

TOWN OF MANLIUS
PLANNING BOARD MINUTES
August 26, 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, Ann Kelly, and Joseph Lupia

Also present were Attorney Wendy Kinsella and Town Engineer Douglas Miller.

Absent - Member Thomas Byrnes

Also Present: Dan Barnaba, Dave Stringer, Ellen McGrew, Garry Nichol

The Pledge of Allegiance was recited.

Minutes: Member Rossetti made a motion, seconded by Member Lupia and carried unanimously (Member Moliski abstained as she was not present at that Meeting) to approve the Minutes of August 12, 2013.

**Eldan Homes, Inc., Westside South Eagle Village Rd. Across From Peck Hill Rd., Manlius, NY
Continued-Phase 2-Section 18 Mallards Landing 2nd Amended Final Subdivision Map Tax
Map #117.3-01-25.1 & 25.5**

Mr. Barnaba stated that after his last appearance the Board made some recommendations so they made modifications to the plan, then points out what was changed.

1. The Plan failed to show the green space in the center of the new Cul-de-sac on the north side of the property and now they are showing it. There is a note in the plan, that they added that detail and that the Cul-de-sac is designed within the Town Highway Departments specifications. Also the area in the center of the Cul-de-sac will be owned and maintained by the Homeowners Association not the Town Highway Department.
2. Also modified some setbacks because the question came up about the distance between houses and how that is calculated and there were two lots in particular on the back side of the Cul-de-sac that were narrow so they adjusted the building line further and the houses will sit behind that building line so there will be plenty of distance between the houses.
3. They attempted to show phasing of the project so there are two phases A1 & A2 with a boundary marker. He suggested that the engineering be done in stages with 18A being done up front and then, there may be some interrelated stormwater analysis that will need to be done between the two sections.

The Developer further noted:

Just because phases are being shown on the map doesn't necessarily mean that more than one phase won't be developed at once, that is a developer decision when they contract out the work to be done. There may be occasions where more than one phase is constructed at one time; a lot of it has to do with demand.

There is a note in the plan up on South Eagle Village Rd., identifying that as a maintenance easement that can be used by the Town to clear brush if needed. The Town would make a request of the homeowners association but if the Town needed to get out there they do have easement rights. It could be included in the homeowner's association budget for maintenance of that area.

It will not be a divided road at the entry and overhead lighting at the intersection can be put into the design criteria for the community the need for some type of light. Developer was not sure how the light would be paid for, but payment could be made through a lighting district or with a pole meter that the homeowners association pays.

Developer met with Chief Buskey from the Manlius Fire Department whose main concern was a water source. He was not aware that the developer had contracted for water service with hydrants.

Planning Board Attorney Kinsella stated she had talked to Chief Buskey and after meeting with Mr. Barnaba he had no concerns provided the fire hydrant issue was addressed.

Mr. Barnaba stated that was everything that was added to the plan as requested.

Member Rossetti told Mr. Barnaba he had done a good job in taking care of the concerns of the Mallards Landing Residents. Member Rossetti said his concern is for the downstream water and asked if this has been resolved?

Mr. Barnaba stated there is a plan and it is unknown what impact holding back some of the water flow will be downstream. But the developer is willing to engineer the site in a way where, they capture some of that flow. And the assurance that he gave some of the offsite residents is that at the engineering stage of this process the developer will take care to make good on it their guarantee (promise). Until the engineering plans are approved by the Town Engineer they will not construct anything.

Member Rossetti stated that if we the Planning Board approves this plan you can phase it. If the developer begins this section first, I don't want to have a problem downstream because this isn't adequate to retain everything that it's supposed to for this subdivision.

Mr. Barnaba responded if we presented a plan that didn't address that concern properly it would be an un-approvable plan. Our job is to show the Town Engineer and his job is to review our work to show him precisely what the calculation will be, not only that the flow will not increase but also that the quality of the water will not be degraded.

Member Rossetti asked if the plan is to build the three retention basins prior to any road work and/or any home building.

Mr. Barnaba responded yes the stormwater facilities are the first thing constructed, before roads or utilities are put in.

Member Rossetti gave his opinion he believes that in order to make sure the retention basins get built, that as a condition, "we don't issue any building permits until our engineer is satisfied that the detention basins in the different areas have been built properly no matter who owns it."

Chairman Gilbert asked Mr. Barnaba if what Member Rossetti said - is that any different than the Board approving the map with the conditions that the stormwater management pollution plan is finished for the project? Then the follow-up is by the code enforcement officer to make sure the plan is followed.

Mr. Barnaba stated that the Town of Manlius has a mechanism in place, where typically the Town is in control of the building permit e.g.: if the developer requests building permits, the Town may say the site isn't constructed far enough along to authorize permits at this point, so the Town would not issue the building permits at that time.

Member Rossetti asked who is responsible for the up keep and maintenance of the basins?

Mr. Barnaba answered in section 17C they had an agreement with the Town that the homeowners association would be responsible, but as far as the DEC is concerned it is the Town's responsibility.

Member Rossetti asked about the basin at the end of Gadwall Lane in section 17C as it looks like it has been half graded and the other half is wild.

Mr. Barnaba stated that about a month ago the Town gave them authorization to modify the shape, all modifications are done and it has been raked, graded and seeded and the wild look will come back but it will take about a year.

Member Rossetti, so the ultimate look for the basin won't be a grassy pristine looking piece of property?

Mr. Barnaba answered yes.

Chairman Gilbert stated another condition we will have is that when the phases are going to be filed that you come back before this Board for final approval for the phases.

Mr. Barnaba answered he does not have a problem with that but, he did state if he goes to the Town Board or Town Engineer and gets the drawings approved a certain way there is an understanding (agreement) between the Town and the Developer that the drawings are approved and that we have

the right to build. He understands that the Board may want to make sure the developer is doing everything he said he would do but redesigning at that point would be a problem.

Chairman Gilbert stated that at that point they would just like to keep track that the phases are like the master plan.

Conditions Stated by Planning Board Attorney Wendy Kinsella:

1. Per Engineer Miller - That the wetlands delineation survey should be referenced on the plan

Mr. Barnaba stated that they will reference the date of the delineation that made it to the plan.

2. The other concern that has already been addressed is that the stormwater should be completed, engineered and that the sanitary sewer approval should be received from the Highway Superintendent: incorporating any comments that Mr. Cushing may have.

3. The Fire Department comments should be coordinated and noted on the drawings

4. The Phases of development should be clearly delineated. The Final Map will be done in phases, with the applicant returning to the Planning Board for approval of each phase.

Attorney Kinsella stated this should be reiterated on the record: The August 6, 2013 correspondence of Germain & Germain representing the homeowners associations that they have no further objections to the plans based on the cul-de-sac and the stormwater and sanitary sewer.

Chairman Gilbert asked for a motion to approve this final plan with these conditions, plus a requirement that the intersection of Crane Landing and South Eagle Village be lighted.

Mr. Barnaba reviewed the conditions in no particular order:

1. The Stormwater pollution prevention detention plan must be completely developed and reviewed by the Town Engineer and there will be a charge for the review.

2. The Fire Department comments incorporated on the plans

3. The correspondence of the Homeowners Association No. 2 dated August 6, 2013 shall be referenced.

4. The Homeowners Associations for the respective sections of the community will be responsible for the maintenance of the detention basins.

5. The Homeowners Association will maintain the streetlight and the green space in the cul-de-sac.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve this final plan with the conditions listed.

1. SWPP and sewer completed engineered and approved by the Town Engineer
2. Fire Department approval by Chief Buskey
3. The August 6, 2013 correspondence of Germain & Germain representing the Homeowners Association withdrawing opposition shall be referenced on final map
4. Homeowners Association will be responsible for maintenance of the detentions basin, green space on cul-de-sac and lighting and the intersection of Crane Landing and South Eagle Village
5. Builder will pay up to \$2500.00 to Miller Engineering for the review of the stormwater detention system.
6. The wetland delineation will be put on survey.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the final plan with the conditions stated.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the payment of up to \$2500.00 to Miller Engineering from the developer for the review of the stormwater detention system.

Chairman Gilbert announced that the September 9, 2013 Planning Board Meeting will be cancelled due to lack of business.

With there being no other business, Member Rossetti made a motion, seconded by Member Kelley and carried unanimously to adjourn the Meeting at 7:26PM.

Respectfully submitted,
Deborah Demmon, Acting Clerk