

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
NOVEMBER 23, 2015**

APPROVED

The Town of Manlius Planning Board met in the Town Hall at 7:00 PM with Chairman Susan Moliski presiding and the following Members were present: Fred Gilbert, Donald Crossett, Ann Kelly and Joseph Lupia. Also present were Attorney Timothy Frateschi and Town Engineer Douglas Miller.

Also Present: Stella & John Penizotto, Mike & Ellen McGrew, Lorraine Andrae and Greg Sgromo

The Pledge of Allegiance was recited.

Minutes: Member Kelly made a motion, seconded by Member Lupia and carried unanimously to approve the Minutes of September 28, 2015.

**Shining Stars Daycare, NYS Route 92 and Enders Road, Manlius, New York 13104
Site Plan**

Tax Map #'s: 114.-01-9.0; 114.-01-10.0; 114.-01-11.0; 114.-01-12.0

Attorney Frateschi reminded the Board that this application has been to the Board once or twice already for Zone Change purposes. The Town Board has provided Shining Stars Daycare with a zone change to RM.

Member Kelly asked if there was one parcel now. Attorney Frateschi said no there are still 6 separate parcels of land on the property.

Attorney Frateschi also stated that these parcels are now properly zoned for a daycare center. The law was also amended to change the number of students that could be at the daycare.

Greg Sgromo was there representing the applicant.

Mr. Sgromo stated that all 6 parcels are zoned RM. He stated that there is the parcel with the daycare center, 4 single family homes on 4 different parcels along Enders Road. The plan is to re-subdivide the parcels into 2 lots. The new lots will include a new daycare center and the other would remain the existing daycare center building. The use for this building is not determined at this time.

Member Kelly asked if the house behind the existing daycare center is staying. Mr. Sgromo said the existing daycare building will stay for now and that the house will probably stay. All the other houses on the property will be taken down.

Mr. Sgromo said the proposed new daycare center will house classrooms along with a gym and an accessory use (batting cages) in the same location; there will also be a playground on site. The plan shows sidewalks that go around the building and to the playground.

Member Kelly asked about parking. Mr. Sgromo said that the plan shows parking for 31 cars. According to the code, they are required to have 104 parking spaces. The proposed parking is not atypical to the other daycares centers the Penizottos own, Manlius or Liverpool, parking is

very minimal at both locations compared to square footage. A lot of the traffic is buses and parents dropping kids off and staff parking.

Chairman Moliski asked how many students there are proposed for the new daycare. Mrs. Penizotto said about 135 kids, max. Attorney Frateschi asked how many children are in the current daycare center. She said it is licensed for 106 children but there are about 80-90 kids in the current facility.

Mr. Sgromo passed out to the Board a rendering of what the new daycare facility would look like. Member Kelly and Chairman Moliski are very concerned with what the building will look like. They don't particularly like the look of the design for the building. Mr. Sgromo said that he will bring the Architect to the next meeting so that the board can get a better feel of what the building will look like instead of a paper illustration.

Mr. Sgromo said that stormwater on the project will be leaving the property in the same way it is leaving the property now.

Chairman Moliski is very concerned with the parking. She doesn't believe that 31 parking spots for 135 kids is enough. Mrs. Penizotto said that 40 kids are bused in and the rest are dropped off by parents. They have never had an issue with parking at the other daycare centers.

Chairman Moliski thinks that a traffic study should be done. It will give the Board a better sense of the traffic in the area.

Member Kelly asked what the hours of the proposed daycare center will be. Mrs. Penizotto said between 6:30am and 6:00pm.

Attorney Frateschi said that the code sets forth the parking requirements. So if the lot isn't going to conform to the parking requirements then the project will have to go before the Zoning Board of Appeals for a variance. This Board should get a sense of what they are interested in and what they think makes sense so that when it goes to the Zoning Board, they can either send a recommendation or some guidance from this Board, depending on how they feel.

Engineer Miller said that the RM code requires the following:

1. 1 parking spot for every 200 square feet of building; so 104 spaces are needed according to the code; you are showing 31.
2. Likewise for Lot Coverage; coverage on a lot is 35% maximum and you are showing 60%.

Engineer Miller stated that a larger lot is needed for this type of project with the plan that is in front of the Board right now. He senses that there is enough land, you just have to move the lot lines.

Chairman Moliski is concerned with what will happen in 10 years when the building may no longer be a daycare center and it's an office building and 104 parking spaces are needed. We now have a nonconforming parking lot.

Attorney Frateschi asked if the Applicants were intending to do a subdivision or a Division of Land through the Planning and Development Office. The Applicants are technically making 6 lots into 2 lots, so under Town Code, it's not a subdivision, it would be a Division of Land.

Engineer Miller heard tonight that there are 7 lots, he heard Mr. Sgromo say that he wants to change it to 3 lots because he wants to keep the existing daycare, the house behind the daycare and the lot for the new daycare center.

Attorney Frateschi said the Town code also states that parking needs to go behind the building, which is not shown on the plan. This is another issue that needs to be resolved.

The final issue that Attorney Frateschi sees is that someone will have to make the argument that a batting cage is an accessory use to a daycare center. It was the understanding of the Town Board that portable batting cages could be put in the gymnasium at night. While a gymnasium is clearly an accessory use to a daycare center, a separate building for batting cages isn't. The Applicants realize that the batting cage isn't a part of the daycare; it has to be or else it is not an allowed use in that district, RM is for daycare.

Conversation ensued regarding parking in the back of the building versus the front of the building.

Chairman Moliski said that in her opinion the parking lot in the front of the building is not a huge deal because the daycare center is on a corner opposite a fire department, a hardware store and a gas station, which all have parking in the front; it fits in the area.

The Chairman's biggest concern at this point with the project is the number of parking spaces. It needs to be talked about and a conclusion needs to be met.

Attorney Frateschi asked the Board, in terms of parking in the front of the building, does anybody else have anything to say? The Board agreed that they generally don't have an issue with parking in the front because of the location.

Engineer Miller said it is difficult to make a decision without seeing what the residual lots are going to look like. Tonight we heard that there are going to be 3 lots then we heard 2. It will be helpful to know what the final plan is going to be.

Attorney Frateschi said that it's important to have both lots on the plan so the Board can be sure what's really going on. Having all of the lots on the subdivision plan will make it clear whether the lots are conforming or not. Ingress and egress need to be shown on the plans as well.

Chairman Moliski said that the Board would like feedback from the Department of Transportation regarding the traffic in the area.

Engineer Miller brought up the fact that there is a Centro bus stop on Enders Road near the property that should be taken into account. Right now it's a detriment to the traffic flow on Enders Road.

Engineer Miller wants to know what the phasing of the lot is. We heard tonight that the smaller house to the north is possibly going to stay and the old daycare is going to stay. So that should tell us what the lot is going to look like when we go and do the subdivision. And if the existing daycare stays, it starts to show us that is the size of the building that is going to be there and for that use. It has to have 35% lot coverage no matter what, so we would be creating a non-conforming lot and we can't do that. And the parking has to be conducive to what is there.

Engineer Miller said that this Board can't envision what the subdivision is going to look like until

the applicant knows what it is going to look like. Also what is the internal traffic going to look like? And what is the DOT going to come back and say?

Chairman Moliski said that the project is great but there are some things that need to be looked at and addressed.

Member Kelly is concerned that there isn't enough land to use for two different buildings. There isn't enough room for everything the applicant wants. Member Lupia has the same concerns.

Mr. Sgromo said that if the batting cages come off the plan that would give an extra 5000 square feet. This should make the rest of the building come closer to conformity.

Conversation ensued regarding the building envelope of the property. The Board would like to see the ingress and the egress of the land.

Member Moliski asked that sidewalks be taken into consideration. She would like to see a sidewalk from the school property to the corner of NYS Rt. 92.

OTHER BUSINESS

With there being no further business, Member Gilbert made a motion, seconded by Member Crossett and carried unanimously to adjourn the Regular Meeting at 8:29pm.

Respectfully submitted,
Lisa Beeman, Acting Clerk