

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
February 28, 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: Barbara Henry, Rod Ives, Mike Papa, Michael Pettinato

Virtual Attendees: Joe & Anne Messineo, David Tyler, Matt Napierala, Warren Linhart, David Zuber

The Pledge of Allegiance was recited.

Minutes

Member Rossetti made a motion, seconded by Member Beecher and carried unanimously to approve the minutes of February 14, 2022.

6:31PM - A&E & SNY Center – Suite 38, 5781 Bridge Street, E. Syracuse, NY 13057
Discussion - Zone Change Recommendation – Medical Center – Behind Resort
Lifestyles - Tax Map # 086.-01-03.9

Rod Ives, Napierala Consulting and Mike Papa spoke on behalf of the Applicant.

Mr. Ives stated that at the last Planning Board meeting the Zoning class of (Neighborhood Shopping) NS was recommended instead of Commercial A) CA. It was discussed with the Applicant and the issue with NS is that the setbacks on the property are different than they are in CA. They will need a variance to continue with the plan in the NS zone. Mr. Ives also stated that a letter was sent to the Supervisor and the Planning Board stating the Amendment to the Application from CA to NS.

Chairman Lupia thanked the Applicant for considering and changing the Zoning classification. He also stated that the NS Zoning would be a much less intense usage for the property.

Conversation ensued regarding a variance from the Zoning Board of Appeals for the project and dates of various meetings.

Member Kelly made a motion, seconded by Member Theobald and carried unanimously to send a positive recommendation to the Town Board for a Zone Change for A&E & SNY Center, with the findings that the NS Zone is a better fit for the area instead of the CA zoning requested and The NS zone is a less intensive use than the CA and further

the uses in an NS zone with have little to no impact for the residents and the NS Zoning will be consistent.

6:48PM - Harrington Homes - 3848 Henneberry Road, Jamesville, NY 13078
Discussion - 34 Lot Subdivision & Site Plan – Harrington Homes at Brandywine -
Brandywine off of Henneberry Road
Tax Map # 109.-02-07.1

Christian Hill and Michael Pettinato spoke on behalf of the Applicant. Mr. Hill stated that this project is intended to be built in 3 phases; included in the first phase will be the stormwater management facility. Member Rossetti asked about whether the basins are on private lots or on common areas. Mr. Hill stated right now that the stormwater basins will be on privately owned lots with easements.

Chairman Lupia stated that the Board recommends that individual properties have stormwater basins on their property, and that the basins should be a community item and it should be on an HOA type of property. Mr. Hill stated that if that is what the Board would like to see, they can make it happen. He believes that it is the intention to have a plat map drawn by a surveyor and have that land owned and maintained by the HOA.

Chairman Lupia expressed concern about Lots 6,7 & 8 as they are split between phases and they should be in 1 phase, not 2 separate phases. Mr. Hill said he does not see why the lots could not be part of the first phase. Conversation ensued regarding the back of the lots and the basins.

Chairman Lupia expressed concern about Lots 9 & 10, as they do not appear to have enough road frontage; this may have to go in front of the Zoning Board of Appeals for variances. Member Beecher asked how critical it is was to build on Lots 9 & 10? Mr. Hill said he would have to ask but he knows they want the lots to be buildable.

The Board asked the following to be considered:

1. All stormwater facilities to be in a common area, owned by the HOA, not within an easement on private land.
2. Lots 9 & 10 will need variances for Road Frontage
3. Lots 6, 7 & 8 should be apart of 1 phase not 2
4. The Phasing Plan is a concern – 6-8 homes were talked about in the beginning and now the plan is 12 homes in the 1st phase.

The Board tabled the application until further information is received.

7:06PM - Other Business

Chairman Lupia read a statement regarding the Abundant Solar Project on Bowman Road. See exhibit A. Other members commented as follows

Member Rossetti spoke about the problems with the lease.

Member Theobald stated that the Town Board did submit a resolution regarding the new law and will be holding a Public Hearing. Chairman Lupia expressed concern that if the law is passed, the Public will not be aware of and will not have any say regarding the Solar Project.

Member Poltenson expressed that this action by the Town Board is a terrible way for this matter to be handled and that the Town Board is going around the Planning Board which has a lot of knowledge and moving ahead with the project with Planning Board input.

Member Salamone is concerned by the fact that the Planning Board members have visited houses during this process and are aware of the area and the Town Board is overlooking this. She further noted that many of the letters of support were form letters by people in Manlius who will not have to look at the Solar panels.

Chairman Lupia thanked the members for their thoughts and comments. The Law is only pending, but the Town Board will be making a decision on it and hopefully they do the right thing.

With there being no further business, Member Rossetti made a motion, seconded by Member Salamone and carried unanimously to adjourn the Regular Meeting at 7:19pm.

Respectfully submitted,
Lisa Beeman, Clerk

There is one additional item that I would like to discuss:

At our last meeting, on February 14th we announced that we had just received a notification from Abundant Solar that they were withdrawing their application for a solar project on the Towns Bowman Road property. We were not told why. That project has not been truly withdrawn.

The Town Board has now adopted a Resolution calling for a change in Town Law 155-27.2. This new proposed law, if passed, will permit the Town to proceed forward without the Town Planning Board's Approval of either the Special Use Permit or Site Plan Approval.

While Abundant's application was pending before our Board, we heard from 235 people as to their opinions about this proposed project. 145 were against this; including 43 from Star View to the South and 63 from Clark Hill to the immediate North. It was very apparent that many letters were sent on form letter: it became very clear also that those persons asking us to support Solar energy were totally unaware of the position of this Planning Board.

This Board is and has been strongly in favor of solar energy and solar projects, if appropriate.

We have approved the East Taft Road project with 4.35 MW of power;
We approved the Kirkville Road project with 1,5 MW of power;
We recommended approval of the Collamer Road project with 1.98 MW of power;
We approved the North Eagle Village project with 5 MW;
We approved the Green Lake Road project with 5 MW of power;
And we approved the Duigood Road project with a large 11.5 MW of power.

This board has approved over 29 MW of renewable power. It was a disservice to the people of this Town for the organizer of that letter campaign to have implied that this Board needs to get on board and start supporting Solar energy.

But Abundant's application is withdrawn, so no one will know what action this board would have taken.

If this proposed law passes, the public needs to understand that the vast experience of the members of this board will be usurped, and we will be circumvented.

An even bigger concern is that the public will no longer have a say. There will be no requirement of a public hearing. The Town would be able to move forward without the approval of its citizens, as they would not be required to hold a public hearing on this solar project. Eliminating the say of its people is a dangerous form of Government.

I can only pray that the members of the Town Board think seriously of the consequences of this proposed law.