

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
October 24, 2022**

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, Edmond Theobald and Judy Salamone. Also, present were Attorney Tim Frateschi and Planning Board Engineer Douglas Miller.

In-Person Attendees: Rod Ives, Donovan Liem, Brandon Jacobson, Daniel Lu, Carlee Hanson, Cheryl & Chris Demers, Ann Lufford, Eileen Hathaway Krell, Sonny Zhan & Hong Xu, E. Memian?, C. Fuller, A. Marse?, Neuman, Joe D. Walcker III, Daniel Modungo, Robert Janovsky, Larry Apgar, Stephen Bowman, Christine Saville, Keith Saville, Robert Schwanke, Christine Kelly, Paul Crescenzi, Fordon Stansbury, Chuck White, Mike Papa, and Irina S.

Virtual Attendees: cathy, Amy DeBlois, jdurand, Amy Bonus, Barbara Henry, Steve, Stacey Kelso, Sue Oliver, Matthew Napierala, Hongbo, 315-559-8478, Nicole Potocki, Kristy Caraher, Shauna Teelin, Jason Caraher, 1-347-853-2408, Shu-Jen Chiang, Stacey Kelso-O'Connor, Kim Gerace, Rosemary Nwawka, jwalt, Caitlin Barrett, Erin Ponticello, John Charters, kristen, John Linhart, terry, Sharon Caron, Brandon Holt, Angela Schwanke, Harness Hook, Stephanie, 1-315-729-1201, Kristin & Mark Suchowiecki, David Neuman, Bing Dong, Kim Schwanke-Strawmount Trail, Sonny Zahn, Lin#Nianzu, John, Lisa, Alison Sczerbaniewicz, Nmarkle, Susan Hines, Warren Linhart, John Beecher, No name, dandsburns@yahoo.com, David Tyler, Ipad and Matt Mulcahy.

The Pledge of Allegiance was recited.

Minutes

Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to approve the minutes of September 26, 2022. Member Poltenson abstained.

**Time: 6:31PM - Route 5 Development Company, LLC – 540 Towne Drive
Public Hearing – 2-Lot Subdivision – 404 & 406 Towne Dr - Tax Map # 087.-01-15.2**

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

Member Theobald made a motion, seconded by Member Rossetti and called unanimously to declare the Planning Board Lead Agency for SEQR.

Attorney Frateschi explained that this was a two-lot subdivision of an existing building situated on one lot for purposes of financing. From the public's perspective, they would see no difference if the subdivision were granted. He 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 Beecher made a motion, seconded by Member Rossetti and carried unanimously to issue a Negative Declaration under SEQR and authorized the Chairman to sign the short form EAF.

Member Beecher made a motion, seconded by Member Salamone and carried unanimously to open the Public Hearing at 6:36PM.

Hearing nothing from the public, Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to close the Public Hearing at 6:37PM.

Member Kelly made a motion, seconded by Member Beecher and carried unanimously to approve the 2-Lot Subdivision for Route 5 Development Company as set forth on the final subdivision map submitted to the Department of Planning and Development and attached to the application. Map prepared by CNY Land Surveyors, titled Re-Subdivision of Lot 15, Town Center at Fayetteville into Lots 15A and 15; Final Plat dated 08-23-22 – Job # 22.114.

Time: 6:38PM - Syracuse Chinese Christian Church – 8020 E Genesee St.
Public Hearing – Site Plan Amendment - Church – Same Address
Tax Map # 090.-01-06.6

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

Member Kelly made a motion, seconded by Member Rossetti and called unanimously to declare the Planning Board Lead Agency for SEQR.

Attorney Frateschi summarized the site plan and the operation proposed by the applicant – to operate a church of a small congregation on a former tennis club along NYS Route 5. He 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 because the use is less intense than previous uses in terms of times and duration of use, the zoning is appropriate for the site and the roads servicing the site are constructed to accommodate the traffic

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

Member Beecher made a motion, seconded by Member Salamone and carried unanimously to open the Public Hearing at 6:42PM.

Hearing nothing from the public, Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to close the Public Hearing at 6:43PM.

The Board asked the Applicant what the size of the congregation is and how many weddings the location has. Mr. Zahn said 40-50 people and they hold maybe 1 wedding every 3 years. And they do not plan to rent the church out to any other church.

Member Poltenson made a motion, seconded by Member Beecher and carried unanimously to approve the Site Plan Amendment for Syracuse Chinese Christian Church, based on the map prepared by RSA Architects, titled Overall Site Plan and dated 03-03-22 with revision dates of 10-07-22 and 10-21-22, project number 2118, such approval shall be contingent on the Planning Board attorney reviewing the easement across the neighbors property from NYS Route 5 to the site.

Time: 6:54PM - Peregrine Development, LLC – 217 Montgomery St, Syracuse, NY 13202 - Public Hearing – Site Plan and Special Use Permit - Peregrine Assisted Living Center – Medical Center Drive, Fayetteville, NY 13066 - Tax Map # 086.-01-03.7

Rod Ives was present and spoke on behalf of the application.

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

Member Beecher made a motion, seconded by Member Salamone and called unanimously to declare the Planning Board Lead Agency for SEQR.

Attorney Frateschi summarized the project as a 37,300 sq. ft. building situated on a 3.85-acre parcel that is on an RA property in close proximity to a medical center and a large adult housing facility. He 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 because the size of the building on the lot provides enough room to manage traffic and drainage, the neighboring uses fit within the proposed use of this project and Medical Center Drive has the capacity to accommodate the uses proposed by the applicant.

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

Chairman Lupia stated that the Board has heard from the Onondaga County Planning Board regarding this project and they encourage the Applicant to add pedestrian access by providing additional sidewalks, crosswalks and such to adjacent parcels.

Member Salamone made a motion, seconded by Member Theobald and carried unanimously to open the Public Hearing at 6:59PM.

1. Robert Janovsky – 159 Avriel Drive – is opposed to the project; is concerned about traffic issues.

Hearing nothing more from the public, Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to close the Public Hearing at 7:02PM.

Conversation ensued regarding the sidewalk on the property. Mr. Ives said the sidewalk is on Peregrine's property and will be maintained by them. The Board asked Mr. Ives to extend the existing sidewalk on the western edge of the property.

Member Theobald made a motion, seconded by Member Kelly and carried unanimously to approve the Site Plan for Peregrine Development LLC, dated 08-25-22 with a revision date of 10-13-22, project #22-2099; the package includes the following pages:

1. Title Sheet C-1
2. General Notes C-2
3. Survey/Existing Conditions C-3
4. Site Preparations Plan C-4
5. Neighborhood Plan C-5
6. Layout Plan C-6
7. Offsite Improvement Plan C-6.1
8. Grading and Drainage Plan C-7
9. Detailed Grading Plans (1" = 10' scale) C-7.01 to C7.04
10. Erosion and Sediment Control Plan C-8
11. Utility Plan C-9
12. Landscaping Plan C-10

The following conditions were also placed on the Site Plan Approval:

1. The SWPPP has to be approved by the Planning Board Engineer
2. Extend the sidewalk to the western edge of the property
3. Remove the 2 free-standing monument signs from the plans
4. re-date the maps for tonight's Planning Board Meeting.

Attorney Frateschi read the Special Permit Criteria questions. Will the project have an adverse effect on adjacent lands, the immediate neighborhood or on the character of the community is the ultimate question.

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion? The Board said yes
2. Is the community protected from unnecessary noise, lighting and odors? The Board said yes.
3. Does this plan protect the community from inappropriate design and other

- matters of significance? The Board said yes.
4. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? The Board said yes.
 5. Can any adverse impact be mitigated with compliance with reasonable conditions? And are there any conditions? The Board said no.
 6. Does the project conform with the Towns Planning objections, for example, do we need any kind of conditions with respect to operations and are there modifications to the development proposal or design guidelines that can attach reasonable conditions to minimize impacts? The Board said yes.

Member Beecher made a motion, seconded by Member Rossetti and carried unanimously to approve the Special Use Permit for Peregrine Development, LLC for a period of 7 years, set to expire on October 24, 2029.

Time: 7:24PM - A&E & SNY Center – Suite 38, 5781 Bridge Str, E Syracuse 13057
Discussion - Site Plan – Med Spa – Behind Resort Lifestyles
Tax Map # 086.-01-03.9

Rod Ives was present and spoke on behalf of the Application.

Chairman Lupia asked Mr. Ives about the SWPPP. Mr. Ives stated that it has not been updated as of yet but it was part of the Zone Change Application.

Conversation ensued regarding the size of the building and the use of the space labeled “future.”

Chairman Lupia and Member Beecher asked if the stone dust sidewalk could be paved. It would compliment the building so much better. Mr. Ives indicated that he would check with his client. The Planning Board indicated a strong desire for the stone dust sidewalk to be paved as part of the site plan approval.

Chairman Lupia asked Engineer Miller if, from an Engineering standpoint, is the Board ready to schedule a Public Hearing? Engineer Miller said there are still a couple of things needed but is comfortable with the Board setting a date for the Public Hearing.

Member Beecher made a motion seconded by Member Rossetti and carried unanimously to hold a Public Hearing on November 28, 2022, at approximately 6:35PM.

Time: 7:41PM - Twin Shores Properties, LLC – 1333 13th Str, E. Moline, IL 61244
2nd Presentation – Twin Shores – Fietta Properties – North Burdick Street
Tax Map #'s 086.-02-02.1, 086.-02-03.0, 086.-02-04.1, 086.-02-05.1, 086.-02-05.3 and 086.-02-06.1

Tom Cerio and Joe Durand were present and spoke on behalf of the application. Mr. Cerio stated that they are only speaking about the Commercial part of the project. He also stated that the existing houses will be coming down that are situated on this lot. They would like to create 7 lots for the entire property, 5 of them are for the CA Zone

the other 2 lot are for the R-5 Zone, these 2 lots are separate from this Site Plan.

Joe Durand, TDK Engineers, gave an overview of the project including sidewalks, stormwater, flood plains, etc.

Gordon Stansbury, GTS Consulting, spoke about traffic lights and traffic impact studies.

Attorney Frateschi stated that the Developer should give the Board a Subdivision map that matches the Zone Change map – the lots should be divided by the zoning lines.

Chairman Lupia stated that once the subdivision map is received, it will be sent to Onondaga County Planning Board for their review.

Discussion ensued about the placement of an electronic sign on one lot for purposes of commercial advertising. The applicant was informed that such an electronic sign is prohibited in the Town.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to hold a Public Hearing on November 28, 2022, at approximately 6:35PM as long as all the required items are filed by the filing deadline.

Time: 8:24PM - Fulgent Seed Trust – 7197 East Genesee Street, Fayetteville, NY 13066 - Initial Presentation – A renewal of an Accessory Use Permit for a 2nd floor apartment and new Accessory Use Permit for a 1st Floor Apartment - Same Address - Tax Map # 087.-07-47

The Applicant, Rosemary Nwawka appeared via Zoom. She explained that she would like to renew the Accessory Use Permit for the 2nd Floor Apartment and would like a new Accessory Use Permit for a 1st Floor – 2-bedroom Apartment. Her Law Office will stay in the same location with no changes.

Chairman Lupia stated that the Board received a memo from the Code Enforcement Officer regarding numerous complaints and violations about this property.

Member Theobald made a motion, seconded by Member Beecher and carried unanimously to hold a Public Hearing on November 28, 2022, at approximately 6:35pm.

The Board also requested that the Applicant be present at the next meeting to answer questions regarding the property.

Time: 8:30PM - Woodland Hills Subdivision (Hoag Lane Development) 201 Solar Street, Syracuse, New York 13204 - Initial Presentation 16-Lot Subdivision – 5290-5320 Hoag Lane, Fayetteville - Tax Map # 104.-01-39.2

Chris Danaher and Scott Freeman were present and spoke on behalf of the application. Mr. Danaher stated the project would have public water and sewer to the site; 19 lot conventional plan has been submitted along with a 17-lot cluster plan. There will be one entry point; there will be an HOA; 4000 square foot homes. The Applicant would like to

implement the cluster plan.

Member Rossetti asked/stated the following:

1. is bringing in 100,000 yards of fill still part of the process? Mr. Freeman said he did not know.
2. is the pond still going to have roughly 1 million gallons of detention sitting in there? What about the damn? Mr. Freeman said they will look into it.
3. if all the trees are knocked down on the property, why would the Board consider cluster development? Mr. Danaher said it was his understanding that none of the trees in the greenspace were touched.

Chairman Lupia stated that the purpose of Cluster Development under Town Law 278 is to maintain the beauty of the land, maintain the vegetation, not to take down all the trees.

Member Theobald stated that drainage is a huge concern for this property. Mr. Freeman agreed and also said that is the purpose of the stormwater facility, to slow the water down before it gets to the properties below the property. Member Theobald is of the opinion that a damn would be a better idea.

Chairman Lupia stated that last time the Board asked for information on the road cuts and the compaction numbers and never received it. Mr. Freeman said he has that paperwork and will make sure the Board receives it.

Member Beecher asked why there was no page 3 of the Short Form SEQR paperwork and stated that some of the questions on the short form were not answered. She asked for the paperwork to be resubmitted.

Chairman Lupia stated that there was a concern regarding grinder pumps. Mr. Freeman said that they cut the number and are down to 3 pumps.

Attorney Frateschi stated that the cluster plan is in question because it does not meet the purpose for a cluster development – clustering development with smaller lots on one portion of the site to preserve greenspace on other portions of the site.

The Board adjourned the matter until further information is received.

Time: 9:13PM - Brolex Enterprises – 5912 North Burdick Street, E. Syracuse, NY 13057 - Zone Change Recommendation to Town Board – RA and Commercial to R3 Megnin Farms – Route 5 at East Genesee Street and Strawmount Trail Tax Map #'s 082.2-01-02.0 and 082.2-01-03.0

Member Beecher recused herself from this project due to a conflict of interest – she lives in the neighborhood and is opposed to the project and cannot be objective as a planning board member.

Chairman Lupia stated that the Board has already received correspondence from over

140 residents who are not in favor of this project.

Brandon Jacobson, Brolex Enterprises, was present and spoke on behalf of the application. He stated that he listened to the community about the last project and decided that they needed something that fits the community better. They decided to go with single story duplexes, resulting in 46 Town Homes.

Attorney Frateschi asked Mr. Jacobson if this is a Cluster Development under R3. Mr. Jacobson said yes.

Attorney Frateschi stated that this is Board is only looking at the Zone Change Recommendation right now, not the cluster plan.

Chairman Lupia stated that he received an email from the Mayor of Chittenango regarding the lift station, the capacity and a catastrophic failure that happened in January of this year. The Mayor stated that Chittenango does not have the capability to handle the current number of houses. Chairman Lupia is questioning whether or not the current system can even handle the new homes proposed if it cannot handle what they currently have?

Member Theoald is under the understanding that it was the pump station that failed. It had nothing to do with capacity, the backup failed. Engineer Miller confirmed that a lift station is a pump station.

Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to hold a Public Hearing on December 12, 2022, 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 9:30PM.

Respectfully submitted,
Lisa Beeman, Clerk