

**TOWN OF MANLIUS  
PLANNING BOARD MINUTES  
May 24, 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, Tom Douglas, Scott Freeman, Ken Holland, Carson Weinand, Lara Pruschki and Jared Lusk

The Pledge of Allegiance was recited.

**Minutes**

Member Rossetti made a motion seconded by Member Kelly and carried unanimously to approve the minutes of May 10, 2021.

**Alexander Hebert – 7119 North Manlius Road, Kirkville, NY 13082**  
**Final Determination – 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.

Acting Chairman Gilbert stated that the Board has heard back from the Onondaga County Planning Board in reference to this project and they have no objections.

Member Poltenson made a motion, seconded by Member LeRoy and carried unanimously to declare the Town of Manlius Planning Board Lead Agency for SEQR.

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

Member Rossetti made a motion seconded by Member Beecher and carried unanimously to approve the 2-Lot Subdivision map dated March 29, 2021, prepared by Myers and Associates.

Chairman Lupia re-entered the meeting.

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

Chairman Lupia asked Town Engineer Doug Miller to give the Board the status of the project. Engineer Miler stated that he met with Mr. Holland this afternoon and it looks like a lot of effort has been made to clean up the property. The Board did receive a letter from a neighbor concerned about the state of the property. Engineer Miller said that the 2 storage trailers on the property can be moved to the back of the property.

Mr. Holland apologized for the state of the property. He stated that the one trailer is full and usually cannot be moved if its full, he will contact the company to see if it is possible. He will remove the other Trailor from the site.

Member Rossetti asked what the Applicants timeline was regarding finishing the house, the landscaping, etc. Mr. Holland said they are working with a new bank and his goal is 6 months to complete everything.

Member Kelly made a motion seconded by Member Rossetti and carried unanimously to approve the Building Permit for a time period of 6 months. The Board would like the front yard seeded, the landscaping done, and the trailers moved or gone.

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

Chairman Lupia gave a background of the SEQRA action and stated that at the last Planning Board meeting the Board voted to accept the Final Environmental Impact Statement and the Board adopted a resolution to that effect, dated May 10, 2021. The FEIS was published on the Town website and distributed as required by SEQRA. The Board is now able to make a Final SEQR Determination. Chairman Lupia asked the Board if they had received and reviewed in advance of the meeting the draft of the Findings Statement to be voted upon this evening and all Board members noted that they had so reviewed and received document. Attorney Sutphen further noted that all Board members received the draft of the that everyone has had the opportunity to comment and did, in fact comment. The Board members agreed with this statement.

Attorney Sutphen summarized the SEQRA Findings Statement as presented from the Findings Statement as attached hereto.

A motion was made by Member Rossetti, seconded by Member Gilbert and carried unanimously to adopt the Final SEQRA Findings Statement as attached hereto.

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

Attorney Sutphen next summarized the Resolution relating to the Board determination on Subdivision and Site Plan in accordance with the Resolution attached hereto.

Member Rossetti made a motion seconded by Member Poltenson and carried to adopt the Resolution attached hereto as related to denial of the Subdivision and Site Plan as presented. Chairman Lupia asked if everyone had the opportunity to in advance review and comment on the Resolution. Each Board member answered in the affirmative.

The Board voted on the Resolution as follows:

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

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

**CVE North America, Inc. 109 W. 27th Street, New York, NY 10001**  
**2nd Presentation - Subdivision/Site Plan/Special Use Permit**  
**Solar Array - Duquid Road, Manlius, NY 13104 Tax Map # 099.-01-03**

Carson Weinand, Lara Pruschki and Jared Lusk were present for the Applicants. The Applicant was invited to this meeting to get better direction on the project.

Mr. Weinand stated that the following items have been done at the request of the Board:

1. The locations of the Solar Array have been staked; the perimeters are now marked.
2. They have reached out to the school district; shared the plans with the Assistant Superintendent of Business, they are reviewing.
3. Updated the plans to better show the frontage of the parcels that are being subdivided.
4. They have added a buffer of 100 feet from the school side of the property.

Member Rossetti asked the Mr. Weinand if there was any documentation from the landowners saying that it was ok for the Board to walk on the property. Mr. Weinand said that they could get something in place. Mr. Lusk said that it may already be in the lease, but they can look into it.

There was discussion about the lots and the accesses to public roadway. Mr. Weinand stated that there are 3 lots for Solar and 1 lot for the already existing cell tower. They

are seeking to subdivide into 3 parcels, there is a 5-megawatt limitation on solar projects in New York on each lot and that why the project has to be in this configuration.

Member Rossetti asked Mr. Weinand to expand on why there is a 5-megawatt limitation in New York State. Mr. Weinand explained the NYSEERDA implemented community solar program at a state level. One of the regulations is that the array can be no larger than 5-megawatts AC per farm.

Member Rossetti stated that he would like to read the New York State Law regarding the 5-megawatt. His understanding is that they did not want projects of this size located in the same area. He has yet to decide if the project is 3 projects or 1 and whether this violates the Town of Manlius law regarding minimum of a mile between arrays. He would like to see what NYS has to say on why they put the limitation in. Once he reads the law he will hopefully have a better understanding of it.

Engineer Miller stated that it is his understanding that there 3 Cesar's that have been completed for the project. Mr. Weinand said yes. They have 3 different interconnection identifications.

Member LeRoy asked what the plan is to build the Solar Array. Mr. Weinand said that it will be viewed as one construction project.

Member Kelly asked if the project (Lot 4) lot lines could be moved further away from her property which is adjacent to the project. Mr. Weinand said that they could move the project a bit further down.

Chairman Lupia stated that for Solar Arrays the Board requires that the Building permit be pulled within 1 year and the project itself be completed in 2 years. He asked Mr. Weinand if that timeline would work for him. Mr. Weinand said yes. The applicant would like to request a 25-year Special Use Permit not a 15-year permit.

Member LeRoy made a motion, seconded by Member Beecher to hold a Public Hearing for Subdivision, Site Plan and Special Use Permit on June 14, 2021, at approximately 6:35pm. The motion carried with all members voting in favor except for Member Rossetti, who opposed. He stated that he is still deciding on whether the project is 1 or 3.

### **Other Business**

With there being no further business, Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to adjourn the Regular Meeting at 7:44pm.

Respectfully submitted,  
Lisa Beeman, Clerk