

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
May 10, 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: Alex Hebert, Bob and Sharon Caron, Ed Puerta, Andrew Day, Ari Goldberg, Drazen Gasic, Vincent Ryan, Rudy Zona, Tom Douglas, Scott Freeman

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 26, 2021.

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.

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

Member LeRoy made a motion, seconded by Member Poltenson and carried unanimously to Open the Public Hearing at 6:34PM.

Hearing nothing from the Public, Member LeRoy made a motion, seconded by Member Rossetti and carried unanimously to close the Public Hearing at 6:35PM

Acting Chairman Gilbert stated that the Board could not take any action tonight due to the fact that they have not heard from the Onondaga County Planning Board yet. The Board tabled the matter until May 24, 2021.

Chairman Lupia re-entered the meeting.

Robert Caron Homes, 7990 Blarney Stone Way, Manlius, NY 13104

Final Approval – Austin Meadows – Phase 5 – Austin Meadows Drive

Tax Map # 113.2-04-03.1

Chairman Lupia stated that there was a work session with the Town Engineer Doug Miller and Attorney Sutphen to review the old plan and the new plan. The conclusion was that the Final plan is in conformity with the preliminary plan that had been approved previously.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to approve Austin Meadows, Phase 5, Final Plan as submitted.

CVE North America, Inc. 109 W. 27th Street, New York, NY 10001

2nd Presentation - Subdivision/Site Plan/Special Use Permit

Solar Array - Duguid Road, Manlius, NY 13104 Tax Map # 099.-01-03

Ed Puerta, Attorney with Nixon Peabody, spoke on behalf of the Applicant.

Attorney Sutphen stated that at the last meeting, the Board asked her to get more information in relation to the large megawatt solar array. This project is on 5 separate parcels. Attorney Sutphen spoke to Chris Carrick at the County and he stated that this is a valid scheme, and the applicants are not trying to “get around” the system.

Attorney Sutphen also spoke to Jared Lusk and asked him to provide the easements between the lots for the subdivision purpose, this Boards concern is that these lots are not accessible to the road.

Member Kelly is concerned about Lot 4 and the buffering to her property.

Member Rossetti is concerned about the 1-mile limit in between solar projects. He stated in the written law that there is a 1-mile separation for a reason.

Conversation ensued regarding the 1-mile limit between Solar Array’s and the Code. Member’s Rossetti and Kelly understand that this is one project, but they believe that these are 3 separate solar farms.

Chairman Lupia stated that he has reached out to the Town Board for some guidance and the Town Board is starting to work on a Comprehensive Plan for development in the Town. Chairman Lupia spoke to Councilor Bollinger and stated that the Planning Board has approved 5 solar arrays and have 3 pending solar applicants; input has been asked for what the Town Boards intentions are in, so the Planning Board knows what the Town Board is looking for in regard to Town development. They will report back once a consensus is reached.

As the Board considers this project, Attorney Sutphen recommends putting “not Buildable Lots” on the Subdivision Final maps.

Member Beecher stated that the area is secluded, and the panels will not be seen from the road. She also stated that in recent training, one thought would be to have a moratorium on Solar projects until the Comprehensive Plan is complete.

Member Kelly and Chairman Lupia asked if the Applicant could stake the property so the members can see where the arrays will lie on the property.

Chairman Lupia had intended to set a date for a public hearing on this matter but is hearing a few issues with the project. He is hearing the following:

1. Is this one solar project or 3?
2. Can this project be within 1-mile of the other projects?

We need to answer these questions before the project can move forward.

Attorney Sutphen advised that this can be treated as a single unit, its unusual, but it is the only way that this can be built according to the state.

Conversation ensued again regarding the 1-mile limit between Solar Arrays and maybe having work sessions with the Town Board regarding the Comprehensive Planning.

Member Poltenson made a motion, seconded by Member Rossetti and carried unanimously to table the application until June 14, 2021 to gather more information and speak to the Town Board to decide which direction they wish the Planning Board to take as it relates to the Comprehensive Plan.

Andrew Day, Labella Associates, 41 West Elm Street, Greenwich, Ct. 06830
Initial Presentation – Site Plan and Special Permit - Salt Springs Road Solar
Solar Array – 8540 Salt Springs Road
Tax Map # 100.-01-11.1

Andrew Day, Ari Goldberg and Drazen Gasic were present on behalf of the Applicant.

Mr. Goldberg stated that the Applicant is proposing a 5-megawatt solar facility, the property is about 85 acres, the array will be approximately 33 acres with fences. This Solar Array site approximately 1.1 miles from the Solar Array on North Eagle Village Road.

Member Gilbert made a motion, seconded by Member Kelly and carried unanimously to declare the Planning Board Lead Agency for SEQR.

Member LeRoy made a motion, seconded by Member Rossetti and carried unanimously to table the application until June 14, 2021 to gather more information and speak to the Town Board to decide which direction they wish the Planning Board to take as it relates to the Comprehensive Plan.

Woodland Hills Subdivision (Hoag Lane Development)
201 Solar Street, Syracuse, New York 13204
SEQRA Determination - 21-Lot Subdivision –
5290-5320 Hoag Lane, Fayetteville, NY 13066
Tax Map # 104.-01-39.2

Chairman Lupia stated that the Board has previously completed all Public Hearings, the time period has gone by for additional public comment and the Applicant was provided

an opportunity to respond to the public comments and did so through Counsel. This was adjourned until tonight for a decision relative to the Final Environmental Impact Statement. All Board members have contacted Counsel and expressed their thoughts, opinions and their rationale for their opinions relative to the Final SEQRA. The opinion has been reduced into writing.

Chairman Lupia asked the Board if they have had the chance to review the following documents with an opportunity to comment upon them or make changes:

1. Final Environmental Impact Statement for Woodland Hills – Dated May 10, 2021
2. The Final Environmental Impact Statement Appendix including all the documents noted on the FEIS Appendix.
3. The proposed Resolution to accept the FEIS as complete.

The Board voted as follows:

Chairman Lupia – Yes
Member Gilbert – Yes
Member Kelly – Yes
Member LeRoy – Yes

Member Poltenson - Yes
Member Rossetti - Yes
Member Beecher - Yes

Chairman Lupia read the Final Resolution from the Final EIS. (please see attached resolution).

Chairman Lupia made a motion seconded by Member Rossetti and carried unanimously to approve the Final Environmental Impact Statement as presented and circulated among members.

The Board voted as follows:

Chairman Lupia – Yes
Member Gilbert – Yes
Member Kelly – Yes
Member LeRoy – Yes

Member Poltenson - Yes
Member Rossetti- Yes
Member Beecher - Yes

The FEIS and the FEIS Appendix will be published as required by law on the Town of Manlius website (www.townofmanlius.org) and the Notice of Completion will be sent out to all interested agencies in the next day or so. Because of a mandatory 10 day waiting period, the Board is unable to make a final vote tonight relative to the petition itself for Subdivision and Site Plan. The project will be placed on the next Agenda, May 24, 2021 for a final determination.

Other Business

Member Rossetti asked about the property located at 8428 Brae Leure.

Chairman Lupia stated that the Board had postponed the matter for 2 weeks and there is progress being made, but there has been insufficient progress for the Board to decide tonight. Therefore, there was a request made that this item be removed from the calendar. Chairman Lupia wants to give the Applicant a chance to clean up the property. He has heard from a neighbor that there is progress being made. Director of Code Enforcement Randy Capriotti has confirmed that progress is being made.

Member Rossetti stated that at the last meeting, the Board gave him 2 weeks to clean up the property, the 2 weeks are complete, and he has not cleaned it up yet. Do we grant the extension, do we give it another 2 weeks? He believes the Board should do something based on the last motion that was made. Member LeRoy agrees with Member Rossetti.

Member LeRoy asked if the project is not complete in the next 2 weeks? Chairman Lupia said at some point the Board will get tired of giving extensions and then they will vote on whether to grant the Building Permit extension.

Member Gilbert asked if Randy felt that the Applicant was making progress and is he continuing to make progress. Engineer Miller stated that there has been equipment moved to the site to help with the clean-up efforts. Member Gilbert stated that Randy should tell the Applicant that this will be the last extension that the Planning Board will give. Engineer Miller said that he would work with Clerk Beeman on drafting a letter to Mr. Holland about what the Board has discussed.

Member Kelly made a motion, seconded by Member Beecher and carried. The motion states that if Code Enforcement Officer Capriotti is working with the Applicant, the Board should grant him an extension of 2 more weeks.

The Members voted as follows to grant another 2-week extension to the Applicant:

Chairman Lupia – Yes
Member Gilbert – Yes
Member Kelly – Yes
Member LeRoy – No

Member Poltenson - Yes
Member Rossetti- No
Member Beecher - Yes

The motion carried 5-2.

With there being no further business, Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to adjourn the Regular Meeting at 7:49pm.

Respectfully submitted,
Lisa Beeman, Clerk