

# Town of Manchester Planning Board Meeting Minutes

## July 16, 2024 – 7:00pm

**Present:** Board Members Jefferey Flower, Tammy Worden, and Lee Sander; Chairman Scott VanAken; Code Enforcement Officer Steve DeHond and Secretary Laurel Pitcher.

**Absent:** Board Member Steve Buerman.

**Also Present:** Mike Mantell, Pauline DeCook, Robert Weigert, Jeanne Weigert, Jim Lynch, Joseph Kirisas, Andrei Stover, and Randy Ott.

**Application #4647-23:** Consider Site plan #4647-23 submitted by SunEast Development who is requesting siteplan approval extension on property located at 3169 Co Rd 13, tax map no. 45-1-6.110 in a A-1 district pursuant to Chapter 325 Section 325-75(G)(1) and (2).

Mike Mantell, representative for Stantec, began by giving a brief overview of the parcel and development plans for it. He said that there are no changes to the plan since he last came before the Town of Manchester Planning Board on June 20, 2023, and that his team appreciates previous extensions that were granted. Mr. Mantell said that they're still working to get the interconnect agreement and that delays due to Covid extended the length of time it takes to receive that agreement. Mike Mantell also noted that this project has been in the works since 2019 and has taken longer than expected, but things are starting to happen now. He also said that they expect to have the final facility study report from NYISO next month (August); the interconnect agreement by December of this year; and engineering work by next April. If they follow this timeline, Mr. Mantell says that they would be able to apply for a building permit in May of 2025. Mike Mantell also said that they're seeking another 12-month extension.

Chairman Scott VanAken mentioned that this project was originally approved under the old zoning code, and that the new code has stricter guidelines. He also asked the applicants what is preventing them from getting a building permit right now. A building permit cannot be issued without the interconnect agreement, which is expected in December according to the applicants.

Board Member Lee Sanders wanted to know why it has taken so much time to receive the interconnect agreement and move forward with this project. Mike Mantell said that smaller projects can happen faster, but a large project like this one will take longer to get the necessary approvals. He also reiterated that the Covid-19 pandemic slowed the process down.

The Board asked if the landowners have considered going with another company to handle this project. Landowner Jeanne Weigert said that people have been lining up to take over this project. She said people have even knocked on their door with offers. Jeanne also said that this was supposed to be a 3-5 year project, but it's been in the works for 7 years now. One board member even told the applicants that this is the sloppiest project he's seen and thinks that the landowners should find another company to take over. Joseph Kirisas from SunEast said if they could've had this project done two years ago, they would've, but it's out of their control. Landowner Jeanne Weigert questioned why SunEast hasn't started bringing equipment onto the property and moving dirt to start the project. The Planning Board said that they can't do any of that without a permit.

Tammy Worden asked the applicants if there's any guarantee that if they're granted an extension, they'll move forward with this project. They said that since they received the draft facility study in May, they can predict the timeline moving forward with the final facility study coming in August; finalizing the interconnection agreement in December; and final engineering plans finishing up in March or April of 2025. There is no guarantee of completion other than the applicant's estimated timeline.

Chairman VanAken recommended having the applicants submit quarterly updates so that there is continued communication and evidence of progress over the next 12 months. The Board and applicants agreed that this was a reasonable request.

A motion was made by Jefferey Flower to grant one final 12-month extension with mandatory updates given to the Town of Manchester Planning Board quarterly. Motion seconded by Tammy Worden. All voted "Aye." Motion carried.

The board also noted that this will be the final extension. No more extensions will be granted. The applicants must have a permit no later than July 19<sup>th</sup>, 2025 or the application process will need to be restarted under the new zoning code. The applicants agreed.

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## July 16, 2024 – 7:00pm (cont.)

**Application #4657-24:** Consider Preliminary Siteplan – Use Variance #4657-24 submitted by James Lynch who is requesting Siteplan – Use Variance for a library on property located at 1777-1779 State Route 21, tax map no. 44.03-1-26.000 in an Ag district.

The Planning Board began by reviewing maps of Mr. Lynch’s property. He said that no changes will be made to the outside of the building, but they do plan to add things inside the building.

Chairman VanAken said that since the current zoning code doesn’t allow for a library, the project will have to be reviewed by the Town of Manchester Zoning Board of Appeals.

The Board reviewed engineering reports that included a notice of moisture present. Chairman VanAken asked Jim Lynch if he has plans to put a moisture barrier in those locations. Mr. Lynch said that this is likely an old problem since there isn’t any water retention there. He said that when he first bought the property, there was a leak that was taken care of at that time. The Board agreed that the topography of the land wouldn’t be likely to indicate water retention where the building is. Jim Lynch said he would be willing to consider adding moisture barriers if that were needed though.

Tammy Worden noted that the applicant will need a SEQR for this project as well.

Tammy Worden asked what lights are there currently. Jim Lynch said he has some floodlights coming off the building, porch lights, and there would be lights for a sign as well. Lee Sanders mentioned that Jim will want to make sure the lights are dark sky compliant.

Tammy also asked what the library’s hours of operation will be, and Mr. Ott said they’re currently open 36 hours per week with varying hours each day. He said the latest the library is currently open is 8pm.

Scott VanAken noted that there is not currently any signage shown on the maps and said that it would be easier for the applicant to submit everything at once so the site plan and signage approval can happen together. The Board reiterated that the applicant will need to submit a SEQR in order to receive site plan approval.

Steve DeHond discussed the review plans moving forward. He said that once the requested materials are provided, the project will go before the Ontario County Planning Board. After that, the project will be reviewed by the Town of Manchester Zoning Board of Appeals for a Use Variance. Steve then asked the Planning Board what they would like to see on the maps when Jim comes back. The Planning Board said that they would like to see light fixtures, ranges and types of lights, structural supports, signage, and parking lines/spaces shown on the maps. The Board also noted that they will need to have the maps signed and stamped by an engineer before moving forward.

Jim Lynch said that it will likely be November before he’ll be able to produce the requested materials. He said he’s been having difficulty finding an engineer with availability and the means to visit the property. Unfortunately, the Planning Board cannot move forward with the review process without having a map that’s signed and stamped by an engineer.

A motion was made by Tammy Worden to refer Siteplan – Use Variance #4657-24 submitted by James Lynch to the Town of Manchester Zoning Board of Appeals for further review. Motion seconded by Jeffery Flower. All voted “Aye.” Motion carried.

### **Previous Minutes:**

A motion was made by Lee Sanders to approve the April 16, 2024 meeting minutes. Motion was seconded by Tammy Worden. All voted “Aye.” Motion carried.

Meeting adjourned at 7:40pm.

Respectfully submitted,

Scott VanAken  
Chairman, Planning Board

Laurel Pitcher  
Recording Secretary