

**TOWN OF MANLIUS  
PLANNING BOARD MINUTES  
April 26, 2021**

**APPROVED**

The Town of Manlius Planning Board convened with the members live streaming from their homes and in accordance with the Executive Order of the Governor to assure compliance with the Open meetings Law. Chairperson Joseph Lupia presided, and the following Members were present: Fred Gilbert, Ann Kelly, Mike LeRoy, Arnie Poltenson, Richard Rossetti and Valerie Beecher. Also, present were Attorney Jamie Sutphen and Town Engineer Douglas Miller.

Also, Present: Tom Oot, Ken Holland, Carlie Hanson, Kate Johnson, Amy Dake, Andrew Hart, Alex Hebert

The Pledge of Allegiance was recited.

**Minutes**

Member Rossetti made a motion seconded by Member Kelly and carried unanimously to approve the minutes of April 12, 2021.

**Brolex Properties – 5912 North Burdick Street, East Syracuse, NY 13057**  
**Determination - Subdivision and Site Plan – Freeman Estates – 12 Lots – 7430**  
**Highbridge Road, Fayetteville, NY 13066**  
**Tax Map # 101.-02-02.1**

Tom Oot, Applicant, was present.

Chairman Lupia stated that the Board was waiting to hear from the Onondaga County Planning Board before a decision by this Board could be made. The OCPB has responded.

Attorney Sutphen stated that a proposed resolution was written.

Member Rossetti asked if the Applicant has a Route 92 curb cut approved by the County DOT? Mr. Oot said that they have a tentative approval, all the applications have been submitted. Engineer Miller stated that he has spoken with Engineer Ed Reid and he indicated the same, that there does not appear to be any issue, it is the same driveway that is already on the property.

Since receiving the comments from the OCPB (Onondaga County Planning Board), Member Beecher asked if the Applicant has done either or both of the Advisory Notes asked by the Board, contacting the Water Authority Engineering Department for Hydrants and OCWEP. Mr. Oot said that he has spoken to the Water Authority and it is not an issue. Concerning OCWEP, there is a trunk sewer that runs along Limestone Creek, there should not be an issue there either. Engineer Miller said that up until last year the Town of Manlius was Lead Agency on offset plans, we would have required the

Applicant to turn in an offset plan. The offset plan is still required, the Town has turned over, on a 40-year lease, operation of the sewer system to OCWEP. Engineer Miller suggested that as a condition, an offset plan from OCWEP should be submitted before building permits are issued.

Chairman Lupia read parts of the resolution that have been agreed upon by the Applicant and Legal Counsel. Some of the conditions are as follows:

1. Right of Way Covenants
2. The 17 Acres are going to be Forever Wild and indicated so on the Final Maps.
3. Additional Trees can be planted if the Homeowners choose to do so in the forever wild area.

Conversation ensued regarding Covenants and HOA's.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to approve the Site Plan, Subdivision as presented, and the Resolution as written by Counsel.

**KAJED Enterprises, 900 Old Liverpool Road, 13090**  
**Building Permit Extension – 8428 Brae Leure Road, Manlius, NY 13104**  
**Tax Map # 099.-02-30.0**

Ken Holland, Applicant stated that they are building the house out of pocket and they ran into some cost issues due to site conditions and unknown issues they were not expecting. They are waiting on financing to complete the project.

Chairman Lupia stated that there are photographs of the property that have been circulated to the Board Members regarding the condition of the property. He stated that there are all kinds of various trash and after he visited the property, he is very concerned with the condition of the lot. Mr. Holland said that the containers are for the building materials, the other various items will be cleaned up. Most of the materials are building materials.

Chairman Lupia stated that there have been anonymous complaints regarding the property. Code Officer Randy Capriotti also visited the site and is of the opinion that the extension of the Building Permit is not granted until the site has been cleaned up.

Member LeRoy asked what the timeline is to complete the project? Mr. Holland said 6-9 months max. He also said it should take less than 2 weeks to clean up the lot.

Attorney Sutphen said that this Board can approve the application extension but will not be granted or given to continue construction until the Town Code Officer gives his approval regarding the clean-up. Mr. Holland would very much like to clean up the property and would like a list from the Board/Code Officer as to what exactly needs to be cleaned up.

Member Rossetti stated that he would not like to approve the Building Permit extension until the Board receives correspondence from the Code Officer saying the property has been cleaned up.

Member Rossetti made a motion, seconded by Member Poltenson to deny the extension of the Building permit. Attorney Sutphen suggested keeping the application open. Chairman Lupia suggested adjourning the matter until the property is cleaned up and the Code Officer is satisfied. Member LeRoy believes that the Board should give the Applicant a chance to clean up the property. Member Beecher agrees with Member LeRoy, the applicant is not argumentative and seems willing to clean up the property accordingly. Member Poltenson rescinded his second to the motion after hearing that the Applicant should be able to clean up the property in 2 weeks. The motion did not pass.

Mr. Holland will call the Code Officer tomorrow and get a list of what needs to be done.

Member Kelly made a motion seconded by Member LeRoy and carried to table the matter until May 10, 2021 with the condition that the clean-up is done by the next meeting. Member Rossetti voted no.

**Route 5 Development Company – 540 Towne Drive, Fayetteville, NY 13066**  
**Initial Presentation – Site Plan – Lot 15 Restaurant Building – 406 Towne Drive,**  
**Fayetteville, 13066**  
**Tax Map # 087.-01-15.2**

Kate Johnson, Andrew Hart, Carlie Hanson and Amy Dake were present as the Applicants.

Ms. Johnson stated that the property is Zoned Regional Shopping Center (RS) with 1.58 acres, the vacant parking lot between McDonalds and Key Bank. They are proposing an approximately 7500 square foot building, housing 2 restaurants, both are considered fast casual. The larger restaurant will have a traditional drive-thru and the smaller one will be a mobile pick up site only.

Mr. Hart stated that the building is going to be 7240 total square foot, one-story building. Restaurant “A” will be approximately 2410 square feet and Restaurant “B” will be approximately 4500 square feet. There will also be a 330 square foot mechanical room in the back of the building to be shared by both tenants. There will be 2 access points to enter the site, one from the east and one from the west, both accommodating 2-way traffic. There will be tractor trailer access for goods to be delivered. Conversation ensued regarding the tractor trailer deliveries and times for deliveries.

Member Rossetti asked if the Fire Departments had been contacted regarding fire trucks being able to maneuver the site. Mr. Hart said they have not been in contact yet. Member Rossetti would like to see a letter from the Fire Departments stating that the area is good for fire trucks.

Member LeRoy is very concerned about the traffic issues and flow of traffic. He has concerns about stacking and how does the traffic enter and exit the site.

Attorney Sutphen asked if there has been a Codes Analysis done regarding parking on a structure this size. Mr. Hart said yes and they within the limit for parking spaces per Town Code, they have 48 spots.

Mr. Hart stated that they have expanded the already existing sidewalk into the site for pedestrian traffic.

The Board is very concerned about traffic. Conversation ensued regarding traffic patterns, ingress and egress. Ms. Dake stated that there are several access points for the Towne Center and all 4 locations were studied.

Chairman Lupia stated that the Board has received correspondence from the Fayette Manor Homeowners Association President regarding having a traffic study done at the entrance to Fayette Manor.

Member Kelly asked when the building were projected to be built? Ms. Johnson said this year. Chairman Lupia asked about façade? Ms. Hanson the building will be similar to the already existing buildings within the Towne Center, brick walls, green roof.

The Board decided to table the matter until May 10, 2021. The Board asked for an updated plan, a traffic study and the SWPPP.

**Alexander Hebert – 7119 North Manlius Road, Kirkville, NY 13082**  
**Initial Presentation – 2-Lot Subdivision – Schepps Corners Road. Rd & North**  
**Manlius Rd.**  
**Tax Map # 040.00-02-021.1**

Due to a conflict of interest, Chairman Lupia recused himself and asked Member Gilbert to take over as acting Chair.

Mr. Hebert, Applicant, stated that he would like to subdivide the 49+/- acres to make 2 lots, 1 being 3.24 +/- acres on Schepps Corners Road for a potential house in the future and the other lot to stay vacant.

Engineer Miller stated that the Northeast corner of the property is in the wetlands. Surveyor wrote on the existing map that the property is in regulated wetlands and is delineated on maps on file in the Town Clerks Office. Engineer Miller also said that there are Federal Wetlands on the corner, and it may be very difficult to build on. Mr. Hebert understands and will take it into consideration.

Conversation ensued on who owns the property and the surrounding lands.

Member Kelly made a motion seconded by Member Rossetti and carried unanimously to hold a Public Hearing on May 10, 2021 at approximately 6:35PM.

Chairman Lupia re-entered the meeting.

**Other Business**

Chairman Lupia stated that Attorney Sutphen, Engineer Miller and Board Members have been working diligently on the resolution for Woodland Hills (Hoag Lane) and it should be ready for the next meeting on May 10, 2021. Attorney Sutphen said that the resolution will be ready in advance of the next meeting and will be distributed to Board members beforehand. Chairman Lupia said this will be the final EIS statement.

With there being no further business, Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to adjourn the Regular Meeting at 8:11 pm.

Respectfully submitted,  
Lisa Beeman, Clerk