

**TOWN OF MANLIUS
PLANNING BOARD MINUTES
September 11, 2023**

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, Judy Salamone and Erin Reynolds. Also, present were Attorney Jamie Sutphen and Planning Board Engineer Douglas Miller.

In-Person Attendees: Danielle & Ryan Ewert, Joseph Mastroianni, Paul Curtin, Barbara Emmons, Paula Ellenberg, Dirk J. Oudemol, Jack Popper, David Brittain, Michael Fogel, Chris Danaher, Scott Freeman, Vincent Ryan, Tracy Crowe, Tom Douglas, Jessica Hays and Alice Massa.

Virtual Attendees: Chrissy, Jon L., Warren Linhart, Webb and Tom Poitras

The Pledge of Allegiance was recited.

A moment of silence was held in observance of the lives lost on September 11, 2001, at the Twin Towers, the Pentagon and in Pennsylvania.

Minutes

Member Rossetti made a motion, seconded by Member Salamone and carried unanimously to approve the minutes of August 28, 2023.

**Time: 6:32PM - Danielle and Ryan Ewert – 8291 E. Seneca Turnpike, 13104
2nd Presentation – Site Plan, Subdivision and Special Use Permit
Same Address - Pawsits Doggie Daycare & Ryans Landscaping
Tax Map # 099.-01-27.4**

Due to a potential conflict of interest, Member Rossetti recused himself.

Ryan Ewert was present and spoke on behalf of the application. Also present to speak were Joe Mastroianni and Paul Curtin. Mr. Ewert stated that they went in front of the Zoning Board of Appeals and had decided to install a sewer system on the lot. He is asking for a subdivision of the property.

Chairman Lupia is of the opinion that Lot 5B, if granted, would be considered a flag lot and as a general rule, the Town tries to avoid creating those types of lots.

Attorney Sutphen discussed the Design Standards for Lots with the Board and the applicants. Conversation ensued.

Member Kelly is concerned about the neighbors and the impact of the Doggy Daycare on those neighbors.

Member Reynolds is concerned about drainage, plantings, parking details, DOT pipe sizes and noise (dogs barking).

Member Beecher asked if the Board wants to create a flag lot?

Member Poltenson is of the opinion that the Subdivision as submitted could be a potential problem in the future.

The Board tabled the application until further information is received.

Time: 7:06PM - Member Rossetti re-entered the meeting

Time: 7:07PM - Bottar LLC – 120 Madison Street Suite 1300, Syracuse, NY 13202
Recommendation to Town Board for Zone Change R1 to RM
7078 East Genesee Street, Fayetteville, NY 13066 - Tax Map # 092.-01-05.0

Mike Fogel was present and spoke on behalf of the application. He stated that they would like to rezone the property from R1 to RM to allow the Bottar Law Firm to open their practice at this location. It will be a law office only, no one will be living there.

Attorney Sutphen reviewed with the Board what uses could go on the property if the Town Board approves the Zone Change.

Member Reynolds made a motion, seconded by Member Rossetti and carried unanimously to send a positive recommendation to the Town Board for a Zone Change from R1 to RM.

Time: 7:21PM - Bob Amodie – 8199 Laurie Lane, Liverpool, NY 13090
Recommendation to Town Board – Planning Unit Development (PUD)
Garden Park, Phase 1 – Highbridge Street, Fayetteville 13066
Tax Map # 093.-01-05.1

Chris Danaher was present and spoke on behalf of the application. He stated that the PUD fits better with the plan design rather than the original R5 Zoning. The Town Board was concerned with parking, banked parking, more greenspace, slope stability, sidewalks and connectivity, traffic study, outdoor pavilion and the overall design that will be looked at it more during Site Plan. Mr. Danaher mentioned the dedication of the road, there is an agreement in place regarding that dedication, tests will need to be performed to make sure it is up to Town standards.

Member Rossetti stated that road access has always been an issue with this property. He stated that he is dead set against the Town accepting the roadway, whether it was constructed to Town standards or not, it should simply be an easement between the two owners that has access to the other piece of property. He would reject the Town accepting that roadway. It should be a private road like it is now.

Mr. Danaher stated that it should be dedicated because of the cost and expense and it is more of a Site Plan issue. He also stated that the owner of Brookdale has agreed to dedicate the road to the Town.

Chairman Lupia stated that he has no issue with the roadway or easement and that it will be up to the Highway Superintendent, Rob Cushing, as to whether the road is appropriate or not. Chairman Lupia's concern is that this has been an issue for over 12 years and he would like to see documentation regarding the agreement. Mr. Danaher stated that Supervisor Deer has the documents.

Member Rossetti asked if the Town says no to the dedication of the road, is Brookdale willing to give an easement? Mr. Danaher said he would have to ask the Highway Superintendent if we was willing to take on the dedication.

Member Reynolds asked about a curb cut on Highbridge for access. Mr. Freeman stated that there are issues with sight distance. The current curb cut is the safest access to the property.

Member Beecher asked what were the main reasons to switch to a PUD? Mr. Danaher stated usable green space, the slope, the usable space, density limitations.

Denise, Executive director at Brookdale, stated that they are excited about this project. The access families would have to their families that live at Brookdale would be amazing.

Member Rossetti asked Denise if the Town does accept it as a public road, would Brookdale be willing to give an easement? Denise said that something would be figured out to make this work.

Member Beecher made a motion seconded by Member Poltenson and carried unanimously to send a positive recommendation to the Town Board for the PUD with the condition that Road access be obtained and approved.

Conversation ensued about the open violation and the boulders on the property.

Time: 7:40PM - Woodland Hills Subdivision (Hoag Lane Development)

Work Session – 5280 Hoag Lane, Fayetteville, NY 13066

Tax Map # 104.-01-39.2

Chris Danaher and Scott Freeman were present and spoke on behalf of the application.

Chairman Lupia stated that this application has been before the board in the past and resulted in litigation. This meeting is being conducted with the full Board, so that in the future there can be no accusations as to what was said or not said to this Board. Mr. Danaher stated that he appreciated that.

Mr. Freeman discussed the comments given to them by the Board at a previous meeting.

Conversation ensued regarding easements, drainage ways and HOA's. The Board wants to see easements and such on the individual lots so there are no questions when people buy the lots.

Member Reynolds talked about the SWPPP and how it should be connected to the HOA so the Homeowners know what may happen when cleaning out the detention basins, swales and such. Mr. Freeman agreed.

Mr. Freeman stated that they are waiting on Engineering comments. They are also waiting to hear from the Army Corps of Engineers regarding the wetlands.

Engineer Miller stated that he met with Attorney Sutphen and Highway Superintendent Rob Cushing and Mr. Cushing is concerned about the storm easement in the middle and the left of the property, he does not want the catch basins discharging on private property. He would much rather keep the water on the road.

Engineer Miller also stated that Superintendent Cushing is concerned with the access to the southern easement running along the southern property line, there is no way to get back there. He would like to see 2 access points.

Time: 8:28PM – Member Salamone left the meeting.

The Board tabled the application until further information is received.

Time: 8:39PM – Other Business

Chairman Lupia informed the Board that a final letter has been sent to the Applicants of the Pauli Drive Subdivision application. If they do not respond within the 60-day timeframe, the project will be null and void and new plans will need to be submitted.

With there being no further business, Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to adjourn the Regular Meeting at 8:40PM.

Respectfully submitted,
Lisa Beeman, Clerk