

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
February 12, 2024**

APPROVED

The Town of Manlius Planning Board hybrid meeting in-person and virtual live streaming with Chairperson Valerie Beecher presiding and the following members present: Richard Rossetti, Arnie Poltenson, Judy Salamone and Erin Reynolds. Also, present were Attorney Jamie Sutphen and Planning Board Engineer Douglas Miller.

In-Person Attendees: Marianna Rossoni, Adam Leslie, Don Western, Skylar McClure, Kellie Hatton, Donna Edgar, Kim Edgar and Melissa Spicer.

Virtual Attendees: Kristen Leister, Warren Linhart, Eric Downie, Rosemary and Catherine Murray

The Pledge of Allegiance was recited.

Minutes

Member Salamone made a motion, seconded by Member Rossetti and carried unanimously to approve the minutes of January 8, 2024.

**Time: 6:31PM - Fayetteville Veterinary Hospital – 8122 East Genesee St., Fayetteville, NY 13066 - Amended Site Plan – Veterinary Hospital – Same Address
Tax Map # 091.-01-01.2**

Chair Beecher stated that the Applicant called the Planning and Development office and asked to be removed from the Agenda.

Time: 6:32PM - Clear Path for Veterans – 1223 Salt Springs Road, Chittenango, NY 13037 - Possible Decision – Site Plan & Special Use Permit – Dog Kennel – Same Address - Tax Map # 091.-03-40.2

Vincent Ryan was present and spoke on behalf of the application.

Attorney Sutphen went through the Special Use Permit Criterion with the Board and stated that the question the Board needs to ultimately answer is: Will the project have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community? The Board answered as follows:

1. **Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution?** The Board said yes. This is a use that has been existing on this site for some time, so the Board is able to observe the actual impact and not speculate on same. The use is accessory to the main use of services to the Veterans on the property; which includes the dog training facility. There is no unusual or increased traffic due to this use; nor are there lighting concerns, wasteful energy, flooding or excessive soil erosion or other forms of pollution connected with this use; nor are there lighting concerns, wasteful energy, flooding or excessive soil erosion or other forms of

pollution connected to this use. The facility provides for proper removal of dog waste in the course of the training and the maximum number of dogs at the facility at any one time is limited to ten (10).

There was concern raised at the public hearing as to possible odor in connection with this dog training use. However, upon investigation, the dog training facility, for which this Special Permit is being considered is not the source of any odor. If, in fact there is an issue, which may upon speculation be related to septic issues, it may be in connection with the main operating building not located in this Town, but Madison County.

General dog barking “noise” has been raised as a concern. It should be noted that dogs are not trained at the facility but are merely boarded there and spend little time out of doors. This Board has observed the facility and has not heard or observed a level of noise or barking that would exceed the Town Code allowable levels. Further, there have been no specific complaints to the town code or law enforcement with respect to noise/barking at any specific time or place. Accordingly, the need for further “study” of same at great cost and expense would not be warranted. This Board further relies upon the recommendation of the Town Planning Board Engineer dated January 17, 2024, and incorporates same by reference herein. This Board finds that the recommendations in that letter and the ordinances in place in the Town will serve to address any potential dog noise/complaints.

2. **Does this plan protect the community from inappropriate design and other matters of scenic and aesthetic significance?** It does not negatively affect scenic or aesthetic matters due to the fact that the structure is a “house” which blends in with the neighborhood and is on 58 acres.
3. **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?** This is a permitted use in this zoning district, with a Special Permit, so it is in harmony with orderly development of the district, provided conditions of the Special Permit are adhered to.

Marianna Rossoni, Director of Canine Programs, stated that they have clearance from Assistance Dog International and the Department of Defense for the dogs to be left alone overnight from 8pm to 6am. The surveillance system is sufficient.

Conversation ensued regarding the septic system. Mr. Ryan stated that they have put together a report and it will be submitted to the County.

Determination on Special Use Permit :

Considering the within findings, this Board finds that the project as proposed will not have an adverse effect on adjacent, lands, the immediate neighborhood or the character of the community, and the Special Permit for the premises to be used as a dog boarding facility for service dogs in training in connection with the use of the premises by Clear Path for Veterans, Inc. for their mission, is therefore granted with the following conditions:

1. The Special Permit shall be granted and in effect for a term of seven (7) years and is granted to property owner: Clear Path at Skyridge, LLC for the use of Clear Path for Veterans, Inc.
2. No more than ten (10) dogs will be permitted on the site pursuant to this Special Permit.
3. Dogs will not be permitted out of doors in the absence of a person supervising the same, in person. Overnight stay of dogs from 8pm-6am is permitted indoors only without a human present in the house so long as the facility remains accredited by "Assistance Dog International"; these dogs are Service Dogs in training.
4. The facility must comply with the noise ordinances of the Town of Manlius.
5. No modifications to site not specifically approved as part of the Site Plan approval can be made on the site.
6. Per the OCPB referral of November 21, 2023, specifically with respect to Site Plan, The Onondaga County Health Department's Bureau of Public Health Engineering must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to, or as a condition of this Special Permit approval.
7. Each of the conditions contained herein have been carefully considered as a means of addressing concerns raised by the Town and residents and if the Applicant is in violation of any one or multiple conditions the Planning Board reserves the right to withdraw this Special Use Permit at its discretion.

Member Reynolds made a motion, seconded by Member Poltenson and carried to approve the Special Use Permit for a period of 7 years, to expire on February 12, 2031. Member Rossetti is opposed.

Determination on Site Plan:

Each and every finding on SEQRA and Special Permit heretofore set forth in this resolution is incorporated by reference herein and further, this Board notes that the OCPB referral of November 21, 2023 determined as a modification the following: "The Onondaga County Health Department's Bureau of Public Health Engineering must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to, or as a condition of, municipal approval of the special permit and site plan."

Member Rossetti made a motion, seconded by Member Polteson and carried unanimously to approve the Site Plan dated October 10, 2023; prepared by Keplinger Freeman Associates; "Puppy Development Center"; L-1.0.

Time:7:21PM - Fulgent Seed Trust – 7197 East Genesee Street, Fayetteville, NY 13066 - Modification, Renewal and New - Accessory Use Permit for a 1st Apartment and a Renewal for a 2nd Floor Apartment - Same Address - Tax Map # 087.-07-47

Rosemary Nwawka was present via zoom and spoke on behalf of the application.

Chair Beecher stated that the Board received the revised survey with the parking space and stated that the Board would like to combine the existing Accessory Use Permit for the Law

Office and the proposed apartments into 1 Accessory Use Permit. Chair Beecher also stated that the sign is in the Right of Way but will not be talked about with this application as the sign already exists.

Conversation ensued regarding parking spaces.

Member Poltenson made a motion, seconded by Member Rossetti and carried unanimously to approve the Accessory Use Permit for the 1st Floor Apartment and the 2nd Floor Apartment. Additionally, the Applicant already having an existing Accessory Use Permit for a Law Office in the same building, set to expire in 3 years, this includes a motion to combine the existing permit for the Law Office with the 2 accessory use permits herein approved, with the following conditions:

1. Except for general maintenance and landscaping and removal of dead foliage, no foliage is to be removed from the site as it currently sits.
2. Garages, parking spaces and driveways may be used only for support of the accessory uses approved herein by these Accessory Use Permits, and no other uses.
3. Parking spaces 2-7 as shown on the plan are approved; Parking space 1 is not approved.
4. The existing gravel shown as "proposed, 8-15" shall remain gravel. These proposed parking spaces are approved as "reserve" parking for the Accessory Uses as approved herein, only.

The above Accessory Use Permit for all three accessory uses is valid for 7 years, set to expire February 12, 2031.

With there being no further business, Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to adjourn the Regular Meeting at 7:50pm.

Respectfully submitted,
Lisa Beeman, Clerk