

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
FEBRUARY 10, 2014**

APPROVED

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

Also Present: Frederick P. Kirsch and Ellen and Mike McGrew.

The Pledge of Allegiance was recited.

Minutes: The Minutes of January 13, 2014 will be tabled until the next Planning Board Meeting.

**Frederick P. Kirsch, 4650 Enders Road (Corner of Enders & Kimball Rds.) Manlius, NY
2 Lot Preliminary Subdivision Tax Map #117.1-02-01.0**

Frederick P. Kirsch, owner and applicant submitted a 2 Lot Preliminary Subdivision dated December 19, 2013 by David A. Vredenburg, Job No. 13-47-M showing one Lot with an existing house and 55,918.8 sq. ft. of area and another Lot showing 40,998.9 sq. ft. of area, a Site Plan Layout Plan with Septic Setbacks dated December 19, 2013 by RZ Engineering, PLLC, Proj. No. 13080, an Enders and Kimball Road proposed Subdivision Narrative, and sheets of information labeled A,B,C,D,D-2,E,F,G and H.

Mr. Kirsch stated that his parents purchased the property in 1967 and built the existing house. It was always their wish that the Lot would be split at some point and have their grandkids use it. If you look at all of the Lots going up Kimball Road they are all less than one acre and are all on Septic. To put the proposed Building Lot on Sewer it would cost around \$55,000.00. RZ Engineering contacted the Health Dept. and they said that they would have no objections to a Septic System as long as the Planning Board has no objections.

Chairman Gilbert stated that according to the Town of Manlius Code, Section 155-12, a minimum of 100,000 sq. ft. of area is required where a Septic System is proposed. Any Lot with a Septic System must have a minimum of 10,000 sq. ft. of open, unimproved land suitable for the installation of a Septic field explicitly identified and reserved for such purposed. Both Lots do not have enough area. The proposed Building Lot doesn't even have half of the required area or the required sq. footage for a Septic System. This Board cannot approve 2 non-conforming Lots.

Engineer Miller stated that there isn't a 100 foot setback from the well and the Plan doesn't show 10,000 sq. ft. of area for a Septic System. It needs to have a second spot for a leach field per the regulations and a setback from that existing well is going to be difficult, both houses

have to be on water.

Attorney Primo stated to the applicant that the argument that he is presenting should be to the Zoning Board of Appeals for Variances. If Variances are granted you can return to this Board with your proposal.

With the concerns of the Board they couldn't give a positive recommendation because of the amount or lack of Lot area, the well and the one Lot not having/showing the required 10,000 sq. ft. for a Septic System.

ZBA RECOMMENDATION

Member Rossetti made a motion, seconded by Member Moliski and carried unanimously to refer this application to the Zoning Board of Appeals with NO RECOMMENDATION.

Attorney Primo recommended that the applicant get with a Surveyor/Engineer to research the Town of Manlius Code, the Health Dept. Septic System requirements and Wells to see if they have an internal waiver system. This Board doesn't have the authority to grant a Variance for anything except from the Zoning Code.

With there being no other business, Member Rossetti made a motion, seconded by Member Lupia and carried unanimously to adjourn the Meeting at 7:20 PM.

Respectfully submitted,
Barbara A. Smith, Clerk