

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
April 8, 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, Judy Salamone, Erin Reynolds, Don Western and David A. Shomar. Also, present were Attorney Jamie Sutphen and Planning Board Engineer Douglas Miller.

Absent: Member Poltenson

In-Person Attendees: Michael Fogel, Brian Bouchard and Charlie Breuer

Virtual Attendees: Samsung SM-A526U and dneuman

The Pledge of Allegiance was recited.

Minutes

Member Shomar made a motion, seconded by Member Western and carried unanimously to approve the minutes of March 26, 2024. Member Salamone abstained.

Time:6:32PM - Bottar LLC – 120 Madison Street Suite 1300, Syracuse, NY 13202
Possible Decision - Site Plan - 7078 East Genesee Street, Fayetteville, NY
Tax Map # 092.-01-05.0

Mike Fogal and Vincent Ryan were present and spoke on behalf of the application. They spoke about the trees on the property, the directional signs, etc.

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 Rossetti made a motion, seconded by Member Reynolds and carried unanimously to issue a Negative Declaration under SEQR and authorized the Chair to sign the short form EAF.

Member Western made a motion, seconded by Member Rossetti and carried unanimously to approve the Site Plan for Bottar Law LLC, dated November 11, 2023, with several revision dates with the latest being March 27, 2024; project # 43123; prepared by Keplinger Freeman Associates. Approved pages are as follows:

1. L0.1 – Overall Plan
2. L1.0 – Site Preparation Plan
3. L2.0 – Site Plan
4. L3.0 – Details-Accessible Ramp

5. L3.1 – Details
6. L3.2 – Details- Directional Signs
7. L4.0 – Photometric Plan

Time:6:43PM -Twin Ponds Housing LLC – PO Box 515, Syracuse, NY 13210
1st Presentation – Planning Unit Development (PUD) - Site Plan - 5440 North
Burdick Fayetteville, NY 13066 - Tax Map # 086.-02-06.1

Brian Bouchard and Charlie Breuer were present and spoke on behalf of the application. There are 304 Residential Units (1 and 2 Bedrooms); 452 required parking spaces per code; the internal parking garage holds 198, there are 49 detached garage parking and 278 surface parking spaces for a total of 525, this includes extra parking for guests. The Club house is roughly 5000+/- square feet with 17 parking spaces. The mixed-use building, approximately 2500 square feet, could be more, will have commercial on the bottom floor and apartments on the upper floors. This project will be built in 1 phase.

Member Beecher is concerned that the project and the vision of the Comprehensive Plan don't match, specifically the amount of parking lots that don't lead to pedestrian friendly areas; the mixed-use building, to have more commercial space; and architectural design according to the Comprehensive Plan. She asked the applicants to review pages 60 through 70 of the Plan.

Conversation ensued regarding the architecture of the buildings.

Member Rossetti made a motion, seconded by Member Reynolds and carried unanimously to declare this project a Type 1 action and the Town of Manlius Planning Board Lead Agency for SEQR.

The Board tabled the matter for further information.

Time:8:15PM - Recommendation to Town Board to Allow and Regulate Cannabis Dispensaries in the RT Zoning District

Supervisor Deer was present and spoke about the RT Zone. He stated that cannabis is allowed in all Retail Districts, including Regional Shopping, Neighborhood Shopping, Industrial, Residential Multi-Use (RM) (with certain requirements), Commercial A (CA) and Commercial B (CB).

Member Rossetti about the New York State Law regarding Cannabis, specifically the hours of operation. NYS Law allows dispensaries to be open from 8am til 12am (midnight) is that what the Town wants? Supervisor Deer said yes, when the Town Board did not opt out, that is when cannabis became legal. The Town Board is of the opinion that the State Laws that govern Cannabis Dispensaries are sufficient and if they are not sufficient, changes will be made to those laws. The Board did not feel the need to treat cannabis any different than alcohol, in that the state makes the rules and the Town will follow the rules. The Town Board does not feel the need to place any extra

restrictions outside of what the state law requires. Member Rossetti is of the opinion that the hours of 8am til 12am (midnight) are excessive.

Conversation ensued regarding signs.

Supervisor Deer stated that a Site Plan and Special Use Permit will be required in the RT Zoning District only. A Site Plan will be required for any other zoning district if a new building is built specially for this use.

Chair Beecher is of the opinion that cannabis should be included in the Retail definition of the code.

Members Reynolds is in agreeance with Chair Beecher about including cannabis in the code under Retail. She is, however, concerned about the other uses that could possibly go in that Zone along with a dispensary such as daycares and care homes. She is also of the opinion that cannabis should be treated like alcohol sales.

Member Reynolds asked if the Town is looking to limit the number of dispensaries in the Town. Supervisor Deer said that there is no limit and the Town is not interested in limiting the number.

Member Rossetti made a motion, seconded by Member Salamone and carried unanimously to send a positive recommendation to the Town Board with the following modifications:

1. Delete letter "C" in the proposed code and add Cannabis to the already established list in the Code for Retail uses.
2. Definitions of a Cannabis Dispensary and Onsite Consumption to be added to the definitions section of the Zoning Code to be based off of the NYS Code

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

Respectfully submitted,
Lisa Beeman, Clerk