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March 3, 2008

AMENDED PRELIMINARY PLAT OF MINOA FARMS SUBDIVISION – SECTION II Upon due notice to all members of the Village Board, the continuation of the Public Hearing was held on Monday, March 3, 2008 at 6:30 p.m. at the Municipal Building, 240 N. Main Street, Minoa, NY. The purpose was to consider the resolution regarding the (Amended) Preliminary Plat of Minoa Farms Subdivision prepared by D.W. Hanning, L.S., P.C. last revised on September 28, 2007.

PRESENT: Mayor Donovan
Trustee Cronk
Trustee Brazill
Trustee Champagne
Trustee Theobald
Attorney Primo
Clerk/Treasurer Snider

ABSENT None

ALSO PRESENT: Loretta Clark, Tom Clark, Dan DeLucia, John Rosser, Fran Stinziano, Greg Mills, Nancy Vesling, Jane Blakely-Izzo, Joseph Izzo, and Tom Petterelli

CONTINUATION OF PUBLIC HEARING Mayor Donovan reconvened the Public Hearing to order at 6:32 p.m. to consider the resolution regarding the (Amended) Preliminary Plat of Minoa Farms Subdivision prepared by D.W. Hanning, L.S., P.C. last revised on September 28, 2007.

Mayor Donovan asked the audience members if they had anything new to report after their meeting with Elliot Lasky and representatives from Ryan Homes. Greg Mills stated that they have not been able to meet with Mr. Lasky and they had nothing new to report.

Attorney Primo said that at the last public hearing on Minoa Farms relative to the proposed subdivision, he advised the Board that he would review filed documents relative to the traffic and engineering studies regarding utilities and drainage that were conducted in relation to the original plat.

Attorney Primo said that with respect to traffic, the Napoleon study showed that level of service at full-build under the proposed development would generally be very good. Attorney Primo said that though he wasn't a traffic engineer, he would expect that the addition of so few new residences relative to the entire development may downgrade some levels of service but certainly not below the next level (i.e., A to B or B to C). He said one should note that the distribution of traffic from the different points of access and egress into the subdivision recited in the Napoleon report could be revisited especially based on resident comments at the last public hearing where it was suggested that there might be a 70/30 as opposed to a 50/50 distribution. Attorney Primo said that in any event, the developer has agreed to revisit the traffic with a traffic engineer and the Village could certainly provide some directive as to the scope of same to address the new concerns. He said this was something the Board may wish to consider at the next public hearing.

Attorney Primo said the utilities, drainage and related issues (wetlands etc.) were visited in detail in the original Minoa Farms review and it was both the Developer's and the Engineer's representation with respect to the amended plan that none of the utility infrastructure, drainage or related plans as previously presented would be materially impacted by this change in plan. He said this was further addressed in the zone change approval which imposed a 40% lot coverage requirement to ensure that even though they are smaller lots, the coverage issues relating to drainage and aesthetics would be addressed. In response to the Developer's and Engineer's representations, the Village Engineer also reviewed this and advised the Board that he joins in this opinion. Attorney Primo said that in light of any new information that may come before the Board, it may also be wise to have the Village Engineer's representative be present at the public hearing to address these issues directly to the public. Attorney Primo said he would be happy to comment further at the next public hearing.

Attorney Primo said they would request a representative from LJR Engineering to be available and give a presentation on what they have previously reviewed. Attorney Primo said they are not traffic engineers and used an outside consultant, Jim Napoleon, to complete the previous traffic study. He said if the Developer were to do an additional study it would be treated as an addendum to the initial study.

Fran Stinziano asked if the Board would hold off making a decision until after the study was completed. Mayor Donovan said the Board would not consider approving anything

until the residents have had a chance to meet with Elliot Lasky and come to an agreement. Mayor Donovan said all of the parties should work things out and the Board will not do anything until the residents are comfortable with an overall plan. Mayor Donovan said Mr. Lasky offered to conduct another traffic study and feels that it should be done. Attorney Primo said Mr. Lasky would conduct the study based on direction from the Board.

PUBLIC COMMENTS Greg Mills, 113 Norbert Place, asked Attorney Primo if another SEQR or EIS would be completed regarding drainage. Attorney Primo said the SEQR was the procedural part of the environmental study. He then said the Board was taken back and a little shell shocked over the reactions, because the Board approved the zone change while being under the impression that the residents were aware and comfortable with the changes. Attorney Primo said the Board has a history of working with Mr. Lasky and that he has been a straight shooter. Attorney Primo said the Board is comfortable with prior environmental reviews because they were reviewed extensively by Larry Roscini and he passed on these reviews. He said Larry Roscini suggested that the lots not exceed 40% lot coverage for drainage purposes. Attorney Primo said there have been numerous engineering reviews over the past 10 years and the Board will revisit the reviews.

Mr. Mills said the issues have separated and they weren't privy to the aesthetics, which covenants can address. He said there would be an increase in everything from the proposed development, but the residents want to know if the studies were based on increases from the originally proposed project. Mr. Mills said they want to know if the sewer system is prepared to handle additional usage, can it be demonstrated and what happened to make it change from previous records.

Attorney Primo said the sewer system has a large capacity and would be able to handle an additional development the size of Minoa Farms. He said it has the capability to handle properties even outside of the village.

Mayor Donovan said that it would be appropriate to bring in the engineers after the Minoa Farms residents have had a chance to meet with Mr. Lasky. He said that at that point the engineers could discuss the history and have the ability to be informed.

Mayor Donovan said the Waste Water Treatment Facility updated by village employees and they were able to solve the problems and made a more efficient sewer system. Mr. Mills said he wants to see the data and have it proven to him that the capacity is there. Mayor Donovan offered the residents the opportunity to meet with Steven Giarrusso, WWTF Supervisor, and tour the plant first hand.

Mr. Mills said if there were studies and the plant can be proven to handle the additional

sewer systems they would not have an argument.

Mayor Donovan reiterated that the Board would continue to table the public hearing until everyone is on the same page and would bring the engineers in after they have met with Mr. Lasky and Ryan Homes.

Discussion ensued regarding the difficulty scheduling meetings due to schedule changes.

Attorney Primo said the Board has worked closely with Minoa Farms over the years and the project has been relatively stagnant. He said there had not been many requests for development in the Minoa area, so the Board continues to find ways to reduce taxes and sewer rents, which is done with more developments. Attorney Primo said the Board was presented with a zoning request from Mr. Lasky that appears to be a great idea to stimulate the area, but they were unaware that the neighbors were not aware of the proposed changes. He said the Board receives consistent accurate information from the developer, so they did not have any reason to suspect that the information given to them was inaccurate.

Mayor Donovan said they would try to make the best of the current situation and keep the residents updated on any changes. Mayor Donovan then asked the residents to also keep him informed of any changes that occur as a result of their meetings with Mr. Lasky.

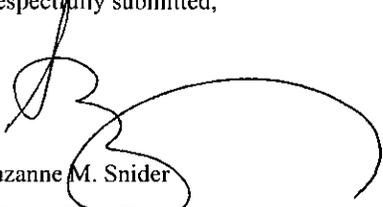
**PUBLIC HEARING
TO BE CONTINUED**

A motion was made by Trustee Brazill and seconded by Trustee Champagne to continue the Public Hearing on March 17, 2008 at 6:30 p.m. All in favor. Motion carried.

**PUBLIC HEARING
CLOSED**

A motion was made by Trustee Brazill and seconded by Trustee Champagne to adjourn the Public Hearing for the purpose of considering the resolution regarding the (Amended) Preliminary Plat of Minoa Farms Subdivision at 6:53 p.m. All in favor. Motion carried.

Respectfully submitted,


Suzanne M. Snider
Village Clerk/Treasurer