitted,



Suzanne M. Snider
Village Clerk/Treasurer