

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
June 14, 2021**

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: Fred Gilbert, Ann Kelly, Mike LeRoy, Arnie Poltenson, Richard Rossetti and Valerie Beecher. Also, present were Attorney Jamie Sutphen and Planning Board Engineer Douglas Miller.

Also, Present: Andrew Day, Corey Auerbach, Drazen Gasic, Katherine Johnson, Carlie Hanson, Andrew Day, Jared Lusk, Lara Pruschki, Carson Weinand, Rob Taylor, Beth Powell, Warren Linhart, Mike McGrew, Louis Muraco, David Muraco, 2 unreadable names.

The Pledge of Allegiance was recited.

Minutes

Member Rossetti made a motion seconded by Member LeRoy and carried unanimously to approve the minutes of May 24, 2021.

Approval of Miller Engineering Contract

Conversation ensued regarding the terms and conditions of the contract.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to approve the contract for Miller Engineering.

Special Permit Renewal – Gabriella’s Chocolates -8240 Manlius-Cazenovia Road, Manlius, NY 13104

Member Kelly made a motion, seconded by Member Beecher and carried unanimously to approve the Special Use Permit renewal for a period of 7 years to expire on May 14, 2028.

**CVE North America, Inc. 109 W. 27th Street, New York, NY 10001
Public Hearing - Subdivision/Site Plan/Special Use Permit
Solar Array - Duquid Road, Manlius, NY 13104 Tax Map # 099.-01-03**

Jared Lusk and Lara Pruschki presented in person to the Board and Carson Weinand was presenting virtually.

Mr. Weinand reviewed the project. The land is approximately 240-acres, and they are planning to subdivide into 4 parcels. 3 parcels for community solar and 1 parcel will stay as an existing cell tower. Two of the projects are 5-megawatts and one is 1.5-meawatts with 35,000 panels total.

Member Rossetti stated that at the last meeting he asked for the property to be staked and to submit something in writing to the Board regarding permission to walk the land. The Board has not received permission yet. Mr. Lusk stated that he sent an email to Attorney Sutphen with permission. Attorney Sutphen found the email that stated the Board can walk the property.

The Board is also concerned about the reasoning behind New York State wanting these community Solar Farms to be only 5-megawatts, they would like to know what the intention is in putting that law in place. Mr. Weinand said that he provided all the specific language related to that. National Grid will not process interconnections over 5-megawatts ac, there is an interconnection cap per meter with 1 meter per parcel. NYSERDA only subsidizes up to 7.5-megawatts dc. 5-megawatts ac is equivalent to 7.5-megawatts dc.

Attorney Sutphen stated that she had a discussion with Chris Carrick and asked the same questions and she received the same answer. Member Kelly called the state and did not receive an answer either. Mr. Lusk stated that from a community solar perspective, once you get larger than that size, it becomes a much larger project, and you cannot use the existing community utility lines to service the project.

Member Gilbert asked if the Applicants were getting 3 separate permits from NYSERDA? Mr. Weinand said yes there are 3 separate applications to participate in the community solar program, 3 sperate meters, 3 separate interconnection agreements, 3 applications to NYSERDA. Members Rossetti and LeRoy said that tells us there are 3 separate projects. Mr. Lusk said there are 3 separate permits to comply with the NYSERDA regulations.

Member Poltenson asked the Applicants to forward all related contracts between the Developer, NYSERDA, National Grid and the Landowner to the Board for their review. The Applicant said that they will send them over.

Mr. Weinand told the Board that they have spoken to the school Board, and they are in support of the project.

Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to open the Public Hearing regarding Subdivision, Site Plan and Special Use Permit at 7:12pm.

Member Rossetti made a motion, seconded by Member Gilbert and carried unanimously to waive the reading of the Public Notice.

1. Beth Powell – 5090 North Eagle Village Road – concerned about the following:
 - a. Thinks the subdivision is being done to bypass the NYSERDA regulations.
 - b. Believes that this is 3 projects, and they should not be within 1 mile of each, per Town Code.

- c. The Solar Array that was already approved on North Eagle Village Road is within 1 mile of this proposed project.
 - d. The displacement of wildlife, especially deer.
 - e. This is a great candidate for the Comprehensive plan.
 - f. What substations are all these solar projects going too?
2. Elizabeth Merriam – Hoag Lane
- a. What are the long-term environmental effects?
 - b. The company doing the project are not local, do they care about area or the land?

Member Rossetti made a motion, seconded by Member Poltenson to close the Public Hearing. Member Gilbert made a motion to extend the Public Hearing until the Board hears from NYSEERDA, Member Kelly seconded the motion. Member Poltenson rescinded his second to the first motion. Chairman Lupia and Member Rossetti are opposed. The motion carries.

The Board asked for someone from NYSEERDA to be contacted to see if they could be available to give the Board more information.

The Board tabled the application until June 28, 2021.

Andrew Day, Labella Associates, 41 West Elm Street, Greenwich, Ct. 06830
2nd Presentation – Site Plan and Special Permit - Salt Springs Road Solar
Solar Array – 8540 Salt Springs Road
Tax Map # 100.-01-11.1

Andrew Day, Corey Auerbach and Drazen Gasic presented to the Board virtually.

Mr. Auerbach, Attorney, stated that this is a 5-megawatt community Solar Array, on 86 acres, the footprint of the array will be approximately 33 acres within the fence. The permanent ground disturbance is very small. 13,550 panels surrounded by a fenced in area and wetlands will be avoided.

Member Kelly asked where they were going to connect to the grid? Mr. Day said on Salt Springs Road and the Duguid Road substation. Conversation ensued on if there is adequate space for connections on Duguid Road. Mr. Day stated that they have spoken to National Grid and that they are fine with connection and there is plenty of space.

Member Rossetti and Member Kelly have issues with screening of the project. They do not believe that since the project is on a hill, that there is a feasible way to screen the panels. The applicant stated that they typically plant 6-8-foot-tall evergreen trees for screening. Member Rossetti asked how far off the ground the panels will be. Mr. Day said 9 feet off the ground.

Member Poltenson asked the Applicants to forward all related contracts between the Developer, NYSERDA, National Grid and the Landowner to the Board for their review. The Applicant said that they will send them over.

Member Gilbert made a motion, seconded by Member LeRoy to hold a Public Hearing on June 28th at approximately 6:35pm. Member Rossetti opposed due to the fact that he does not think the Board has enough information.

Route 5 Development Company – 540 Towne Drive, Fayetteville, NY 13066
2nd Presentation - Site Plan – Lot 15 Restaurant Building – 406 Towne Drive,
Fayetteville, 13066 Tax Map # 087.-01-15.2

Kate Johnson, Attorney and Carlie Hansen, Architect presented to the Board in person and Andy Hart, Site Engineer and Amy Dake, Traffic Engineer, presented virtually.

Ms. Johnson stated that they revised the plan based on the comments from the Planning Board and the comments from the potential tenants.

Ms. Hansen handed out “new” plans and stated that the main change is that they rotated the building 90 degrees, allowed them to increase the parking spaces from 53 to 70 spaces, deliveries remain at the back of the building, dumpsters are in the same general location.

Member Rossetti is still concerned about food delivery trucks and garbage trucks making deliveries and picking up garbage. Ms. Hansen does not think that it will be an issue, its operational and the proposed restaurants do not seem to have an issue with it.

Member Beecher asked if the parking on the plan (on the McDonalds side) could be removed to add more space for the delivery lane. Ms. Johnson said that when they purchased the parking lot from TOPS, there was a requirement that they have 10 parking spaces per 1000 square feet of restaurant.

Ms. Dake stated that she conducted 2 separate studies regarding traffic at peak times and how it impacted the rim road. There was only one back up for about 40 seconds into McDonalds.

Chairman Lupia stated that the Board has received letters from the residents in Fayette Manor regarding the impact that more traffic into Towne Center will have on their ability to make left hand turns out of Fayette Manor. He asked Ms. Johnson if she given any consideration to the impact of traffic? Ms. Johnson said that the plan was sent to DOT and they did not find any issue with the traffic.

Upon the Applicants request, they would like to submit a full package plan by July 1st to be on the Agenda for July 12. The Board tabled the matter until July 12, 2021.

Member Beecher asked about planting more screening. Mr. Hart said they can add more trees and such along Genesee Street.

With there being no further business, Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to adjourn the Regular Meeting at 8:22pm.

Respectfully submitted,
Lisa Beeman, Clerk