

**TOWN OF MANLIUS  
PLANNING BOARD MINUTES  
January 10, 2022**

**APPROVED**

The Town of Manlius Planning Board hybrid meeting in-person and virtual live streaming with Chairperson Joseph Lupia presiding and the following members present: Ann Kelly, Arnie Poltenson, Richard Rossetti, Valerie Beecher, Edmond Theobald and Judy Salamone. Also, present were Attorney Jamie Sutphen and Planning Board Engineer Douglas Miller.

In-Person Attendees: Matt Napierala, William Adams, Jillian Blake, Michael Pettinato, Martin Ventre, Chris Carrick, Victor Goss and John Griffin

Virtual Attendees: Barbara Henry, Christine, David Neuman, Eric Curtis, Erik Anderson, Janie Lok, Jason Yagan, Jen, Jessica McCarthy, John Deer, John Gattuso, Joseph Messineo, Karthikeyan, Katelyn Kriesel, Meg, Melissa Clark, Raj, Sandy Kirnan, Sarah Collins, Susan Tormey, Sydney Haynes, Tim C-Listening, Veda, Vin, Warren Linhart

The Pledge of Allegiance was recited.

Chairman Lupia introduced two new members of the Planning Board, Judy Salamone, who used to be the Chairwoman of the Zoning Board of Appeals and Edmond (Ed) Theobald, former Supervisor of the Town, and welcomed them to the Board.

**Minutes**

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the minutes of November December 13, 2021. Members Theobald and Salamone abstained.

**Organizational Meeting**

The Town Board appointed Joseph Lupia Chairman of the Planning Board for a period of 1 year.

Member Beecher made a motion, seconded by Member Poltenson and carried unanimously to approve Baldwin, Sutphen and Frateschi Law Firm as Attorney for the Planning Board.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to approve Miller Engineering as the Planning Board Engineer.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve Lisa Beeman as the Planning Board Clerk.

Member Theobald made a motion, seconded by Member Salamone and carried

unanimously to approve the Planning Board 2022 Meeting Schedule, which states that the Board will meet on the 2nd and 4th Mondays of the Month at 6:30 PM and the Board approved the Application Filing Deadline Schedule is as follows:

Planning Board Meeting Schedule for 2022	
Meeting Date	Filing Deadline
January 10, 2022	December 29, 2021
January 24, 2022	January 13, 2022
February 14, 2022	February 3, 2022
February 28, 2022	February 16, 2022
March 14, 2022	March 3, 2022
March 28, 2022	March 17, 2022
April 11, 2022	March 31, 2022
April 25, 2022	April 14, 2022
May 9, 2022	April 28, 2022
May 23, 2022	May 12, 2022
June 13, 2022	June 2, 2022
June 27, 2022	June 16, 2022
July 11, 2022	June 30, 2022
July 25, 2022	July 14, 2022
August 8, 2022	July 28, 2022
August 22, 2022	August 11, 2022
September 12, 2022	August 26, 2022
September 26, 2022	September 14, 2022
October 10, 2022	No Meeting
October 24, 2022	October 13, 2022
November 14, 2022	November 3, 2022
November 28, 2022	November 17, 2022
December 12, 2022	December 1, 2022
December 26, 2022	No Meeting

**William T. Adams – 7145 Ferstler Road, Kirkville, NY 13082**

**Public Hearing – 2 Lot Subdivision – 7063 Ferstler Road, Kirkville, 13082**

**Tax Map # 042.-01-21.1**

Attorney Sutphen reviewed the 11 questions in Part 2 of the EAF with the Board and the Board agreed unanimously that the action would have no, or a small impact on the environment.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously

to issue a Negative Declaration under SEQR and authorized the Chairman to sign the short form EAF.

Member Salamone made a motion, seconded by Member Rossetti and carried unanimously to waive the reading of the Public Hearing Notice.

Member Theobald made a motion, seconded by Member Kelly and carried unanimously to open the Public Hearing at 6:36PM.

Chairman Lupia stated that the Board received one letter opposing the subdivision because the property was purchased at auction and the Applicant is trying to make money on the subdivision.

Hearing nothing from the public, Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to close the Public Hearing at 6:49PM.

Chairman Lupia told the Board that at the present time, the Applicant has an expired Building Permit with the Planning and Development Office. He asked the Board to consider this when making the motion, the Final subdivision maps will be signed by the Chairman upon completion of the existing Building Permit. He asked Mr. Adams how long it will take to complete the permit. Mr. Adams said about 6 months.

Member Rossetti made a motion, seconded by Member Beecher and carried unanimously to approve the Subdivision map prepared by D.W. Hanning L.S., P.C. - Surveyor titled "Adams Subdivision" dated 10-14-2019 – project number J182797. With the following conditions: that the Final Subdivision map be signed by the Chairman only after the currently expired Building Permit is complete. The Planning Board has granted a 6-month extension of the expired Building permit to expire on June 30, 2022.

**Harrington Homes - 3848 Henneberry Road, Jamesville, NY 13078**  
**Public Hearing - 34 Lot Subdivision & Site Plan – Harrington Homes at**  
**Brandywine - Brandywine off of Henneberry Road**  
**Tax Map # 109.-02-07.1**

Matt Napierala spoke on behalf of the Applicant.

Chairman Lupia stated that SEQR is usually done before the Public Hearing and asked Attorney Sutphen to go over the 11 questions. As Attorney Sutphen read the 11 questions. There are still some unanswered questions regarding SEQR, so the Board held off on voting for a Negative Declaration until after the Public Hearing.

Member Rossetti made a motion, seconded by Member Theobald and carried unanimously to waive the reading of the Public Hearing Notice.

Member Salamone made a motion, seconded by Member Beecher and carried unanimously to open the Public Hearing at 6:53PM.

1. Victor – 108 Brandywine – concerns regarding traffic in the already existing neighborhood; concerned about how long the project is going to take to complete; are there any public facilities planned such as a park; concerned about the water and how it is going to be mitigated.
2. Tim Guhl – 4528 Henneberry Road – read a letter to the Board that he had previously sent. This letter is on file in the Planning and Development office. He is concerned about the wells and adequate water supply; concerned about the trees across the street and would like them to stay.
3. Marty – 4510 Henneberry Road – has never run out of water; concerned about water and wants to make sure he will not run out of water when the new development begins.
4. Jen – 115 Brandywine – concerned about water in yard and house; also concerned about flooding and drainage. Traffic is also a concern, are there going to be any sidewalks?
5. Vin – via Zoom - Does this new Property has its own entrance and exit road from Henneberry road? And does this new property use public water or well water?
6. Erik Anderson – via Zoom - If we can ask questions, I would like to know if the sewer from the proposed development will tie into the current sewer on Brandywine. If yes, can the current Brandywine sewer handle the additional load of 34 more additional homes in its current state, or will it need an upgrade?
7. Tim C – via Zoom - we are next door to the property mentioned and we are on well also. we are located next to proposed development and are very concerned about our well 7400 E Seneca Turnpike. The culvert was totally compromised and eroded part of 173 they rebuilt it the stream runs through our property going under 173 to 3 falls woods would there be more water?

Mr. Napierala stated that the homes will be on public Sanitary Sewer and individual wells for water supply; The project will be developed in approximately 4 phases with approximately 6- 8 homes per phase. Mr. Napierala also spoke about well testing and drilling, stormwater mitigation.

Member Poltenson asked about the pond, will it be built to damn standards? Mr. Napierala said as soon as they reach a certain volume, a DEC permit is required.

8. Sydney Haynes – via Zoom - 7394 East Seneca Turnpike - (on well water)
  - 1) Is there a plan in place to test the well water supply after each construction phase with publicly available results?
  - 2) If the water supply of adjacent properties are found to be adversely impacted by the development is there a plan in place to remediate homeowners who may be impacted?

Member Beecher told the developer that the Board has received a letter of support for the project.

Hearing nothing more from the Public, Member Rossetti made a motion, seconded by Member Salamone and carried unanimously to close the Public Hearing at 7:49PM.

Chairman Lupia stated that this application has been referred to the Onondaga County Planning Board and this Board is awaiting their decision, therefore a decision cannot be made at this meeting. The Chairman also stated that the Board would like to see the following information:

1. Building Envelopes drawn on the final plan
2. Detention Areas and future ownership

The matter was tabled until further information is received and the OCPB has rendered their opinion.

**Abundant Solar Power, LLC – 700 West Metro Park, Rochester, NY 14623**  
**2<sup>nd</sup> Presentation – Site Plan & Special Use Permit – Solar Array – 5701 Bowman Road, East Syracuse, NY 13057**  
**Tax Map # 074.-01-06.1**

Jillian Blake was in person representing the Applicant while Melissa Clark participated via Zoom.

Chairman Lupia thanked the Applicant for providing the Conflict-of-Interest letter, the Board has received the email regarding the continuation of maintenance of the property from the DEC and the revised maps that were submitted. There was however, one question from the Highway Superintendent, regarding the exterior perimeter roadway is listed as a 12foot road, it has to be a 20foot wide roadway for emergency vehicles. Ms. Blake said that they are currently not proposing an access road but maintaining a dry space around the perimeter fence for a pickup truck to have access. There will also be a center access road that will allow access for the maintenance of the panels. Chairman Lupia asked what type of road is that proposed to be? Ms. Blake said a 12foot wide stone road with a turnaround at the end.

Member Rossetti asked about the perimeter road. Ms. Blake stated that there is no road around the perimeter, it would just be maintained access. Ms. Blake said that they can provide 20feet of space around the perimeter, but they are not proposing to make that an improved road.

Member Theobald said that the biggest concern is Emergency vehicles. Chairman Lupia agreed, with the concern being that the emergency vehicles could get stuck if there is not a dedicated road. Ms. Blake asked if this was the request of Rob, the Highway Superintendent? Engineer Miller said its two-fold, the request from Rob and the request of the First Responders because they cannot get the emergency vehicles onto the road. It is also a strong recommendation that there be some type of surface road.

Ms. Blake asked if expanding the center access roadway would be sufficient? Member Rossetti stated that the ring road, as depicted on the Site Plan, is important for testing four times a year and emergency vehicles if necessary. Ms. Blakes concern is that they

would be adding impervious area, more area for runoff and there is no additional space on this site to manage stormwater.

Member Rossetti stated that in terms of the lease, he reached out to Abundant Solar, and they stated that they do not wish to renegotiate the lease. Chairman Lupia stated that at the Agenda meeting, it was brought up to the Town Attorney Frateschi and Planning Board Attorney Sutphen, the Planning Board does not want to renegotiate the lease, they are simply asking for an addendum for the Town to do (testing, etc.) what they have that is required by law on that property. Attorney Frateschi said the solution was to ask for something in writing from the Applicant to that affect. Attorney Frateschi reached out to Abundant Solar, and they did provide such letter. Chairman Lupia said from a legal standpoint, that is good enough and the Board can proceed forward.

Member Rossetti stated that the legal description for the premise, the lease area for the access easement for the future easements have not been defined. Abundant has defined them, the Town Board, who is the only entity that has the authority, has not yet approved those items. Attorney Sutphen said what she believes this Board is approving whatever easements are on the proposed Site Plan map and that will be sufficient. Member Rossetti said that he does not know what they are leasing because it has not yet been approved by the Town Board, therefore he cannot approve a Site Plan on a piece of property that he does not know the dimensions, the legal description. There is no way, in his opinion, that the Planning Board can approve a Site Plan on a land that we do not know exists.

Member Beecher made a motion, seconded by Member Theobald and carried unanimously to hold a Public Hearing regarding Site Plan and Special Use Permit on January 24,2022 at approximately 6:35pm.

### **Other Business**

Chairman Lupia gave the Board an update on the status of 8428 Brae Leure. The building has not been completed and the permit extension has run out. The Board does not need to take any action as there is nothing further before this Board. Therefore, whatever legal action is required are the next steps.

With there being no further business, Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to adjourn the Regular Meeting at 8:23pm.

Respectfully submitted,  
Lisa Beeman, Clerk