

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
MAY 13, 2013**

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 Timothy Frateschi and Town Engineer Douglas Miller.

Also Present: Allen Olmsted, Dan Barnaba, Joe Phillips, Ken Wagner, Steve Benson, Garry Nichols, Mike McGrew, Jon Hefti and Cathy Byrnes.

The Pledge of Allegiance was recited.

Minutes: Member Rossetti made a motion, seconded by Member Lupia and carried unanimously to approve the Minutes of April 22, 2013.

**Anderson Hale Revocable Trust, 8473 Salt Springs Rd., Manlius, NY
Public Hearing-4 Lot Preliminary Subdivision North
Tax Map #01-02-17.0**

Allen Olmsted, representing the applicant gave an overview of the proposed Subdivision.

It was noted for the record that Certification regarding Neighbor Notification per Section 127-33 (10) of the Town of Manlius was received.

Member Crossett made a motion, seconded by Member Kelly to waive the reading of the Public Notice that was published in the Eagle Bulletin on May 8, 2013.

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

Steve Benson, 8371 Salt Springs Rd.-Asked about the boundaries, lot area, frontage of the 4 lots and if they are residential lots? He stated that the map he received was a Tax Map outlining the total parcel and it didn't show the individual lots.

The Board explained the 4 lots within the total parcel compared to the Tax Map and stated that yes these are residential lots.

With there being no more comments from the Public, Member Kelly made a motion, seconded by Member Crossett and carried unanimously to close the Public Hearing.

The Onondaga County Planning Board Resolution dated May 1, 2013 for Case #S-13-22 was read and entered into the file:

NOW THEREFORE BE IT RESOLVED, that the Onon. Co. Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT(S) in regards to the above referral:

1. Any proposed driveways on Salt Springs Road must meet sight distance requirements and will require a permit from the Onon. Co. DOT.
2. The Board encourages the Town to consider the potential long-term effects of strip residential subdivision in rural areas including conflicts with agricultural operations, changes to the rural character, reduction of open space and farmland, and impacts to road safety and mobility.

SEQR

Member Moliski made a motion, seconded by Member Kelly and carried unanimously that the Planning Board assumes Lead Agency.

Member Moliski made a motion, seconded by Member Kelly and carried unanimously that this is an Unlisted Action.

The Planning & Development Staff and Town Engineer Douglas Miller reviewed the Short Environmental Assessment Form and filled out Part II and provided it to the Planning Board. Based on the application, the information provided by the applicant, the Board's personal knowledge of the site, a 4 Lot Subdivision is an allowable use, houses exist on Lots 1 and 2, Lots 3 and 4 have sufficient lot area and frontage, traffic won't be an issue and that this is a residential area already. Therefore the Board determined that this proposal will not have a significant environmental impact.

Based on the foregoing analysis and the Board's personal knowledge of the site, Member Rossetti made a motion, seconded by Member Byrnes and carried unanimously to issue a Negative Declaration under SEQRA.

Member Rossetti made a motion, seconded by Member Moliski and carried unanimously to approve the Anderson Hale Revocable Trust, 4 Lot, to be titled Preliminary Subdivision Map dated April 4, 2013 by SeGuin Land Surveying, P.L.L.C., and Project No. 13034.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to waive holding a Public Hearing for the Final Map because it is substantially similar to the Preliminary Map.

Member Rossetti made a motion, seconded by Member Byrnes and carried unanimously to approve, to be titled Final Subdivision Map and re-dated May 13, 2013.

Member Lupia made a motion, seconded by Member Rossetti and carried unanimously to authorize the Chairman to sign the Final Subdivision Map when the Parkland Fees of \$800.00 are received.

Eldan Homes, Inc., Ring-Necked Path & Gadwall Lane, Manlius, NY
Continued-Phase 2, Section 17C, Mallards Landing, 2nd Amended Final Map
Tax Map #117.3-03-29.0 thru 33.0

Dan Barnaba, owner of Eldan Homes, Inc. submitted a Mallards landing Phase 2, Section 17C,

Final Subdivision Map dated February 19, 2013, File No. 2730.025 and a Composite Map of Mallards Landing, Phase 2, Section 17 dated April 22, 2013, File No. 2730.025, both Maps by Phillips & Associates Surveyors, P.C.

Entered into the file was an engineering review by Miller Engineering dated April 29, 2013.

Attorney Frateschi stated that the applicant is proposing a 5 Lot Line modification of the previously filed Plan, which will increase the size of the 5 Lots and modify the Detention Basin.

Member Rossetti stated that the previously submitted Section 17C Map had very clear boundaries of Craine/Crane Brook banks, the Wetlands, the Drainage Easement and a lot of the discussion was that that's not really where Craine/Crane Brook belongs, it's further north. On the submitted new Map it's not shown. There's something that says Craine/Crane Brook and one line. He doesn't know what side of the Brook it is.

Mr. Barnaba replied that that is the center line of the Brook, that's marked CL.

Attorney Frateschi asked how wide is Craine/Crane Brook?

Mr. Phillips stated that the earlier Map that placed Craine/Crane Brook in the Detention Basin was an error. He tried to show both banks. It's very hard to distinguish where the embankment of Craine/Crane Brook is coming through that area because it is all wet and under water. The best that he could do was locate the threads of the Brook, the Center Line.

Member Rossetti stated that the concern from an engineering standpoint was that the Detention Basin couldn't be in the Brook and with this Map it is not clear where the edge of the Brook is.

Mr. Barnaba stated that he conducted several Wetland Delineations over the course of this project and there's a very fine wetland boundary that's just not on that particular map. He is very aware of where the wetland boundary is with respect to the Detention Basin that's part of the SWPPP which was also amended and submitted to the Town as part of his application to modify the Basin. The engineering drawings are not part of this request for amended Subdivision.

Mr. Barnaba stated that the shape of the Detention Basin was very intrusive behind Lots 400 and 401 so in the new Plan there is a very sharp shape to that line to give more yard space to Lots 400A and 401A and the banks will be modified along Ring-Necked Path and the back of the Basin. What is showing on this Map is the revised shape, so when the Property Owners take ownership of these Lots there is a very clear understanding of where that Bank Easement will be so there is no encroachment in their yard.

Member Crossett asked if the construction of that Basin will clearly make a separation between the Brook and the Detention Basin?

Mr. Barnaba replied yes. The Detention Basin is already built, so what we are doing is just making bank modifications to the existing Basin.

Attorney Frateschi asked if most of them are here, pointing to a section on the west and south side of the Detention Basin?

Mr. Barnaba replied that if you go with the current Map it kind of plays out at a 45 degree angle to the right and the left.

Attorney Frateschi stated that the Engineer and the applicant will have to make it clear in the Meeting Minutes that Craine/Crane Brook cannot go through your revised Detention Basin.

Mr. Barnaba replied that it doesn't. For Town assurance that they're not encroaching on the Brook his Surveyor went out and marked the Center Line with GPS point of reference so the Town Engineer can go out to the site and stand where he identified the Center Line of the Brook.

Mr. Barnaba stated that the Detention Basin is basically a silty shale Basin that was built in 2008, which has some grown wild life. They will put a boom in place and pump some water away to allow them to re-shape the south side of the Detention Basin near the forebay and then it will come right back. It constantly has water in it, but he has never seen it go over the banks. The Basin is designed to withstand up to a 100 year event. Within your Engineer review, when we asked to modify the Basin was that the volume and the rate of flows through the Basin would not change. The Basin has two overflows.

Mr. Barnaba stated that they can identify where the Wetland boundaries are but the Brook changes its' size in seasons. These Brook beds can be allusive.

Member Rossetti stated that previously Attorney Frateschi stated that there have been readings or statements that Craine/Crane Brook cannot somehow intermingle with the Detention Basin. The Surveyor has stated that he cannot delineate the banks of the Brook. If you cannot delineate the banks of the Brook, how do we know that the two aren't overlapping?

Engineer Miller replied that what the applicant shows in the SWPPP is consistent with what is on the drawing. In the Plan the applicant has delineated a Floodway and he has delineated the Wetlands. He has provided a Survey of where the Basin will be laid out with GPS coordinates. The applicant was asked, with changing the Lot Lines to confirm that the capacity of the Basin be the same as it was when it was submitted in 2007.

Attorney Frateschi stated that the Detention Basin is built and exists. The Brook is the same as it was before, these Lots have changed, which does not affect the Brook. Nothing has really changed on the north side of the Detention Basin. He doesn't really see how this Detention Basin is going to change significantly as it relates to Craine/Crane Brook. The only way that we can really tell is to send Engineer Miller out to stand in Craine/Crane Brook and have him tell us where he thinks the banks are.

Discussion ensued in reference to drainage, easements, common area, the HOA, the Detention Basin and the labeling of it, legal and engineering.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the Mallards Landing, Phase 2, Section 17C Amended Final Map dated February 19, 2013, to be re-dated May 13, 2013 by Phillips & Associates Surveyors, P.C., File No. 2730.025 and authorize the Chairman to sign the Final Map with the following conditions;

The HOA shall maintain all common area and drainage easements.

The Town will be granted an easement over whatever drainage easements in case it determines that the facilities are not being properly maintained.

The Detention Basin is to be labeled A on the Final Map.

The SWPPP is to be amended to reflect the above changes (HOA).

The Offering Plan will be amended within 180 days from today's date to reflect the above conditions of ownership.

All Engineering and Legal issues are satisfied.

With there being no other business, Member Rossetti made a motion, seconded by Member Lupia and carried unanimously to adjourn the Meeting at 7:43 PM.

Respectfully submitted,
Barbara A. Smith, Clerk