

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

Also Present: Dan Barnaba, Allen Olmsted, Dorothy Agrippino, Ken Balamnt, Jon Hefti, Garry Nichols and Benita Rogers.

The Pledge of Allegiance was recited.

Minutes: Member Rossetti made a motion, seconded by Member Kelly and carried unanimously (Chairman Gilbert and Member Byrnes abstained as they were not present at that Meeting) to approve the Minutes of March 25, 2013.

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

Dan Barnaba, owner of Eldan Homes, Inc. submitted a Mallards Landing, Phase 2, Section 18, 2nd Amended Final Subdivision Map dated January 9, 2013 by Phillips & Associates Surveyors, P.C., File No. 2730.028 and an Attachment To The Initial Appearance Application listing the Property Owners of Tax Parcel #117.3-01-25.1 as Radisson Associates, LLC and Tax Parcel #117.3-01-25.5 as Green Lake Associates.

Mr. Barnaba stated that this is the re-design of the remaining lands associated with Mallards Landing, Section 18. In developing the land he encountered some Wetlands so they had to build a needed Pond and design around it.

Mr. Barnaba is proposing the following changes:

There were 59 Lots, that number has been reduced to 52 Lots
Lots on the Cul-de-Sac are larger
No Private Driveway Network
All Lots will have Private Driveways onto the Public Road

Member Rossetti asked Engineer Miller about the items in his two page Memo in reference to Section 17C and have those items been addressed? Will any of the engineering questions that have to be resolved in Section 17C have any impact on Section 18?

Mr. Miller replied that they would probably be minimal.

Member Rossetti asked if we are sure that Craine Brook is located properly on the Section 18 Map as opposed to the Section 17C Map?

Mr. Barnaba replied that the Brook was not shown properly on the Section 17C Map and that the Brook is not thru the Detention Basin. He has a comfort level that the Brook is drawn correctly on the Section 18 Map.

Chairman Gilbert asked if the Road Cut on South Eagle Village Road has been resolved?

Mr. Barnaba replied that they are working on it with his Engineer John Dunkle, Engineer Miller and Highway Superintendent Rob Cushing.

Member Crossett stated that the 2010 Planning Board Minutes reflect that there was an issue of the number of Lots that would be allowed. Does this submission constitute a brand new submission that should be treated under the current zoning laws and regulations and whether Mr. Barnaba's vested rights carried over from finding Wetlands on it? Was that resolved to everyone's satisfaction as to how many building lots should actually be allowed?

Mr. Barnaba replied that he is of the impression from past meetings with David Tessier and Attorney Frateschi that it's within the Boards' discretion to allow an Amendment to the Final Plan rather than go all the way back for a zone change or Preliminary Plan approval.

Chairman Gilbert's impression is that the Board has been going in the direction of an Amendment to the Final Plan. The Developer has a vested investment in the rules that existed at the time of purchase.

Attorney Kinsella stated that she will check with Attorney Frateschi on what was decided in 2010.

Member Kelly made a motion, seconded by Member Moliski and carried unanimously to refer this application to Miller Engineering for review for a fee up to \$1500.00.

Member Byrnes made a motion, seconded by Member Crossett and carried unanimously to hold a Public Hearing for the Phase 2, Section 18, Mallards Landing 2nd Amended Final Subdivision Map on Monday, June 10, 2013 at 7:00PM.

Nicholas & Dorothy Agrippino, 5040 Palmer Rd., Manlius, NY
Dorothy's Grooming & Boarding Facility
Recommendation To The Town Board-Special Permit
Tax Map #116-01-22.6

Ken Balamnt, representing the applicant submitted Plans by Koenig Architect's dated March 21,

2013, Sheet A2, First Floor Plan, Sheet A3, Second Floor Plan, Sheets A4 and A5, Elevations, the layout as plotted on a Subdivision Map of Lot 4 by David A. Vredenburg dated January 26, 2001, a Photograph Index and a letter from the Village of Chittenango.

Mr. Balamnt stated that the proposal is to construct a two story 36X56 Steel Building with the exterior of slate or charcoal in color to match the applicant's existing house. The Subdivision Map of Lot 4 consisting of 5 acres shows the existing 3700 sq. foot house and the proposed Building, Lot 5 consisting of 5 acres, which is owned by the applicant shows a 30X60 existing Horse Barn, 4 customer parking spaces, an extension of the existing driveway, and outside Kennels.

The proposed Building will be located approx. 210 feet east of the center line of Palmer Road and an additional 60 feet back from the house. The setback from the south property line is 50 feet and the setback from the east property line is 240 feet. The indoor outside Kennel will contain 5 dog runs, cement flooring, measuring 8X16 and will be surrounded by a 6 foot high Stockade Fence.

The Single Story Section of the Building will a grooming and waiting area, customer drop-off counter, a handicap accessible restroom and a kennel which will contain 13 cages.

The 2nd Story Section will contain a 1st floor wash area for the dogs, with the remainder of the 1st floor area to be used for storage by the applicants' family. The 2nd floor of that area will be for the boarding of cats and an area for the boarding of birds and small animals. There will be an animal bathing area, and an area to be used for grooming, office space and business storage.

There will be overnight boarding and the boarding is seasonal. Days and hours of operation will be Monday-Friday 8:00AM-5:00PM and every other Saturday 8:00AM-1:00PM. The grooming of animals is in and out on the same day.

Dorothy Agrippino stated that in reference to the boarding it is mostly on a 3 day average, with no more than 13, and is projecting 5 to 8 dogs at a time. She will be grooming 3 to 5 dogs a day. The Septic and Leach Field for the Kennel will be located 25 feet off of the back pasture.

The applicant and the Board discussed noise, the neighbors and their locations, a dog curfew, the number of outside dog runs, and the maximum number of dogs on site.

Member Rossetti made a motion, seconded by Member Moliski and carried unanimously to recommend approval of a Special Permit based on Plans by Koenig Architect's dated March 21, 2013, Sheet A2, First Floor Plan, Sheet A3, Second Floor Plan and the layout as plotted on a Subdivision Map of Lot 4 by David A. Vredenburg dated January 26, 2001 with the following conditions:

Noise Attenuation Must Be Addressed

Dog Curfew: 8:00AM-8:00PM-Dogs Cannot Be Outside Before 8:00AM Or After 8:00PM

No More Than 5 Outside Runs

Maximum Of 13 Dogs On Site

Approval Of Plans As Presented Without Significant Revisions

Anderson Hale Revocable Trust, 8473 Salt Springs Rd., Manlius, NY

4 Lot Preliminary Hale Subdivision North

Tax Map #091-02-17.0

Allen Olmsted, representing the applicant submitted a 4 Lot Subdivision Map dated April 4, 2013 by SeGuin Land Surveying, P.L.L.C., Project No. 13034, consisting of Lot 1, +/-43.824 acres, with an existing house, Lot 2, +/-3.000 acres, with an existing house, Lot 3, +/-35.00 acres, a building lot, Lot 4 +/-54.341 acres, a building lot and an Agricultural Data Statement.

It was noted for the record that this application has been referred to the Onondaga County Planning Board.

The applicant was informed of the Parkland fee of \$800.00, two building lots at \$400.00 each, per Section 127.20.1 (E) of the Town of Manlius Code.

Member Moliski made a motion, seconded by Member Byrnes and carried unanimously to hold a Public Hearing for the Anderson Hale Revocable Trust 4 Lot Preliminary Subdivision North on Monday, May 13, 2013 at 7:00PM.

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.

With there being no other business, Member Rossetti made a motion, seconded by Member Moliski and carried unanimously to adjourn the Meeting at 7:53PM.

Respectfully submitted,
Barbara A. Smith, Clerk