

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
September 13, 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: Rob Taylor, David Muraco, Louis Muraco, Amy Dake, Andrew Day, Carson Weinand, Jared Lusk, Kate Johnson, Andy Hart

The Pledge of Allegiance was recited.

Minutes

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the minutes of July 26, 2021. Chairman Lupia abstained.

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

Carson Weinand and Jared Lusk, Esq. were present to discuss the project.

Member Poltenson is concerned about the 12 ½ acres of trees that have to come down in order to see this project through. He is also concerned about the farmland question on the EAF, is there any other way to build this project, or make the project smaller? Mr. Weinand said its unfortunate to have to clear the trees for the solar project, but solar farms have environmental benefits. This is a temporary project, and it is a low impact to the land.

Member Poltenson is also concerned about the taxes and the PILOT agreements. Conversation ensued regarding assessments of the land, OCIDA involvement in the project and host community agreements.

Mr. Weinand shared a power point presentation as a review of the project with the Board. *(On file in the Planning and Development Office).*

Member Rossetti is still deciding if the project is three separate projects or one project. It was discussed that New York State recognizes this as three separate projects. Projects for all purposes except this approval. He is concerned with the way the law is written about having three projects on top of each other. He is concerned about this project being less than a mile from the North Eagle Village Road Solar Array.

Member LeRoy has similar concerns as Member Rossetti. He believes this is three projects as well, not a single project.

With the subdivision on the table, Member Rossetti is of the opinion that there should be Three separate Public Hearings for Site Plan and Special Use Permits for the different projects.

Attorney Sutphen recommends to the Board that they declare this project a Type 1 Action under SEQRA so she can send a notice to the proper interested and involved parties – the notice that will include Site Plan and Subdivision. Ms. Sutphen recommends that the second item would be to discuss whether this project is one project or three separate projects. If this is determined to be three projects, the Board would have to make findings about the distance and the one-mile limit in the code. Even if it is determined to be a single project, the Board will still have to make a finding about distance.

Chairman Lupia asked if there were anymore questions about the project before the Public Hearing is closed.

1. Joe Messinio – Via Zoom – asked how much carbon is emitted to manufacture and transport the panels from China, is this considered part of the supply chain? and CVE is installing trackers, but they are showing land faced panels in their presentation. Mr. Weinand said carbon to transport the panels is not included in the slides, but it can be calculated. The panels are single access trackers meaning they are mounted into the ground and track the sun from east to west.

With there being no other comments from the public, Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to close the Public Hearing at 7:26PM.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to declare this a Type 1 action for SEQRA because of more than 10 acres of disturbance. Attorney Sutphen will send out the proper notifications.

Members Poltenson, Rossetti and LeRoy are of the opinion that this is 3 projects not 1.

Member Gilbert is not too concerned about the 1-mile law or the visibility.

Members Gilbert and Beecher and Chairman Lupia are of the opinion that this is 1 project not 3.

Member Kelly is listening to the discussion and still thinking about the project.

Attorney Sutphen reminded the Board of the Special Permit Criteria questions with the Planning Board and stated that this is only a primary discussion. 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?
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?
5. Can any adverse impact be mitigated with compliance with reasonable conditions? A Community Host agreement will need to be put into place, a decommissioning plan, 1 year to pull the Building permit, 2 years to complete the project. What will the timeframe for the Special Permit be? 7 years maybe 15 years?
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?

Chairman Lupia stated that Attorney Sutphen will take all the Board comments and put a document together for the next meeting. He also said at the next meeting the Board will be voting on whether the project is 3 projects or 1.

Member Poltenson asked Mr. Weinand if he could set up a tour of the project for the Board members to see the area in which the project will be placed.

The Board agreed to adjourn the project until September 27, 2021, pending further discussion.

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

Andrew Day was present and spoke on behalf of the project. He had a slideshow presentation regarding the screening of the project.

Chairman Lupia stated that the Public Hearing is still open and asked if anyone in the audience would like to speak that hasn't already spoken or has any new information.

1. David Muraco – 8490 Salt Springs Road – questions/concerns about the following:
 - a. Project is impossible to screen/concerned about the water source in the area/ what is the cost of the decommissioning plan and the related permit fees/who's negotiating the plan/Assessments will fall resulting in less Town revenue/farming concerns.

- b. Is the Board satisfied with the questions that have been asked and answered?
- 2. Louis Muraco – 8394 Salt Springs Road – questions/concerned with the following:
 - a. Screening plans are, there new ones?
 - b. Believes that this is a misuse of the land.
- 3. Joe Messinio spoke via Zoom. His questions/concerns are as follows:
 - a. There is no effective way to screen the project
 - b. They will have to plant too many trees to be able to fully screen the project.

Member Rossetti expressed his concern regarding trees never screening the array appropriately. Member Kelly stated that there is a lot of rock in that area, and it will be hard to plant the trees.

Member Rossetti made a motion, seconded by Member Beecher and carried unanimously to close the Public Hearing at 8:25pm.

Based upon the disturbance of the land being in excess of 10 acres, Member LeRoy made a motion, seconded by Member Gilbert and carried unanimously to declare this a Type 1 action under SEQRA.

Chairman Lupia asked the Board members for a consensus regarding their impressions of the project particularly with the concerns expressed regarding the visibility of the array.

Member Rossetti stated that while he is in favor of solar, it is not appropriate for this location - and he isn't sure exactly where it does belong in the Town. With respect to this project, there is no way to screen the array and he is not in favor of the project. Member Kelly agrees.

Member Poltenson believes that it is impossible to screen the project. Member LeRoy is in agreement.

Member Beecher says that solar is ok, but it doesn't fit in this particular area. Solar is needed just not here, visually.

Chairman Lupia is in favor of Solar, but he has an issue with visibility to adjoining properties.

The Board came to the conclusion that the project is impossible to screen.

Chairman Lupia said to Mr. Day that the Board has taken an informal consensus and 6 of the 7 members would not be inclined at this time to support the project. Mr. Lupia explained that this may give Mr. Day guidance as to whether he would still like to

proceed with the Board considering the project or withdrawing the project. Mr. Day stated that he would like to postpone his decision on the project until the next meeting.

The Board decided to adjourn the project until September 27, 2021, for further review.

Route 5 Development Company – 540 Towne Drive, Fayetteville, NY 13066
Continuation of Public Hearing - Site Plan – Lot 15 Restaurant Building – 406
Towne Drive, Fayetteville, 13066
Tax Map # 087.-01-15.2

Kate Johnson spoke on behalf of the project. She stated that they took the comments from the Board and the comments from the potential tenants and have a revised plan. They have separated the 2 restaurants, so it eliminates the cross over drive thru traffic. The new plan also allows for relocation of the dumpsters and allows for a separate drive lane for the delivery trucks.

Andy Hart, Bergmann Associates, they were able to reduce the square footage of the buildings and they were able to reduce parking spaces. There are 2 separate and distinct drive thru's.

Chairman Lupia asked about the drive-thru that is between the 2 buildings. He wants to know what would prevent cars from cutting through the parking lot to get to the drive thru. Mr. Hart said parked vehicles. Chairman Lupia said what if there aren't any parked vehicles? Should that be an entrance for vehicles to get to the drive-thru? Mr. Hart said that he would not recommend making that an entrance, he thinks there is enough circulation to get to the drive thru.

Chairman Lupia stated that there have been comments from residents and the Onondaga County Planning Board about a walkway parallel to Genesee Street. He asked if there had been any thought to this comment. Ms. Johnson said that she doesn't think that sidewalks should be a part of this site plan.

Chairman Lupia asked if anyone in the audience would like to speak before the Public Hearing is closed.

1. Robert Taylor – 102 Fayette Circle – questions/concerns about the following:
 - a. Spoke to the NYSDOT about a traffic light at the intersection, DOT said it wasn't possible due to the proximity of the light at Towne Center. They did offer to do a study, but it will be at least a year because of the back log.
 - b. Concerned about accidents. Spoke to the Town of Manlius Police Department and shared numbers regarding accidents on Genesee Street.
 - c. There is too much traffic and not enough walkability
 - d. He would like the Board to say no to the project until the NYSDOT can perform the Traffic study.

Chairman Lupia stated that the Board understands Mr. Taylors concerns and that's why they asked for a traffic study. The traffic study submitted shows that there will be no further impact on traffic in the area.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to close the Public Hearing at 9:04pm.

The Board decided to adjourn the matter until the next meeting September 27 to hear from the County regarding the new plan and review from the Planning Board Engineer Doug Miller.

Keplinger Freeman Associates - 6320 Fly Road, East Syracuse, NY 13057
Initial Presentation – Site Plan and Subdivision – New Dental Office – 8195
Cazenovia Road, Manlius, NY 13104
Tax Map # 114.00-01-15.10

Ed Keplinger and Craig Polhamus spoke on behalf of the Applicant. Mr. Keplinger stated that they would like to subdivide the parcel to build a new 3,000 square foot Dental Office with 10 parking spaces. There will be numerous amounts of landscaping along Cazenovia Road.

Chairman Lupia stated that the new medical building does not have its own entrance, how is the access being handled? Mr. Keplinger said that there will be an access easement between the two parcels. Chairman Lupia said that the Board would like to see the written agreement.

Chairman Lupia also asked about parking. There doesn't seem to be enough parking spaces, is there going to be enough to handle the clientele? Mr. Polhamus said a lot of the traffic will be coming and go, it is an Orthodontics office. He said 10 spaces are adequate. There is also access to an upper lot that the employees can park. There will be an informal agreement for them to park in that lot. Chairman Lupia and Member Rossetti are of the opinion that an informal agreement will not work, they would like to see a formal agreement.

Planning and Development Engineer Doug Miller believes that the parking for the existing building will not be adequate if this building is built.

Chairman Lupia stated that he has no problem with the offsite parking, but it needs to be delineated and at the very least striped.

Mr. Polhamus showed a computer rendering of what the building will potentially look like.

The Board adjourned the matter until a better plan for parking can be achieved.

Other Business

With there being no further business, Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to adjourn the Regular Meeting at 9:23 pm.

Respectfully submitted,
Lisa Beeman, Clerk