

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
November 28, 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 Jamie Sutphen and Planning Board Engineer Douglas Miller.

In-Person Attendees: Daughn Canfield, M.G. Pizzan, Barbara Emmons, Paula Ellenberg, Allen Olmstead, Nancy Keejar, Cathy Haugh, John Charters, Neuman, Danielle & Ryan Ewert, I.S., Mike Papa, David Brittain, Joseph Mastroianni, Tracey Crowe, Cindy Crowe, Vincent Ryan, Kay & Ron Dimon, Chris Danaher, 2 unreadable names

Virtual Attendees: Eileen Krell, Tom Poitras, Amy Slutzky, Chelsea Fuller, Dave Tyler, Dennis Flynn, Warren Linhart, Randy Wenner, dandsburns@yahoo.com, Grazi Zazzara, Cathy, Shauna Teelin, John Linhart, Sue Oliver, Alice Massa, Massa, Jen Winter, Jamie Pomillio-Mulcahy, Chuck White, Julie Merola

The Pledge of Allegiance was recited.

Minutes

Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to approve the minutes of November 14, 2022.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to approve the minutes of November 18, 2022.

Time: 6:31PM - A&E & SNY Center – Suite 38, 5781 Bridge Street, East Syracuse, NY 13057 - Public Hearing - Site Plan – Med Spa – Behind Resort Lifestyles Tax Map # 086.-01-03.9

Rod Ives and Mike Papa were present to speak about the Application.

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

Attorney Sutphen 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 Polteson and carried unanimously to issue a Negative Declaration, subject to Engineering approval, under SEQR and authorized the Chairman to sign the short form EAF.

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

Member Beecher made a motion, seconded by Member Rossetti and carried unanimously to open the Public Hearing at 6:38PM.

Hearing nothing more from the public, Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to close the Public Hearing at 6:39PM.

Chairman Lupia stated that the Applicants have obtained variances for the front and rear yard setbacks. The only item left is to obtain a variance for the loading dock and the dumpster enclosure. Mr. Ives said that they had applied at the same time for the loading area and the ZBA said that they had to go through the planning process to figure out exactly where the loading dock was going to go before, they could grant or deny a variance.

Engineer Miller stated that the SWPPP and the Lighting plan are the only items outstanding from an Engineering standpoint.

The Board tabled the matter pending approval from the Zoning Board of Appeals regarding the dumpster enclosure and the loading dock. The matter will be placed on the January 9, 2023, meeting agenda for possible approvals.

Time: 6:53PM - Twin Shores Properties, LLC – 1333 13th Street, East Moline, IL 61244 - Public Hearing – Fietta Properties – Subdivision - N. 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, Joe Durand and John Charters were present and spoke on behalf of the applicant.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to declare the Planning Board Lead Agency for SEQR and it is an Unlisted Action.

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

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

Member Theobald made a motion, seconded by Member Poltenson and carried unanimously to open the Public Hearing at 6:57PM.

Mr. Charters stated that they changed what was asked of them to change. The land is now identified as Twin Shores LLC as they bought the property. There are now 6 Lots, not 7.

Conversation ensued regarding easements and right of ways.

1. Ms. Hale – Brooklea Drive – stated that she is concerned about traffic, the environmental impact of this project, concerned about the access to the project from North Burdick Street.

Hearing nothing more from the public, Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to close the Public Hearing at 7:21PM.

Member Theobald made a motion, seconded by Member Rossetti and carried unanimously to approve the subdivision as presented with the following conditions:
The map dated 11/21/2022 shall be modified to add the Right of way spur to Parcel 3 so it connects to proposed right of way shown on the map
Subject to the right of way as shown on the map being indicated on the map as running to the benefit of all of the subdivided parcels
Subject to legal and engineering review and approval of each of the above two items
Subject to legal review and approval of written Declaration of Easement relating to the rights of way on the map
Subject to the Declaration of easement being filed with the Onondaga County clerk as approved by counsel
The Chair is authorized to sign this map once approved by legal and engineering
The final subdivision map is to be filed with the Onondaga County Clerk's office in accordance with the rules for filing of subdivision maps.

Time: 7:29PM - Grazi Zazzara Jr. – 344 S. Warren Street, Syracuse, NY 13202
Zone Change Recommendation to Town Board – Eastern Hills Bible Church - RA to RM – 4600 Enders Road, Manlius, NY 13104
Tax Map # 117.2-01-04.0

Mr. Zazzara was present via Zoom to discuss the application.

Chairman Lupia stated that the Town Board has changed the RM zone regulations; conversation ensued.

Member Beecher asked the applicant why he is asking for the RM zoning. Mr. Zazzara stated that in the beginning they thought about an event center, after looking at the feasibility of that, they decided to go with office space and apartments and it fits under the RM zoning.

The Board discussed the following:

- This Board is keeping in mind the intent of the RM zoning designation as originally enacted as part of the Genesee Street and Route 92 corridor study by O'Brien and Gere.-The change in lot coverage of 50% in this zone is a substantial increase over the prior 35 % and the concern is that the residential character of neighborhoods which is intended to be preserved through this R-M

zoning will be less likely to be preserved;

-The addition of retail and retail sales, restaurant and indoor entertainment uses to the R-M zoning, which was not previously present in the prior R-M zoning, opens the door to a commercialization that may not be compatible with the surrounding residential uses, more particularly in the Genesee Street Corridor.

-A different zoning designation for this property may be appropriate once the Comprehensive Plan of the Town is completed and all of the zoning districts are revisited in light of the pending Comprehensive Plan. This Board understands building was built a "church" use, which is allowed in the prior residential district.

Chairman Lupia stated that the Board has 3 choices:

1. Send a positive recommendation to the Town Board
2. Send a negative recommendation to the Town Board
3. Table the application until the Planning Board hears from the Town Board about what they are envisioning with the comprehensive plan.

Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to table the matter until the Planning Board can get clarification from the Town Board about the changes to the RM Zone and what they are envisioning for this parcel.

Time: 7:38PM - Member Beecher left the meeting.

Time: 7:39PM - Woodland Hills Subdivision (Hoag Lane Development)
201 Solar Street, Syracuse, New York 13204 - 2nd Presentation - 16-Lot
Subdivision – 5280 Hoag Lane, Fayetteville - Tax Map # 104.-01-39.2

Chris Danaher, Vince Ryan, Rudy Zona, Tom Douglas and Joe Muller were present and spoke on behalf of the application. Attorney Danaher stated that the following are points what he wishes to cover at tonight's meeting:

1. the new plan is a Conventional Plan not cluster for a 16 Lot Subdivision
2. preservation of vegetation
3. Site work, cut and fill issues
4. Stormwater management

Attorney Danaher stated that this is a 16-lot subdivision zoned RA. There are approximately 30 acres of land that currently has one house on it. The plan in front of the Board tonight is a conventional plan, the lots will not require variances. There will be a separate HOA Lot and owned by the HOA. There will be public water and sewer. They will provide a grading plan and they will not remove anything not approved by the Town.

Rudy Zona, RZ Engineering, spoke about drainage and stormwater management. Member Kelly asked what the difference between the proposed pond and the pond that was presented before. Mr. Zona said, they are the same, no change.

Joe Muller, JK Tobin Construction, spoke about the cut and fill issues. He stated that optimally they want to move as little dirt on and off the site as possible.

Chairman Lupia stated that they will need the following items to proceed:

1. more details regarding the pond, including construction.
2. more details regarding the roadways, including construction and compaction.

Mr. Douglas stated that the road design has not changed or moved and it has all been previously submitted, they will however resubmit them. The retention basin has somewhat changed regarding compaction and design, it is part of the new plan, we will work on it and submit that as well. Chairman Lupia asked which prior submission Mr. Douglas was referring too. Mr. Danaher said that they would resubmit everything.

The Board tabled the project for more information. The application has been tentatively placed on the January 23, 2023, agenda.

Time: 8:17PM - Ron Dimon – 4911 Palmer Road, Manlius, NY 13104
Initial Presentation – 2 Lot Subdivision – 4911 Palmer Road, Same Address –
Tax Map # 116.-01-22.4 & 116.-01-22.2

The Applicant Ron Dimon was present and spoke on behalf of the application. He stated that he and his wife would like to subdivide their current property into 2 lots so they can build another home on the new parcel.

Member Rossetti made motion, seconded by Member Salamone and carried unanimously to hold a Public Hearing on January 9, 2022, at approximately 6:35PM.

Time: 8:21PM - Danielle and Ryan Ewert – 8291 East Seneca Turnpike, Manlius
NY, 13104 - Initial Presentation – Site Plan and Special Use Permit – Pawsits
Doggie Daycare - Tax Map # 099.-01-27.4

Due to a potential conflict of interest, Member Rossetti recused himself.

Joe Mastroianni was present and spoke on behalf of the Applicants. He stated that there will be a 50x50 (roughly) steel building. They are proposing a new driveway to the main highway. Days and hours will be approximately Monday through Friday, 7am to 6pm, no overnight boarding and no weekends, with around 20-25 small breed dogs. Inside the building will feature a large play area, an office, a restroom and suites for the dogs to sleep or go outside. A SWPPP is not required because the project is less than an acre, he will however, after speaking to Engineer Miller, put together a drainage plan. A lighting plan is being done and will be ready shortly.

Attorney Sutphen stated that a dog kennel is allowed with a Special Use Permit in the RA Zone as a primary use. In her opinion, the dog kennel cannot be on the same lot as the primary dwelling, therefore a subdivision will need to be done before the Board can proceed. Conversation ensued regarding Lot Area, Road Frontage and variances.

Time: 8:33PM - Danielle and Ryan Ewert – 8291 East Seneca Turnpike, Manlius NY, 13104 - Initial Presentation – Site Plan and Special Use Permit – Ryan’s Landscaping -Tax Map # 099.-01-27.4

Due to a potential conflict of interest, Member Rossetti recused himself.

Mr. Mastroianni stated that Mr. Ewert parks his trucks and landscaping equipment in the pole barn. There is no office there and customers do not come to the site. There are 4 trucks, 1 excavator and 1 skid steer. There is also no signage.

Attorney Sutphen stated that the question is, is this a home occupation, a rural occupation and/or and Accessory Use. She read the definitions to the Board to determine which was an appropriate use. The Board determined that this is an Accessory Use.

Chairman Lupia stated that there will be a Public Hearing held. Mr. Mastroianni asked what the Public Hearing would be for. Chairman Lupia said that the Public Hearing would encompass the Doggy Daycare, the Landscaping business and the subdivision.

Attorney Sutphen said that there will be a variance needed because the house will become non-conforming if the doggy daycare is conforming or vice-versa.

Attorney Sutphen stated that these projects will need the following:

1. Doggy Daycare – needs a Subdivision and a Special Use Permit
2. Ryan’s Landscaping – possible Home Occupation, Rural Occupation or Accessory Use. This will be a Legal Determination.
3. Home Daycare – is a Home Occupation and needs an Accessory Use Permit

The Board tabled the matter until further information is obtained.

Time: 8:49PM - Member Rossetti re-entered the meeting.

Other Business

1. Chairman Lupia reminded the Board that the next Planning Board meeting on December 12, 2022, will be held at East-Syracuse Minoa High School and that he is anticipating a large crowd.
2. With tonight being Member Theobald’s last meeting, Chairman Lupia and the Board thanked Member Theobald for his service to the Planning Board and the Town.

With there being no further business, Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to adjourn the Regular Meeting at 8:51PM.

Respectfully submitted,
Lisa Beeman, Clerk