

**TOWN OF MANLIUS  
PLANNING BOARD MINUTES  
May 22, 2023**

**APPROVED**

The Town of Manlius Planning Board hybrid meeting in-person and virtual live streaming with Chairperson Joseph Lupia presiding and the following members present: Ann Kelly, Arnie Poltenson, Richard Rossetti, Valerie Beecher, Judy Salamone and Erin Reynolds. Also, present were Attorney Jamie Sutphen and Planning Board Engineer Douglas Miller.

In-Person Attendees: Marilyn Hazzard, Andy Melka, Trevor Edkin, Chris Danaher, Doug Brackett, Allen Olmstead, James Knittel, Terry Summers, JoAnne Chiarenza Gagliano, Roger Morey and Tom Douglas.

Virtual Attendees: Edward Keplinger, Jeremy Arts, Joe Jacobs, Grazi Zazzara, Denise Santucci, Warren Linhart, Gary, and Anthony Rojas

The Pledge of Allegiance was recited.

**Minutes**

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the minutes of May 8, 2023. Member Salamone abstained.

**Time: 6:31PM - Accessory Use Permit Renewal**

**1. Weichert - Bollinger Group – Real Estate – 8797 Genesee Turnpike – Tax Map # 117.-03-07.0**

Chairman Lupia stated that the Accessory Use Permit Renewal application has been reviewed by the Code Enforcement Officer and has been found to have no violations or complaints.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the Accessory Use Permit renewal for a period of 7 years to expire on May 23, 2030.

**Time: 6:32PM - Marilyn Hazzard – 6797 N. Manlius Road, Kirkville, NY 13082**

**Public Hearing – 2-Lot Subdivision – Same Address**

**Tax Map # 049.-02-02.1**

Attorney Sutphen reviewed the 11 questions in Part 2 of the EAF with the Board and the Board agreed unanimously that the action would have no, or a small impact on the environment.

Member Poltenson made a motion, seconded by Member Salamone and carried unanimously to issue a Negative Declaration under SEQR and authorized the Chairman to sign the short form EAF.

Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to waive the reading of the Public Hearing notice.

Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to open the Public Hearing at 6:35PM.

Hearing nothing from the Public, Member Kelly made a motion seconded by Member Rossetti and carried unanimously to close the Public Hearing at 6:36PM.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to approve the 2-Lot Subdivision, prepared by Thomas A. Parker, Land Surveyor, dated March 22, 2023, with a revision date of May 23, 2023, Project # 2023-146.001.

**Time: 6:37PM - Horizon Solar Power and Catalyze Energy – 33 Boston Post Road W., Suite 220, Marlborough MA 01752 - Decision – Subdivision, Site Plan and Special Use Permit 4.25 MW Solar Array – 7869 Peck Road, Kirkville, NY Tax Map # 042.-01- 32.1**

Andy Melka was present and spoke on behalf of the application.

Member Rossetti stated that the Planning Board has already approved a total of 30.8 mega-watts for Solar Arrays in the Town of Manlius. He wants to know when enough is enough; It would be nice if the Planning Board had some guidance.

Member Poltenson wants to know how the Board can keep approve Solar plans and the only thing holding them back is they can't get panels. The Town does not have a comprehensive plan in place, in absence of that, he is hesitant to approve other Solar projects.

Member Rossetti is also hesitant to approve another Solar Array. The guidance the Board has received so far is only the law and the law allows any RA zoned property to have a Solar Array as long as the setbacks are met. The Comprehensive Plan discusses an overlay district of where the arrays can go. As the Planning Board moves forward and approves the arrays, this Board doesn't really know where the Town wants them to go and not go.

Member Poltenson stated that once the arrays are in, they are in, no turning back. The Board does not know what's coming, the Board has no guidance and yet still the Planning Board is approving these projects.

Chairman Lupia asked the Clerk to provide the concerns of the Planning Board to the Clerk of the Town Board. He also stated that if the Board does not get answers about future Solar Arrays the board may not approve them.

Conversation ensued regarding the bonding and decommissioning plans.

Member Reynolds would like to see additional screening, Evergreen Trees, by the driveway. Mr. Melka said that they will add 6 Evergreen trees between the west property line and the access road contingent on National Grid approval.

Member Rossetti made a motion, seconded by Member Salamone and carried to Amend the Special Use Permit to say the Applicant has 18 months to pull a Building Permit instead of 12 months (please see the minutes of April 10, 2023, for Special Permit Criteria); to approve the Site Plan for a 4.25 Mega-Watt Solar Array and to approve the Subdivision. Member Poltenson was opposed because the Town Board has not given the Planning Board a roadmap of where they would like Solar projects to go and where they do not want Solar projects to go.

**Time:7:10PM - Icon Companies, LLC – 344 South Warren Street, Syracuse, NY 13202 - Decision – Site Plan – 4600 Enders Road, Manlius, NY 13104 Tax Map # 117.2.-01-04**

Chairman Lupia stated that the Board received a memo from the Town Code Officer stating that he has reviewed the plan regarding fire department access and will be approving the plans once the Site Plan is approved by the Planning Board.

Member Kelly made a motion, seconded by Member Salamone and carried unanimously to approve the Site Plan prepared by Core Architecture, project # 1005 dated May 10, 2023, with a revision date of May 10, 2023 (Public Hearing Comments) to include the following pages:

1. G000 – Cover Sheet
2. C100 – Overall Architectural Site Plan
3. L100 - Overall Landscaping Plan
4. L1.1 – Site Grading & Drainage Plan
5. L2.1- Erosion Control Plan
6. L3.1 – Photometric Plan
7. L4.1 – Fire Access Plan
8. A100 – Lower-Level Plan
9. A101 – Main Level Plan
10. A102 – Main Level/Loft Area/Office Area
11. A200 – Exterior Elevations
12. A201 – Exterior Elevations

**Time: 7:16PM - Bob Amodie – 8199 Laurie Lane, Liverpool, NY 13090 Zone Change Recommendation to Town Board - CA to R-5 – Garden Park, Phase 1 – Highbridge Street, Fayetteville 13066 - Tax Map # 093.-01-05.1**

Chris Danaher, Attorney, was present and spoke on behalf of the application. He stated that the property is currently Zone CA and they are seeking a Zone Change to R-5. There are approximately 8.7 acres of land. They are contemplating 70+ units, 1-2 Bedroom apartments. There will be less traffic, it will fit well with the Brookdale community, the project fits with the upcoming Comprehensive Plan and the project will be good for the community in general. They are, however, considering a PUD.

Chairman Lupia is concerned about access to the property and that there is no access and hasn't been for many years. Mr. Danaher said that they are working with the Brookdale owner regarding potentially dedicating the current road as access. He stated that they would eventually like to dedicate the road to the Town if it's acceptable. Chairman Lupia stated that the Board would feel better if they saw a letter of intent regarding access to the property.

Chairman Lupia stated that he is concerned with the stability of the land and all the dumping (rocks, etc.) that has been happening on the property. Mr. Danaher said that they spoke about it at the Town Board meeting and they are aware of it and they are working to figure it out. Scott Freeman stated that they will probably do a slope stability analysis, they would analyze that slope and see what it can handle.

Member Rossetti is concerned about no access to the property; the stone that has been dumped on the property; the stability of the hillside and the rocks tumbling down. Mr. Danaher said that these concerns will be addressed.

Conversation ensued regarding easements and maintaining the roadway.

Chairman Lupia is of the opinion that making a recommendation to the Town Board, knowing that there have been issues regarding access in the past and the Board is not seeing anything in writing saying so, makes him hesitant to send a positive recommendation to the Town Board. He would like to see a letter of intent or an easement of right of way. Member Rossetti is in agreement.

**Time: 7:41PM** - Member Beecher enters the meeting.

Member Reynolds is of the opinion that it's a great use of the land and if they can sort out the ownership and the road issues, the project should work. She asked about a traffic study. Mr. Freeman said it is being worked on.

Member Salamone likes the project and believes that it is a good use for the land.

Member Poltenson likes the project and believes that it will be an Engineering challenge.

Member Reynolds made a motion seconded by Member Poltenson and carried to send a positive Zone Change recommendation to the Town Board with the understanding that there is currently no access to the property and should have a letter stating that they have road access before granting the final Zone Change from CA to R-5. Chairman Lupia, Members Beecher and Salamone agree with the motion. Members Rossetti and Kelly are opposed.

Member Rossetti is of the opinion that the Town should not accept the roadway, one of the 2 parties should own it and grant the other one an easement and the Town should just stay out of it.

**Time: 7:58PM - KDP Manlius NY, LLC – 449 N. Clark St, Suite 400, Chicago, IL 60654 - Discussion/Decision & Recommendation to Town Board in regards to Local Law Change for OCWA– 5427 N. Burdick St, Fayetteville - Tax Map # 086.-01-4.2 and 086.-01-04.3**

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to send a positive recommendation to the Town Board regarding the change to the Local Law.

**Time: 8:01PM - Hogan Drs. LLC – 4579 Southwood Heights Drive, Jamesville, NY 13078 - 2<sup>nd</sup> Presentation - Site Plan & Accessory Use Permits for Apartments for Residential Use – Seven Pines – 8104 - 8110 Cazenovia Road - Tax Map #'s 112.-02-2.7, 112.-02-06.0, 112.-02-07.0 and 112.-02-2.9**

James Knittel was present and spoke on behalf of the application. He stated that there are outdoor picnic areas that have been added to the plan; there are 2 catch basins that are doing their job.

Attorney Sutphen would like to see a new declaration of easement that refers to the map and says all of the accesses that are shown and labeled on the map are reciprocal access easements for all lots.

Chairman Lupia stated that everything will be contingent upon Legal review.

Member Rossetti asked if this was going to be considered 1 Site Plan? Chairman Lupia said, yes, 1 Site Plan.

Member Salamone made a motion, seconded by Member Kelly and carried unanimously to hold a Public Hearing on June 26, 2023, at approximately 6:35PM.

**Time: 8:15PM - Eastern Hills Bible Church – 8277 Cazenovia Road, Manlius, NY 13104 - Initial Presentation – Site Plan Amendment – Same Address Tax Map # 117.2-01-37.1**

Allen Olmstead was present and spoke on behalf of the Application. He stated that Eastern Hills Bible Church would like to add on an additional 1200+/- square feet to the already existing church, using the same materials.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to hold a Public Hearing on June 26, 2023, at approximately 6:35PM.

With there being no further business, Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to adjourn the Regular Meeting at 8:20pm.

Respectfully submitted,  
Lisa Beeman, Clerk