

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
JULY 22, 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: Rosemary O. Nwawka, P.C., Cecelia Clark, Jim Lighton, John Baitsholts, Ellen McGrew and Cathy Byrnes.

The Pledge of Allegiance was recited.

Minutes: The Minutes of July 8, 2013 will be held until the next Meeting.

**Rosemary O. Nwawka, P.C., 7197 East Genesee St., Fayetteville, NY
Public Hearing-Site Plan & Accessory Use Permit-Law Office-362 Sq. Ft.-1st Floor
Tax Map #087-07-47.0**

Attorney Frateschi and the applicant gave a history of the property, past tenants and an overview of the proposal. The only current tenant is Lifes Changing Seasons, LLC.

Member Rossetti 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 July 17, 2013.

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

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

The Onondaga County Planning Board Resolution dated June 12, 2013, Case #Z-13-166 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 offered 2 Comments.

SEQR

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

Member Crossett made a motion, seconded by Member Byrnes 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 and the Board's personal knowledge of the site, it is an allowable use, there will be no significant increase in traffic, and there are no changes to the existing topography or the building. Therefore the Board determined that the proposal will not have a significant environmental impact.

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

Member Rossetti made a motion, seconded by Member Byrnes and carried unanimously to approve the Rosemary O. Nwawka Site Plan Accessory Use Permit for a 362. sq. foot Law Office on the 1st Floor for a period of 7 years.

**Rosemary O. Nwawka, P.C., Stellar Glow Foundation, 7197 East Genesee St., Fayetteville, NY
Public Hearing-Site Plan & Accessory Use Permit-Not For Profit Office-148 Sq. Ft.-1st Floor
Tax Map #087-07-47.0**

Attorney Frateschi and the applicant gave an overview of the proposal.

Member Rossetti made a motion, seconded by Member Byrnes and carried unanimously to waive the reading of the Legal Notice calling for this Public Hearing that was published in the Eagle Bulletin on July 15, 2013.

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

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

The Onondaga County Planning Board Resolution dated June 12, 2013, Case #Z-13-167 was read and entered into the file:

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 offered 2 Comments.

SEQR

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

Member Crossett made a motion, seconded by Member Lupia 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 and the Board's personal knowledge of the site, it is an allowed use, there will be no significant increase in traffic and there are no changes to the existing topography or the building. 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 Moliski and carried unanimously to issue a Negative Declaration under SEQRA.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the Rosemary O. Nwawka, P.C., Stellar Glow Foundation Site Plan Accessory Use Permit for a 148 Sq. Foot Not For Profit Office on the 1st Floor for a period of 7 years.

Cecelia Clark, East Richmond Road, East Syracuse, NY

Betty Sacco Trust 2 Lot Subdivision Section 1 Tax Map #065-01-30.0

Jim Lighton, representing the applicant submitted a 2 Lot Preliminary Betty Sacco Trust Section 1 Subdivision Map dated March 11, 2013 by J.R.L. Land Surveying, Job No. 1030, consisting of Lot 1, +/-2.00 acres and Lot 2, +/-8.67 acres

Mr. Lighton stated that Lot 1 is a Residential Lot on septic and Lot 2 is an Unbuildable Lot.

After a Board discussion in reference to Parkland Fees, Member Rossetti made a motion, seconded by Member Lupia and carried unanimously that there will be a Parkland Fee of \$400.00 for Lot 1, that is going to be sold and the Fee of \$400.00 for Lot 2 will be waived because it is an Unbuildable Lot.

Member Kelly made a motion, seconded by Member Moliski and carried unanimously to hold a Public Hearing for the Betty Sacco Trust 2 Lot Preliminary Subdivision Section 1 on Monday, August 12, 2013 at approx. 7:05 PM.

The applicant was informed of Section 127-33 (10) of the Town of Manlius Code, Notification to Neighbors within 500 feet of the proposed Subdivision.

The Board requested that the applicant mark Lot 2 Unbuildable, remove the house and the wording for the septic, date the Preliminary Map July 22, 2013 and if the applicant presents the Final Map, if there are no significant from the Preliminary Map that the Final Map is to be dated August 12, 2013.

Baitsholts, 7089 N. Manlius Road, Kirkville, NY

Accessory Use Permit Renewal Tax Map #040-02-03.0

Submitted was an Accessory Use Permit Renewal Application for a Retail Fire Arms Business that was originally approved on November 17, 1997 and a Memo dated June 21, 2013 from Town of Manlius Code Enforcement Officer Michael Jones stating that there have not been any complaints about this use from the neighboring property owners and recommends renewal.

A Board discussion ensued, if this is a new Accessory Use Permit or a renewal. The original Accessory Use Permit, according to the records was in the name of Baitsholts. Mr. Baitsholts passed away and now his son, John C. Baitsholts is the Sole Proprietor.

Member Rossetti made a motion, seconded by Member Lupia and carried unanimously to approve the Baitsholts Accessory Use Permit for a period of 7 years with the following conditions; Identify the property address on the Mailbox with Numbers and the partial Tree at the entrance of the property is to be removed to improve sight distance.

Other Business

Chairman Gilbert and the Board Members wished Attorney Frateschi the very best of luck in his new endeavor and thanked him for all of his service and help to the Planning Board.

Attorney Frateschi stated that it has been a pleasure and thanked Chairman Gilbert and the Board.

With there being no other business, Member Rossetti made a motion, seconded by Member Byrnes and carried unanimously to adjourn the Meeting at 7:30 PM.

Respectfully submitted,
Barbara A. Smith, Clerk