

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
December 14, 2020**

APPROVED

The Town of Manlius Planning Board convened with the members live streaming from their homes and in accordance with the Executive Order of the Governor to assure compliance with the Open meetings Law. Chairperson Joseph Lupia presided, and the following Members were present: Fred Gilbert, Ann Kelly, Mike LeRoy, Arnie Poltenson and Richard Rossetti. Also, present were Attorney Jamie Sutphen and Town Engineer Douglas Miller.

Absent: Member Mento

Other persons attending the virtual meeting: Stella and John Penizotto, John Langey, Matt O'Neil, Greg Sgromo, Mark Harrington, Michael Pettinato, Matt Napierala, and John Zellar

The Pledge of Allegiance was recited.

Minutes

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the minutes of November 23, 2020.

CNY Premier Homes, INC. – 7115 E. Genesee Street, Fayetteville, NY 13066
Initial Presentation – Site Plan and Accessory Use Permit – Same Location
Tax Map # 085.-08-10.0

John Zellar spoke on behalf of the applicant. He stated that he would like to move his real estate business into the building once it is renovated.

Conversation ensued about whether the property is 1 lot or 2 lots. Chairman Lupia stated that it had been 2 separate parcels and now it only has one tax map number. Mr. Zellar agreed. Clerk Beeman will look into whether the parcel is in fact one lot or two as far as the records of the Town on subdivision are.

Engineer Miller made an inquiry regarding additional lighting, a landscaping plan, the size of the parking spaces, and requiring a letter from a Design Professional indicating whether the stormwater will remain at the rate or less than the current rate.

Clerk Beeman stated that the application will have to go to the Onondaga County Planning Board for their comments.

Member Kelly made a motion seconded by Member Rossetti and carried unanimously to hold a Public Hearing on January 11, 2021 at approximately 6:35PM.

Harrington Homes - 3848 Henneberry Road, Jamesville, NY 13078
34 Lot Subdivision & Site Plan – Harrington Homes at Brandywine - Brandywine
off of Henneberry Road
Tax Map # 109.-02-07.1

Speaking on behalf of the Applicant was Matt Napierala, Mark Harrington and Michael Pettinato and Mark Shute. Mr. Napierala spoke about the water supply, the stormwater runoff/down stream runoff protection and the project density.

Member Rossetti said that the Town has a requirement for buffer areas around 25% slopes. He said that it would be nice to know where on the property there are, if any, 25% slopes so that when we look at the plans and the data, we have a better understanding. The topo on the site presents concerns.

Chairman Lupia asked if the applicant had gotten any reports from a Hydrogeologist as to the efficiency of the water and how many homes it can handle? Mr. Napierala said that Mark Shute is there as a “local” expert who has drilled wells throughout Onondaga County.

Engineer Miller stated that consistent with the Health Department discussions and some discussions that were had with Mr. Zinsmeyer, the Board/Town would require field testing the Town would also require that be done under the direction of a Hydrogeologist. It would be a series of wells and the Board would want to look at what the testing protocol would be, so the Board knows what the recovery rates are, the cone influence and what the aquifer looks like in and around the area. Mr. Napierala stated that a Hydrogeologist will be involved at some point.

Mr. Shute spoke about the wells in the area. They are high producing wells. His company has drilled several wells in the area. Most of the wells are getting 15-20-25-30 gallons per minute. He does not think that there will be any issues with the wells or problems.

Member Rossetti asked as to whether there could be a guarantee/warranty/bonding to prove that going forward the determination of there being a sufficient aquifer would be guaranteed. Member Rossetti said that he wants to assure that the Town/Board will not be on the hook if something should happen to one of the wells 10 years down the road.

Attorney Sutphen noticed that there were no dimensions and there were no acreages on the submitted plans. She asked if any of the lots were less than 2 acres? Mr. Napierala said yes. Attorney Sutphen said that there has been some discussion about whether a lot that less than 2 acres is appropriate for a well. Mr. Napierala said that 2 acres or greater in size is considered acceptable where both well and septic is involved. These lots have public sewer.

Member Rossetti asked if there was going to be an HOA? Mr. Harrington said yes.

Engineer Miller stated that the critical component to this project is to know what we have for public water, so if we do not have a public water system and we are going to go with individual wells it becomes critical to have the hydrogeological study.

Attorney Sutphen stated that the question before the Board tonight on a concept level is if the Hydrogeology works and the stormwater works does the lay out of the roads, lots, etc. Mr. Napierala said that there will be a horseshoe configuration with no dead end. The Board on a straw vote noted overall that it does not have a problem with the layout; they are concerned with the hydrogeology.

The Board tabled the matter until more information is received from the applicant.

JS Penizotto – 116 Colony Park Drive, Liverpool, NY 13088

Initial Presentation – Site Plan – 4581 Enders Road, Manlius, NY 13104

Tax Map # 114.-01-13.1

To speak on behalf of the Applicant were, Attorneys' John Langey and Matthew O'Neil, Greg Sgromo, and Stella and John Penizotto.

Attorney Sutphen got the Board up to speed by telling them about a phone call that was requested by Betsy Parmley from the New York State Department of Transportation (NYSDOT). On the call was Chairman Lupia, Engineer Miller and Attorney Sutphen. The main issue discussed was the road cut on Route 92; in order to get the actual curb cut from DOT, the project would have to have a completely approved Site Plan, not just concept and not just something approvable; but a complete plan. The questions presented is if the Applicant does not have an actual party to go on the property. Does the applicant want to go to the expense of a full Site Plan? If the applicant did not want to go to the expense of a full Site Plan Approval, the NYSDOT would give a written concept approval that the Applicant could use in marketing for uses that fit within the zone. The applicant would provide, per the DOT, sensitivity study, which would be an analysis of "uses" based upon a traffic study. It was also relayed that the NYSDOT would like an updated traffic study.

Chairman Lupia is of the opinion that it does not seem to make sense to proceed forward for Final approval on a plan that is likely to have to change down the road. If the people who are interested in using the property, whether it be for a restaurant or bank or other use, they may not use the exact site plan and the Board will have to review everything all over again. He does not have a problem reviewing the plan as a concept and do the final approval after somebody is interested in the use of the property, it is up to the Applicant.

Member Rossetti is of the opinion that unless the Board gets a full Site Plan with all the details required, they should be careful about giving any kind of concept approvals.

Engineer Miller stated that Mr. Sgromo, Engineer Miller, Betsey Parmley and Jeff Deep were on a phone call this morning and Mr. Sgromo pointed out that there has not been

a lot of change in the last few years to that corridor. Mr. Sgromo is also working on the trip analysis and that is what the NYSDOT is looking for.

Member LeRoy is concerned about the traffic making left hand turns into the property and traffic backups.

Attorney Sutphen said that we do not have the ability to approve a concept plan per the Town of Manlius Code.

Chairman Lupia asked about getting a consensus from the Board about the plan, not a vote. Chairman Lupia is not opposed to what the applicant is intending to do, subject to NYSDOT approval and subject to the traffic study and a stormwater analysis at some point.

Mr. Sgromo explained the new traffic pattern within the property.

Attorney Sutphen said that she is hearing that the stormwater detention pond on the Daycare site does not work. Whether they decide to go forward with this plan, or you go the other route, the pond should be looked at, so it does not become an issue for the client. Mr. Sgromo said that he has not heard of the pond not working before, its new to him. Engineer Miller said that the NOT has not issued for the stormwater basin.

Chairman Lupia asked the Board members for a consensus of the plan. Members Kelly, Poltenson, LeRoy and Chairman Lupia are all generally ok with the concept plan. Members Gilbert and Rossetti think the project is going in the right direction.

The Board will table the application until a decision from the Applicant regarding the direction they desire to have on this application and approval is clarified.

Accessory Use Permit Renewals

Member Rossetti made a motion seconded by Member LeRoy and carried unanimously to approve the Accessory Use Permit Renewal for Debra Kreisher located at 6547 N. Manlius Road, Kirkville for a Hair Salon for a period of 7 years to expire on December 9, 2027.

Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to approve the Accessory Use Permit Renewal for Michael Heath located at 7913 E. Ridge Point Dr, Fayetteville for Pastoral Counseling for a period of 7 years to expire on December 9, 2027.

Member Kelly made a motion, seconded by Member Poltenson and carried unanimously to approve the Accessory Use Permit Renewal for John Farnach located at 7521 Highbridge Rd., Manlius for a Photography Studio for a period of 7 years to expire on December 9, 2027.

Member Gilbert made a motion, seconded by Member Rossetti and carried

unanimously to approve the Accessory Use Permit Renewal for Eureka! LLC located at 7136 E. Genesee Street, Fayetteville for a Law Office for a period of 7 years to expire on December 9, 2027.

Other Business

Chairman Lupia told the Board that Member Mento submitted his resignation effective January 1, 2021. He said that Member Mento enjoyed his time on the Board, that he wishes everyone well, and he thanked the Town for letting him serve. The Board thanks Frank for his service.

With there being no further business, Member Kelly made a motion, seconded by Member Gilbert, and carried unanimously to adjourn the Regular Meeting at 8:16pm.

Respectfully submitted,
Lisa Beeman, Clerk