

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
APRIL 14, 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 Wendy Kinsella and Town Engineer Douglas Miller.

Also Present: Louis P. VanWie, Ray Scruton, Jon Hefti, Joe & Marcia Novek, Jennifer Goetz, Liam Gleason, Mike McGrew, Daniel Barnaba, Garry Nichols, David Stringer, Rod Ives, John Dunkle and Vince Giordano.

The Pledge of Allegiance was recited.

Minutes: Member Rossetti made a motion, seconded by Member Kelly (Member Byrnes abstained as He was not present at that Meeting) and carried unanimously to approve the Minutes of March 24, 2014.

**Manlius Veterinary Hospital, 8160 Man-Caz Road, Manlius, NY
Public Hearing-Amended Site Plan-Two-Story Addition
Tax Map #113.1-01-01.0**

Rod Ives and Ray Scruton, representing the applicant submitted a Site Plan dated March 7, 2014, revised April 14, 2014 with the addition of the proposed Site Pole Light, a Lithonia Lighting Features and Specifications Sheet, Existing Conditions Summary for Sub catchment and a Stormwater Report.

Mr. Ives gave an overall of the proposed project and stated that this proposal is less than the project that was approved in 2010. He explained the Grading Plan, drainage, the Pole Light has 0 spillover at the property line and will be on all night for safety reasons, the watershed area, how they are flattening the site to slow the water down, 1 year storm calculations, the net increase in pervious area is 4,000 sq. ft. and that they are not adversely affecting the neighbor's property.

The Onondaga County Planning Board Resolution dated April 2, 2014, OCPB Case #Z-14-2014 was read and entered into the file:

NOW THEREFORE BE IT RESOLVED, that the Onon. Co. Planning Board recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

1. The applicant is required to obtain a permit from the Onon. CO. DOT for any proposed work within a County road R-O-W, and is required to coordinate the opening of the driveway with the Department by contacting the Onon. Co. DOT.

2. The Onon. Co. DOT has determined that the applicant must provide the Department with ITE Trip Generation traffic figures and complete any appropriate mitigation as may be determined by the Department.

Including Two Comments.

Mr. Ives stated that there will be no new curb cut, no increase in staff and that they will be decreasing pavement in the R-O-W.

Mr. Ives submitted to the file a Letter to Terry Morgan, Onon. Co. DOT and a letter to Chris Dietman, Onon. Co. Water Environment Protection responding to these issues.

Member Crossett made a motion, seconded by Member Lupia and carried unanimously to waive the requirement of a Traffic Study.

Member Rossetti made a motion, seconded by Member Byrnes to refer this application to Miller Engineering for review for a fee of up to \$1,000.00.

Member Crossett made a motion, seconded by Member Moliski and carried unanimously to waive the reading of the Legal Notice calling for this Public Hearing that was published in the Eagle Bulletin on April 9, 2014.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to open the Public Hearing.

Lou VanWie, Kirkville, NY- He did a drive by and a walk up to the rear of the property as it involves two of the Townhouse Units right there (Pointing to the South and Southwest of the Site Plan) where you see the bold dotted lines at the top and then it takes off, in that general corner of that. One thing that he didn't find in there was any land surveying so that you can get a defining line of where the property lines are. But are four homeowners in there altogether know of him from a past experience with him as a home inspector and consequently in construction. With his trifocals he couldn't see a defining pitch of land other than going right down to those houses called the Bluffs. He knows for a fact that in 2009 somebody had to rebuild the foundation at the rear of their Townhouse because it gave out on hydrostatic pressure. He knows for a fact that there is a lot of water conditions in that property behind the Townhouses coming up to the present site. He also noticed that when he walked up towards Route 92 that the land, the road itself is draining over on all the property including the Veterinary Hospital. He doesn't get by removing a mound of dirt in there, he doesn't see the gain. He's not an Engineer, he will be honest with you, he's not an Engineer, but if you take dirt away that's throwing the water this way and you level it off it's going to go this way a little bit, maybe more. So, he doesn't see what the net gain is on this site. He would think with the history of what's going on at the Bluffs and the lack of proper drainage being put in there Town

when that was developed to allow a continued development bordering it, he would like to see a little more personal hands on studying of the water in there. Maybe knock on a couple of Homeowners doors to see if you can go down in their basement and check their foundation to see if they have cracks in them. Why add more to it. Thank you.

Joe Novek, The Bluffs-He agrees totally with what Mr. VanWie said. If you really look over there, there's no ditch on 92 and no ditch in front of this building on this side. All that water comes down into the whole area of the Bluffs Drainage District. Nothing has ever been done no matter what we complain about. He remembers coming before this group in 1989, you were here Mr. Gilbert when he said there was erosion behind the Townhouses and you said it could be handled by the Drainage District that was formed, twelve years nothing has been done. That is why he thinks that this drainage problem should not be handled by the owners of this property. The Town should get involved with the State, with 92 and put some kind of ditching in front of there. All this water is coming into their property, they should not have to have the responsibility to handle it. He thinks that what they are doing here is less than what they did before. He thinks that there was a hard scape there before that was going to go into a drainage swale and that's not being done now. So, they are not going to be adding into that swale, that swale is the problem. Water goes in there, it goes subsurface and that's what the problem is in the Bluffs. So, if you can avoid that water from coming in there, everybody will do better. He doesn't think that it is up to them to handle the stormwater, it's beyond their control. It's coming off of 92 and coming in there. If you are on the 2nd floor of his Townhouse you are almost even with 92. He thinks that the Town, State from all the way down through that area, Suburban Park, there is no ditch on that side. The other side is all ditched out and goes into that Stream and into Limestone Creek. Before anymore drainage is added this is one of the things that the Board should consider getting involved with to solve the drainage problem there. The best thing that the Town did, the minimal things that they did was to put a drainage pipe across the head of Bluffview Drive in that swale. When we have a major water event the water torrent coming through there, so years past that was going right down through and there is still a lot still going down through. So, if somehow that could be addressed on those sides everybody would have a better time. There is more of a problem and he doesn't think that these people should be footing the bill for any increased drainage, it should be the Town who is responsible. He doesn't understand why we have a Drainage District and it doesn't get involved. When they completed the storm drainage system there they never used any of their tax money, he doesn't understand that and there was no engineered design that was done to finish it. How do you expect to handle stormwater drainage when that's the case. Back when Calocerinos and Spina first developed that property they said that it needed special attention, it's not getting any attention, so he thinks that that still needs to be handled and shouldn't be on these people (the applicants).

Chairman Gilbert stated that what we are listening for tonight are direct concerns about this project and whether it's adding any additional problems of the flow of the site, which our Engineer assured us that it isn't.

Mr. VanWie-Question to Chairman Gilberts' statement-Are you saying that the Town of Manlius Engineer has reviewed and is approving the drainage as it is being proposed now?

Chairman Gilbert-For this project?

Mr. VanWie-yes.

Chairman Gilbert-The Engineer is in the process of reviewing it.

Mr. VanWie-Is he going to be required to stamp and signature that approval, that's my question.

Chairman Gilbert-Yes, I think so.

Mr. VanWie-Yes, he is or yes, he isn't?

Attorney Kinsella stated that after the Engineer does a review a memo will be added to the file and use it to confirm that it hasn't added any additional stormwater per the specifications.

Mr. VanWie-If he's not mistaken, if he's approving it he has to stamp and signature it.

Attorney Kinsella replied that it is not his Plan.

Mr. Miller stated that it is not his Plan. Mr. Ives will submit his Plan and Mr. Miller will review it.

Chairman Gilbert stated that it will be Mr. Ives' civil engineering stamp and signature that will be on the project.

Mr. VanWie-Only in Manlius.

Mr. Rossetti made a motion, seconded by Member Kelly and carried unanimously to close the Public Hearing.

SEQR

Member Rossetti made a motion, seconded by Member Byrnes and carried unanimously that the Planning Board assumes Lead Agency and that this is an Unlisted Action. It was noted for the record that SEQR was previously done.

Attorney Kinsella read the prepared Resolution approving the Manlius Veterinary Hospital Amended Site Plan subject to entering the Public Comments and Town Engineer Millers' review and approval.

Member Rossetti made a motion, seconded by Member Moliski and carried unanimously the Resolution approving the Manlius Veterinary Hospital Amended Site Plan.

**Radisson Associates, LLC, Gadwall Lane/Ring-Necked Path/S. Eagle Village Rd.
Mallards Landing, Preliminary Phasing Plan, Phase 2, Section 18
Tax Map #117.3-01-25.1 & 25.5**

John Dunkle, representing the applicant, Radisson Associates, LLC, Daniel Barnaba, Manager submitted a color coded Preliminary Phasing Plan "Mallards Landing", Phase 2, Sec 18 dated December 20, 2013, revised April 14, 2014 by D.W. Hannig L.S.P.C. consisting of 49 Lots. Sec 18 A-1 & A-2, Green Area, 20 Lots will be developed by David Stringer, Sec 18 B, Blue Area, 27 Lots will be developed by Dan Barnaba's company and Sec 18 C, Olive Area, 2 Lots will be developed by David Stringer.

Mr. Dunkle stated that as Sec 18 B is developed further there will be subsections much like Sec 18 A(1&2). It is possible that Sec 18 C will be developed before Sec 18 B. There is an existing Detention Pond that serves Sec 17 and Sec 18 A. The fore bay for the runoff from the Cottages has to be engineered and approved.

Attorney Kinsella stated in reference to the Planning Board Minutes of August 26, 2013 one of the conditions was that the SWPPP for the entire development had to be done altogether.

Attorney Kinsella stated that Mr. Dunkle is requesting a waiver from that condition so Sec 18 A is separated from Sec 18 B&C because the engineers have agreed that the stormwater systems are separate and distinct. The large fore bay, the new large Detention Pond that is being built would address any concerns from Sec 18 A.

Mr. Dunkle stated that the Town Engineer agreed that Sec 18 A is hydrologically separated. They have completed all of the drainage analysis for Sec 18 A and Sec 18 B will be done separately. In the construction sequence and the SWPPP the sediment Basins and Ponds are constructed first before infrastructure.

Member Rossetti asked that if Sec 18 C is developed prior to Sec 18 B does that affect the Detention Basin that is in Sec 18 B if it's not constructed.

Mr. Dunkle responded that if Sec 18 C goes first, when he develops the engineering for Sec 18 C it will have to stand alone.

Member Rossetti made a motion, seconded by Member Lupia and carried unanimously to waive the requirement that the Basin be built for the entire project for Sec 18 but that the Detention gets built prior for Sections 18 A-1 & 2, B and C.

Member Moliski made a motion, seconded by Member Byrnes and carried unanimously to

approve the Mallards Landing, Preliminary Phasing Plan, Phase 2, Section 18 as submitted.

Attorney Kinsella will prepare a Resolution approving Preliminary Phasing.

**Green Lakes Associates, Mallards Landing Community off Gadwall Lane
Mallards Landing, Final Plan, Phase 2, Sec 18 A-1
Tax Map #117.3-01-25.5**

John Dunkle, representing the applicant, Green Lakes Associates, Daniel Barnaba and David Stringer, Contract Purchaser submitted a Mallards Landing, Final Plan, Phase 2, Sec 18 A-1 dated December 22, 2013, revised April 14, 2014 by D.W. Hannig, L.S.P.C. consisting of 10 Lots and a Typical Lot Layout with Building Envelope.

Mr. Dunkle stated that they're proposing to enlarge the existing Pond that will provide some relief to Craine Brook flow. They have worked with the Town Engineer on the engineering and stormwater plan and now the SWPPP is acceptable.

Member Rossetti made a motion, seconded by Member Moliski and carried unanimously to waive holding a Public Hearing for the Final Plan, Phase 2, Sec 18 A-1 because there is no significant change from the Preliminary Phasing Plan.

Mr. Dunkle displayed a Map entitled Mallards Landing 18 A HOA Maintenance Areas, HOA Drainage Responsibilities and a Map entitled Mallards Landing Sec 18 A Lot Encumbrances with the Map showing the Common Lands of Sec 15 B, 17, 18 A & 18 B, Sight Distance, Maintenance Easements, Utility and Drainage, Wetland Buffer and the Wetland.

After a discussion Mr. Dunkle stated for the record that he will do a full SWPPP for Sec C, which Attorney Kinsella will amend the Resolution to include.

Mr. Dunkle stated that all of the engineering has been done for Sec 18 A.

Member Rossetti wanted to know if Sec 17 C borders the Pond and who controls that HOA presently.

Mr. Barnaba responded that Sec 17 C represents all 25 homes and it is a stand alone HOA. The HOA Board agreed to accept the maintenance responsibilities and enter into a co-maintenance agreement with the adjacent HOA.

Attorney Kinsella stated that Mr. Barnaba has submitted to her a Stormwater Detention Basin Maintenance Agreement that she is working on with the Engineer. She will review and approve documents,

The Board and the applicants discussed HOA costs, the reserve fund and inspections.

SEQR

It was noted for the record that SEQR was previously done.

Attorney Kinsella read the prepared Resolution with its' 9 conditions.

Member Kelly made a motion, seconded by Member Crossett and carried unanimously to approve the Resolution as amended approving the Green Lakes Associates Mallards Landing, Final Plan, Phase 2, Sec 18 A-1 and authorize the Chairman to sign the Final Map.

With there being no further business, Member Rossetti made a motion, seconded by Member Moliski and carried unanimously to adjourn the Meeting at 8:10 PM.

Respectfully submitted,
Barbara A. Smith, Clerk