

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
June 28, 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, Mike LeRoy, Arnie Poltenson, Richard Rossetti and Valerie Beecher. Also, present were Attorney Jamie Sutphen and Planning Board Engineer Douglas Miller.

Absent: Member Kelly

Also, Present: Andrew Day, Corey Auerbach, Drazen Gasic, Jared Lusk, Lara Pruschki, Carson Weinand, Julie Fenster, Nancy Gaskill, J. Gabe Levanti, Katherine Kurtz, Ari Spinoza, Brandon Jacobson, Kate Markam, Mercedes Streeter, Brett and Lana Batcik, Joanna Marciano, Stephen and Denise Benson, J and A Messineo, M. Resnzk, L. Francis, Michael Fogel, James and Rosemary Gerace, Kiernan May, Pete Wirth, Kenneth Sieperman, Kate and Kaitlyn Bushnell, Casey Miller, Lisa and Joe Corso, Denita and Peter Harris, Linda Tock, Craig Tice, Peter and Jackie Michel, Karen Dunn, Heejung Michel, Dan Tagliamonte, Dave Scamehorn, Jennifer Ziobro, Jeff Tuck, Ryan Dunn, Barbara and David Kellogg, Emily and Mark Zipprich, Warren Linhart, 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 June 14, 2021.

Nedzad Salkic, 5961 North Burdick Street, East Syracuse, NY 13057

Initial Presentation – 2-Lot Subdivision – North Manlius Road, Kirkville 13082

Tax Map # 70.-1-8.1

Planning and Development Engineer Doug Miller spoke on behalf of the Applicant. Mr. Miller stated that this is a simple 2-Lot Subdivision to build a Two-Family House. The two-family house is allowed in this zone, and he recommends that the Board set a date for a Public Hearing.

Member Poltenson made a motion, seconded by Member Rossetti and carried unanimously to hold a Public Hearing on July 12, 2021, at approximately 6:35pm.

Town Board Members Discussion regarding Solar

Town Councilors John Deer and Katelyn Kriesel spoke to the Planning Board about considering a moratorium on Solar projects for about 6 months. This will give the Town Board time to get the Comprehensive plan in motion and figure out where Solar Arrays would be most appropriate. Councilor Kriesel asked the Planning Board their thoughts

on a moratorium. She stated that the Board will be looking at the Town Solar Code, PILOT agreements and OSIDA and the Comprehensive Plan.

Chairman Lupia stated that the Town needs a Comprehensive Plan, unless there is a moratorium, the Planning Board has no choice but to move forward with all applications presently before the Board. He is in favor of the moratorium if it will give the Town Board more time to develop the Comprehensive Plan.

Councilor Deer asked if the Planning Board would like to include the current projects in the moratorium or grandfather them in outside of the moratorium?

Member Rossetti said that at this time the moratorium makes sense. The Planning Board has already approved 5 projects with no Building Permits pulled yet; there are 2 projects that are before the Board and another one waiting to come before the Board. The Planning Board does not have the expertise to fully understand these projects. The Board needs some outside expertise to determine whether or not these projects make sense.

Councilor Kriesel asked if the Board wanted to include the 2 projects that are in front of the Board in the moratorium? Member Rossetti said yes. Chairman Lupia suggested that the Board be polled on the question.

Councilor Kriesel gave an overview about what the Town Board is thinking regarding the moratorium. They would like to include the projects that have not received Site Plan Approval. The projects that have received Site Plan approval would be grandfathered in, including the Towns Solar Array on the Landfill.

Chairman Lupia stated that he agrees with Member Rossetti, projects that have not yet been approved should be subjected to a moratorium. Member LeRoy agrees. Attorney Sutphen said that it is the prerogative of the Town Board as to what they put the moratorium on.

Member Beecher said that she is in favor of the moratorium and to grandfather the landfill project. Because the CVE project has come such a long way, she cannot say whether or not the current Duguid Road Solar Project, should be included or not.

Member Gilbert is in favor of the moratorium.

Member Poltenson stated that there are a lot of moving parts. He is concerned about the Assessment and the exemptions of these projects. The Board should be prepared to extend the moratorium beyond 6 months if necessary. He also stated that he has asked for the contracts from both proposed Solar projects.

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

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

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-megawatts with 35,000 panels total.

Chairman Lupia stated that the Public Hearing is continued from the last meeting and will continue now.

1. Pete Wirth – Fayetteville – Solar farms are a great resource for farmers and a source of income; is concerned for the next generation; concern about climate change.
2. Joanna Marciano – Salt Springs Road – concerned about the solar farms having long term medical effects.
3. Steven Benson – Salt Springs Road – Can CVE guarantee the solar panels will not come from overseas? Mr. Weinand said the panels do come from China and they do not buy from enslaved populations.
4. Julie Fenster – East Seneca Turnpike – concerned about the runoff from the rain running into the Manlius water table/drinking supply; the rain runoff from the Solar Panels contains heavy metals, cadmium and lead; concerned about the chemicals they use to clean the solar panels.
5. Jim Gerace – Salt Springs Road – concerned about health risk due to toxic chemicals; concerned about the possibility of fires and even death; spontaneous combustion is a possibility; toxic chemicals such as arsenic, lead and cadmium; concerned about the Assessments of the land and the potential of pollution of wells; do the panels produce noise? Heat?; is there going to be drilling?
6. Brandon Jacobson – North Burdick Street – concerned about the environment; concerns about the cost and savings of the panels, from a Builder/Homeowner point of view; in favor of a moratorium for this solar array and the ones that have currently been approved.
7. Joe Messineo – spoke about the power companies having to be ready to back up the panels when there is a cloudy day and such.
8. Dr. Craig Tice -Superintendent of F-M Schools – stated that in the media, the school district is in favor of the project, but in fact the school district does not “get a seat” at the table until all is passed by the Planning Board and the Town. The Applicant has done due diligence by reaching out to the school, but the conversations have centered around 3 things: 1. a letter of support, which the school district denied; 2. Disclosure of what prior solar farm did in terms of donation to the school district (STEM), which is a matter to Public record and was released to CVE; and finally, 3. Use of power by the school district, conversation has happened with Legal counsel, but it has not reached the Superintendent and by matter of policy the Superintendent or Board President are the spokesman for the district; does not know how this information has reached the media, but it has not come from his office.

9. Nancy Gaskill – McDermott Road – spoke about the toxins from the Solar Arrays; will not just affect Duguid and Salt Springs Road, streams run through the fields, and they drain into the Manlius Aquifer, Ley Creek, Ledyard Dike, Limestone Creek, The Swan Pond in Manlius, Perry Springs and Beard Park; will affect the quality of water.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to keep the Public Hearing open until further notice.

Andrew Day, Labella Associates, 41 West Elm Street, Greenwich, Ct. 06830
Public Hearing – 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.

Mr. Auerbach also stated that there is no empirical evidence about poisons, pollutants, toxins, chemicals, impacts to resale value and such. There is no scientific evidence to suggest that Solar Panels cause toxic chemicals to leach into the water ways, in fact the opposite is true, these are inert facilities they do not cause noise, vibration, some or emissions and they do not increase traffic, they do not require additional services on the community, they do not impact schools or Fire and Police services.

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

Member Gilbert made a motion, seconded by Member Poltenson and carried unanimously to open the Public Hearing at 8: pm.

1. Marilyn Resnick – Salt Springs Road – read an email she sent to the Board: Now I see a proposal to put a solar panel farm on Salt Springs Road. ABSOLUTELY NOT!!! I don't know why, all of a sudden, Salt Springs Road in Manlius is being targeted with unwanted projects----but enough is enough! Take the projects elsewhere, where they would be welcomed and appreciated! Most of us on Salt Springs Road want no part of them and want to be left alone! When we bought our home on Salt Springs Road, it was because it was quiet, very little traffic, no lights and ABUNDANT wildlife. One whole wall in my hallway is full of pictures of animals and birds that we saw just looking out our windows! We don't want that to change. This solar panel farm would eliminate the habitat that wildlife has been enjoying for decades and we do NOT want that to happen! The company pushing for this is from Greenwich, Ct., and this project is NOT allowed there! Why would they think we would want it here????

2. Jim Gerace – concerned about toxic runoff; concerned about the Airplanes and the glare from the solar panels.
3. Emily Zipprich spoke on behalf of Elaine Francis. She read the following email that was sent to the Board: It has come to my attention that there is a proposal for a Solar Panel Farm on Salt Springs Road. How can the board consider this to be alright for those of us that live on that road? First, you want to force us into a water project on our street which most of us do not want nor need! Now you want to destroy the beautiful land that surrounds us into a huge eye sore, not to mention detrimental to the wonderful wildlife in our area and, to some extent, the people that live on the road! Why would you and the rest of the board think, for one second, we would be in favor of such a project? Obviously, you and other members of the board do not live on Salt Springs Road. If any of you did, this project wouldn't make it past the initial reading of the proposal! Those of us who live on Salt Springs Road do so because of the beauty of the land, the wonderful wildlife around us, and the peace and quiet. You are proposing to ruin the very things we treasure living here. Studies have shown Solar arrays should be placed in semi-industrial sites, where good farmland will not be sacrificed. Please read that highlighted sentence over and over again! So, my answer to you and the board members for the solar farm is--NO, NO, NO!
4. George Lorifice – spoke about chemicals and how your cell phone contains harmful toxins; is not sure that Solar panels release toxins, but your cell phone does.
5. Joe Messinio – Salt Springs Road – is opposed to the project; concerned about the planting of trees will not work due to the hardness of the ground; concerns about the height of the panels they said 16 feet, but the application says as high as 20 feet, which is it? Screening is a huge concern; in favor of a moratorium; thinks the Board needs outside help from someone more familiar with similar projects; Town should complete the Comprehensive Plan then see what the best use for the land is; discussed the Application and the EAF and the issues that he sees with it; solar panels can accumulate snow.
6. Barb Wilson – virtual comments – What is the water expectation for this project? Is the project hoping to use Town water or wells for its water use? Has the planning board considered that Salt Springs is now being faced with a future quarry, private wells that will surely be affected by that as well, and now this solar field being proposed seems to beg the question about our water.
7. Kate Bushnell – not happy about project; concerned about the next generation.
8. David Muraco – Salt Springs Road – talked about how the application has a lot of holes and questions; in favor the Board moving forward with a moratorium and hopes that it happens soon; concerns about the next generation and how it will affect them; concerned about what the Solar Panels are made of and how the runoff will affect the water supply; wants to follow the Comprehensive Plan.
9. Louis Muraco – Salt Springs Road – 100% opposed to the Solar Project; would like the Board to really consider the moratorium and take time with the Comprehensive Plan.

10. Mike Fogel – Land use Attorney for the Muraco's – in favor of the Board recommending a moratorium to the Town Board; in his opinion the Application is very incomplete; explained the way SEQR works to the Board.
11. Jim Sieperman – McClenntzen Road – concerned about what the Solar Array will look like; fencing concerns and what it will look like; trees are very hard to plant in the area for screening and the topsoil will not support the growth.
12. Steven Brown – Salt Springs Road – does not think that this is the right place for the Solar Array; there are multiple problems with the site.
13. Lisa Corso – Salt Springs Road – sent an email to the Board with her concerns; thinks that it says a lot that the Applicants did not bother to show up to the meeting and they turned their video's off as soon as the Public Hearing started, only to op in every now and then to see if the residents were still talking.
14. Barb Wilson – virtual comments – I agree with Dave Muraco. From my perspective, the Comprehensive Plan should be FINISHED before any of the following happens— solar field, quarry, town water..... these proposals will cause our environment to be torn apart, and I would like to know just how the Planning Board and the Town Board can ethically proceed with any of these plans before the Comprehensive Plan is done? I don't believe they can.
15. Louis Muraco – Salt Springs Road – stated that he has an active petition signed by over 134 residents of Salt Springs Road.

Chairman Lupia stated that in addition to the comments made this evening, the Board has received numerous emails and letters pertaining to the proposed project.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to keep the Public Hearing open until further notice.

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