TOWN OF MANLIUS
PLANNING BOARD MINUTES
April 11, 2016

APPROVED

The Town of Manlius Planning Board met in the Town Hall at 7:00 PM with Chairman Susan Moliski presiding and the following Members were present: Fred Gilbert, Ann Kelly, Joseph Lupia, Don Crossett, Mike LeRoy and Walt Neuhauser. Also present were Attorney Timothy Frateschi and Town Engineer Douglas Miller.

Also Present: Mike and Ellen McGrew, Paul Curtain, Stella & John Penizotto, and Greg Sgromo.

The Pledge of Allegiance was recited.

Minutes

Member Neuhauser made a motion, seconded by Member Gilbert and carried unanimously to approve the minutes of March 28, 2016.

Shining Stars Daycare, Enders Rd., Manlius, NY 13104
Site Plan Review
Tax Map #'s 114.-01-09.0; 114.-01-10.0; 114.-01-11.0; 114.-01-12.0; 114.-01-13.0; 114.-01-14.0; 114.-01-31.0

Chairman Moliski asked the Board what they thought regarding this project and the applicant's request for variances.

Member Lupia said that this is a Residential, Multiple Use property as defined under the Town Code. The purpose of this zoning code is to preserve the residential character of the neighborhood. He is of the opinion that the mere size of the structure alone does not conform to RM usage. Additional problems of Lot Coverage, the fact that it is well above the statutory permitted coverage. The parking is insufficient according to our statutes. He is also of the opinion that this is a self-created problem; this is not a pre-existing problem. This is created by the nature of how the applicant is intending to subdivide between proposed Lots 1 and 2. This problem can easily be rectified by adding more property from Lot 1 onto Lot 2 therefore reducing the Lot Coverage and the need for a significant variance. The parking can be resolved by this solution too. He reviewed the resolution from Onondaga County and he is in full agreement with the County.

Chairman Moliski said that for those who haven't seen the County resolution, they did not make a positive recommendation for the Site Plan or Subdivision.

Member LeRoy said that he is of the same opinion as Member Lupia. This can be resolved by changing the sizes of the Lots and rearranging the parking. He also read the County resolution and he supports it.

Member Kelly said that she also thinks this is a self-created hardship and that there is plenty of land there. One nice building could go there. She is concerned about the right in and right out. She is in favor of 1 lot.

Member Neuhauser said that the daycare is a nice addition to the area, he supports that.

However, the coverage numbers from Doug fit and there shouldn't have to be a variance on the lot.

Member Gilbert stated that he is in favor of the daycare center, it fits in the area. He also agrees with Member Lupia regarding the RM Zoning and the residential feel.

Member Crossett said that he favors Lot 2 being as big as it can be and making Lot 1 as small as it can be, therefore being able to utilize both lots in the future. Ideally he agrees with Member Kelly about there being 1 lot, but it may create a financial burden for the Applicants.

Attorney Frateschi said that if the Applicant comes in with a subdivision map that has 2 conforming lots on it and as long as all the subdivision regulations are met, they have the right to subdivide the lot however they choose. Based on the Applicants representations that the existing day care center will be removed once the new one is built, Lot 1 will be vacant therefore its only requirement is that it has to be 40,000 square feet.

Attorney Frateschi reminded the Board that the purpose of tonight review of the project is to make a recommendation to the Zoning Board of Appeals for Lot Coverage and for parking in the front yard.

Chairman Moliski said that she is hearing a lot of the same things from the Board as they said at the last meeting, Lot Coverage and Parking are the big issues. This Board doesn't have a big problem with the parking as proposed although they would like the parking to be there in the event the building changes. She is hearing and agrees with the fact that this project can be accomplished in an efficient way with minimal lot coverage variances needed and still have a marketable nice lot on Lot 1.

Chairman Moliski then told the Board that she asked Attorney Frateschi to prepare a resolution. She asked the Board for any feedback they may have.

Member Lupia said that he is of the opinion that he takes no position on the parking; but with regards to the lot coverage, he would recommend a negative recommendation.

The Board collectively liked the resolution that Attorney Frateschi drafted. Member Lupia requested that there is a mistake in the draft that references the current zoning as RA when it should and it be changed to RM.

Attorney Paul Curtin asked to speak to the Board before the resolution was read. He said that at the last meeting the Board asked for information regarding the establishment of the parking ratio as it applies to the daycare facility, that information has been prepared and delivered to the Planning Board. They were also asked to give additional information about the general area, and there is no question that the surrounding area is not RM and this is an island within what he will call commercial development where the ratios are markedly different. He also stated that the new Lot Coverage would be at 39% of actual build out (when considering that much of the parking will be "banked"). He said the Board wanted to see as presented, on the amended subdivision plan, what is the new Lot Coverage. He finished by saying that the issues can really only be solved by the Zoning Board of Appeals and that they submitted all the data that the Board had asked for at the last meeting.

Attorney Frateschi read the resolution as drafted. (Please see attached for the Resolution)

Attorney Frateschi also read parts of the resolution from The Onondaga County Planning Board dated April 4, 2016. They recommend a disapproval of the Site Plan and the Subdivision. (Please see attached for the complete resolution).

Member Kelly made a motion, seconded by Member Gilbert and carried unanimously to approve the resolution as presented (with the appropriate correction of references to RA to be changed to RM) prepared by Attorney Frateschi.

Other Business

With there being no further business, Member Gilbert made a motion, seconded by Member LeRoy and carried unanimously to adjourn the Regular Meeting at 7:42pm.

Respectfully submitted,
Lisa Beeman, Clerk