Agenda
Manlius Town Board
February 23, 2022
6:30 PM

1. Virtual Meeting Instructions - February 23, 2022

   Documents:

   2-23-22 TOWN BOARD MEETING INSTRUCTIONS.PDF

2. Pledge Of Allegiance

3. Open Podium
   Ann Smith - Manlius Senior Center - Funding

4. 6:35 PM Continuation Of Public Hearing - Zone Change - Twin Shores Properties, N. Burdick St.

   Documents:

   LOCAL LAW 2022 - __ ZONE CHANGE TWIN SHORES ENACTING.PDF
   2022-02-07 ZN-1 (EXISTING ZONING PLAN).PDF
   2022-02-07 ZN-2 (PROPOSED ZONING PLAN).PDF
   TWIN SHORES ZONE CHANGE PACKET - NORTH BURDICK ST..PDF
   ZONE CHANGE AMENDMENT - TWIN SHORES.PDF

5. Set Date For A Public Hearing - A Local Law To Repeal Section 155-27.2 Of The Town Code Regulating The Placement Of Solar Photovoltaic Energy Systems And To Replace It With A Modified Local Law To Regulate The Placement Of Solar Photovoltaic Energy Systems In The Town And Removing Solar Photovoltaic Energy Systems Situated On Town Property From The Site Plan And Special Permit Processes

   Documents:

   2-LOCAL LAW 2022 - __ - SOLAR VOLTAIC LAW AMENDED PH.PDF
   2-SOLAR LAW COMPARE - ORIGINAL FROM 2-21-22.PDF
   UPDATED DRAFT LOCAL LAW - AMENDED AT 2-23-22 TOWN BOARD MEETING.PDF

6. Attorney

7. Town Manager

   7.I. Appointment Phyllis Martucci - Substitute Crossing Guard

   7.II. Budget Transfer Highway Department

   7.III. 2021 Encumbrances And Budget Transfers

   Documents:

   2021 ENCUMBRANCES-BUDGET TRANSFERS.PDF

8. Committee Reports

   8.I. Comprehensive Planning - Update

9. Supervisor

9.I. Letter Of Engagement, Cell Coverage Mapping, LLC

Documents:

CCM LOE MANLIUS NY.PDF

10. Consolidated Drainage District No. 3 Enders Roads Stormwater System Rehabilitation

Documents:

ENDERS ROAD STORMWATER BASIN CLEANOUT.PDF

11. Consolidated Drainage District No. 3 Verbeck Drive Stormwater Basin Cleanout

Documents:

VERBECK DRIVE STORMWATER BASIN CLEANOUT.PDF

12. Hope For Heather Teal Ribbon Run

Documents:

HOPE FOR HEATHER TEAL RIBBON RUN.PDF

13. Court Security Personnel

14. Approval Of Minutes - January 26, 2021 And February 9, 2022

Documents:

1-26-22 DRAFT.PDF
2-9-22 DRAFT.PDF

15. Approval Of Abstract # 4

Documents:

ABSTRACT 4.PDF

16. Adjournment

This meeting is being recorded and live streamed. The recording will be broadcast live and will be posted to the town website at www.townofmanlius.org

Please silence cell phones.

Town of
MANLIUS
New York

February 23, 2022 – 6:30PM

Town Board Meeting Instructions

The easiest way to participate in the meeting is to use the link provided below. The meeting will be conducted on the ZOOM platform as a webinar. Please make sure that when you complete your attendee registration you enter your full name.

Click on the link or enter the meeting URL web address as listed below.

https://us02web.zoom.us/j/81551082479?pwd=aW5zcSs3eEsrbkVSdkx3eXBhQ1JqUT09

Password to join when prompted:

Password: **133595**

Enter your email address and name and join the meeting.

Join by telephone by dialing the number below:

(929) 436-2866

When prompted to enter the Webinar ID, use the number below followed by #

Webinar ID: 815 5108 2479

Press # again to skip the personal id and enter the password below followed by #

Password: **133595**

If this is your first time joining a ZOOM meeting you may practice using ZOOM meeting platform at https://zoom.us/test.

IN THE MATTER Of **LOCAL LAW 2022-___ THE APPLICATION OF TWIN SHORES PROPERTIES LLC FOR A CHANGE OF ZONE FROM RESIDENTIAL 1 (R1), RESTRICTED AGRICULTURAL (RA) AND NIEGHBORHOOD SHOPPING (NS) TO RESTRICTED AGRICULTURAL (RA) AND COMMERCIAL A (CA)**	**RESOLUTION ENACTING LOCAL LAW**

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, and virtually on the platform commonly referred to as Zoom, the Town Facebook page and YouTube on the _____th of January, 2022, at 6:30 p.m.

The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

John T. Deer	Supervisor
Sara Bollinger	Councilor
Elaine Denton	Councilor
Alissa Italiano	Councilor
Katelyn Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, an application has been made to the Town Board by Twin Shores Properties LLC (the "Applicant") for approval of a zone change from Restricted Agricultural (RA),

Residential 1 (R1) and Neighborhood Shopping (NS) to Restricted Agricultural (RA), Commercial A (CA) (the "Application") for a 129 acre vacant property located along North Burdick Street, east of Medical Center Drive, identified as tax map nos. 086-02-02.1, 03.0, 04.1, 05.1, 05.3, 06.1, and commonly referred to as the Fietta Property (the "Property");

WHEREAS, the Town Board is considering this zone change under Local Law 2022-___, as set forth below:

LOCAL LAW 2022-_____, A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF MANLIUS:

Be it enacted by the Town Board of the Town of Manlius, Onondaga County, New York as follows:

Section 1. That "The Revised Zoning Ordinance of the Town of Manlius", as amended, and the "Zoning Map of the Town of Manlius", which by provisions of said Zoning Ordinance shall be, and the same hereby are, amended to change the zoning of the tax map nos. 086-02-02.1, 086-02-03.0, 086-02-04.1, 086-02-05.1, 086-02-05.3, 086-02-06.1 from Restricted Agricultural (RA), Residential 1 (R1) and Neighborhood Shopping (NS), respectively, to Restricted Agricultural (RA) and Commercial A (CA) which new zoning is set forth on a certain Zone Change Plan entitled "Fietta Properties Proposed Zone Change Plan," prepared by TDK Engineering Associates, PC (Project No. 2021054) dated 12-28-21 and updated on 1-21-22, for the property commonly known as the Fietta Property, which property consists of approximately 130 acres of vacant land, including two ponds.

Section 2. This law shall take effect upon filing with the New York State Department of State.

WHEREAS, the Applicant has amended the zone change application to remove any references to Commercial B (CB) zoning and the Town Board is only considering a change in zoning to RA and CA;

WHEREAS, the Town Board reviewed the Environmental Assessment form provided by the Applicant at its February 9, 2022 meeting and determined that the zone change will not have a significant environmental impact for the following reasons: (1) _____; (2) _____; (3) _____;

WHEREAS, the Planning Board, at its January 24, 2022 meeting, reviewed the Application and has made a positive recommendation for the zone change to the Town Board for the reasons stated at the Planning Board meeting;

WHEREAS, on February 9, 2022, the Town Board held a public hearing on the Application and Local Law 2022-___ at which time the public was given an opportunity to speak for and against the Local Law;

WHEREAS, the Town Board has determined that the zone change requested and set forth in Local Law 2022-___ is in the best interest of the Town for the following reasons: (1) _____; (2) _____; (3) _____;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that "The Revised Zoning Ordinance of the Town of Manlius", as amended, and the "Zoning Map of the Town of Manlius", which by provisions of said Zoning Ordinance shall be, and the same hereby are, amended to change the zoning of the tax map nos. 086-02-02.1, 086-02-03.0, 086-02-04.1, 086-02-05.1, 086-02-05.3, 086-02-06.1 from Restricted Agricultural (RA), Residential 1 (R1) and Neighborhood Shopping (NS), respectively, to Restricted Agricultural (RA) and Commercial A (CA) which new zoning is set forth on a certain Zone Change Plan entitled "Fietta Properties Proposed Zone Change Plan," prepared by TDK Engineering Associates, PC (Project No. 2021054) dated 12-28-21 and updated on 1-21-22, for the property commonly known as the Fietta Property, which property consists of approximately 130 acres of vacant land, including two ponds.

Premises Description:

Legal Description Attached as "Schedule A"

and be it further

FURTHER RESOLVED, that the Town Board of the Town of Manlius hereby enacts Local Law No. 2022-___ as set out above; and

RESOLVED AND ORDERED, that said Local Law shall be in full force and effect as provided by law upon the filing of this Local Law with the Secretary of State.

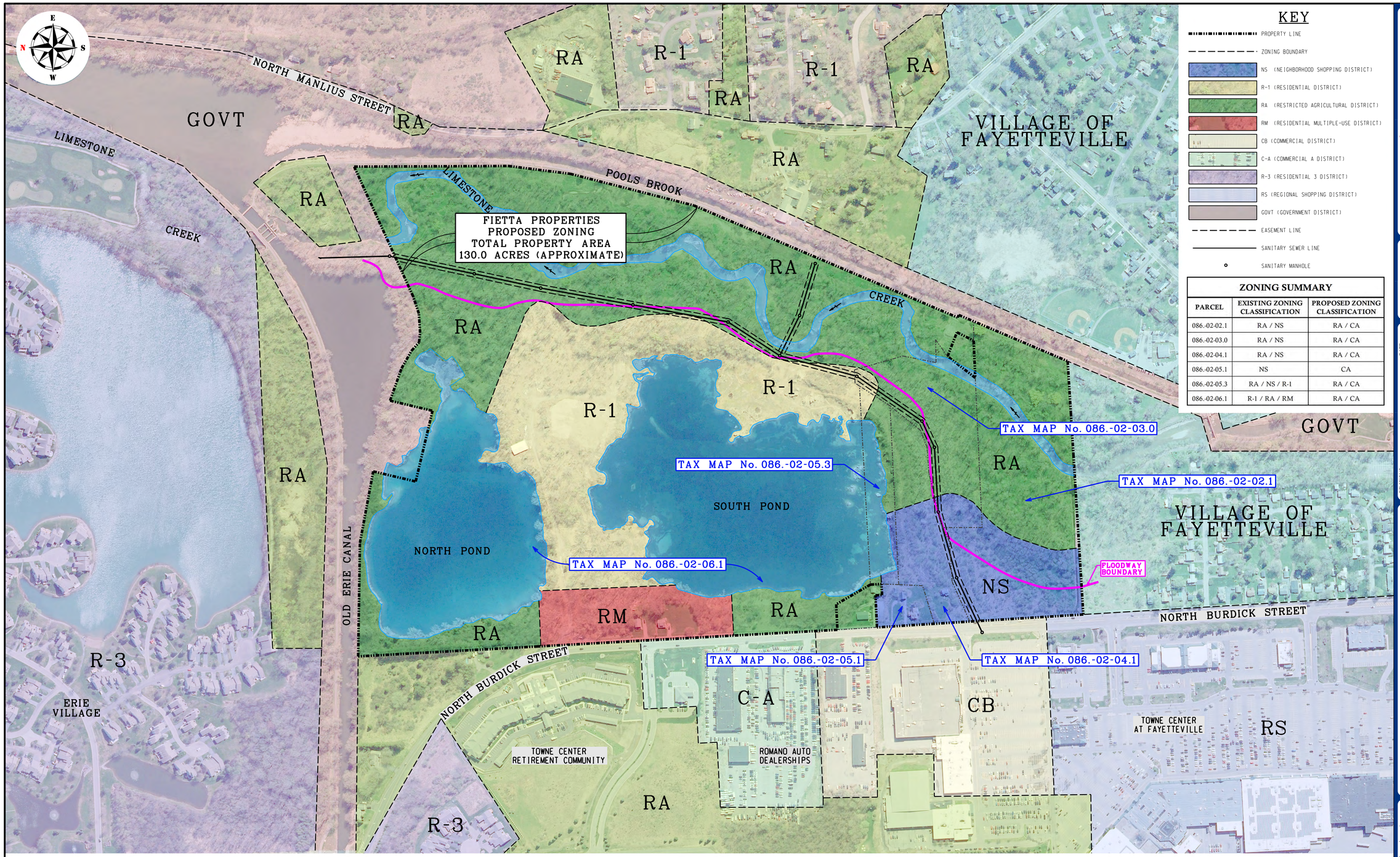
I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the __th day of January 2022; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this ____ th day of January, 2022.

DATED: January ____, 2022
Fayetteville, New York

_____
Allison Weber
Town Clerk of the Town of Manlius
Onondaga County, New York



KEY

- PROPERTY LINE
- ZONING BOUNDARY
- NS (NEIGHBORHOOD SHOPPING DISTRICT)
- R-1 (RESIDENTIAL DISTRICT)
- RA (RESTRICTED AGRICULTURAL DISTRICT)
- RM (RESIDENTIAL MULTIPLE-USE DISTRICT)
- CB (COMMERCIAL DISTRICT)
- C-A (COMMERCIAL A DISTRICT)
- R-3 (RESIDENTIAL 3 DISTRICT)
- RS (REGIONAL SHOPPING DISTRICT)
- GOVT (GOVERNMENT DISTRICT)
- EASEMENT LINE
- SANITARY SEWER LINE
- SANITARY MANHOLE

ZONING SUMMARY

PARCEL	EXISTING ZONING CLASSIFICATION	PROPOSED ZONING CLASSIFICATION
086.-02-02.1	RA / NS	RA / CA
086.-02-03.0	RA / NS	RA / CA
086.-02-04.1	RA / NS	RA / CA
086.-02-05.1	NS	CA
086.-02-05.3	RA / NS / R-1	RA / CA
086.-02-06.1	R-1 / RA / RM	RA / CA

EXISTING ZONING PLAN

1" = 200' SCALE — 200 0 200 400 FEET

BASEMAP REFERENCES:

1. TOWN OF MANLIUS ZONING MAP, 2016 ZONING.
2. EXISTING CONDITIONS/ DEMOLITION PLAN, PREPARED BY BERGMANN ASSOCIATES, DATED DECEMBER 6, 2017.
3. NYS DIGITAL ORTHOIMAGERY PROGRAM (NYSDOT): DATED 2021.
4. SYRACUSE-ONONDAGA COUNTY GIS ON THE WEB, DATED 2021.

TDK Engineering Associates, PC
19 Genesee Street · Camillus, New York 13031 · PH: (315) 672-8726 · FX: (315) 672-8732
www.tdkengineering.com
Civil • Marine • Site Development • Geotechnical • Structural • Environmental • Industrial • Lighting

DATE:

REVISIONS:

NOTE: NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

PROJECT: MANLIUS PROJECT

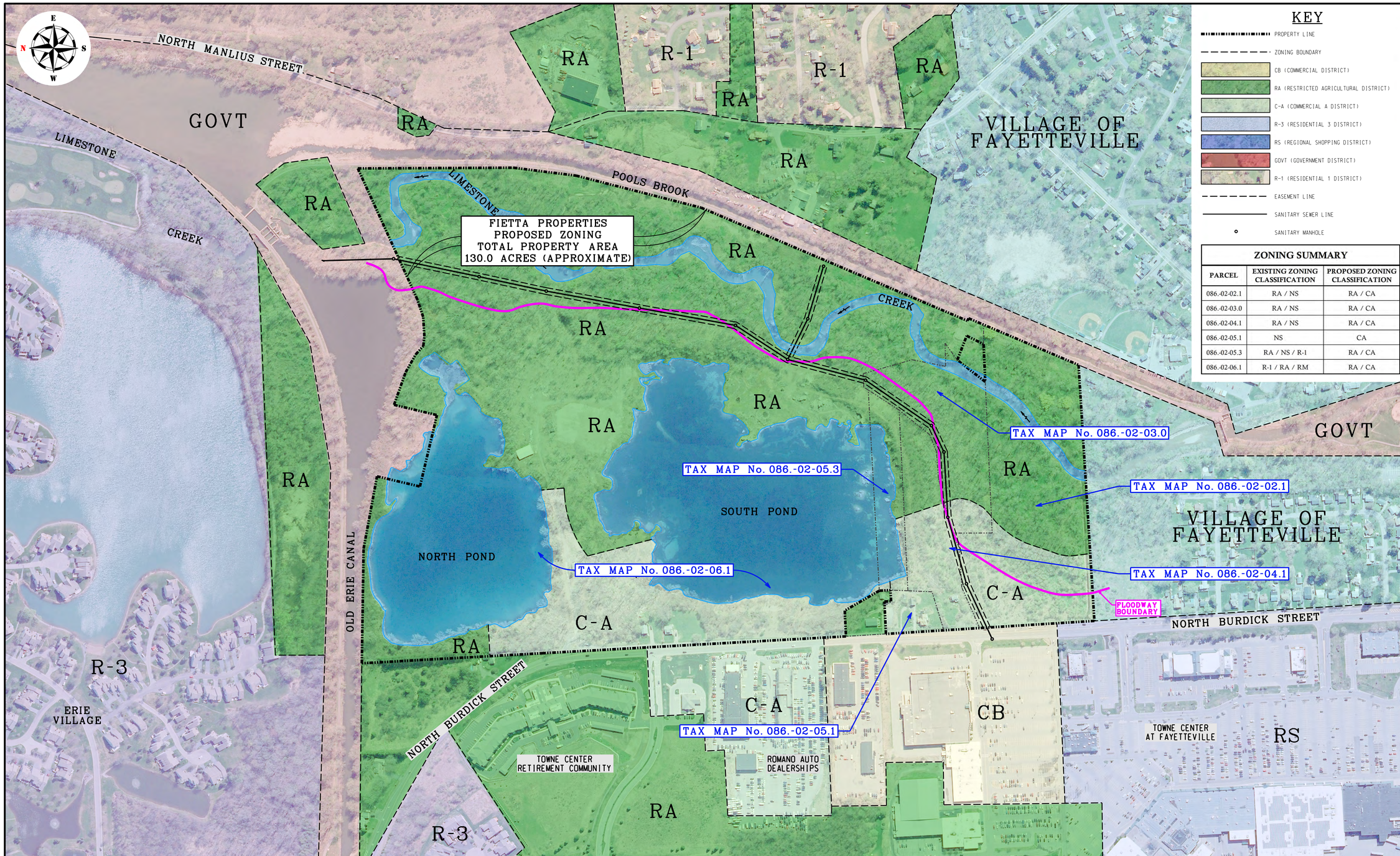
CLIENT: TWIN SHORES PROPERTIES, LLC

LOCATION: TOWN OF MANLIUS, ONONDAGA COUNTY, NEW YORK

DRAWING TITLE: EXISTING ZONING PLAN

PROJECT No.: 2021054
SCALE: 1" = 200'
DATE: 01-21-22
ENG'D BY: SKO
DRAWN BY: NAR/DKC
CHECKED BY: JED

SHEET NO. ZN-1



KEY

- PROPERTY LINE
- ZONING BOUNDARY
- CB (COMMERCIAL DISTRICT)
- RA (RESTRICTED AGRICULTURAL DISTRICT)
- C-A (COMMERCIAL A DISTRICT)
- R-3 (RESIDENTIAL 3 DISTRICT)
- RS (REGIONAL SHOPPING DISTRICT)
- GOVT (GOVERNMENT DISTRICT)
- R-1 (RESIDENTIAL 1 DISTRICT)
- EASEMENT LINE
- SANITARY SEWER LINE
- SANITARY MANHOLE

ZONING SUMMARY

PARCEL	EXISTING ZONING CLASSIFICATION	PROPOSED ZONING CLASSIFICATION
086.-02-02.1	RA / NS	RA / CA
086.-02-03.0	RA / NS	RA / CA
086.-02-04.1	RA / NS	RA / CA
086.-02-05.1	NS	CA
086.-02-05.3	RA / NS / R-1	RA / CA
086.-02-06.1	R-1 / RA / RM	RA / CA

ZONE CHANGE PLAN

1" = 200' 200 0 200 400
SCALE FEET

BASEMAP REFERENCES:

1. TOWN OF MANLIUS ZONING MAP, 2016 ZONING.
2. EXISTING CONDITIONS/ DEMOLITION PLAN, PREPARED BY BERGMANN ASSOCIATES, DATED DECEMBER 6, 2017.
3. NYS DIGITAL ORTHOIMAGERY PROGRAM (NYSDOT): DATED 2021.
4. SYRACUSE-ONONDAGA COUNTY GIS ON THE WEB, DATED 2021.

DRAFT

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DATE:
REVISIONS:
1
2
3
4
5
6

NOTE: NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

PROJECT: MANLIUS PROJECT
CLIENT: TWIN SHORES PROPERTIES, LLC
LOCATION: TOWN OF MANLIUS, ONONDAGA COUNTY, NEW YORK

DRAWING TITLE: FIETTA PROPERTIES PROPOSED ZONE CHANGE PLAN

PROJECT No.: 2021054
SCALE: 1" = 200'
DATE: 01-21-22
ENG'D BY: SKO
DRAWN BY: NAR/DKC
CHECKED BY: JED

SHEET NO. ZN-2

TDK
Engineering Associates, PC

December 29, 2021

Allison Weber, Town Clerk
TOWN OF MANLIUS TOWN BOARD
301 Brooklea Drive
Fayetteville, New York 13066

RE: Twin Shores – Fietta Properties
Town of Manlius, Onondaga County, New York
PROPERTY RE-ZONE REQUEST
TDK Project No: 2021054

Dear Ms. Weber:

On behalf of our client, Twin Shores Properties, LLC, we are requesting to have the above-referenced project placed on the Town board meeting agenda for Wednesday, January 5, 2021. Enclosed for your review and distribution is an initial zone change application package that includes the following items:

- *Town of Manlius Zone Change Application* [12 copies]
- *Town of Manlius Disclosure Affidavit* [12 copies]
- *Corporate Acknowledgement* [12 copies]
- *Full Environmental Assessment Form* [12 copies]
- *Legal Description of Premises* (Dated 2021-12-27) [12 copies]
- *CNY Land Surveying Boundary Survey* (Dated 2021-12-28) [12 copies]
- *Zone Change Plan* (*Sheet ZN-1*) [12 copies]
- *Initial Zone Change Review Fee payment in the amount of $300.00.*

We are also including an electronic copy of the submittal package on a thumb drive. If you have any questions or require anything additional, please give us a call.

Sincerely,

TDK ENGINEERING ASSOCIATES, P.C.

Joseph E. Durand, P.E.
President

JED/SKO

Enclosure(s)

Cc: John Charters (w/enc. – via email)
David Neuman (w/enc. - via email)
David Herkala, Esq. (w/enc. – via email)
Thomas Cerio, Esq. (w/enc. – via email)

TOWN OF MANLIUS
ZONE CHANGE APPLICATION

1. Name of Person applying for Zone Change Twin Shores Properties, LLC
   Address of person applying 1333 13th Street, East Moline, IL 61244
   Cell Number 315-729-8459 (local) Phone Number 563-449-5541
2. Name: (owner of record) of land where Zone Change would occur Fietta Realty Corporation
   Address (owner of record) P.O. Box 449, Fayetteville, NY 13066
   Cell Number (owner of record) 315-729-1121 Phone Number _____
3. Tax Map Number of property where Zone Change would occur 086.-02-02.1, 03.0, 04.1, 05.1, 05.3, 06.1
4. Is this property located in a flood hazard area? Yes
   If so, what flood area is the property in it in?
   100 Year Flood Plain (FIRM Map No.: 36067C0242F)
5. Present zoning classification of property R-1, RA, and NS
6. Desired zoning classification RA, C-B, and C-A
   Reason for Change of Zone (use additional sheets if necessary) Provide proper zoning classification for commercial development along North Burdick Street, and consolidate RA zone for future residential development.
7. What is lot size? 128.9 acres
8. If the Zone Change is granted, will the use of the property conform to the District regulations as stated in Chapter 155 Article III of the Town of Manlius Municipal Code? Yes
9. Is the property within the protectively zoned area of a housing project authorized under the public housing law? No
10. Is the property within five hundred (500) feet of the boundaries of any city, village, town, county, state park or parkway? Yes
    If yes, please specify Erie Canal Trail and Limestone Little League Park
11. Is the property within five hundred (500) feet from the boundary of any existing or proposed County or State park or other recreation area, or from the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, or from the existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines, or from the existing or proposed boundary of any county or state owned land on which a public building or institution is situated? Yes

If yes, please specify Erie Canal Trail

12. List the uses of all abutting property Commercial and Residential
STATE PARKLAND

13. The following must be included with your 12 application packets unless otherwise specified and/or specifically waived by the Town Board:

- An environmental assessment form which can be obtained from the Town Clerk, or an environmental impact statement.
- Copy of a survey of the premises certified by a New York State licensed surveyor.
- Legal description of the premises.
- This application must be signed by both the owner of record of the property and the applicant.

The failure to answer any question on this application, the failure to submit any item as specified or the failure to execute this application will result in a delay in the processing of the application.

Date 12/29/21 Applicant 1

Date Applicant 2

Date 12/28/21 Applicant

Revised 5/8/17

TOWN OF MANLIUS

DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a *site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license* or *permit.*

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

I. David Neuman, being duly sworn, deposes and says that (s) he is:

Applicant

(applicant, petitioner, corporation officer, property owner, *etc.)*

II. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:

A. Every application, petition or request submitted for a site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

B. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

1) is the applicant, or
2) is an officer, director, partner or employee of the applicant, or
3) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
4) is a party to an agreement with such an applicant, express or implied, whereby (s) he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.

C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

D. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

III. That no Town of Manlius officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this application.

~~OR~~

~~If a Town of Manlius officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this application, the full particulars are provided on an attached sheet.~~

Date: Dec 29, 20 21.

David Neuman
(Print Name)

(Signature)

Twin Shores Properties, LLC
(Entity Name)

By (Officer) (Title)

7120 Thorntree Hill Dr. Fayetteville, NY 13066
(Mailing Address of Applicant)

315-729-8459
(Telephone Number)

Date: December 29, 2021.

(Print Name)

(Signature)

(Entity Name)

By (Officer) (Title)

(Mailing Address of Applicant)

(Telephone Number)

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

On this 29 day of December in the year 2021, before me, the undersigned, a notary public in and for said state, personally appeared David Neuman, _____, and _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Petition and acknowledged to me the he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the Petition, the individual or the persons upon behalf of which the individual acted executed the instrument.

Notary Public

THOMAS J. CERIO
Notary Public, State of New York
Qualified in Onondaga Co. No. 02CE5059023
Commission Expires April 22, 22

CORPORATE ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

David Neuman, being duly sworn, deposes and says the s(he) is the principal of Twin Shores Properties LLC corporation named in the within Application/Petition, that s(he) has read the foregoing affidavit and knows the contents thereof; that the same is true of s(he) own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters s(he) believes it to be true.

Applicant Signature

Subscribed to me before this day
Of _____, 20_____

Notary Public

THOMAS J. CERIO
Notary Public, State of New York
Qualified in Onondaga Co. No. 02CE5059023
Commission Expires April 22, 22

06/29/16 LB

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Twin Shores - Fietta Properties Zone Change		
Project Location (describe, and attach a general location map): North Burdick Street, Manlius, New York (see attached)		
Brief Description of Proposed Action (include purpose or need): Twin Shores Properties, LLC is proposing to change the zoning classification of the subject property for future development. The site currently includes six (6) parcels classified as R-1 (Residential), RA (Restricted Agricultural), and NS (Neighborhood Shopping). Twin Shores is proposing to re-zone so that the site contains RA, C-A (Commercial), and C-B (Commercial).		
Name of Applicant/Sponsor: Twin Shores Properties, LLC	Telephone: 563-449-5541 E-Mail:	
Address: 1333 13th Street		
City/PO: East Moline	State: IL	Zip Code: 61244
Project Contact (if not same as sponsor; give name and title/role): David Neuman	Telephone: 315-729-8459 (local) E-Mail: dneuman66@icloud.com	
Address: 7120 Thorntree Hill Drive		
City/PO: Fayetteville	State: NY	Zip Code: 13066
Property Owner (if not same as sponsor): Fietta Realty Corporation	Telephone: 315-729-1121 E-Mail:	
Address: 5250 Owera Point		
City/PO: Cazenovia	State: NY	Zip Code: 13035

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Town of Manlius Town Board	
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town of Manlius Planning Board	
c. City, Town or Village Zoning Board of Appeals ☐Yes ☐No		
d. Other local agencies ☑Yes ☐No	Village of Fayetteville	
e. County agencies ☑Yes ☐No	Syracuse - Onondaga County Planning Agency (SOCPA)	
f. Regional agencies ☐Yes ☑No		
g. State agencies ☐Yes ☑No		
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes ☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐Yes ☑No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

RA (Restricted Agricultural), NS (Neighborhood Shopping), and R-1 (Residential)

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? RA (Restricted Agricultural), CA (Commercial), and CB (Commercial)

C.4. Existing community services.

a. In what school district is the project site located? Fayetteville-Manlius School District

b. What police or other public protection forces serve the project site?

Town of Manlius Police Department

c. Which fire protection and emergency medical services serve the project site?

Manlius Fire Department and CNY EMS

d. What parks serve the project site?

Old Erie Canal State Park, Town of Manlius Parks and Recreation

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Project development details have not been finalized and will be provided with site plan review, as required.

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes☐No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes☐No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes☐No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes☐No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes☐No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes☐No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes☐No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres: _____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No

If yes:

i. Provide details including sources, time of day and duration:

_____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No

Describe: _____

n. Will the proposed action have outdoor lighting? ☐Yes ☐No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐Yes ☐No

If Yes:

i. Describe proposed treatment(s):

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes☐No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes☐No

If Yes,

i. Identify Facilities:

_____

e. Does the project site contain an existing dam? ☐Yes☐No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☐No

If Yes:

i. Has the facility been formally closed? ☐Yes☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☐No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes☐No

If yes, provide DEC ID number(s): C734106, 734052

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____% _____ _____% _____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 899-224, 899-222 Classification C
- Lakes or Ponds: Name 899-224.3 Classification C
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) SYE-22

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑Yes ☐No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____
Name - Pollutants - Uses:Limestone Creek, Lower, and minor tribs – Pathogens;D.O./Oxygen Demand;Aesthetics – Recreation;Aquatic...

i. Is the project site in a designated Floodway? ☑Yes ☐No

j. Is the project site in the 100-year Floodplain? ☑Yes ☐No

k. Is the project site in the 500-year Floodplain? ☑Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☑No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

If Yes:

i. Species and listing (endangered or threatened): Northern Long-eared Bat

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: Eligible property:LIMESTONE CREEK AQUEDUCT & CROSSOVER BRIDGE, Eligible property:148 North Burdick Street, Fayettevil...

iii. Brief description of attributes on which listing is based:
Old Erie Canal Scenic Trail System

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

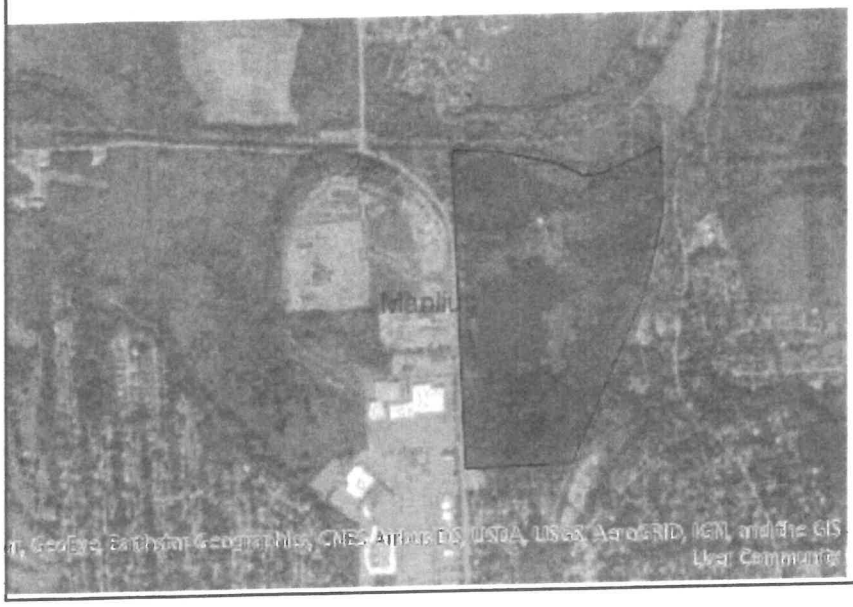
Applicant/Sponsor Name David Neuman Date 12/29/21

Signature _____ Title _____

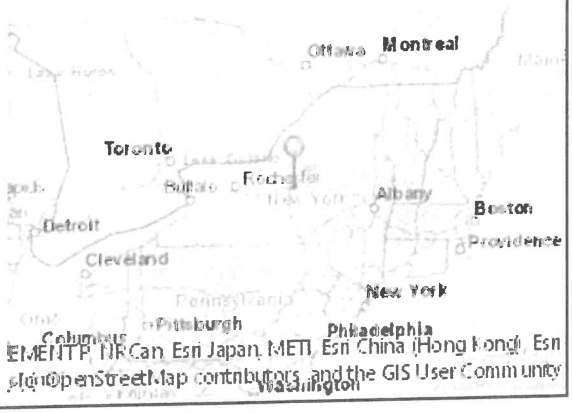
PRINT FORM

EAF Mapper Summary Report

Wednesday, December 22, 2021 11:12 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	C734106, 734052
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	899-224, 899-222
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Lake/Pond Name]	899-224.3
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C

E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):892.6
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	SYE-22
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Limestone Creek, Lower, and minor tribs – Pathogens;D.O./Oxygen Demand;Aesthetics – Recreation;Aquatic Life
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:LIMESTONE CREEK AQUEDUCT & CROSSOVER BRIDGE, Eligible property:148 North Burdick Street, Fayetteville, Eligible property:150 North Burdick Street, Eligible property:146 North Burdick Street, Eligible property:152 North Burdick Street, Eligible property:101 Garlock Ave
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

CNY LAND SURVEYING, LLC

DOUGLAS J. REITH, L.S.

N.Y.S. LICENSE 049904

PROPOSED DESCRIPTION
PART OF LOT 65
TOWN OF MANLIUS

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Manlius, County of Onondaga and State of New York and being part of Lot 65 in said Town and being more particularly described as follows:

BEGINNING at the intersection of the common line between lands now or formerly owned by John Messinger as recorded in the Onondaga County Clerk's Office in Liber of Deeds #4102, Page #86 and lands now or formerly owned by Fietta Realty Corporation as recorded in the Onondaga County Clerk's Office in Liber of Deeds #2535, Page #1031 with the southerly line of the Erie Canal (now or formerly State of New York);

thence along the southerly line of said Erie Canal, the following:

S.89°06'03"E., a distance of 515.28 feet to a point;

S.79°25'03"E., a distance of 330.00 feet to a point;

S.13°24'57"W., a distance of 198.00 feet to a point;

S.76°35'03"E., a distance of 330.00 feet to a point;

N.13°24'57"E., a distance of 198.00 feet to a point;

S.70°24'03"E., a distance of 155.65 feet to a point;

S.60°25'33"E., a distance of 93.60 feet to a point;

S.47°20'23"E., a distance of 44.30 feet to a point;

S.83°52'33"E., a distance of 44.12 feet to a point;

N.86°00'27"E., a distance of 87.65 feet to a point;

N.71°17'37"E., a distance of 81.91 feet to a point;

2075 CHURCH ROAD BALDWINSVILLE, N.Y. 13027 (315)635-4614 FAX (315)635-3918

N.65°11'57"E., a distance of 646.86 feet to a 3/4" iron rod found at the intersection of the south line of said Erie Canal with the westerly line of the Limestone Creek Feeder (State of New York);

thence along the westerly line of said Limestone Creek Feeder, the following:

S.00°36'03"E., a distance of 700.20 feet to a point;

S.06°51'47"E., a distance of 292.50 feet to a 3/4" iron rod found;

S.14°51'47"W., a distance of 580.00 feet to a point;

S.23°09'47"E., a distance of 1,300.00 feet to a point;

S.66°50'13"E., a distance of 12.50 feet to a point;

S.23°04'30"W., a distance of 536.90 feet to a point, said point being the intersection of lands now or formerly owned by Charles and Frances A. Felton as recorded in the Onondaga County Clerk's Office in Liber of Deeds #3363, Page #145 and lands now or formerly owned by Fietta Realty Corporation as recorded in the Onondaga County Clerk's Office in Liber of Deeds #3806, Page #225 with the westerly line of said Limestone Creek Feeder;

thence S.86°27'02"W., along the northerly line of said Felton property, the northerly line of lands now or formerly owned by the Village of Fayetteville as recorded in the Onondaga County Clerk's Office in Liber of Deeds #3959, Page #274 and the northerly line of lands now or formerly owned by Skyline Development and Management Company, LLC as recorded in the Onondaga County Clerk's Office in Liber of Deeds #5369, Page #393, passing at 1,119.12 feet an iron rod found and continuing for a total distance of 1,151.40 feet to a point in North Burdick Street, said point being the southwesterly corner of said Fietta Realty Corporation property;

thence N.02°33'26"W., along the westerly line of said Fietta Realty Corporation property and in North Burdick Street, a distance of 479.74 feet to a point, said point being the southwesterly corner of lands now or formerly owned by Time Warner Cable Northeast, LLC as recorded in the Onondaga County Clerk's Office in Liber of Deeds #5220, Page #203;

thence N.87°16'46"E., along the southerly line of said Time Warner Cable Northeast, LLC property, passing at 142.59 feet an iron pipe found and continuing for a total distance of 145.31 feet to a point;

thence S.03°04'43"E., a distance of 30.00 feet to a point;

thence N.87°16'52"E., a distance of 50.00 feet to a point;

thence N.02°43'08"W., a distance of 50.00 feet to a point, said point being the intersection of said lands owned by Time Warner Northeast, LLC and lands now or formerly owned by Time Warner Entertainment as recorded in the Onondaga County Clerk's Office in Liber of Deeds #5044, Page #857 with lands now or formerly owned by Fietta Realty Corporation as recorded in the Onondaga County Clerk's Office in Liber of Deeds #2558, Page #564;

thence N.29°35'25"W., along the easterly line of said Time Warner Entertainment property, a distance of 179.37 feet to a point;

thence S.87°16'52"W., along the northerly line of said Time Warner Entertainment property, passing at 91.70 feet an iron rod found and continuing for a total distance of 115.80 feet to a point in North Burdick Street;

thence N.03°09'19"W., along the westerly line of said Fietta property (2535/1031) in North Burdick Street and along the easterly line of said Messinger property, a distance of 2,178.45 feet to the **POINT OF BEGINNING. CONTAINING** 128.889 Acres of land more or less.

SAVE AND EXCEPT THE FOLLOWING:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Manlius, County of Onondaga and State of New York and being part of Lot 65 in said Town and being more particularly described as follows:

COMMENCING at the intersection of the common line between lands now or formerly owned by Fietta Realty Corporation as recorded in the Onondaga Count Clerk's Office in Liber of Deeds #3806, Page #225 and lands now or formerly owned by Charles and Frances A. Felton as recorded in the Onondaga County Clerk's Office in Liber of Deeds # 3363, Page #145 with the westerly line of Limestone Creek Feeder (now or formerly State of New York);

PROPOSED DESCRIPTION
PART OF LOT 65
TOWN OF MANLIUS

thence N.23°04'30"E., along the westerly line of said Limestone Creek Feeder, a distance of 536.90 feet to a point;

thence N.66°50'13"W., continuing along the westerly line of said Limestone Creek Feeder. a distance of 12.50 feet to a point;

thence N.23°09'47"E., continuing along the westerly line of said Limestone Creek Feeder, a distance of 20.98 feet to a point;

thence N.66°58'03"W., a distance of 27.15 feet to the **POINT OF BEGINNING**, said point being the northeasterly corner of lands now or formerly owned by Village of Fayetteville, as recorded in the Onondaga County Clerk's Office in Liber of Deeds #5163, Page #505;

thence S.23°04'52"W., along the easterly line of said Village of Fayetteville property, a distance of 87.30 feet to a point;

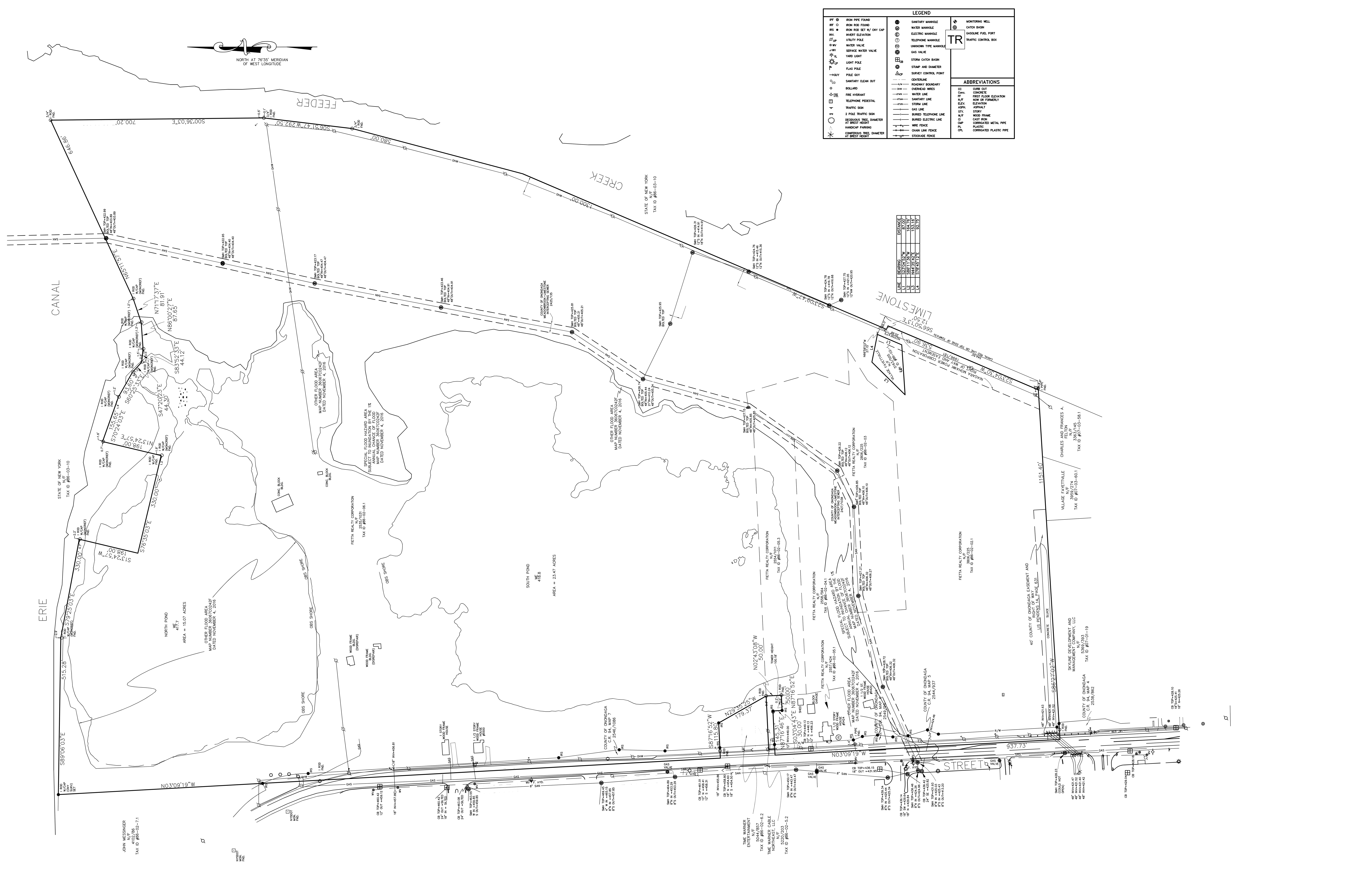
thence S.86°11'36"W., along the southerly line of said Village of Fayetteville property, a distance of 164.76 feet to a point;

thence N.44°35'42"E., along the westerly line of said Village of Fayetteville property, a distance of 153.16 feet to a point;

thence S.78°45'12"E., along the northerly line of said Village of Fayetteville property, a distance of 92.75 feet to the **POINT OF BEGINNING. CONTAINING** 0.283 acre of land more or less.

The hereinbefore described parcels of land are subject to any and all easements and/or rights of way of record..

21.213
27 December 2021



NOTES

SURVEY WAS DONE WITH THE BENEFIT OF AN ABSTRACT OF TITLE PREPARED BY ALLIED AMERICAN ABSTRACT CORP FOR TAX PARCEL 86-02-02.1, ABSTACT FILE NO. 170267, DATED FEBRUARY 20, 2017.

SURVEY WAS DONE WITH THE BENEFIT OF AN ABSTRACT OF TITLE PREPARED BY ALLIED AMERICAN ABSTRACT CORP FOR TAX PARCEL 86-02-04.1, ABSTACT FILE NO. 170270, DATED FEBRUARY 20, 2017.

SURVEY WAS DONE WITH THE BENEFIT OF AN ABSTRACT OF TITLE PREPARED BY ALLIED AMERICAN ABSTRACT CORP FOR TAX PARCEL 86-02-05.1, ABSTACT FILE NO. 170268, DATED FEBRUARY 20, 2017.

SURVEY WAS DONE WITH THE BENEFIT OF AN ABSTRACT OF TITLE PREPARED BY ALLIED AMERICAN ABSTRACT CORP FOR TAX PARCEL 86-02-06.1, ABSTACT FILE NO. 170271, DATED FEBRUARY 20, 2017.

Drawn by D.J. REITH

Checked by D.J. REITH

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES OF THE ORIGINAL OF THIS SURVEY, MARKED WITH THE EMBOSSED LAND SURVEYOR'S SEAL, SHALL BE CONSIDERED TO BE TRUE AND VALID COPIES.

STATE OF NEW YORK · DOUGLAS JAY REITH · 049904 · LICENSED LAND SURVEYOR

THE UNDERSIGNED HEREBY CERTIFIES THAT MAP IS MADE FROM AN ACTUAL SURVEY OF THE PROPERTY SHOWN HEREON.

DOUGLAS JAY REITH
LICENSED LAND SURVEYOR

CNY LAND SURVEYING
2075 CHURCH ROAD
BALDWINSVILLE, NEW YORK 13027
(315) 635-4614

PART OF LOT 65
TOWN OF MANLIUS
COUNTY OF ONONDAGA
STATE OF NEW YORK

DRAWING TITLE

BOUNDARY SURVEY

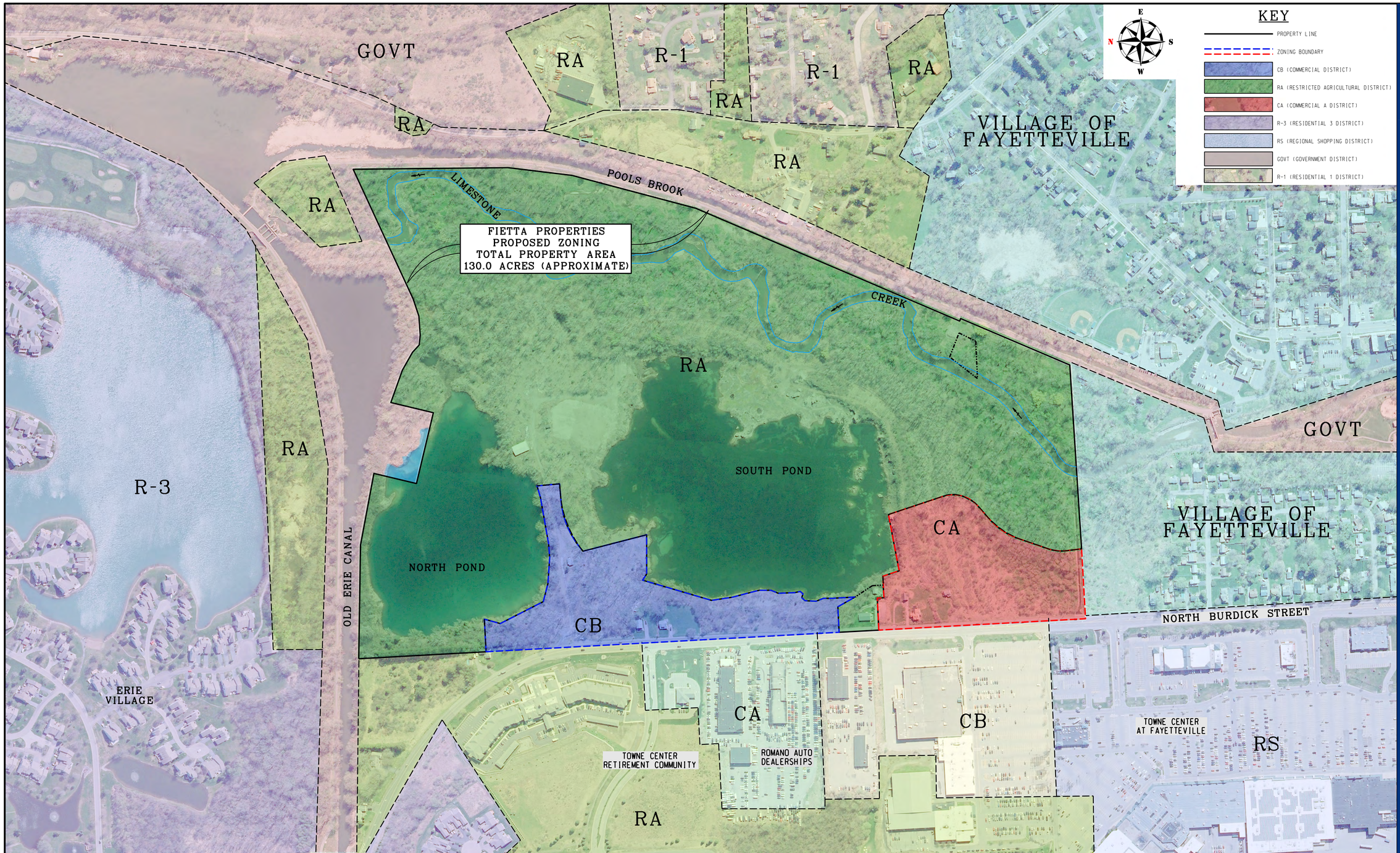
Date Issued 12/28/21

Revisions

FILE NO. 21.213

Scale 1" = 100'

Drawing No. 1 OF 1



ZONE CHANGE PLAN

1" = 200'

200 0 200 400

SCALE FEET

BASEMAP REFERENCES:

1. TOWN OF MANLIUS ZONING MAP, 2016 ZONING.
2. EXISTING CONDITIONS/ DEMOLITION PLAN, PREPARED BY BERGMANN ASSOCIATES, DATED DECEMBER 6, 2017.
3. NYS DIGITAL ORTHOIMAGERY PROGRAM (NYSDOT): DATED 2021.
4. SYRACUSE-ONONDAGA COUNTY GIS ON THE WEB, DATED 2021.

NOTE:

THE 2016 ZONING MAP REFERENCED REFLECTS 2007-2008 ZONING BEYOND LIMITS OF FIETTA PROPERTIES.

DRAFT

TDK Engineering Associates, PC
19 Genesee Street Camillus, New York 13031 PH: (315) 672-8726 FX: (315) 672-8732
www.tdkengineering.com
Civil • Marine • Site Development • Geotechnical • Structural • Environmental • Industrial • Lighting

DATE:

REVISIONS:

NOTE: NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

PROJECT: MANLIUS PROJECT

CLIENT: TWIN SHORES PROPERTIES, LLC

LOCATION: TOWN OF MANLIUS, ONONDAGA COUNTY, NEW YORK

DRAWING TITLE: FIETTA PROPERTIES PROPOSED ZONE CHANGE PLAN

PROJECT No.: 2021054
SCALE: 1" = 200'
DATE: 12-28-21
ENG'D BY: SKO
DRAWN BY: NAR/DKC
CHECKED BY: JED

SHEET NO. ZN-1

RA LEGAL DESCRIPTION

PROPOSED RESTRICTED AGRICULTURAL (RA) DISTRICT
AREA: 109.77 ACRES +/-
PRELIMINARY NOT FOR RECORDING

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF MANLIUS, COUNTY OF ONONDAGA AND STATE OF NEW YORK AND BEING PART OF LOT 65 IN SAID TOWN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE COMMON LINE BETWEEN LANDS NOW OR FORMERLY OWNED BY JOHN MESSINGER AS RECORDED IN THE ONONDAGA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS #4102. PAGE #86 AND LANDS NOW OR FORMERLY OWNED BY FIETTA REALTY CORPORATION AS RECORDED IN THE ONONDAGA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS #2535. PAGE #1031 WITH THE SOUTHERLY LINE OF THE ERIE CANAL (NOW OR FORMERLY STATE OF NEW YORK):

THENCE S3.155°E. 577.141 FEET.
THENCE N87.136°E. 147.801 FEET.
THENCE S15.427°W. 74.501 FEET.
THENCE S27.013°E. 218.626 FEET.
THENCE S75.523°E. 83.662 FEET.
THENCE S85.957°E. 120.502 FEET.
THENCE N85.028°E. 60.328 FEET.
THENCE N80.086°E. 214.868 FEET.
THENCE N73.278°E. 53.473 FEET.
THENCE S5.267°E. 102.502 FEET.
THENCE S85.029°W. 48.228 FEET.
THENCE S85.029°W. 26.970 FEET. TO A POINT ON A CURVE. HAVING A RADIUS OF 395.000 FEET AND A CENTRAL ANGLE OF 37.013°.
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 255.586 FEET. SAID ARC SUBTENDED BY A CHORD BEARING S66.492°W. A DISTANCE OF 251.151 FEET.
THENCE S14.516°E. 297.117 FEET.
THENCE N90.000°W. 178.112 FEET.
THENCE N56.082°W. 33.051 FEET.
THENCE S16.382°W. 325.554 FEET.
THENCE S8.781°E. 95.981 FEET.
THENCE S14.595°E. 59.821 FEET.
THENCE S14.595°E. 32.249 FEET.
THENCE S14.595°E. 32.249 FEET.
THENCE S0.056°E. 53.874 FEET.
THENCE S22.406°W. 36.197 FEET.
THENCE S2.276°E. 73.681 FEET.
THENCE S12.025°E. 26.089 FEET.
THENCE S40.900°W. 16.603 FEET.
THENCE N72.399°W. 17.984 FEET.
THENCE S43.300°W. 20.118 FEET.
THENCE S3.127°W. 49.696 FEET.
THENCE S21.136°E. 37.140 FEET.
THENCE S0.426°W. 36.285 FEET.
THENCE S3.367°E. 106.376 FEET.
THENCE N29.590°W. 89.684 FEET.
THENCE S87.281°W. 115.797 FEET.
THENCE S3.155°E. 180.009 FEET.
THENCE N87.280°E. 145.310 FEET.
THENCE S3.079°E. 30.000 FEET.
THENCE N87.281°E. 50.000 FEET.
THENCE N87.707°E. 47.479 FEET.
THENCE S18.485°E. 77.684 FEET.
THENCE N79.182°E. 259.564 FEET.
THENCE S18.404°E. 258.616 FEET. TO A POINT ON A CURVE. HAVING A RADIUS OF 150.000 FEET AND A CENTRAL ANGLE OF 67.138°.
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 175.767 FEET. SAID ARC SUBTENDED BY A CHORD BEARING S15.165°W. A DISTANCE OF 165.882 FEET.
THENCE S48.734°W. 69.827 FEET.
THENCE S48.734°W. 11.021 FEET. TO A POINT ON A CURVE. HAVING A RADIUS OF 300.000 FEET AND A CENTRAL ANGLE OF 29.653°.
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 155.264 FEET. SAID ARC SUBTENDED BY A CHORD BEARING S33.908°W. A DISTANCE OF 153.537 FEET.
THENCE S19.081°W. 141.809 FEET. TO A POINT ON A CURVE. HAVING A RADIUS OF 200.000 FEET AND A CENTRAL ANGLE OF 26.489°.
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 92.465 FEET. SAID ARC SUBTENDED BY A CHORD BEARING S5.836°W. A DISTANCE OF 91.644 FEET.
THENCE S7.408°E. 64.342 FEET.
THENCE N86.328°E. 834.278 FEET.
THENCE N23.075°E. 536.901 FEET.
THENCE N66.837°W. 12.500 FEET.
THENCE N23.163°E. 1299.997 FEET.
THENCE N14.863°E. 579.999 FEET.
THENCE N6.863°E. 292.499 FEET.
THENCE N0.601°W. 700.199 FEET.
THENCE S65.199°W. 646.859 FEET.
THENCE S71.294°W. 40.955 FEET.
THENCE S71.294°W. 40.955 FEET.
THENCE S86.008°W. 87.650 FEET.
THENCE N83.876°W. 44.120 FEET.
THENCE N47.340°W. 44.300 FEET.
THENCE N60.426°W. 93.600 FEET.
THENCE N70.401°W. 155.650 FEET.
THENCE S13.416°W. 198.000 FEET.
THENCE N76.584°W. 329.999 FEET.
THENCE N13.416°E. 198.000 FEET.
THENCE N79.417°W. 329.999 FEET.
THENCE N89.101°W. 515.278 FEET TO THE POINT OF BEGINNING:
CONTAINING 109.773 ACRES. MORE OR LESS.

CB LEGAL DESCRIPTION

PROPOSED COMMERCIAL B (C-B) DISTRICT
AREA: 10.39 ACRES +/-
PRELIMINARY NOT FOR RECORDING

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF MANLIUS, COUNTY OF ONONDAGA AND STATE OF NEW YORK AND BEING PART OF LOT 65 IN SAID TOWN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY LIMITS OF NORTH BURDICK STREET. BEING SITUATE S3.155°E. 577.14 FEET FROM THE NORTHWEST CORNER OF THE INTERSECTION OF THE COMMON LINE BETWEEN LANDS NOW OR FORMERLY OWNED BY JOHN MESSINGER AS RECORDED IN THE ONONDAGA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS #4102. PAGE #86 AND LANDS NOW OR FORMERLY OWNED BY FIETTA REALTY CORPORATION AS RECORDED IN THE ONONDAGA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS #2535. PAGE #1031:

THENCE N87.136°E. 147.801 FEET.
THENCE S15.427°W. 74.501 FEET.
THENCE S27.013°E. 218.626 FEET.
THENCE S75.523°E. 83.662 FEET.
THENCE S85.957°E. 120.502 FEET.
THENCE N85.028°E. 60.328 FEET.
THENCE N80.086°E. 214.868 FEET.
THENCE N73.278°E. 53.473 FEET.
THENCE S5.267°E. 102.502 FEET.
THENCE S85.029°W. 48.228 FEET.
THENCE S85.029°W. 26.970 FEET. TO A POINT ON A CURVE. HAVING A RADIUS OF 395.000 FEET AND A CENTRAL ANGLE OF 37.060°.
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 255.495 FEET. SAID ARC SUBTENDED BY A CHORD BEARING S66.499°W. A DISTANCE OF 251.064 FEET.
THENCE S14.527°E. 297.087 FEET.
THENCE N90.000°W. 178.112 FEET.
THENCE N56.082°W. 33.051 FEET.
THENCE S16.382°W. 177.892 FEET.
THENCE S16.382°W. 147.662 FEET.
THENCE S8.781°E. 95.981 FEET.
THENCE S14.595°E. 59.821 FEET.
THENCE S14.595°E. 64.498 FEET.
THENCE S0.056°E. 53.874 FEET.
THENCE S22.406°W. 36.197 FEET.
THENCE S2.276°E. 73.681 FEET.
THENCE S12.025°E. 26.089 FEET.
THENCE S40.900°W. 16.603 FEET.
THENCE N72.399°W. 17.984 FEET.
THENCE S43.300°W. 20.118 FEET.
THENCE S3.127°W. 49.696 FEET.
THENCE S21.136°E. 37.140 FEET.
THENCE S0.426°W. 36.285 FEET.
THENCE S3.367°E. 106.376 FEET.
THENCE N29.590°W. 89.684 FEET.
THENCE S87.281°W. 115.797 FEET.
THENCE N3.155°W. 2178.45 FEET TO THE POINT OF BEGINNING:
CONTAINING 10.393 ACRES. MORE OR LESS.

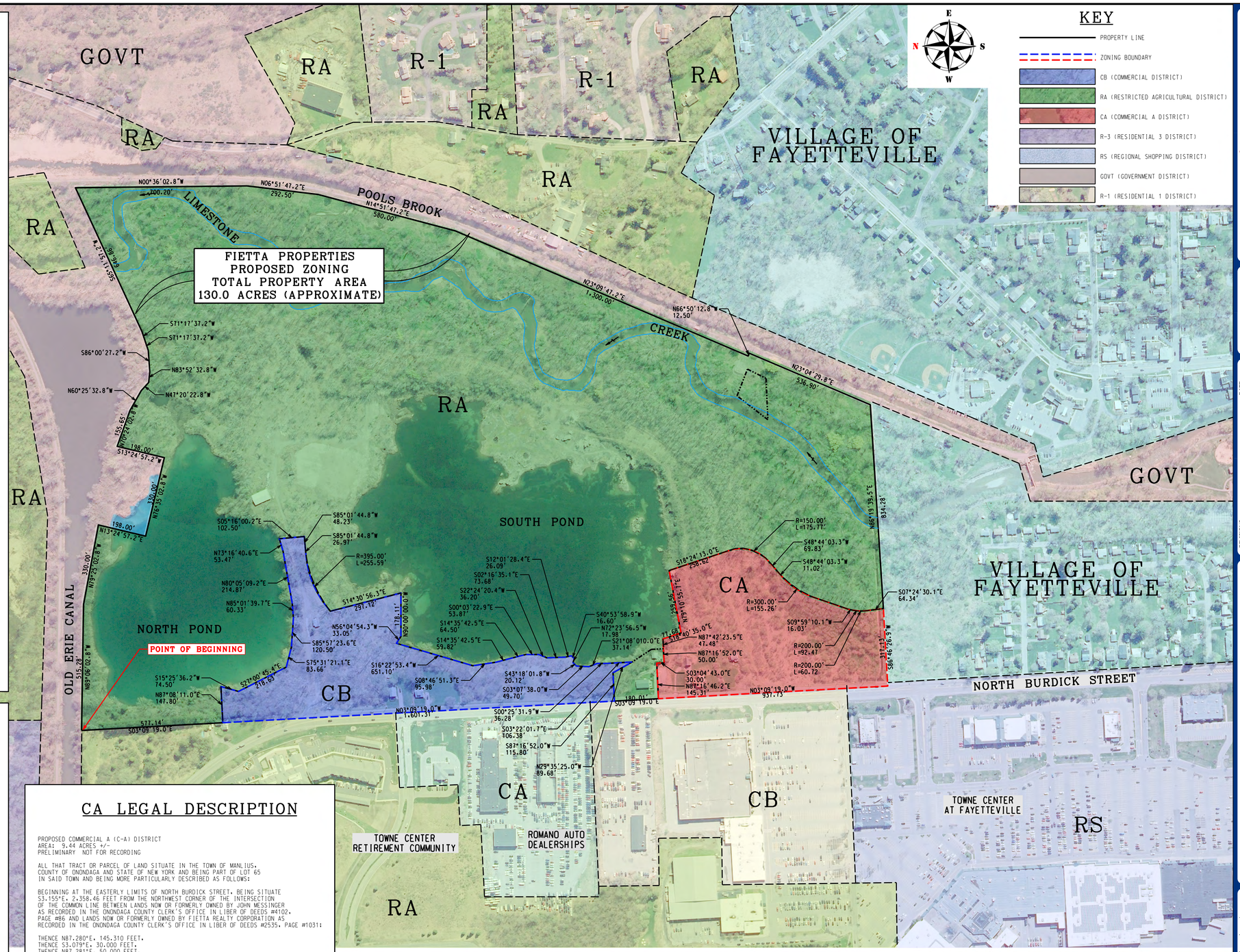
CA LEGAL DESCRIPTION

PROPOSED COMMERCIAL A (C-A) DISTRICT
AREA: 9.44 ACRES +/-
PRELIMINARY NOT FOR RECORDING

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF MANLIUS, COUNTY OF ONONDAGA AND STATE OF NEW YORK AND BEING PART OF LOT 65 IN SAID TOWN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY LIMITS OF NORTH BURDICK STREET. BEING SITUATE S3.155°E. 2,358.46 FEET FROM THE NORTHWEST CORNER OF THE INTERSECTION OF THE COMMON LINE BETWEEN LANDS NOW OR FORMERLY OWNED BY JOHN MESSINGER AS RECORDED IN THE ONONDAGA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS #4102. PAGE #86 AND LANDS NOW OR FORMERLY OWNED BY FIETTA REALTY CORPORATION AS RECORDED IN THE ONONDAGA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS #2535. PAGE #1031:

THENCE N87.280°E. 145.310 FEET.
THENCE S3.079°E. 30.000 FEET.
THENCE N87.281°E. 50.000 FEET.
THENCE N87.707°E. 47.479 FEET.
THENCE S18.676°E. 65.815 FEET.
THENCE S17.425°E. 11.871 FEET.
THENCE N79.182°E. 259.564 FEET.
THENCE S18.404°E. 258.616 FEET. TO A POINT ON A CURVE. HAVING A RADIUS OF 150.000 FEET AND A CENTRAL ANGLE OF 67.138°.
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 175.767 FEET. SAID ARC SUBTENDED BY A CHORD BEARING S15.165°W. A DISTANCE OF 165.882 FEET.
THENCE S48.734°W. 69.827 FEET.
THENCE S48.734°W. 11.021 FEET. TO A POINT ON A CURVE. HAVING A RADIUS OF 300.000 FEET AND A CENTRAL ANGLE OF 29.653°.
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 155.264 FEET. SAID ARC SUBTENDED BY A CHORD BEARING S33.908°W. A DISTANCE OF 153.537 FEET.
THENCE S19.081°W. 158.176 FEET.
THENCE S9.986°W. 16.034 FEET. TO A POINT ON A CURVE. HAVING A RADIUS OF 200.000 FEET AND A CENTRAL ANGLE OF 17.395°.
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 60.718 FEET. SAID ARC SUBTENDED BY A CHORD BEARING S1.289°W. A DISTANCE OF 60.485 FEET.
THENCE S7.408°E. 64.342 FEET.
THENCE S86.774°W. 317.127 FEET.
THENCE N3.155°W. 3,296.188 FEET TO THE POINT OF BEGINNING:
CONTAINING 9.442 ACRES. MORE OR LESS.



ZONE CHANGE PLAN

1" = 200'
200 0 200 400
SCALE FEET

BASEMAP REFERENCES:

1. TOWN OF MANLIUS ZONING MAP. 2016 ZONING.
2. EXISTING CONDITIONS/ DEMOLITION PLAN. PREPARED BY BERGMANN ASSOCIATES. DATED DECEMBER 6. 2017.
3. NYS DIGITAL ORTHOIMAGERY PROGRAM (NYSDOT): DATED 2021.
4. SYRACUSE-ONONDAGA COUNTY GIS ON THE WEB. DATED 2021.

NOTE:
THE 2016 ZONING MAP REFERENCED REFLECTS 2007-2008 ZONING BEYOND LIMITS OF FIETTA PROPERTIES.

DRAFT

KEY

- PROPERTY LINE
- ZONING BOUNDARY
- CB (COMMERCIAL DISTRICT)
- RA (RESTRICTED AGRICULTURAL DISTRICT)
- CA (COMMERCIAL A DISTRICT)
- R-3 (RESIDENTIAL 3 DISTRICT)
- RS (REGIONAL SHOPPING DISTRICT)
- GOVT (GOVERNMENT DISTRICT)
- R-1 (RESIDENTIAL 1 DISTRICT)

TDK Engineering Associates, PC
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REVISIONS: DATE:

NOTE: NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

PROJECT: MANLIUS PROJECT
CLIENT: TWIN SHORES PROPERTIES, LLC
LOCATION: TOWN OF MANLIUS, ONONDAGA COUNTY, NEW YORK

DRAWING TITLE: FIETTA PROPERTIES PROPOSED ZONE CHANGE PLAN

PROJECT No.:	2021054
SCALE:	1" = 200'
DATE:	12-28-21
ENG'D BY:	SKO
DRAWN BY:	NAR/DKC
CHECKED BY:	JED

SHEET NO. ZN-1

CERIO LAW OFFICES, PLLC

THOMAS J. CERIO* DAVID W. HERKALA MICHAEL D. ROOT RALPH A. CONGNETTI§ NATHANIEL V. RILEY†‡
*ALSO ADMITTED IN WASHINGTON, D.C. §OF COUNSEL ‡ALSO ADMITTED IN MICHIGAN †ALSO ADMITTED IN ILLINOIS

OUR INTEGRITY IS YOUR SECURITY

January 14, 2022

Town of Manlius
301 Brooklea Drive
Fayetteville, NY 13066

Attn: Allison Weber
Town Clerk

VIA FACSIMILE & E-MAIL: 315-637-0713

Re: Twin Shores Properties, LLC; Request for Zone Change
N. Burdick St. – Fietta Property – Tax Map #'s 086.-02-02.1, 03.0, 04.1, 05.1, 05.3, 06.1.

Dear Ms. Weber

As we discussed earlier, please accept this letter as an amendment to the above Zone Change Application. On the respective proposed zone change Map and application, please change the request for CB zone to CA zone.

Thank you.

Very truly yours
Cerio Law Offices

David Herkala, Esq.

ATTORNEYS AND COUNSELORS AT LAW
407 SOUTH WARREN STREET • 5TH FLOOR • SYRACUSE, NEW YORK 13202
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IN THE MATTER Of A LOCAL LAW 2022-___ TO REPEAL SECTION 155-27.2 OF THE TOWN CODE REGULATING THE PLACEMENT OF SOLAR PHOTOVOLTAIC ENERGY SYSTEMS AND TO REPLACE IT WITH A MODIFIED LOCAL LAW TO REGULATE THE PLACEMENT OF SOLAR PHOTOVOLTAIC ENERGY SYSTEMS IN THE TOWN AND REMOVING SOLAR PHOTOVOLTAIC ENERGY SYSTEMS SITUATED ON TOWN PROPERTY FROM SITE PLAN AND SPECIAL PERMIT PROCESSES	RESOLUTION CALLING FOR A PUBLIC HEARING

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, and virtually on the platform commonly referred to as Zoom, the Town Facebook page and YouTube on the _____th of February, 2022, at 6:30 p.m.

The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

John T. Deer	Supervisor
Sara Bollinger	Councilor
Elaine Denton	Councilor
Alissa Italiano	Councilor
Katelyn Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, global warming is a existential threat to the planet, the United States, the State of New York, Onondaga County and the Town of Manlius,

WHEREAS, the Town Board of the Town of Manlius believes it is the responsibility of governments at all levels to combat global warming;

WHEREAS, fossils fuels are a significant contributing factor to global warming,

WHEREAS, solar energy technology harnesses the natural photovoltaic energy from the sun and turns it into energy that could be used by Town residents, businesses and governments;

WHEREAS, solar energy is renewable and provides a clean source of energy and it is an important tool to fight global warming;

WHEREAS, the State of New York has a strong policy that encourages the production of solar energy;

WHEREAS, one of those policies is to make renewable energy production sites exempt from real property taxation;

WHEREAS, the previous Town Board disallowed the exemption for renewable energy;

WHEREAS, the current Town Board has reversed this decision and now allows the exemption on real property for the development of renewable energy;

WHEREAS, the Town Board has determined that the existing Solar Photovoltaic Energy Systems law, which was adopted in 2016, needs to be updated and modified to meet the current demands to combat global warming;

WHEREAS, the Town Board of the Town of Manlius created a committee to review the existing Solar Photovoltaic law and to recommend modifications to said law;

WHEREAS, the committee has been working on this local law for _____ months;

WHEREAS, the State of New York has adopted the 2015 New York State Energy Plan, an overview of which is attached to this resolution, which sets forth various renewable energy goals for the State;

WHEREAS, on July 18, 2019, the Climate Leadership and Community Protection Act (Climate Act) was signed into law which was among the most ambitious climate laws in the world and requires New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels. https://climate.ny.gov/

WHEREAS, the Town Board strongly agrees with the goals set forth in these and all the State policies on renewable energy and encourages the production of renewable energy in the Town of Manlius;

WHEREAS, the Town Board desires to improve the efficiency of the solar photovoltaic energy system siting process and this is reflected in the changes that were made in Local Law 2022-____;

WHEREAS, the Town Board, through Local Law 2022-__ recognizes that siting solar photovoltaic energy systems on public property, especially closed landfills, has been determined by the New York State Department of Environmental Conservation as a Type II action under the State Environmental Quality Review Act, and thus will not have a significant environmental impact, including a visual impact;

WHEREAS, the Town Board is informed of various case law that makes the siting of certain public benefits which are privately owned, like cellular antennas on a State owned cellular tower, exempt from zoning under the *City of Rochester v. Monroe County Airport* balancing of public interest test (see *Crown Communication New York Inc. v. Department of Transportation State of New York*, 4 NY 3rd 159);

WHEREAS, the Town Board believes that given the strong New York State policy of encouraging solar photovoltaic energy systems as a means of generating renewable energy, especially on closed landfills, is a public benefit because it provides renewable energy to meet the State's goals and it provides revenue to the Town through lease payments and PILOT payments;

WHEREAS, the Town Board desires to remove unnecessary procedures, that have already been recognized by the courts and the State as outside the purview of zoning regulations or outside the scope of SEQRA review that may prevent the Town from pursuing its strong policy goal of placing a solar array energy system on the closed Town landfill;

WHEREAS, the Town Board has received many letters in support of the solar photovoltaic project at the Town Landfill and believes the popular opinion of Town residents is to develop photovoltaic energy at the Landfill;

WHEREAS, the Town Board received a petition in support of the development of photovoltaic energy sources in the Town by over 300 people in 2021;

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2022- ____, amending Chapter 155 of the Town Code by repealing the existing Solar Photovoltaic energy systems law (Section 155-27.2) and replacing it with Local Law 2022-___;

LOCAL LAW 2022-___, A LOCAL LAW REPEALING SECTION 155-27.2 OF CHAPTER 155 AND REPLACING IT

WITH A NEW SOLAR PHOTOVOLTAIC ENERGY SYSTEM LAW:

Be it enacted by the Town Board of the Town of Manlius, Onondaga County, New York as follows:

Section 1. Section 155-27.2 of Article IV of Chapter 155 of the Town Code is hereby repealed and replaced by language set forth in Section 2 below.

Section 2. A new Section 155-27.2 of Article IV of Chapter 155 of the Town Code is replaced as follows:

§ 155-27.2 Solar photovoltaic energy systems.

A. Intent and purpose. The Town of Manlius, through this section, seeks to promote the safe, effective and efficient use of solar photovoltaic energy systems that reduce on-site and off-site consumption of energy generated from fossil fuels while protecting the health, safety and welfare of adjacent and surrounding land uses and properties. The Town of Manlius recognizes that solar energy is an abundant, renewable, nonpolluting energy resource and that its conversion to electric energy will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. It is therefore the intent and purpose of this section to balance the encouragement of this renewable resource with any impacts such use may have on health, welfare and safety to the community and preserving and protecting the aesthetic qualities of the Town of Manlius. It is also the intent of this Law to recognize the importance of New York State policy to encourage the placement of solar array systems on closed landfills based on Part 617.5 of the NYCRR which designates solar energy array systems on closed landfills where less than 25 acres is disturbed as a Type II action, meaning they will not have a significant environmental impact. The Town of Manlius similarly has a strong policy belief that encouraging renewable energy is vital to the fight against global warming and the Town should take the necessary steps to site solar energy arrays systems in the Town.

B. Definitions. The definitions set forth in this section are meant to be applicable to solar photovoltaic energy systems. Nothing contained herein is meant to change the definitions of other sections of Chapter **155** of the Manlius Code.

ACCESSORY STRUCTURE

A structure, the use of which is customarily incidental and subordinate to that of the principal building, and is located on the same lot or premises as the principal building.

ACCESSORY USE

A use which is clearly incidental to a principal structure or use, and is located on the same lot with the principal structure or use, is an accessory use. All accessory uses are subject to the restrictions in this section.

ARRAY

Any number of electrically connected photovoltaic (PV) modules providing a single electrical output.

BUILDING-INTEGRATED SYSTEM (BIS)

A solar photovoltaic energy system that is constructed as an integral part of a principal or accessory building or structure and where the building-integrated system features maintain a uniform profile or surface of vertical walls, window openings and roofing. Such a system is used in lieu of a separate mechanical device, replacing or substituting for an architectural or structural component of the building or structure that appends or interrupts the uniform surfaces of walls, window openings and roofing. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other facade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems.

DRIP LINE

The outermost edge of a roof including eaves, overhangs and gutters.

GLARE

This is a continuous source of excessive brightness. It could be experienced by a stationary observer located in the path of reflected sunlight from the face of the panel.

GROUND-MOUNTED SYSTEM (GMS)

A solar photovoltaic energy system mounted on a structure, pole or series of poles constructed specifically to support the solar photovoltaic energy system and not attached to any other structure.

INTERCONNECTION

The technical and practical link between the solar photovoltaic energy system and the grid providing electricity to the greater community.

KILOWATT (kW)

A unit of electrical power equal to 1,000 watts, which is a metric measurement of instantaneous power (not energy).

LARGE SOLAR PHOTOVOLTAIC ENERGY SYSTEM (LSES)

A solar photovoltaic energy system with a rated capacity larger than 200kW. An LSES is considered an accessory use of the property, if the principal purpose is (i) to provide electrical power to be consumed onsite and for sale to the general power grid or (ii) to provide electrical power to be consumed onsite and to be sold to other power customers through a power purchase agreement. An LSES is not considered an accessory use if the principal purpose is to provide electrical power for offsite consumption.

MEDIUM SOLAR PHOTOVOLTAIC ENERGY SYSTEM (MSES)

A solar photovoltaic energy system with a rated power generation greater than 25kW and up to and including 200kW. It may be roof- or ground-mounted, providing power for the property and/or additional offsite buildings or customers.

MEGAWATT (MW)

A unit of electrical power equal to 1,000,000 watts, which is a metric measurement of instantaneous power (not energy).

NATIVE VEGETATION:

Native wildflower, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any prohibited or regulated invasive species as determined by the New York State Department of Environmental Conservation.

NET METERING AGREEMENT

An agreement with a local electric utility company that allows customers to receive a credit for surplus electricity generated by certain renewable energy systems.

NEW YORK STATE UNIFIED SOLAR PERMIT

The permit issued pursuant to the application prepared by New York State and set forth in this section as Exhibit A and filed in the office of the Manlius Planning and

Development Department. Where the term "building permit" is used in this section, it will mean the unified solar permit.
[Added 5-27-2020 by L.L. No. 3-2020]

PHOTOVOLTAIC (PV)

A semiconductor-based device that converts light directly into electricity.

PRINCIPAL USE

The primary or main use of land, building or structure, as distinguished from an accessory use, building or structure.

QUALIFIED SOLAR INSTALLER

A person who has skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. Persons who are on the list of eligible photovoltaic installers maintained by the New York State Energy Research and Development Authority (NYSERDA), or who are certified as a solar installer by the North American Board of Certified Energy Practitioners (NABCEP), shall be deemed to be qualified solar installers for the purposes of this definition. Persons who are not on NYSERDA's list of eligible installers or NABCEP's list of certified installers may be deemed to be qualified solar installers if the Town of Manlius determines such persons have had adequate training to determine the degree and extent of the hazard and the personal protective equipment and job planning necessary to perform the installation safely. Such training shall include, but not be limited to, the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

RATED SOLAR ENERGY SYSTEM CAPACITY

Aggregate sum of the AC kW ratings of all of the inverters in the system.

ROOF-MOUNTED SYSTEM (RMS)

A solar photovoltaic energy system in which solar panels are mounted on top of the structure of a roof either as a flush-mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

SMALL SOLAR PHOTOVOLTAIC ENERGY SYSTEM (SSES)

A solar photovoltaic energy system with a rated capacity up to and including 25kW. It may be roof- or ground-mounted, and serve any residential, commercial,

agricultural, institutional, or industrial building to which it is attached or associated. The electrical power may also be supplied to accessory structures or for the supply of energy for other uses on the same parcel.

SOLAR PHOTOVOLTAIC (PV) RELATED EQUIPMENT

Various items related to photovoltaic installations, including solar photovoltaic cells, modules, panels or arrays, cables, inverters, panelboards, disconnect switches, mounting brackets, framing and foundations used for or intended to be used for collection of solar photovoltaic energy.

SOLAR PHOTOVOLTAIC ENERGY SYSTEM (PVS)

A power generation system that utilizes cells that convert solar radiation directly to piezoelectric power.

SOLAR TRACKING SYSTEM

A PVS that is mounted in a way to track the movement of the sun across the sky to maximize energy production, either with a single-axis or dual-axis mechanism.

SOLAR-BASED ARCHITECTURAL ELEMENT

A structural/architectural element that provides protection from weather that includes awnings, canopies, porches or sunshades and that is constructed with the primary covering consisting of solar photovoltaic cells and may, or may not, include additional solar photovoltaic related equipment.

UNREGULATED YARD AREA

Area not within a building and not in a defined setback or yard area.

C. Applicability.

(1) This section applies to all roof-mounted and/or ground-mounted installed and constructed after the effective date of this section. In addition, it does not apply to other types of systems that convert solar energy, including concentrated solar power systems and hot water systems.

(2) After the effective date of this section, any upgrade, modification or structural change that materially alters the size or placement of a PVS constructed prior to the effective date of this section shall comply with the provisions of this section.

(3) The Town of Manlius hereby adopts the unified solar application for the construction or placement of solar photovoltaic equipment and will use the unified solar permit in place of the building code.

(4) Permitted locations. No PVS or device shall be installed or operated in the Town of Manlius except in compliance with this section, state and local laws and, if applicable, in compliance with NYSERDA, New York State PSC and the local utility company.

D. **(1)** Roof-mounted solar photovoltaic energy systems, accessory use.

(a) RMSs may only be mounted on lawfully permitted principal or accessory structures. RMSs shall be considered a modification to an existing structure in the Town of Manlius subject to the following requirements:

[1] Unified solar permits are required for installation of all RMSs. [Amended 5-27-2020 by L.L. No. 3-2020]

[2] At the discretion of the Town of Manlius Code Enforcement Officer, the structure may be subject to engineering review for suitability.

[3] For installations on a sloped roof:

[a] The system must be installed at the same angle as the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of 12 inches between the roof and highest edge or surface of the system.

[b] The highest point of the system shall not exceed the highest point of the roof to which it is attached.

[c] RMSs on a sloped roof do not need to be screened.

[4] For medium and large RMSs installed on a flat roof:

[a] The highest point of the system shall be permitted to extend up to six feet above the roof to which it is attached.

[b] It shall be screened in a manner similar to other rooftop HVAC and mechanical equipment. This can be accomplished with architectural screening such as a building parapet and by setting the system back from the roof edge.

[c] These systems shall comply with the following conditions as presented in Subsection D(3)(6):

[i] Noninterference.

[ii] Proximity to radio, television and telephone systems.

[iii] FAA requirements.

[iv] Ownership.

[v] Utility notification and approval.

[vi] Lighting.

[vii] Property operation and maintenance plan.

[5] Any height limitations of the Town of Manlius Code shall be applicable to solar systems.

(2) Small and medium GMSs, accessory use.

(a) Small and medium GMSs are permitted based on the requirements for accessory structures in the property's zoning district subject to the following conditions:

[1] The unified solar permit shall be required for the installation of all GMSs.

[2] The location of the GMS must meet all applicable setback requirements for accessory structures in the zoning district in which it is located.

[3] GMSs shall be screened through the use of architectural features, earth berms, landscaping or other means. This screening should harmonize with the character of the property and the surrounding area and minimize the view of the solar energy system from a public right-of-way and from neighboring properties.

[4] (Reserved)[1]

[5] The minimum distance between the ground and any part of the solar panel must be at least two feet.

[6] It is required that solar panels shall not exceed a total height of 20 feet measured from the ground to the top of the highest point of the panel.

[7] SSES shall not be allowed as a principal use.

(3) Building-integrated solar energy systems. BISs, as defined by this section, are not considered an accessory use and are not subject to the requirements of this section, but are subject to other building, electrical, and safety codes.

(4) MSES and LSES as principal use.

(a) MSES and LSES are permitted as primary structures in the Town of Manlius, subject to the following conditions:

[1] These solar systems are subject to all zoning restrictions in allowed zoning districts.

[2] These solar systems are only allowed on parcels that would provide at least fifty-foot setbacks, or more, as determined by the Planning Board while conforming to all other site restrictions.

[3] These solar systems are subject to the issuance of a special use permit by the Planning Board, pursuant to § **155-27** of the Town Code and upon site plan approval by the Planning Board pursuant to § **155-28** of the Town Code, unless the property on which solar systems are proposed are owned by the Town. If the property is owned by the Town, neither a special permit nor site plan approval from the Planning Board is required. Instead, the following requirements will be necessary:

[a] A lease between the Town Board and the developer of the solar system;

[b] An exhibit to the lease that outlines the boundaries of the solar system on the Town's property and the lay-out of the solar system;

[c] A stormwater pollution and prevention plan acceptable to the engineer for the Town;

[d] a decommission plan and reclamation plan acceptable to the engineer for the Town;

[e] a building permit

[4] MSES and LSES located on the areas that consist of Prime Farmland or Farmland of Statewide Importance shall not exceed fifty percent (50%) of the entire lot.

[5] The total surface area of solar collectors, combined with all other buildings and structures on the lot, shall not exceed fifty percent of total parcel area;

[6] Removal of trees over 6 inches in trunk diameter shall be minimized, or mitigated by replacement tree plantings elsewhere on the property

[7] All on-site utility and transmission lines shall, to the extent feasible, be placed underground.

[8] All solar panels shall have anti-reflective coatings.

[9] Applicants shall develop, implement and maintain native vegetation to the extent practicable, and in the discretion of the Code Enforcement Officer or the Town Engineer, pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators.

[10] If the owner or operator of the Solar Energy System changes or the owner of the property changes, the special permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the Solar Energy System shall notify the Code Enforcement Officer of such changes in ownership or operator within thirty (30) days of the ownership changes.

[11] Any Special Permit or Site Plan approved by the Planning Board for a Solar Energy System shall be valid for a period of twenty-four (24) months before a building permit is issued. If the Applicant or its successor fails to perform substantial construction after twenty-four (24) months from the issuance of a building permit, to be determined by the Code Enforcement Officer, the special permit and site plan approval shall expire.

(b) In addition to the criteria established pursuant to § **155-27**, the following criteria are hereby established for purposes of the Planning Board granting a special use permit for MSES and LSES solar systems under this chapter:

[1] Noninterference. These solar systems shall not be installed in any location along the major axis of an existing microwave communications operation where the solar system operation or similar solar system operations have been demonstrated to produce an electromagnetic interference in the existing microwave communications operation, unless such interference can be mitigated.

[2] Proximity to radio, television and telephone systems. These solar systems shall not be installed in any location where the solar system operation or similar solar systems operations have been demonstrated to interfere with existing fixed broadcast, retransmission, or reception antennae for radio, television or wireless phone, unless such interference can be mitigated.

[3] View sheds and screening. MSES and LSES shall be installed in a location and position that would minimize visibility from neighboring properties. A screening plan, to be reviewed and accepted by the Planning Board, shall be required as part of the site plan review or special use permit review, which screening plan shall include a glare analysis. For purposes of this section, consideration shall be given to any relevant portions of the current, amended and/or future officially recognized Town Code. In addition, adequate measures shall be taken to screen through landscaping, grading or other means to reasonably mitigate the view of the solar panels and other equipment of the solar systems from roadways and neighboring residential properties.

[4] Security. Proper security of the site for large and medium GMSs is required. This can be accomplished by means proposed by the applicant as part of an overall security plan to be accepted by the Planning Board.

[5] FAA requirements. If the proposed site is near an airport, seaplane base, or established flight zone, such solar system must meet all Federal Aviation Administration requirements.

[6] Ground clearance. The minimum distance between the ground and any part of the solar panel must be at least two feet. If the array can rotate and/or change pitch, this is the minimum with the array extended at its maximum pitch.

[7] Emergency shutdown/safety. The applicant shall post an emergency telephone number so that the appropriate entities may be contacted should any portion of the solar system need immediate repair or attention. This telephone number should be clearly visible on signs located the site entrance or as determined by the Planning Board.

[8] Lightning protection. All solar systems shall have adequate lightning protection via internal lightning arrestors, surge protectors or adequate grounding.

[9] Ownership. Ownership of the property shall be clearly established by the applicant, and if the applicant is not the owner, the applicant shall provide proof that the owner agrees to the regulations set forth herein.

[10] Utility notification and approval. No solar system shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the construction of the solar system and has agreed to an interconnection.

[11] Lighting. No solar system under this provision shall be continually artificially lighted. Lighting shall be limited to lights as needed by solar array personnel while present at the site. Lighting to be arranged and angled to not spill onto adjacent properties.

[12] Access road. To the greatest extent possible, existing roadways shall be used for access to the site and its improvements. In the case of constructing any roadways necessary to access the solar energy systems, they shall be constructed in a way that allows reasonable access to all parts of the PVS and for the passage of emergency vehicles in the event of an emergency. Roadways to and within the site shall be constructed of gravel or other permeable surfacing and shall be flush with the surrounding land contours

[13] Property operation and maintenance plan. The applicant shall submit a property operation and maintenance plan to the Planning Board as part of the Special Use Permit application.

[14] Notice of decommissioning.

[a] The applicant shall also submit to the Planning Board a letter of intent committing the owner, and its successors-in-interest, to notify the Building Inspector within 30 days of the discontinuance of the use of the solar system. This letter of intent shall be filed with the Office of Planning and Development prior to the issuance of a building permit.

[b] Should the solar system be nonoperational for a continuous period of six months or greater, the owner shall submit a letter to the Office of Planning and Development indicating when it is expected to resume operations or whether the decommissioning of the site, in accordance with the DRP, shall commence. If the owner plans to continue operations, it shall have up to six months more to begin operations. If operations do not commence within said six months, decommissioning of the site, in accordance with the DRP, shall immediately commence.

[c] If the owner and/or operator fails to comply with the decommissioning upon any abandonment of the Solar Energy System, the Town may, at its discretion, utilize the restoration bond and/or security for the removal of the Solar Energy System and restoration of this site in accordance with the decommissioning plan.

[d] Upon abandonment of the Solar Energy System, the Town may notify and instruct the owner and/or operator of the Solar Energy System to implement the Decommissioning and removal plan. The Decommissioning and removal must be completed within three hundred sixty-five (365) days of notification.

[15] Decommissioning and removal plan.

[a] The applicant shall submit a decommissioning and removal plan (DRP) to the Planning Board. The DRP shall include specific plans on how the owner plans to remove the obsolete or unused solar panel arrays and accessory structures and return the

property to a state acceptable to the Town within a specific time period after the cessation of operations. This plan shall be approved by the Planning Board and prior to the granting of the special use permit. A site restoration plan shall be included as part of any decommissioning plan, to include, at a minimum, stockpiling of any topsoil removed during construction, for use in site restoration, removal of all foundations, de-compacting and de-rocking all disturbed areas, and removal of any roadways;

[b] Failure to conform to the DRP in the time period provided shall be a violation of this section and the cost to complete the plan shall be placed as a lien on the property owner's tax bill.

[16] Reclamation payment. A reclamation fund, for a term and in an amount to be determined during special use permit review, shall be filed with the Town Clerk to cover the costs of reclamation of the site. The amount shall be commensurate with the DRP submitted by the applicant.

[17] Public hearing. No action shall be taken by the Planning Board to issue a special use permit for a solar system until after public notice and public hearing.

[19] Saturation. In considering whether to issue a special use permit, the Planning Board shall consider the proximity of similar large solar energy systems to the one being proposed. In no event shall an LSES be placed within one mile of an existing LSES, without specific findings by the Planning Board that such placement does not adversely affect the community character of the surrounding properties.

(c) In coordination with the Planning Board issuing a special use permit, the Planning Board shall review the site plan for the MSES or LSES pursuant to § **155-28** of the Code. The following submission requirements must be observed regarding a site plan application.

[1] Completed application form as supplied by the Town of Manlius for site plan approval for a solar system.

[2] Proof of ownership of the premises involved or proof that the applicant has written permission of the owner to make such application and copies of all relevant agreements and documents between the owner and the applicant have been turned over to the Planning Board for their review.

[3] Submit a stormwater management plan, certified by a professional engineer that demonstrates stormwater runoff will infiltrate into the ground beneath at a rate equal to that of the infiltration rate prior to the placement of the system.

[4] A plot plan and development plan drawn in sufficient detail, as prepared by a licensed engineer or surveyor, clearly describing:

[a] Property lines and physical dimensions of the proposed site, including contours at five-foot intervals both before and after construction;

[b] Location, approximate dimensions and types of all existing structures and uses on the site;

[c] Location and elevation of the proposed solar system;

[d] Blueprints or drawings of the proposed solar system installation showing the proposed layout of the solar system;

[e] Electrical diagram detailing the installation, associated components, electrical interconnection methods with all National Electrical Code compliant disconnects and overcurrent devices;

[f] Documentation of the major system components to be used, including PV panels, mounting system and inverter;

[g] Location of all existing aboveground utility lines and other on-site solar energy conversion systems within 1,200 linear feet of the site;

[h] Where applicable, the location of all transmission facilities proposed for installation;

[i] Location of all roads and other service structures proposed as part of the installation;

[j] Landscape plan showing all existing natural land features, trees, forest cover, streams, wetlands and all proposed changes to these features, including size and type of plant material;

[k] Plan showing proposed changes to the site including grading, clearing, lighting, screening and structures;

[l] Soil type at construction site.

[5] All applications shall be accompanied by a long environmental assessment form, including a visual impact analysis. The following additional material may be required by the Planning Board:

[a] Digital elevation model based project visibility map showing the impact of topography upon visibility of the project from any affected locations.

[6] In addition to the above, no action shall be taken to issue site plan approval until after public notice and public hearing by the Planning Board and unless the Planning Board determines that the proposed solar system complies with the following:

[a] That the use is oriented in its location upon the site, as to layout, coverage, screening, means of access and aesthetics so that:

[i] The flow control and safety of traffic and human beings shall not be adversely affected to an unreasonable degree;

[ii] Fire department and EMT services shall be given notice of the site plan showing the proposed ingress and egress to the facility and an opportunity to submit comments (either in writing or in person) regarding the ability of the proposed ingress and egress to accommodate emergency vehicles.

[iii] That there be reasonable compatibility on all respects with any structure or use in the neighborhood, actual or permitted, which may be directly substantially affected;

[iv] That there should not be any unreasonable detriment to any existing structure in the neighborhood.

[b] The Planning Board may, upon review and with due consideration, waive one or more of the submission requirements imposed herein. Relief from all other requirements must be made by way of area or use variance from the Zoning Board of Appeals.

E. Permitted zoning districts.

(1) RMSs are permitted in all zoning districts as an accessory structure to any lawfully permitted principal use on the same parcel upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section.

(2) Small and medium GMSs are permitted on parcels larger than 40,000 square feet in all zoning districts as an accessory structure to any lawfully permitted principal use on the same parcel upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section.

(3) Large GMSs are permitted as principal use upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section. They shall be allowed in the following zoning districts:

(a) Industrial.
(b) R/A.

F. Design and installation standards.

(1) The solar photovoltaic energy system must be constructed to comply with the New York State Uniform Fire Prevention and Building Code, as amended, and any additional electrical and safety regulations adopted by the State of New York.

(2) All wiring must comply with the National Electrical Code, most recent edition, as amended and adopted by the State of New York.

(a) For GMSs, all exterior electrical lines must be buried below the surface of the ground where possible or be placed in conduit or in aluminum cable tray. Cable tray shall be covered wherever conductors will be exposed to direct sunlight.

(3) The solar energy system must be constructed to comply with the most recent fire code as amended and adopted by the State of New York.

(4) The solar energy system shall be properly maintained and be kept free from hazards including, but not limited to, faulty wiring, loose fastenings, or the creation of an unsafe condition or detriment to public health, safety or general welfare.

G. Signage and/or graphic content.

(1) No signage or graphic content may be displayed on the solar panels except the manufacturer's badge, the installer's name, safety information and equipment specification information. Said information shall be depicted within an area no more than 36 square inches in size.

(2) Disconnect and other emergency shutoff information will be clearly displayed on a light reflective surface.

(3) Systems and sites may not be used for displaying advertising except for reasonable identification of the owner/operator and shall comply with all signage restrictions.

H. Inspection, safety and removal.

(1) The Town of Manlius reserves the right to inspect a solar energy system for building or fire code compliance and safety.

(2) If upon inspection the Town of Manlius determines that a fire code or building code violation exists, or that the system otherwise poses a safety hazard to persons or property, the Town of Manlius may order the owner of the land or the operator of the facility to repair or remove the system, within a reasonable time. Such an order shall be in writing, shall offer the option to repair, shall specify the code violation or safety hazard found and shall notify the owner of the land or the operator of the facility of their right to appeal such determination.

(3) If the owner of the land or the operator of the facility fails to repair or remove a solar energy system as ordered, and all appeal rights have been exhausted, the Town of Manlius may enter the property, remove the system and charge the owner of the property or the operator of the facility or both for all costs and expenses of removal, including reasonable attorney's fees, or pursue other legal action to have the system removed at the owner of the land or the operator of the facility's expense.

(4) In addition to any other available remedies, any unpaid costs resulting from the Town of Manlius' removal of a vacated, abandoned or decommissioned solar energy system shall constitute a lien upon the property against which the costs were charged. Legal counsel of the Town of Manlius shall institute appropriate action for the recovery of such cost, plus attorney's fees, including but not limited to filing of municipal claims pursuant to 53 P.S. § 7107 et seq. for the cost of such work, 6% interest per annum, plus a penalty of 5% of the amount due plus attorney's fees and costs incurred by the Town of Manlius in connection with the removal work and the filing of the Town of Manlius' claim.

I. Severability. If any word, phrase, sentence, part, section, subsection or other portion of this section or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion or the proscribed application thereof, shall be severable, and the remaining provisions of this section, and all applications thereof, not having been declared void, unconstitutional, or invalid shall remain in full force and effect.

J. Conflict with other laws. Where this section differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the county, state, or federal government the more restrictive or protective of the Town and the public shall apply.

Section 3. This Local Law shall be filed in the office of the Secretary of State within 20 days of its approval.

WHEREAS, the Town Board desires to hold a public hearing on the above Local Law;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, shall hold a Public Hearing in the matter of the adoption of the aforesaid Local Law, and that such Hearing shall be held by the virtual platform known as ZOOM, which directions to attend said public hearing are on the Official Town Website on March, ____, 2022 at 6:___ p.m. and be it further

RESOLVED, that the Town Clerk give notice of such Public Hearing by the publication of a notice in at least one newspaper circulated in the Town, specifying the time when and the place where such Public Hearing will be held, and in general terms, describing the proposed Local Law. Such notice shall be published once at least five (5) days prior to the Public Hearing.

I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the __th day of _____ 2022; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this ____ th day of _____, 2022.

DATED: _____, 2022
Fayetteville, New York

_____
Allison Weber
Town Clerk of the Town of Manlius
Onondaga County, New York

§ 155-27.2 Solar photovoltaic energy systems.

[Added 10-26-2016 by L.L. No. 8-2016]

A. Intent and purpose. The Town of Manlius, through this section, seeks to promote the safe, effective and efficient use of solar photovoltaic energy systems that reduce on-site and off-site consumption of energy generated from fossil fuels while protecting the health, safety and welfare of adjacent and surrounding land uses and properties. The Town of Manlius recognizes that solar energy is an abundant, renewable, nonpolluting energy resource and that its conversion to electric energy will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. It is therefore the intent and purpose of this section to balance the encouragement of this renewable resource with any impacts such use may have on health, welfare and safety to the community and preserving and protecting the aesthetic qualities of the Town of Manlius. It is also the intent of this Law to recognize the importance of New York State policy to encourage the placement of solar array systems on closed landfills based on Part 617.5 of the NYCRR which designates solar energy array systems on closed landfills where less than 25 acres is disturbed as a Type II action, meaning they will not have a significant environmental impact. The Town of Manlius similarly has a strong policy belief that encouraging renewable energy is vital to the fight against global warming and the Town should take the necessary steps to site solar energy arrays systems in the Town.

B. Definitions. The definitions set forth in this section are meant to be applicable to solar photovoltaic energy systems. Nothing contained herein is meant to change the definitions of other sections of Chapter **155** of the Manlius Code.

ACCESSORY STRUCTURE

A structure, the use of which is customarily incidental and subordinate to that of the principal building, and is located on the same lot or premises as the principal building.

ACCESSORY USE

A use which is clearly incidental to a principal structure or use, and is located on the same lot with the principal structure or use, is an accessory use. All accessory uses are subject to the restrictions in this section.

ARRAY

Any number of electrically connected photovoltaic (PV) modules providing a single electrical output.

BUILDING-INTEGRATED SYSTEM (BIS)

A solar photovoltaic energy system that is constructed as an integral part of a principal or accessory building or structure and where the building-integrated system features maintain a uniform profile or surface of vertical walls, window openings and roofing. Such a system is used in lieu of a separate mechanical device, replacing or substituting for an architectural or structural component of the building or structure that appends or interrupts the uniform surfaces of walls, window openings and roofing. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other facade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems.

DRIP LINE

The outermost edge of a roof including eaves, overhangs and gutters.

GLARE

This is a continuous source of excessive brightness. It could be experienced by a stationary observer located in the path of reflected sunlight from the face of the panel.

GROUND-MOUNTED SYSTEM (GMS)

A solar photovoltaic energy system mounted on a structure, pole or series of poles constructed specifically to support the solar photovoltaic energy system and not attached to any other structure.

INTERCONNECTION

The technical and practical link between the solar photovoltaic energy system and the grid providing electricity to the greater community.

KILOWATT (kW)

A unit of electrical power equal to 1,000 watts, which is a metric measurement of instantaneous power (not energy).

LARGE SOLAR PHOTOVOLTAIC ENERGY SYSTEM (LSES)

A solar photovoltaic energy system with a rated capacity larger than 200kW. An LSES is considered an accessory use of the property, if the principal purpose is (i) to provide electrical power to be consumed onsite and for sale to the general power grid or (ii) to provide electrical power to be consumed onsite and to be sold to other power customers through a power purchase agreement. An LSES is not considered an accessory use if the principal purpose is to provide electrical power for offsite consumption.

MEDIUM SOLAR PHOTOVOLTAIC ENERGY SYSTEM (MSES)

A solar photovoltaic energy system with a rated power generation greater than 25kW and up to and including 200kW. It may be roof- or ground-mounted, providing power for the property and/or additional offsite buildings or customers.

MEGAWATT (MW)

A unit of electrical power equal to 1,000,000 watts, which is a metric measurement of instantaneous power (not energy).

NATIVE VEGETATION:

Native wildflower, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any prohibited or regulated invasive species as determined by the New York State Department of Environmental Conservation.

NET METERING AGREEMENT

An agreement with a local electric utility company that allows customers to receive a credit for surplus electricity generated by certain renewable energy systems.

NEW YORK STATE UNIFIED SOLAR PERMIT

The permit issued pursuant to the application prepared by New York State and set forth in this section as Exhibit A and filed in the office of the Manlius Planning and Development Department. Where the term "building permit" is used in this section, it will mean the unified solar permit.

[Added 5-27-2020 by L.L. No. 3-2020]

PHOTOVOLTAIC (PV)

A semiconductor-based device that converts light directly into electricity.

PRINCIPAL USE

The primary or main use of land, building or structure, as distinguished from an accessory use, building or structure.

QUALIFIED SOLAR INSTALLER

A person who has skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. Persons who are on the list of eligible photovoltaic installers maintained by the New York State Energy Research and Development Authority (NYSERDA), or who are certified as a solar installer by the North American Board of Certified Energy Practitioners (NABCEP), shall be deemed to be qualified solar installers for the purposes of this definition. Persons who are not on NYSERDA's list of eligible installers or NABCEP's list of certified installers may be deemed to be qualified solar installers if the Town of Manlius determines such persons have had adequate training to determine the degree and extent of the hazard and the personal protective equipment and job planning necessary to perform the installation safely. Such training shall include, but not be limited to, the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed

energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

RATED SOLAR ENERGY SYSTEM CAPACITY

Aggregate sum of the AC kW ratings of all of the inverters in the system.

ROOF-MOUNTED SYSTEM (RMS)

A solar photovoltaic energy system in which solar panels are mounted on top of the structure of a roof either as a flush-mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

SMALL SOLAR PHOTOVOLTAIC ENERGY SYSTEM (SSES)

A solar photovoltaic energy system with a rated capacity up to and including 25kW. It may be roof- or ground-mounted, and serve any residential, commercial, agricultural, institutional, or industrial building to which it is attached or associated. The electrical power may also be supplied to accessory structures or for the supply of energy for other uses on the same parcel.

SOLAR PHOTOVOLTAIC (PV) RELATED EQUIPMENT

Various items related to photovoltaic installations, including solar photovoltaic cells, modules, panels or arrays, cables, inverters, panelboards, disconnect switches, mounting brackets, framing and foundations used for or intended to be used for collection of solar photovoltaic energy.

SOLAR PHOTOVOLTAIC ENERGY SYSTEM (PVS)

A power generation system that utilizes cells that convert solar radiation directly to piezoelectric power.

SOLAR TRACKING SYSTEM

A PVS that is mounted in a way to track the movement of the sun across the sky to maximize energy production, either with a single-axis or dual-axis mechanism.

SOLAR-BASED ARCHITECTURAL ELEMENT

A structural/architectural element that provides protection from weather that includes awnings, canopies, porches or sunshades and that is constructed with the primary covering consisting of solar photovoltaic cells and may, or may not, include additional solar photovoltaic related equipment.

UNREGULATED YARD AREA

Area not within a building and not in a defined setback or yard area.

C. Applicability.

(1) This section applies to all roof-mounted and/or ground-mounted installed and constructed after the effective date of this section. In addition, it does not apply to other types of systems that convert solar energy, including concentrated solar power systems and hot water systems.

(2) After the effective date of this section, any upgrade, modification or structural change that materially alters the size or placement of a PVS constructed prior to the effective date of this section shall comply with the provisions of this section.

(3) The Town of Manlius hereby adopts the unified solar application for the construction or placement of solar photovoltaic equipment and will use the unified solar permit in place of the building code.
[Added 5-27-2020 by L.L. No. 3-2020]

(4) Permitted locations. No PVS or device shall be installed or operated in the Town of Manlius except in compliance with this section, state and local laws and, if applicable, in compliance with NYSERDA, New York State PSC and the local utility company.

D. **(1)** Roof-mounted solar photovoltaic energy systems, accessory use.

(a) RMSs may only be mounted on lawfully permitted principal or accessory structures. RMSs shall be considered a modification to an existing structure in the Town of Manlius subject to the following requirements:

[1] Unified solar permits are required for installation of all RMSs.
[Amended 5-27-2020 by L.L. No. 3-2020]

[2] At the discretion of the Town of Manlius Code Enforcement Officer, the structure may be subject to engineering review for suitability.

[3] For installations on a sloped roof:

[a] The system must be installed at the same angle as the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of 12 inches between the roof and highest edge or surface of the system.

[b] The highest point of the system shall not exceed the highest point of the roof to which it is attached.

[c] RMSs on a sloped roof do not need to be screened.

[4] For medium and large RMSs installed on a flat roof:

[a] The highest point of the system shall be permitted to extend up to six feet above the roof to which it is attached.

[b] It shall be screened in a manner similar to other rooftop HVAC and mechanical equipment. This can be accomplished with architectural screening such as a building parapet and by setting the system back from the roof edge.

[c] These systems shall comply with the following conditions as presented in Subsection D(3)(6):

[i] Noninterference.

[ii] Proximity to radio, television and telephone systems.

[iii] FAA requirements.

[iv] Ownership.

[v] Utility notification and approval.

[vi] Lighting.

[vii] Property operation and maintenance plan.

[5] Any height limitations of the Town of Manlius Code shall be applicable to solar systems.

(2) Small and medium GMSs, accessory use.

(a) Small and medium GMSs are permitted based on the requirements for accessory structures in the property's zoning district subject to the following conditions:

[1] The unified solar permit shall be required for the installation of all GMSs.
[Amended 5-27-2020 by L.L. No. 3-2020]

[2] The location of the GMS must meet all applicable setback requirements for accessory structures in the zoning district in which it is located.

[3] GMSs shall be screened through the use of architectural features, earth berms, landscaping or other means. This screening should harmonize with the character of the property and the surrounding area and minimize the view of the solar energy system from a public right-of-way and from neighboring properties.

[4] (Reserved)[1]

[5] The minimum distance between the ground and any part of the solar panel must be at least two feet.

[6] It is required that solar panels shall not exceed a total height of 20 feet measured from the ground to the top of the highest point of the panel.

[7] SSES shall not be allowed as a principal use.

(3) Building-integrated solar energy systems. BISs, as defined by this section, are not considered an accessory use and are not subject to the requirements of this section, but are subject to other building, electrical, and safety codes.

(4) MSES and LSES as principal use.

(a) MSES and LSES are permitted as primary structures in the Town of Manlius, subject to the following conditions:

[1] These solar systems are subject to all zoning restrictions in allowed zoning districts.

[2] These solar systems are only allowed on parcels that would provide at least fifty-foot setbacks, or more, as determined by the Planning Board while conforming to all other site restrictions.

[3] These solar systems are subject to the issuance of a special use permit by the Planning Board, pursuant to § **155-27** of the Town Code and upon site plan approval by the Planning Board pursuant to § **155-28** of the Town Code, unless the property on which solar systems are proposed are owned by the Town. If the property is owned by the Town, neither a special permit nor site plan approval from the Planning Board is required. Instead, the following requirements will be necessary:

[a] A lease between the Town Board and the developer of the solar system;

[b] An exhibit to the lease that outlines the boundaries of the solar system on the Town's property and the lay-out of the solar system;

[c] A stormwater pollution and prevention plan acceptable to the engineer for the Town;

[d] a decommission plan and reclamation plan acceptable to the engineer for the Town;

[e] a building permit

[4] MSES and LSES located on the areas that consist of Prime Farmland or Farmland of Statewide Importance shall not exceed fifty percent (50%) of the entire lot.

[5] The total surface area of solar collectors, combined with all other buildings and structures on the lot, shall not exceed fifty percent of total parcel area;

[6] Removal of trees over 6 inches in trunk diameter shall be minimized, or mitigated by replacement tree plantings elsewhere on the property

[7] All on-site utility and transmission lines shall, to the extent feasible, be placed underground.

[8] All solar panels shall have anti-reflective coatings.

[9] Applicants shall develop, implement and maintain native vegetation to the extent practicable, and in the discretion of the Code Enforcement Officer or the Town Engineer, pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators.

[10] If the owner or operator of the Solar Energy System changes or the owner of the property changes, the special permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the Solar Energy System shall notify the Code Enforcement Officer of such changes in ownership or operator within thirty (30) days of the ownership changes.

[11] Any Special Permit or Site Plan approved by the Planning Board for a Solar Energy System shall be valid for a period of twenty-four (24) months before a building permit is issued. If the Applicant or its successor fails to

perform substantial construction after twenty-four (24) months from the issuance of a building permit, to be determined by the Code Enforcement Officer, the special permit and site plan approval shall expire.

[Amended 2-10-2021 by L.L. No. 1-2021]

(b) In addition to the criteria established pursuant to § **155-27**, the following criteria are hereby established for purposes of the Planning Board granting a special use permit for MSES and LSES solar systems under this chapter:
[Amended 2-10-2021 by L.L. No. 1-2021]

[1] Noninterference. These solar systems shall not be installed in any location along the major axis of an existing microwave communications operation where the solar system operation or similar solar system operations have been demonstrated to produce an electromagnetic interference in the existing microwave communications operation, unless such interference can be mitigated.

[2] Proximity to radio, television and telephone systems. These solar systems shall not be installed in any location where the solar system operation or similar solar systems operations have been demonstrated to interfere with existing fixed broadcast, retransmission, or reception antennae for radio, television or wireless phone, unless such interference can be mitigated.

[3] View sheds and screening. MSES and LSES shall be installed in a location and position that would minimize visibility from neighboring properties. A screening plan, to be reviewed and accepted by the Planning Board, shall be required as part of the site plan review or special use permit review, which screening plan shall include a glare analysis. For purposes of this section, consideration shall be given to any relevant portions of the current, amended and/or future officially recognized Town Code. In addition, adequate measures shall be taken to screen through landscaping, grading or other means to reasonably mitigate the view of the solar panels and other equipment of the solar systems from roadways and neighboring residential properties.

[4] Security. Proper security of the site for large and medium GMSs is required. This can be accomplished by means proposed by the applicant as part of an overall security plan to be accepted by the Planning Board.

[5] FAA requirements. If the proposed site is near an airport, seaplane base, or established flight zone, such solar system must meet all Federal Aviation Administration requirements.

[6] Ground clearance. The minimum distance between the ground and any part of the solar panel must be at least two feet. If the array can rotate and/or change pitch, this is the minimum with the array extended at its maximum pitch.

[7] Emergency shutdown/safety. The applicant shall post an emergency telephone number so that the appropriate entities may be contacted should any portion of the solar system need immediate repair or attention. This telephone number should be clearly visible on signs located the site entrance or as determined by the Planning Board.

[8] Lightning protection. All solar systems shall have adequate lightning protection via internal lightning arrestors, surge protectors or adequate grounding.

[9] Ownership. Ownership of the property shall be clearly established by the applicant, and if the applicant is not the owner, the applicant shall provide proof that the owner agrees to the regulations set forth herein.

[10] Utility notification and approval. No solar system shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the construction of the solar system and has agreed to an interconnection.

[11] Lighting. No solar system under this provision shall be continually artificially lighted. Lighting shall be limited to lights as needed by solar array personnel while present at the site. Lighting to be arranged and angled to not spill onto adjacent properties.

[12] Access road. To the greatest extent possible, existing roadways shall be used for access to the site and its improvements. In the case of constructing any roadways necessary to access the solar energy systems, they shall be constructed in a way that allows reasonable access to all parts of the PVS and for the passage of emergency vehicles in the event of an emergency. Roadways to and within the site shall be constructed of gravel or other permeable surfacing and shall be flush with the surrounding land contours

[13] Property operation and maintenance plan. The applicant shall submit a property operation and maintenance plan to the Planning Board as part of the Special Use Permit application.

[14] Notice of decommissioning.

[a] The applicant shall also submit to the Planning Board a letter of intent committing the owner, and its successors-in-interest, to notify the Building Inspector within 30 days of the discontinuance of the use of the solar system. This letter of intent shall be filed with the Office of Planning and Development prior to the issuance of a building permit.

[b] Should the solar system be nonoperational for a continuous period of six months or greater, the owner shall submit a letter to the Office of Planning and Development indicating when it is expected to resume operations or whether the decommissioning of the site, in accordance with the DRP, shall commence. If the owner plans to continue operations, it shall have up to six months more to begin operations. If operations do not commence within said six months, decommissioning of the site, in accordance with the DRP, shall immediately commence.

[c] If the owner and/or operator fails to comply with the decommissioning upon any abandonment of the Solar Energy System, the Town may, at its discretion, utilize the restoration bond and/or security for the removal of the Solar Energy System and restoration of this site in accordance with the decommissioning plan.

[d] Upon abandonment of the Solar Energy System, the Town may notify and instruct the owner and/or operator of the Solar Energy System to implement the Decommissioning and removal plan. The

Decommissioning and removal must be completed within three hundred sixty-five (365) days of notification.

[15] Decommissioning and removal plan.

[a] The applicant shall submit a decommissioning and removal plan (DRP) to the Planning Board. The DRP shall include specific plans on how the owner plans to remove the obsolete or unused solar panel arrays and accessory structures and return the property to a state acceptable to the Town within a specific time period after the cessation of operations. This plan shall be approved by the Planning Board and prior to the granting of the special use permit. A site restoration plan shall be included as part of any decommissioning plan, to include, at a minimum, stockpiling of any topsoil removed during construction, for use in site restoration, removal of all foundations, de-compacting and de-rocking all disturbed areas, and removal of any roadways;

[b] Failure to conform to the DRP in the time period provided shall be a violation of this section and the cost to complete the plan shall be placed as a lien on the property owner's tax bill.

[16] Reclamation payment. A reclamation fund, for a term and in an amount to be determined during special use permit review, shall be filed with the Town Clerk to cover the costs of reclamation of the site. The amount shall be commensurate with the DRP submitted by the applicant.

[17] Public hearing. No action shall be taken by the Planning Board to issue a special use permit for a solar system until after public notice and public hearing.

[19] Saturation. In considering whether to issue a special use permit, the Planning Board shall consider the proximity of similar large solar energy systems to the one being proposed. In no event shall an LSES be placed within one mile of an existing LSES, without specific findings by the Planning Board that such placement does not adversely affect the community character of the surrounding properties.

(c) In coordination with the Planning Board issuing a special use permit, the Planning Board shall review the site plan for the MSES or LSES

pursuant to § **155-28** of the Code. The following submission requirements must be observed regarding a site plan application.
[Amended 2-10-2021 by L.L. No. 1-2021]

[1] Completed application form as supplied by the Town of Manlius for site plan approval for a solar system.

[2] Proof of ownership of the premises involved or proof that the applicant has written permission of the owner to make such application and copies of all relevant agreements and documents between the owner and the applicant have been turned over to the Planning Board for their review.

[3] Submit a stormwater management plan, certified by a professional engineer that demonstrates stormwater runoff will infiltrate into the ground beneath at a rate equal to that of the infiltration rate prior to the placement of the system.

[4] A plot plan and development plan drawn in sufficient detail, as prepared by a licensed engineer or surveyor, clearly describing:

[a] Property lines and physical dimensions of the proposed site, including contours at five-foot intervals both before and after construction;

[b] Location, approximate dimensions and types of all existing structures and uses on the site;

[c] Location and elevation of the proposed solar system;

[d] Blueprints or drawings of the proposed solar system installation showing the proposed layout of the solar system;

[e] Electrical diagram detailing the installation, associated components, electrical interconnection methods with all National Electrical Code compliant disconnects and overcurrent devices;

[f] Documentation of the major system components to be used, including PV panels, mounting system and inverter;

[g] Location of all existing aboveground utility lines and other on-site solar energy conversion systems within 1,200 linear feet of the site;

[h] Where applicable, the location of all transmission facilities proposed for installation;

[i] Location of all roads and other service structures proposed as part of the installation;

[j] Landscape plan showing all existing natural land features, trees, forest cover, streams, wetlands and all proposed changes to these features, including size and type of plant material;

[k] Plan showing proposed changes to the site including grading, clearing, lighting, screening and structures;

[l] Soil type at construction site.

[5] All applications shall be accompanied by a long environmental assessment form, including a visual impact analysis. The following additional material may be required by the Planning Board:

[a] Digital elevation model based project visibility map showing the impact of topography upon visibility of the project from any affected locations.

[6] In addition to the above, no action shall be taken to issue site plan approval until after public notice and public hearing by the Planning Board and unless the Planning Board determines that the proposed solar system complies with the following:

[a] That the use is oriented in its location upon the site, as to layout, coverage, screening, means of access and aesthetics so that:

[i] The flow control and safety of traffic and human beings shall not be adversely affected to an unreasonable degree;

[ii] Fire department and EMT services shall be given notice of the site plan showing the proposed ingress and egress to the facility and an opportunity to submit comments (either in writing or in person) regarding the ability of the proposed ingress and egress to accommodate emergency vehicles.

[iii] That there be reasonable compatibility on all respects with any structure or use in the neighborhood, actual or permitted, which may be directly substantially affected;

[iv] That there should not be any unreasonable detriment to any existing structure in the neighborhood.

[b] The Planning Board may, upon review and with due consideration, waive one or more of the submission requirements imposed herein. Relief from all other requirements must be made by way of area or use variance from the Zoning Board of Appeals.

E. Permitted zoning districts.

(1) RMSs are permitted in all zoning districts as an accessory structure to any lawfully permitted principal use on the same parcel upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section.

(2) Small and medium GMSs are permitted on parcels larger than 40,000 square feet in all zoning districts as an accessory structure to any lawfully permitted principal use on the same parcel upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section.

(3) Large GMSs are permitted as principal use upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section. They shall be allowed in the following zoning districts:

(a) Industrial.

(b) R/A.

F. Design and installation standards.

(1) The solar photovoltaic energy system must be constructed to comply with the New York State Uniform Fire Prevention and Building Code, as amended, and any additional electrical and safety regulations adopted by the State of New York.

(2) All wiring must comply with the National Electrical Code, most recent edition, as amended and adopted by the State of New York.

(a) For GMSs, all exterior electrical lines must be buried below the surface of the ground where possible or be placed in conduit or in aluminum cable tray. Cable tray shall be covered wherever conductors will be exposed to direct sunlight.

(3) The solar energy system must be constructed to comply with the most recent fire code as amended and adopted by the State of New York.

(4) The solar energy system shall be properly maintained and be kept free from hazards including, but not limited to, faulty wiring, loose fastenings, or the creation of an unsafe condition or detriment to public health, safety or general welfare.

G. Signage and/or graphic content.

(1) No signage or graphic content may be displayed on the solar panels except the manufacturer's badge, the installer's name, safety information and equipment specification information. Said information shall be depicted within an area no more than 36 square inches in size.

(2) Disconnect and other emergency shutoff information will be clearly displayed on a light reflective surface.

(3) Systems and sites may not be used for displaying advertising except for reasonable identification of the owner/operator and shall comply with all signage restrictions.

H. Inspection, safety and removal.

(1) The Town of Manlius reserves the right to inspect a solar energy system for building or fire code compliance and safety.

(2) If upon inspection the Town of Manlius determines that a fire code or building code violation exists, or that the system otherwise poses a safety hazard to persons or property, the Town of Manlius may order the owner of the land or the operator of the facility to repair or remove the system, within a reasonable time. Such an order shall be in writing, shall offer the option to repair, shall specify the code violation or safety hazard found and shall notify the owner of the land or the operator of the facility of their right to appeal such determination.

(3) If the owner of the land or the operator of the facility fails to repair or remove a solar energy system as ordered, and all appeal rights have been exhausted, the Town of Manlius may enter the property, remove the system and charge the owner of the property or the operator of the facility or both for all costs and expenses of removal, including reasonable attorney's fees, or pursue other legal action to have the system removed at the owner of the land or the operator of the facility's expense.

(4) In addition to any other available remedies, any unpaid costs resulting from the Town of Manlius' removal of a vacated, abandoned or decommissioned solar energy system shall constitute a lien upon the property against which the costs were charged. Legal counsel of the Town of Manlius shall institute appropriate action for the recovery of such cost, plus attorney's fees, including but not limited to filing of municipal claims pursuant to 53 P.S. § 7107 et seq. for the cost of such work, 6% interest per annum, plus a penalty of 5% of the amount due plus attorney's fees and costs incurred by the Town of Manlius in connection with the removal work and the filing of the Town of Manlius' claim.

I. Severability. If any word, phrase, sentence, part, section, subsection or other portion of this section or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion or the proscribed application thereof, shall be severable, and the remaining

provisions of this section, and all applications thereof, not having been declared void, unconstitutional, or invalid shall remain in full force and effect.

J. Conflict with other laws. Where this section differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the county, state, or federal government the more restrictive or protective of the Town and the public shall apply.

IN THE MATTER

Of

A LOCAL LAW 2022-(2) TO REPEAL SECTION 155-27.2 OF THE TOWN CODE REGULATING THE PLACEMENT OF SOLAR PHOTOVOLTAIC ENERGY SYSTEMS AND TO REPLACE IT WITH A MODIFIED LOCAL LAW TO REGULATE THE PLACEMENT OF SOLAR PHOTOVOLTAIC ENERGY SYSTEMS IN THE TOWN AND REMOVING SOLAR PHOTOVOLTAIC ENERGY SYSTEMS SITUATED ON TOWN PROPERTY FROM SITE PLAN AND SPECIAL PERMIT PROCESSES

RESOLUTION CALLING FOR A PUBLIC HEARING

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, and virtually on the platform commonly referred to as Zoom, and broadcast live to the Town Facebook page and YouTube on the 23rd of February, 2022, at 6:30 p.m.

The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

	John T. Deer	Supervisor
	Sara Bollinger	Councilor
	Elaine Denton	Councilor
	Alissa Italiano	Councilor
	William Nicholson	Councilor
	Heather Allison Waters	Councilor
Absent:	Katelyn Kriesel	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, climate change is an existential threat to the planet, the United States, the State of New York, Onondaga County and the Town of Manlius,

WHEREAS, the Town Board of the Town of Manlius believes it is the responsibility of governments at all levels to combat climate change;

WHEREAS, fossils fuels are a significant contributing factor to climate change,

WHEREAS, solar energy technology harnesses the natural photovoltaic energy from the sun and turns it into energy that could be used by Town residents, businesses and governments;

WHEREAS, solar energy is renewable and provides a clean source of energy and it is an important tool to fight climate change;

WHEREAS, the State of New York has a strong policy that encourages the production of solar energy;

WHEREAS, one of those policies is to make renewable energy production sites exempt from real property taxation;

WHEREAS, the previous Town Board disallowed the exemption for renewable energy;

WHEREAS, the current Town Board has reversed this decision and now allows the exemption on real property for the development of renewable energy;

WHEREAS, the Town Board has determined that the existing Solar Photovoltaic Energy Systems law, which was adopted in 2016, needs to be updated and modified to meet the current demands to combat climate change;

WHEREAS, the Town Board of the Town of Manlius created a committee to review the existing Solar Photovoltaic law and to recommend modifications to said law;

WHEREAS, the committee has been working on this local law for 10 months;

WHEREAS, the State of New York has adopted the 2015 New York State Energy Plan, an overview of which is attached to this resolution, which sets forth various renewable energy goals for the State;

WHEREAS, on July 18, 2019, the Climate Leadership and Community Protection Act (Climate Act) was signed into law which was among the most ambitious climate laws in the world and requires New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels. https://climate.ny.gov/

WHEREAS, the Town Board strongly agrees with the goals set forth in these and all the State policies on renewable energy and encourages the production of renewable energy in the Town of Manlius;

WHEREAS, the Town Board desires to improve the efficiency of the solar photovoltaic energy system siting process and this is reflected in the changes that were made in Local Law 2022-(2);

WHEREAS, the Town Board, through Local Law 2022-(2) recognizes that siting solar photovoltaic energy systems on public property, especially closed landfills, has been determined by the New York State Department of Environmental Conservation as a Type II action under the State Environmental Quality Review Act, and thus will not have a significant environmental impact, including a visual impact;

WHEREAS, the Town Board is informed of various case law that makes the siting of certain public benefits which are privately owned, like cellular antennas on a State

owned cellular tower, exempt from zoning under the *City of Rochester v. Monroe County Airport* balancing of public interest test (see *Crown Communication New York Inc. v. Department of Transportation State of New York,* 4 NY 3rd 159);

WHEREAS, the Town Board believes that given the strong New York State policy of encouraging solar photovoltaic energy systems as a means of generating renewable energy, especially on closed landfills, is a public benefit because it provides renewable energy to meet the State's goals and it provides revenue to the Town through lease payments and PILOT payments;

WHEREAS, the Town Board desires to remove unnecessary procedures, that have already been recognized by the courts and the State as outside the purview of zoning regulations or outside the scope of SEQRA review that may prevent the Town from pursuing its strong policy goal of placing a solar array energy system on the closed Town landfill;

WHEREAS, the Town Board has received many letters in support of the solar photovoltaic project at the Town Landfill and believes the popular opinion of Town residents is to develop photovoltaic energy at the Landfill;

WHEREAS, the Town Board received a petition in support of the development of photovoltaic energy sources in the Town by over 300 people in 2021;

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2022-(2), amending Chapter 155 of the Town Code by repealing the existing Solar Photovoltaic energy systems law (Section 155-27.2) and replacing it with Local Law 2022-(2);

LOCAL LAW 2022-(2), A LOCAL LAW REPEALING SECTION 155-27.2 OF CHAPTER 155 AND REPLACING IT WITH A NEW SOLAR PHOTOVOLTAIC ENERGY SYSTEM LAW:

Be it enacted by the Town Board of the Town of Manlius, Onondaga County, New York as follows:

Section 1. Section 155-27.2 of Article IV of Chapter 155 of the Town Code is hereby repealed and replaced by language set forth in Section 2 below.

Section 2. A new Section 155-27.2 of Article IV of Chapter 155 of the Town Code is replaced as follows:

§ 155-27.2 Solar photovoltaic energy systems.

A. Intent and purpose. The Town of Manlius, through this section, seeks to promote the safe, effective and efficient use of solar photovoltaic energy systems that reduce on-site and off-site consumption of energy generated from fossil fuels while protecting the health, safety and welfare of adjacent and surrounding land uses and properties. The Town of Manlius recognizes that solar energy is an abundant, renewable, nonpolluting energy resource and that its conversion to electric energy will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. It is therefore the intent and purpose of this section to balance the encouragement of this renewable resource with any impacts such use may have on health, welfare and safety to the community and preserving and protecting the aesthetic qualities of the Town of Manlius. It is also the intent of this Law to recognize the importance of New York State policy to encourage the placement of solar array systems on closed landfills based on Part 617.5 of the NYCRR which designates solar energy array systems on closed landfills where less than 25 acres is disturbed as a Type II action, meaning they will not have a significant environmental impact. The Town of Manlius similarly has a strong policy belief that encouraging renewable energy is vital to the fight against climate change and the Town should take the necessary steps to site solar energy arrays systems in the Town.

B. Definitions. The definitions set forth in this section are meant to be applicable to solar photovoltaic energy systems. Nothing contained herein is meant to change the definitions of other sections of Chapter **155** of the Manlius Code.

ACCESSORY STRUCTURE

A structure, the use of which is customarily incidental and subordinate to that of the principal building, and is located on the same lot or premises as the principal building.

ACCESSORY USE

A use which is clearly incidental to a principal structure or use, and is located on the same lot with the principal structure or use, is an accessory use. All accessory uses are subject to the restrictions in this section.

ARRAY

Any number of electrically connected photovoltaic (PV) modules providing a single electrical output.

BUILDING-INTEGRATED SYSTEM (BIS)

A solar photovoltaic energy system that is constructed as an integral part of a principal or accessory building or structure and where the building-integrated system features maintain a uniform profile or surface of vertical walls, window openings and roofing. Such a system is used in lieu of a separate mechanical device, replacing or substituting for an architectural or structural component of the building or structure that appends or interrupts the uniform surfaces of walls, window openings and roofing. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other facade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems.

DRIP LINE

The outermost edge of a roof including eaves, overhangs and gutters.

GLARE

This is a continuous source of excessive brightness. It could be experienced by a stationary observer located in the path of reflected sunlight from the face of the panel.

GROUND-MOUNTED SYSTEM (GMS)

A solar photovoltaic energy system mounted on a structure, pole or series of poles constructed specifically to support the solar photovoltaic energy system and not attached to any other structure.

INTERCONNECTION

The technical and practical link between the solar photovoltaic energy system and the grid providing electricity to the greater community.

KILOWATT (kW)

A unit of electrical power equal to 1,000 watts, which is a metric measurement of instantaneous power (not energy).

LARGE SOLAR PHOTOVOLTAIC ENERGY SYSTEM (LSES)

A solar photovoltaic energy system with a rated capacity larger than 200kW. An LSES is considered an accessory use of the property, if the principal purpose is (i) to provide electrical power to be consumed onsite and for sale to the general power grid or (ii) to provide electrical power to be consumed onsite and to be sold to other power customers through a power purchase agreement. An LSES is not considered an accessory use if the principal purpose is to provide electrical power for offsite consumption.

MEDIUM SOLAR PHOTOVOLTAIC ENERGY SYSTEM (MSES)

A solar photovoltaic energy system with a rated power generation greater than 25kW and up to and including 200kW. It may be roof- or ground-mounted, providing power for the property and/or additional offsite buildings or customers.

MEGAWATT (MW)

A unit of electrical power equal to 1,000,000 watts, which is a metric measurement of instantaneous power (not energy).

NATIVE VEGETATION:

Native wildflower, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any prohibited or regulated invasive species as determined by the New York State Department of Environmental Conservation.

NET METERING AGREEMENT

An agreement with a local electric utility company that allows customers to receive a credit for surplus electricity generated by certain renewable energy systems.

NEW YORK STATE UNIFIED SOLAR PERMIT

The permit issued pursuant to the application prepared by New York State and set forth in this section as Exhibit A and filed in the office of the Manlius Planning and Development Department. Where the term "building permit" is used in this section, it will mean the unified solar permit.

[Added 5-27-2020 by L.L. No. 3-2020]

PHOTOVOLTAIC (PV)

A semiconductor-based device that converts light directly into electricity.

PRINCIPAL USE

The primary or main use of land, building or structure, as distinguished from an accessory use, building or structure.

QUALIFIED SOLAR INSTALLER

A person who has skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. Persons who are on the list of eligible photovoltaic installers maintained by the New York State Energy Research and Development Authority (NYSERDA), or who are certified as a solar installer by the North American Board of Certified Energy Practitioners (NABCEP), shall be deemed to be qualified solar installers for the purposes of this definition. Persons who are not on NYSERDA's list of eligible installers or NABCEP's list of certified installers may be deemed to be qualified solar installers if the Town of Manlius determines such persons have had adequate training to determine the degree and extent of the hazard and the personal protective equipment and job planning necessary to perform the installation safely. Such training shall include, but not be limited to, the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

RATED SOLAR ENERGY SYSTEM CAPACITY

Aggregate sum of the AC kW ratings of all of the inverters in the system.

ROOF-MOUNTED SYSTEM (RMS)

A solar photovoltaic energy system in which solar panels are mounted on top of the structure of a roof either as a flush-mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

SMALL SOLAR PHOTOVOLTAIC ENERGY SYSTEM (SSES)

A solar photovoltaic energy system with a rated capacity up to and including 25kW. It may be roof- or ground-mounted, and serve any residential, commercial, agricultural, institutional, or industrial building to which it is attached or associated.

The electrical power may also be supplied to accessory structures or for the supply of energy for other uses on the same parcel.

SOLAR PHOTOVOLTAIC (PV) RELATED EQUIPMENT

Various items related to photovoltaic installations, including solar photovoltaic cells, modules, panels or arrays, cables, inverters, panelboards, disconnect switches, mounting brackets, framing and foundations used for or intended to be used for collection of solar photovoltaic energy.

SOLAR PHOTOVOLTAIC ENERGY SYSTEM (PVS)

A power generation system that utilizes cells that convert solar radiation directly to piezoelectric power.

SOLAR TRACKING SYSTEM

A PVS that is mounted in a way to track the movement of the sun across the sky to maximize energy production, either with a single-axis or dual-axis mechanism.

SOLAR-BASED ARCHITECTURAL ELEMENT

A structural/architectural element that provides protection from weather that includes awnings, canopies, porches or sunshades and that is constructed with the primary covering consisting of solar photovoltaic cells and may, or may not, include additional solar photovoltaic related equipment.

UNREGULATED YARD AREA

Area not within a building and not in a defined setback or yard area.

C. Applicability.

(1) This section applies to all roof-mounted and/or ground-mounted installed and constructed after the effective date of this section. In addition, it does not apply to other types of systems that convert solar energy, including concentrated solar power systems and hot water systems.

(2) After the effective date of this section, any upgrade, modification or structural change that materially alters the size or placement of a PVS constructed prior to the effective date of this section shall comply with the provisions of this section.

(3) The Town of Manlius hereby adopts the unified solar application for the construction or placement of solar photovoltaic equipment and will use the unified solar permit in place of the building code.

(4) Permitted locations. No PVS or device shall be installed or operated in the Town of Manlius except in compliance with this section, state and local laws and, if applicable, in compliance with NYSERDA, New York State PSC and the local utility company.

D. **(1)** Roof-mounted solar photovoltaic energy systems, accessory use.

(a) RMSs may only be mounted on lawfully permitted principal or accessory structures. RMSs shall be considered a modification to an existing structure in the Town of Manlius subject to the following requirements:

[1] Unified solar permits are required for installation of all RMSs. [Amended 5-27-2020 by L.L. No. 3-2020]

[2] At the discretion of the Town of Manlius Code Enforcement Officer, the structure may be subject to engineering review for suitability.

[3] For installations on a sloped roof:

[a] The system must be installed at the same angle as the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of 12 inches between the roof and highest edge or surface of the system.

[b] The highest point of the system shall not exceed the highest point of the roof to which it is attached.

[c] RMSs on a sloped roof do not need to be screened.

[4] For medium and large RMSs installed on a flat roof:

[a] The highest point of the system shall be permitted to extend up to six feet above the roof to which it is attached.

[b] It shall be screened in a manner similar to other rooftop HVAC and mechanical equipment. This can be accomplished with architectural screening such as a building parapet and by setting the system back from the roof edge.

[c] These systems shall comply with the following conditions as presented in Subsection D(3)(6):

[i] Noninterference.

[ii] Proximity to radio, television and telephone systems.

[iii] FAA requirements.

[iv] Ownership.

[v] Utility notification and approval.

[vi] Lighting.

[vii] Property operation and maintenance plan.

[5] Any height limitations of the Town of Manlius Code shall be applicable to solar systems.

(2) Small GMSs, accessory use.

(a) Small and medium GMSs are permitted based on the requirements for accessory structures in the property's zoning district subject to the following conditions:

[1] The unified solar permit shall be required for the installation of all GMSs.

[2] The location of the GMS must meet all applicable setback requirements for accessory structures in the zoning district in which it is located.

[3] GMSs shall be screened through the use of architectural features, earth berms, landscaping or other means. This screening should harmonize with the character of the property and the surrounding area and minimize the view of the solar energy system from a public right-of-way and from neighboring properties.

[4] (Reserved)[1]

[5] The minimum distance between the ground and any part of the solar panel must be at least two feet.

[6] It is required that solar panels shall not exceed a total height of 20 feet measured from the ground to the top of the highest point of the panel.

[7] SSES shall not be allowed as a principal use.

(3) Building-integrated solar energy systems. BISs, as defined by this section, are not considered an accessory use and are not subject to the requirements of this section, but are subject to other building, electrical, and safety codes.

(4) MSES and LSES as principal use.

(a) MSES and LSES are permitted as primary structures in the Town of Manlius, subject to the following conditions:

[1] These solar systems are subject to all zoning restrictions in allowed zoning districts.

[2] These solar systems are only allowed on parcels that would provide at least fifty-foot setbacks, or more, as determined by the Planning Board while conforming to all other site restrictions.

[3] These solar systems are subject to the issuance of a special use permit by the Planning Board, pursuant to § **155-27** of the Town Code and upon site plan approval by the Planning Board pursuant to § **155-28** of the Town Code, unless the property on which solar systems are proposed are owned by the Town. If the property is owned by the Town, neither a special permit nor site plan approval from the Planning Board is required. Instead, the following requirements will be necessary:

[a] A lease between the Town Board and the developer of the solar system, which will include language related to notice of change of ownership and surety for the decommissioning of the solar photovoltaic system regardless of ownership;

[b] An exhibit to the lease that outlines the boundaries of the solar system on the Town's property and the lay-out of the solar system;

[c] A stormwater pollution and prevention plan acceptable to the engineer for the Town;

[d] A decommission plan and reclamation plan acceptable to the engineer for the Town;

[e] A building permit

[f] The Town Board shall consider and evaluate all the criteria set forth in Section D4b below before finalizing the lease.

[4] Removal of trees over 6 inches in trunk diameter shall be minimized, or mitigated by replacement tree plantings elsewhere on the property

[5] All on-site utility and transmission lines shall, to the extent feasible, be placed underground.

[6] All solar panels shall have anti-reflective coatings.

[7] Applicants shall develop, implement and maintain native vegetation to the extent practicable, and in the discretion of the Code Enforcement Officer or the Town Engineer, pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators.

[8] If the owner or operator of the Solar Energy System changes or the owner of the property changes, the special permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the Solar Energy System shall notify the Code Enforcement Officer of such changes in ownership or operator within thirty (30) days of the ownership changes.

[9] All Special Permit or Site Plan approved by the Planning Board for a Solar Energy System shall expire after twenty-four (24) months unless a building permit is issued. If the Applicant or its successor fails to perform substantial construction after twenty-four (24) months from the issuance of a building permit, to be determined by the Code Enforcement Officer, the special permit and site plan approval shall expire.

(b) In addition to the criteria established pursuant to § **155-27**, the following criteria are hereby established for purposes of the Planning Board granting a special use permit for MSES and LSES solar systems under this chapter:

[1] Noninterference. These solar systems shall not be installed in any location along the major axis of an existing microwave communications operation where the solar system operation or similar solar system operations have been demonstrated to produce an electromagnetic interference in the existing microwave communications operation, unless such interference can be mitigated.

[2] Proximity to radio, television and telephone systems. These solar systems shall not be installed in any location where the solar system operation or similar solar systems operations have been demonstrated to interfere with existing fixed broadcast, retransmission, or reception antennae for radio, television or wireless phone, unless such interference can be mitigated.

[3] View sheds and screening. MSES and LSES shall be installed in a location and position that would minimize visibility from neighboring properties. A screening

plan, to be reviewed and accepted by the Planning Board, shall be required as part of the site plan review or special use permit review, which screening plan shall include a glare analysis. For purposes of this section, consideration shall be given to any relevant portions of the current, amended and/or future officially recognized Town Code. In addition, adequate measures shall be taken to screen through landscaping, grading or other means to reasonably mitigate the view of the solar panels and other equipment of the solar systems from roadways and neighboring residential properties.

[4] Security. Proper security of the site for large and medium GMSs is required. This can be accomplished by means proposed by the applicant as part of an overall security plan to be accepted by the Planning Board.

[5] FAA requirements. If the proposed site is near an airport, seaplane base, or established flight zone, such solar system must meet all Federal Aviation Administration requirements.

[6] Ground clearance. The minimum distance between the ground and any part of the solar panel must be at least two feet. If the array can rotate and/or change pitch, this is the minimum with the array extended at its maximum pitch.

[7] Emergency shutdown/safety. The applicant shall post an emergency telephone number so that the appropriate entities may be contacted should any portion of the solar system need immediate repair or attention. This telephone number should be clearly visible on signs located the site entrance or as determined by the Planning Board.

[8] Lightning protection. All solar systems shall have adequate lightning protection via internal lightning arrestors, surge protectors or adequate grounding.

[9] Ownership. Ownership of the property shall be clearly established by the applicant, and if the applicant is not the owner, the applicant shall provide proof that the owner agrees to the regulations set forth herein.

[10] Utility notification and approval. No solar system shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the construction of the solar system and has agreed to an interconnection.

[11] Lighting. No solar system under this provision shall be continually artificially lighted. Lighting shall be limited to lights as needed by solar array personnel while present at the site. Lighting to be arranged and angled to not spill onto adjacent properties.

[12] Access road. To the greatest extent possible, existing roadways shall be used for access to the site and its improvements. In the case of constructing any roadways necessary to access the solar energy systems, they shall be constructed in a way that allows reasonable access to all parts of the PVS and for the passage of emergency vehicles in the event of an emergency. Roadways to and within the site shall be constructed of gravel or other permeable surfacing and shall be flush with the surrounding land contours

[13] Property operation and maintenance plan. The applicant shall submit a property operation and maintenance plan to the Planning Board as part of the Special Use Permit application.

[14] Decommissioning and removal plan.

[a] The applicant shall submit a decommissioning and removal plan (DRP) to the Planning Board. The DRP shall include specific plans on how the owner plans to remove the obsolete or unused solar panel arrays and accessory structures and return the property to a state acceptable to the Town within a specific time period after the cessation of operations. This plan shall be approved by the Planning Board and prior to the granting of the special use permit. A site restoration plan shall be included as part of any decommissioning plan, to include, at a minimum, stockpiling of any topsoil removed during construction, for use in site restoration, removal of all foundations, de-compacting and de-rocking all disturbed areas, and removal of any roadways;

[b] Failure to conform to the DRP in the time period provided shall be a violation of this section and the cost to complete the plan shall be placed as a lien on the property owner's tax bill.

[15] Notice of decommissioning.

[a] The applicant shall also submit to the Planning Board a letter of intent committing the owner, and its successors-in-interest, to notify the Building Inspector within 30 days of the discontinuance of the use of the solar system. This letter of intent shall be filed with the Office of Planning and Development prior to the issuance of a building permit.

[b] Should the solar system be nonoperational for a continuous period of six months or greater, the owner shall submit a letter to the Office of Planning and Development indicating when it is expected to resume operations or whether the decommissioning of the site, in accordance with the DRP, shall commence. If the owner plans to continue operations, it shall have up to six months more to begin operations. If operations do not commence within said six months, decommissioning of the site, in accordance with the DRP, shall immediately commence.

[c] If the owner and/or operator fails to comply with the decommissioning upon any abandonment of the Solar Energy System, the Town may, at its discretion, utilize the restoration bond and/or security for the removal of the Solar Energy System and restoration of this site in accordance with the decommissioning plan.

[d] Upon abandonment of the Solar Energy System, the Town may notify and instruct the owner and/or operator of the Solar Energy System to implement the

Decommissioning and removal plan. The Decommissioning and removal must be completed within three hundred sixty-five (365) days of notification.

[16] Reclamation payment. A reclamation fund, for a term and in an amount to be determined during special use permit review, shall be filed with the Town Clerk to cover the costs of reclamation of the site. The amount shall be commensurate with the DRP submitted by the applicant.

[17] Public hearing. No action shall be taken by the Planning Board to issue a special use permit for a solar system until after public notice and public hearing.

[18] Saturation. In considering whether to issue a special use permit, the Planning Board shall consider the proximity of similar large solar energy systems to the one being proposed. In no event shall an LSES be placed within one mile of an existing LSES, without specific findings by the Planning Board that such placement does not adversely affect the community character of the surrounding properties.

(c) In coordination with the Planning Board issuing a special use permit, the Planning Board shall review the site plan for the MSES or LSES pursuant to § **155-28** of the Code. The following submission requirements must be observed regarding a site plan application.

[1] Completed application form as supplied by the Town of Manlius for site plan approval for a solar system.

[2] Proof of ownership of the premises involved or proof that the applicant has written permission of the owner to make such application and copies of all relevant agreements and documents between the owner and the applicant have been turned over to the Planning Board for their review.

[3] Submit a stormwater management plan, certified by a professional engineer that demonstrates stormwater runoff will infiltrate into the ground beneath at a rate equal to that of the infiltration rate prior to the placement of the system.

[4] A plot plan and development plan drawn in sufficient detail, as prepared by a licensed engineer or surveyor, clearly describing:

[a] Property lines and physical dimensions of the proposed site, including contours at five-foot intervals both before and after construction;

[b] Location, approximate dimensions and types of all existing structures and uses on the site;

[c] Location and elevation of the proposed solar system;

[d] Blueprints or drawings of the proposed solar system installation showing the proposed layout of the solar system;

[e] Electrical diagram detailing the installation, associated components, electrical interconnection methods with all National Electrical Code compliant disconnects and overcurrent devices;

[f] Documentation of the major system components to be used, including PV panels, mounting system and inverter;

[g] Location of all existing aboveground utility lines and other on-site solar energy conversion systems within 1,200 linear feet of the site;

[h] Where applicable, the location of all transmission facilities proposed for installation;

[i] Location of all roads and other service structures proposed as part of the installation;

[j] Landscape plan showing all existing natural land features, trees, forest cover, streams, wetlands and all proposed changes to these features, including size and type of plant material;

[k] Plan showing proposed changes to the site including grading, clearing, lighting, screening and structures;

[l] Soil type at construction site.

[5] All applications shall be accompanied by a long environmental assessment form, including a visual impact analysis. The following additional material may be required by the Planning Board:

[a] Digital elevation model based project visibility map showing the impact of topography upon visibility of the project from any affected locations.

[6] In addition to the above, no action shall be taken to issue site plan approval until after public notice and public hearing by the Planning Board and unless the Planning Board determines that the proposed solar system complies with the following:

[a] That the use is oriented in its location upon the site, as to layout, coverage, screening, means of access and aesthetics so that:

[i] The flow control and safety of traffic and human beings shall not be adversely affected to an unreasonable degree;

[ii] Fire department and EMT services shall be given notice of the site plan showing the proposed ingress and egress to the facility and an opportunity to submit comments (either in writing or in person) regarding the ability of the proposed ingress and egress to accommodate emergency vehicles.

[iii] That there be reasonable compatibility on all respects with any structure or use in the neighborhood, actual or permitted, which may be directly substantially affected;

[iv] That there should not be any unreasonable detriment to any existing structure in the neighborhood.

[b] The Planning Board may, upon review and with due consideration, waive one or more of the submission requirements imposed herein. Relief from all other requirements must be made by way of area or use variance from the Zoning Board of Appeals.

E. Permitted zoning districts.

(1) RMSs are permitted in all zoning districts as an accessory structure to any lawfully permitted principal use on the same parcel upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section.

(2) Small and medium GMSs are permitted on parcels larger than 40,000 square feet in all zoning districts as an accessory structure to any lawfully permitted principal use on the same parcel upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section.

(3) Large GMSs are permitted as principal use upon issuance of the proper permit pursuant to § **59-13** and upon compliance with all requirements of this section and as elsewhere specified in this section. They shall be allowed in the following zoning districts:

(a) Industrial.
(b) R/A.

F. Design and installation standards.

(1) The solar photovoltaic energy system must be constructed to comply with the New York State Uniform Fire Prevention and Building Code, as amended, and any additional electrical and safety regulations adopted by the State of New York.

(2) All wiring must comply with the National Electrical Code, most recent edition, as amended and adopted by the State of New York.

(a) For GMSs, all exterior electrical lines must be buried below the surface of the ground where possible or be placed in conduit or in aluminum cable tray. Cable tray shall be covered wherever conductors will be exposed to direct sunlight.

(3) The solar energy system must be constructed to comply with the most recent fire code as amended and adopted by the State of New York.

(4) The solar energy system shall be properly maintained and be kept free from hazards including, but not limited to, faulty wiring, loose fastenings, or the creation of an unsafe condition or detriment to public health, safety or general welfare.

G. Signage and/or graphic content.

(1) No signage or graphic content may be displayed on the solar panels except the manufacturer's badge, the installer's name, safety information and equipment specification information. Said information shall be depicted within an area no more than 36 square inches in size.

(2) Disconnect and other emergency shutoff information will be clearly displayed on a light reflective surface.

(3) Systems and sites may not be used for displaying advertising except for reasonable identification of the owner/operator and shall comply with all signage restrictions.

H. Inspection, safety and removal.

(1) The Town of Manlius reserves the right to inspect a solar energy system for building or fire code compliance and safety.

(2) If upon inspection the Town of Manlius determines that a fire code or building code violation exists, or that the system otherwise poses a safety hazard to persons or property, the Town of Manlius may order the owner of the land or the operator of the facility to repair or

remove the system, within a reasonable time. Such an order shall be in writing, shall offer the option to repair, shall specify the code violation or safety hazard found and shall notify the owner of the land or the operator of the facility of their right to appeal such determination.

(3) If the owner of the land or the operator of the facility fails to repair or remove a solar energy system as ordered, and all appeal rights have been exhausted, the Town of Manlius may enter the property, remove the system and charge the owner of the property or the operator of the facility or both for all costs and expenses of removal, including reasonable attorney's fees, or pursue other legal action to have the system removed at the owner of the land or the operator of the facility's expense.

(4) In addition to any other available remedies, any unpaid costs resulting from the Town of Manlius' removal of a vacated, abandoned or decommissioned solar energy system shall constitute a lien upon the property against which the costs were charged. Legal counsel of the Town of Manlius shall institute appropriate action for the recovery of such cost, plus attorney's fees, including but not limited to filing of municipal claims pursuant to 53 P.S. § 7107 et seq. for the cost of such work, 6% interest per annum, plus a penalty of 5% of the amount due plus attorney's fees and costs incurred by the Town of Manlius in connection with the removal work and the filing of the Town of Manlius' claim.

I. Severability. If any word, phrase, sentence, part, section, subsection or other portion of this section or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion or the proscribed application thereof, shall be severable, and the remaining provisions of this section, and all applications thereof, not having been declared void, unconstitutional, or invalid shall remain in full force and effect.

J. Conflict with other laws. Where this section differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the county, state, or federal government the more restrictive or protective of the Town and the public shall apply.

Section 3. This Local Law shall be filed in the office of the Secretary of State within 20 days of its approval.

WHEREAS, the Town Board desires to hold a public hearing on the above Local Law;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, shall hold a Public Hearing in the matter of the adoption of the aforesaid Local Law, and that such Hearing shall be held in-person and by the virtual platform known as ZOOM, which directions to attend said public hearing are on the Official Town Website on March 23, 2022 at 6:30 p.m. and be it further

RESOLVED, that the Town Clerk give notice of such Public Hearing by the publication of a notice in at least one newspaper circulated in the Town, specifying the time when and the place where such Public Hearing will be held, and in general terms, describing the proposed Local Law. Such notice shall be published once at least five (5) days prior to the Public Hearing.

I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 23rd day of February 2022; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 23rd day of February, 2022.

DATED: **February 23rd, 2022**
Fayetteville, New York

Allison Weber
Town Clerk of the Town of Manlius
Onondaga County, New York

2021 Encumbrances and Budget Transfers

Encumbrances:
(Outstanding purchase orders from 2021)

A005.1010.400 Town Board-Contractual 2,500

- Annual Audit of Justice Court (postposed due to COVID)

A005.1355.405 Assessor-Information Tech $1,950

- RPS Annual Licensing Fee (2021 fee paid 01/2022)
  NYS annual licensing fee for users of NYS Real Property System

A005.1410.401 Town Clerk-Office Supplies $1,500

- Office Chairs (2); Standing Desks (2)

A005.1410.402 Town Clerk-Seminars/Conf. $2,152

- IIMC training that was cancelled in 2021 due to COVID that will take place in 2022

A005.1440.450 Engineer-Contractual $3,353

- 4th quarter 2021 landfill testing/monitoring (Alpha Analytical)

A005.1460.400 Records Mgmt.-Contractual $9,586

- Upgrade records management equipment

A005.1620.200 Buildings-Equipment $1,400

- Break room equipment

A005.3310.400 Traffic Control-Contractual $450

- 4th quarter (2021) service for school crossing beacon (Syracuse Signal)

A005.3510.401 Dog Control $500

- Dog license envelopes

A005.3120.400 Police-Contractual $7,217

- PO 21-33620 $217 Locker
- Vera House $7000 Training

A005.3120.401 Police-Office Supplies $86.50

- PO 21-33706

A005.3120.404 Police-Books/Publications $269.97

- PO 21-34139 UA Sidekick Annual Subscription

A005.3120.405 Police Info Tech/Electronic $968.00

- PO 21-34172 Laserfiche Scanner

A005.3120.412 Police-Vehicle Repair $2,500

- PO 21-34030 HDD Replacement

A005.3120.446 Police-Maintenance Contract $2,735.98

- PO 21-33905 $274.98 S=Internet
- PO 21-34083 $2461 Annual Maintenance Livescreen Fingerprinting System

A005.3120.448 Police-Uniforms/Cleaning $10,885.94

- PO 21-33267 $2558.97 Uniform-New Officer
- PO 21-33354 $114.99 Lt Pants
- PO 21-33481 $2324.68 SPO Uniform
- PO 21-33513 $2704.75 Uniform-New Officer
- PO 21-33811 $175 Badges/Patches SPO
- PO 21-33854 $251.64 SPO Badges
- PO 21-33884 $2209.85 SPO Uniform
- PO 21-33993 $54.99 Pants
- PO 21-34026 $99.99 Pants
- PO 21-34061 $292.26 Clothing
- PO 21-34142 $98.82 Inner Carrier

A005.3120.464 Police-Protection Gear $4,464.75

- PO 20-30211 $784.95 Training Supplies
- PO 21-33822 $2646 Shields
- PO 21-33838 $1033.80 Sights

DA0.5.5130.200 Machinery-Equipment $133,908.16

- Ford F350XL Pickup Trucks (2) – Purchase approved 04/14/2021 Town Board $86,078.16
- Ford F550 Pickup Cab & Chassis (1) – Purchase approved 10/27/2021 Town Board $47,830

DB0.5.5110.478 General Repairs-Drainage $9,000

- Drainage pipe on backorder

Budget Transfers:

Amount: $4,000
From: A005.1460.100 Records Management-Personal Services
To: A005.1410.100 Town Clerk-Personal Services

- Records Management Officer (Weber) salary; reimburse clerk budget for payment of RMO salary

Amount: $1,500
From: A005.5010.100 Superintendent-Personal Services
To: A005.1410.100 Town Clerk-Personal Services

- Tree Commission secretary pay

Amount: $14,716
From: B005.3620.100 Planning & Development-Personal Services
To: A005.1410.100 Town Clerk-Personal Services

- 20% D. Witzel/T. Galvin salaries

Amount: $56,232.94
From: DA0.4.3500 Extreme Winter Recovery
To: DA0.5.5130.200 Machinery-Equipment

- Purchase of Ford F550 Pickup Cab & Chassis

Amount: 1,243.96
From: DA005.5142.101 Snow Removal-Overtime
To: DA0.5.5140.101 Brush &Weeds

- Snowstorm overtime

Amount: $8,770.01
From: DA0.5.5142.470 Snow Removal Materials
To: DA0.5.5140.490 Brush & Weeds Contractual

- Tree work

November 15, 2021

Sara Bollinger
Councilor
301 Brooklea Drive
Fayetteville, NY 13066

Re: Letter of Engagement, Cell Coverage Mapping, LLC Survey

We appreciate your interest in conducting a cell coverage survey of the town residents and thank you for the opportunity to submit this proposal and letter of engagement to the Town of Manlius. We look forward to working with you to help identify mobile phone wireless service coverage issues within the Town.

This letter confirms the terms of engagement and clarifies the nature and extent of data collection services to be provided by Cell Coverage Mapping, LLC (CCM) to the Town of Manlius (Town). If acceptable, please sign and return to me at your convenience.

1. Cell Coverage Mapping, LLC (CCM) shall conduct an online survey that will solicit feedback from the residents of Manlius regarding cell coverage issues within the Town of Manlius (Town).

2. CCM will work with the Town to develop marketing copy and the Town will sponsor the CCM survey through existing channels of communication with the community, including but not limited to Facebook, Twitter, local newspapers, Town website and email distributions.

3. CCM will provide the Survey Results at no cost to the Town and will pay any advertising fees as agreed to with the Town. The Survey Results are for the Town's internal use only.

4. It is estimated that the CCM survey will take 1-3 minutes to complete, and all information shall be provided voluntarily. CCM makes no representations or warranties regarding the data except that it reflects the locations consumers responding to the CCM survey for the Town have indicated where they have had cell coverage issues.

5. Any use by the Town or anyone receiving a copy of the Survey Results must be in accordance with all applicable laws, as well as the CCM Privacy Policy, which can be found in the following link www.cellcoveragemapping.com/legal

6. CCM shall provide a single point of contact to interact with the Town throughout the course of the survey campaign. This point of contact will also be available to address any questions or concerns from residents of the town during the survey campaign.

7. The CCM survey shall be open to residents of the Town for up to 30 days from the start of the survey campaign.

8. After the presentation of the Survey Results to the Town, CCM will have no further obligations to the Town, except that CCM will be responsible for maintaining the survey data in accordance with the CCM Privacy Policy. The Town's obligations with respect to its use of the Survey Results will continue from and after delivery of the Survey Results, and the Town will indemnify CCM from any claims that the Town or anyone receiving the Survey Results from the Town breached the CCM Privacy Policy or any other applicable laws.

9. The Town is solely responsible for disseminating the Survey Results to any resident of the Town that requests a copy of the Survey Results and responding to any questions from residents after CCM delivers the Survey Results to the Town.

Thank you again for this opportunity and we look forward to working together to run the CCM survey campaign.

Sincerely,

Brad Gorham

Agreed and Accepted by the Town of Manlius:

By: _____

Name/Title: _____

Date: _____

TOWN OF MANLIUS
Onondaga County
NEW YORK

CONSOLIDATED DRAINAGE DISTRICT NO. 3 ENDERS ROAD STORMWATER SYSTEM REHABILITATION

TOWN OF MANLIUS
HIGHWAY DEPARTMENT

REQUEST FOR QUOTATION

CONSOLIDATED DRAINAGE DISTRICT NO. 3
ENDERS ROADS STORMWATER SYSTEM REHABILITATION

QUOTATIONS DUE: March 31, 2022 @ 2:00 PM

TOWN OF MANLIUS
REQUEST FOR QUOTATION
GENERAL INSTRUCTIONS TO BIDDERS

SECTION 1: BID IDENTIFICATION

1.1 Title: Consolidated Drainage District No. 3, Enders Road Stormwater System Rehabilitation

1.2 Requesting Department: Town of Manlius Highway Department

1.3 Scope of Work (Base Bid): The base bid is for the cleanout of an existing stormwater basin to restore to its original line and grade and appropriate and legal disposal of removed sediment for the Town of Manlius Highway Department.

SECTION 2: PURPOSE

2.1 The intent of these specifications is to furnish information to responsible bidders for the purpose of obtaining bids for the stated scope of work.

SECTION 3: BIDDING DOCUMENTS

3.1 Complete sets of the Bidding Documents are included with this notice.

3.2 Complete sets of Bidding Documents must be used in preparing bids. The Town does not assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.

3.3 The prices submitted by the Contractor, shall include all costs of permits, bonds,, taxes, fees, labor, equipment, travel expenses and materials for the various bid items necessary for completion of work in accordance with these specifications. All items of work not specifically mentioned herein which are required, by the contractor, to make the product perform as intended and deliver the final product as specified herein shall be included in the respective bid.

SECTION 4: SUBMISSION OF BIDS

4.1 Bids and any other required documents must be one (1) original and one (1) copy, submitted in a sealed opaque envelope, plainly marked with the name and number of the bid and the name and address of the bidder and accompanied by the required documents. Bids must be received no later than **2:00 PM on March 31, 2022** at the following address:

Allison A Weber, Town Clerk
Town of Manlius
301 Brooklea Drive
Fayetteville, New York 13066

4.2 The Town Board reserves the right to reject any or all bids in whole or in part, to waive any and all informalities, and to disregard all non-conforming, non-responsive or conditional bids.

SECTION 5: NON-COLLUSIVE BIDDING CERTIFICATE

5.1 All bidders bidding under the provisions of the specifications are subject to the provisions of Section 103 of the General Municipal Law of the State of New York. A signed Non-Collusive Bidding Certificate (Attachment 'A") is required to be submitted with each bid on the form provided by the Town.

SECTION 6: QUALIFICATION OF BIDDER

6.1 The Town may make such investigations it deems necessary to determine the ability of the bidder to perform the work. The bidder shall furnish to the Town, within five (5) days of a request, all such information and data for this purpose as may be requested. The Town reserves the right to reject any bid if the information submitted by, or investigation of, a bidder fails to satisfy the Town that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional bids will not be accepted.

SECTION 7: DISQUALIFICATION

7.1 The Town reserves the right to refuse to issue Bidding Documents to a prospective bidder should such bidder be in default for any of the following reasons:

A. Failure to comply with any pre-qualification regulations of the Town, if such regulations are cited, or otherwise included, in the Bidding Documents as a requirement for bidding.
B. Bidder's failure to pay, or satisfactorily settle, all bills due for labor and materials on former contracts in force (with the Owner) at the time the Town issues the Bidding Documents to a prospective bidder.
C. Bidder's default under previous contracts with the Town.
D. Bidder's unsatisfactory work on previous contracts with the Town.

7.2 Bids received from bidders who have previously failed to complete contracts within the time required, or who have previously performed similar work in an unsatisfactory manner, may be rejected. A bid may be rejected if the bidder cannot show that it has the necessary ability, equipment and licensure to commence the work at the time prescribed and thereafter to perform and complete the work at the rate or within the time specified. A bid may be rejected if the bidder is already obligated for the performance of other work which would delay the commencement, performance or completion of the work.

7.3 The Town of Manlius reserves the right to reject any bid if the information submitted by, or investigation of, such bidder fails to satisfy the Town that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.

7.4 Bids will be considered irregular and shall be subject to rejection for the following reasons:

A. If the bid is on a form other than that furnished by Town of Manlius, or, if the Town of Manlius's form is altered, or, if any part of the required bidding documents is missing.
B. If there are unauthorized additions, conditional or alternate pay items, or irregularities of any kind which make the bid incomplete, indefinite, or otherwise ambiguous.

SECTION 8: BID FORM

8.1 The Bid Form is attached hereto; additional copies may be obtained from the Town.

8.2 Bids must be made on the Bid Form provided by the Town. The Bid Form must be completed in ink or by typewriter. The Bid Form must also be signed by an authorized representative of the bidder.

8.3 Bids by corporations must be executed in the corporate name by the president or a vice president (or other corporate officer accompanied by evidence of authority to sign on behalf of the corporation) and the corporate seal must be affixed by the secretary or an assistant secretary. The corporate address and State of incorporation must be shown below the signature.

8.4 Bids by partnerships must be executed in the partnership name and signed by a partner, whose title must appear under the signature. The official address of the partnership must be shown below the signature.

8.5 All names must be printed or typed below the signature.

8.6 The bid must contain an acknowledgment of receipt of all Addenda (the number of which will be filled in on the Bid Form).

8.7 The address to which communications regarding the bid are to be directed must be included on the Bid Form.

SECTION 9: SPECIFICATION CLARIFICATION

9.1 All inquiries with respect to this Request for Bid must be directed to the Town of Manlius.

Mr. Joel Bianchi, P.E.
Principal
M.J. Engineering & Land Surveying, PC
1533 Crescent Road
Clifton Park, New York 12065
(518) 371-0799
jbianchi@mjels.com

9.2 All questions about the meaning or intent of the specifications must be submitted to the aforementioned designated person in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded as having received the bidding documents. Questions received less than two (2) days prior to the date of submission of bids will not be answered. The Town will be bound only by responses given by formal written Addenda.

SECTION 10: AVAILABILITY OF LANDS FOR WORK

10.1 The lands upon which the Work is to be performed, rights-of-way and easements for access thereto and other lands designated for use by Contractor in performing the Work are limited to the Town's property. Any additional lands and access thereto required for staging, operations, storage of materials and equipment, hauling and disposal necessary to complete the work are to be obtained and paid for by the Contractor.

SECTION 11: BID EVALUATION

11.1 Bids received will be evaluated by the Town of Manlius and will be based, as a minimum, upon the following criteria:

A. A total aggregate project cost of the base bid items;
B. Completeness of the bid; and
C. Bidder's demonstrated capabilities and professional qualifications.

11.2 The Town reserves the right to award this Contract to multiple bidders.

SECTION 12: AWARD OF BID

12.1 After the award has been approved by the Town Board, the successful bidder will be issued a Notice of Award. A notice of contract award shall not be binding upon the Town until the contract has been fully executed by both parties.

12.2 The following documents shall be incorporated within the contract between the Town of Manlius and the apparent successful Bidder: the successful Bidder's bid, this Request for Bids and any written Addenda issued by the Town of Manlius in response to inquiries of prospective bidders.

12.3 No successful bidder to whom a contractor purchase order is let, granted or awarded, shall assign, transfer, convey, sublet, or otherwise dispose of same, or of its right, title, and interest herein, including the performance of the contract or purchase order or the right to receive monies due or to become due, or of its power to execute the contract or purchase order without the prior written consent of the Town of Manlius. In the event the contractor shall without prior written consent assign, transfer, convey, sublet or otherwise dispose of the contract or purchase order or of its right, title and interest therein, including the performance of this contract or purchase order, or the right to receive monies due or to become due, or its power to execute such contract or purchase order to any other person or corporations, or upon receipt by the Town of Manlius of an attachment against the Successful Bidder, the Town of Manlius shall be relieved and discharged from any and all liability and obligation growing out of such contract or purchase order to such contractor, and the person or corporation to which such contract or purchase order shall have been assigned, its assignees, transferees or sub lessees shall forfeit and lose all monies theretofore assigned under the contract or purchase order, except so much as may be required to pay its employees.

SECTION 13: INSURANCE REQUIREMENTS

13.1 The successful Bidder will be required to procure and maintain at its own expense the following insurance coverage:

A. Workers' Compensation and Employers Liability Insurance: A policy or policies providing protection for employees in the event of job-related injuries.

B. Automobile Liability Insurance: Automobile Liability policies and, if necessary, Commercial Umbrella policies, including coverage for any automobile(s), hired automobile(s) and non-owned automobile(s) shall be furnished will limits not less than:

Liability for Bodily Injury & Property Damage:	
Combined Single Limit	$1,000,000

C. Commercial General Liability: General Liability (occurrence form) and, if necessary, Commercial Umbrella policies, shall cover liability arising from premises, operations, independent contractors, products completed operations, personal injury and liability assumed under an insured contract. There shall be no endorsements, or modification, of the CGL limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground property damage. If contractor's CGL policy contains a general aggregate limit, it shall apply separately to this project.

Liability for Bodily Injury & Property Damage:	
Each Occurrence	$1,000,000
General Aggregate	$2,000,000

13.2 Each policy of insurance required shall be of form and content satisfactory to the Town Attorney.

A. The Town of Manlius shall be named as an additional named insured on all liability policies. The bid number must appear on policy.
B. The policy shall not be changed or canceled until the expiration of thirty (30) days after written notice to the Town of Manlius. It shall be automatically renewed upon expiration and continued in force unless the Town of Manlius is given at least thirty (30) days written notice to the contrary.

13.3 No work shall be commenced under the contract or purchase order until the successful Bidder has delivered to the Town or their designee proof of issuance of all policies of insurance required by the contract to be procured by the successful Bidder. If at any time, any of said policies shall expire or become unsatisfactory to the Town, the successful Bidder shall promptly obtain a new policy and submit proof of insurance of the same to the Town for approval. Upon failure of the successful Bidder to furnish, deliver and maintain such insurance as above provided, the contract or purchase order may, at the election of the Town, be forthwith declared suspended, discontinued or terminated. Failure of the successful Bidder to procure and maintain any required insurance shall not relieve the successful Bidder from any liability under the contract, nor shall the insurance requirements be construed to conflict with the obligations of the successful Bidder concerning indemnification.

SECTION 14: INDEMNIFICATION

14.1 The successful Bidder shall defend, indemnify and save harmless the Town, its employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the successful Bidder, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

SECTION 15: DELIVERY AND PAYMENT

15.1 All bid prices shall include freight and shall be quoted FOB (Freight On Board) destination.

15.2 No allowance will be made for cost of increasing fuel. The submitted Bid price shall be valid for the full period noted in the bidding documents.

15.3 The Town of Manlius is not subject to federal, state or local taxes.

SECTION 16: PREVAILING WAGE

16.1 The Contractor warrants that he is familiar with and in compliance with Sections 220.3 and 220-d if the New York State Labor Law. Said Sections relate to the payment of wages to each laborer, workman or mechanic upon this project employed by the contractor of not less than the prevailing hourly wage for a legal days work.

TOWN OF MANLIUS

BIDDER QUALIFICATION FORM

Contractor

Name of Contractor _____

Address _____

City _____ State _____ Zip _____

It shall be necessary for the Contractor to present evidence that he has been in business for a reasonable period of time in this particular field and can submit a suitable record of satisfactorily completing similar projects as called for herein. In addition to the above, he shall submit evidence that his company has the necessary personnel and equipment to carry out this type of construction.

1. How many years have you been engaged in construction under your present firm or trade name? _____ years.

2. In accordance with the requirements of the specifications, list below completed installations of this size or larger constructed by your firm.

JOB NAME AND ADDRESS	DATE COMPLETED
1.	
2.	
3.	
4.	

TOWN OF MANLIUS

BID FORM

BID IDENTIFICATION:

Title: Consolidated Drainage District No. 3, Enders Road Stormwater System Rehabilitation

THIS BID IS SUBMITTED TO:

Allison A Weber, Town Clerk
Town of Manlius
301 Brooklea Drive
Fayetteville, New York 13066

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to perform and furnish all Work as specified or indicated in the Contract Documents for the Bid Price indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

2. BIDDER accepts all of the terms and conditions of the Request for Bid. This Bid will remain subject to acceptance for four weeks after the day of Bid opening.

3. In submitting this Bid, BIDDER represents that:

   (a) BIDDER has examined and carefully studied the Bidding Documents and the following Addenda, receipt of all that is hereby acknowledged: (List Addenda by Addendum Number and Date)

   _____

   _____

   (b) BIDDER has visited the site and has become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the Work;

   (c) BIDDER is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress, performance and furnishing of the Work.

   (d) BIDDER has correlated the information known to BIDDER, and information and observations obtained from visits to the site with the Contract Documents.

   (e) BIDDER has given OWNER written notice of all conflicts, errors, ambiguities or discrepancies that BIDDER has discovered in the Contract Documents, and the written resolution thereof by OWNER is acceptable to BIDDER, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work for which this Bid is submitted.

   (f) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

TOWN OF MANLIUS
BID SHEET
CONSOLIDATED DRAINAGE DISTRICT NO. 3
ENDERS ROAD STORMWATER SYSTEM REHABILITATION

Item	*Description*	*Unit*	*Quantity*	*Unit Price*	*Extended Total*
1	Mobilization / Demobilization	LS	1	$_____	$_____
2	Pipe Slip Lining DMH301 to DMH302	LF	110	$_____	$_____
				TOTAL UNIT PRICE BASE BID	$_____
ALT1	Pipe Slip Lining DMH302 to DMH303	LF	173	$_____	$_____
ALT2	Pipe Slip Lining DMH304 to 36" Dia. FES	LF	96	$_____	$_____
ALT3	Pipe Slip Lining DMH303 to DMH304	LF	364	$_____	$_____
Add Alternates, if awarded would be in numerical order.					

4. The following documents are attached to and made a condition of this Bid:

   (a) Non-Collusive Bidding Certificate (Attachment "A")
   (b) Acknowledgment by Bidder (Attachment "B")
   (c) Standard Details (Attachment "C")

5. Communication concerning this Bid shall be addressed to:

   Mr. Joel Bianchi, P.E.
   Principal
   M.J. Engineering & Land Surveying, PC
   1533 Crescent Road
   Clifton Park, New York 12065
   (518) 371-0799
   jbianchi@mjels.com

ATTACHMENT "A"

NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.

2. Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.

3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

_____
Signature

_____
Title

_____
Company Name

_____
Date

ATTACHMENT "B"
ACKNOWLEDGMENT BY BIDDER

An Individual

By_____(SEAL)
(Individual's Name)
doing business as _____
Business address: _____
Phone No.:_____

A Partnership

By_____ (SEAL)
(Firm Name)
_____
(general partner)

Business address: _____
Phone No.:_____

A Corporation

By_____ (SEAL)
(Corporation Name)
_____
(state of incorporation)
By_____ (SEAL)
(Title)
(Corporate Seal)

Attest_____
(Secretary)
Business address: _____

Phone No.:_____

Date of Qualification to do business in New York State if BIDDER is not incorporated in New York State_____

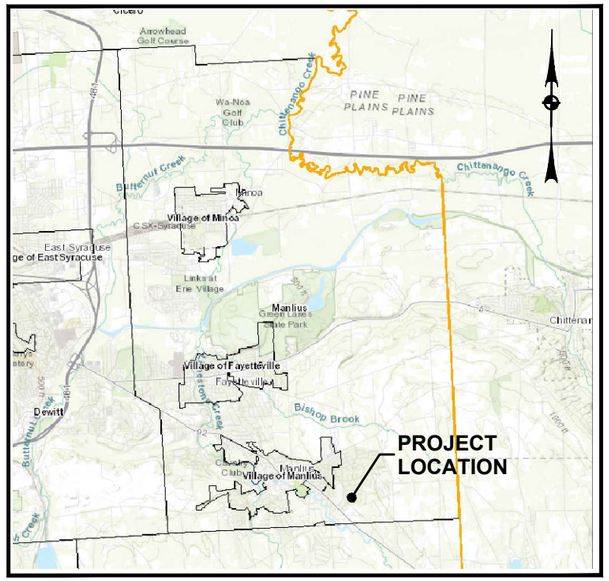
A Joint Venture

By_____ (SEAL)
(Name)
_____
(Address)
By_____ (SEAL)
(Name)
_____
(Address)
Phone Number and Address for receipt of official communications
_____
_____

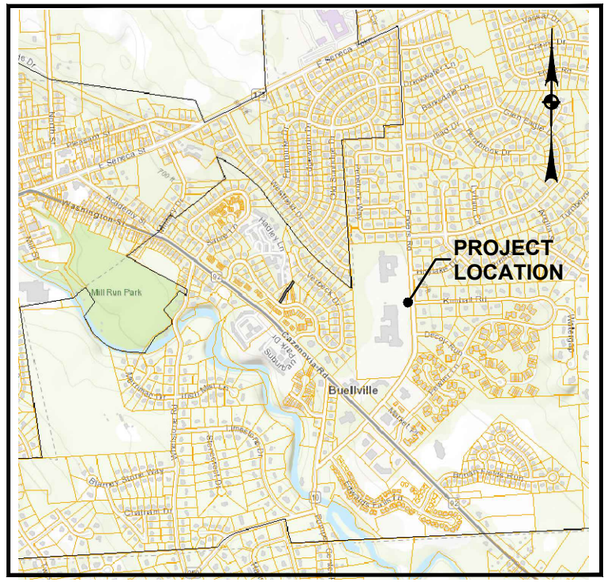
(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a part to the joint venture should be in the manner indicated above.))

ATTACHMENT "C"

CONTRACT DOCUMENTS
(PLANS AND TECHNICAL SPECIFICATIONS)



VICINITY MAP
NOT TO SCALE



SITE LOCATION MAP
NOT TO SCALE

PRELIMINARY DESIGN SUBMISSION

CONSILIDATED DRAINAGE DISTRICT NO. 3 ENDERS ROAD STORMWATER SYSTEM REHABILITATION

TOWN OF MANLIUS, ONONDOGA COUNTY, NEW YORK

PREPARED FOR

TOWN OF MANLIUS
301 BROOKLEA DRIVE
FAYETTEVILLE, NEW YORK 13066

SUPERVISOR
JOHN DEER

TOWN BOARD
SARA BOLLINGER - COUNCILER
ELAINE DENTON - COUNCILER
ALISSA ITALIANO, COUNCILOR
KATELYN KRIESEL - COUNCILER
WILLIAM NICHOLSON - COUNCILER
HEATHER ALLISON WATERS - COUNCILER

SUPERINTENDENT OF HIGHWAYS
ROBERT CUSHING

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SUBMITTAL / REVISIONS

No.	DATE	DESCRIPTION	BY	REVIEWED BY:	DATE
1	1/18/22	PRELIMINARY DESIGN SUBMISSION	AJW	JML	9/17/21

PROJ. MANAGER:	JML
CHIEF DESIGNER:	JMF
DESIGNED BY:	AJW
DRAWN BY:	AJW
CHECKED BY:	JMB

TOWN OF MANLIUS
301 BROOKLEA DRIVE
FAYETTEVILLE, NEW YORK 13066

Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

ENDERS ROAD STORMWATER SYSTEM REHABILITATION

COVER PAGE

TOWN OF MANLIUS, ONONDOGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.09
DATE: 1/18/22

C-001

DRAWING INDEX

DRAWING	SHEET	TITLE
C-001	1	COVER SHEET
C-002	2	DRAINING INDEX, GENERAL NOTES AND LEGENDS
C-100	3	EXISTING CONDITIONS PLAN
C-110	4	DRAINAGE SYSTEM REHABILITATION PLAN
C-120	5	DRAINAGE SYSTEM PROFILE

LEGEND:

EXISTING

- PROPERTY LINE
- 120 — CONTOUR
- STORM LINE
- 57 — DRAINAGE MANHOLE
- E,T,C — OVERHEAD ELECTRIC
- Ø — POWER POLE

PROPOSED

- CONTRACT LIMIT LINE
- SLIP LINED STORM PIPE

SURVEY MAP NOTES:

1. CONTOURS GENERATED FROM 2016 FEMA AERIAL LIDAR.
2. CONTOUR INTERVAL = 1 FOOT.
3. NYS ORTHOIMAGERY DATED 2018.
4. HORIZONTAL COORDINATES REFERENCED TO NAD83 NY STATE PLANE CENTRAL ZONE IN US SURVEY FEET.
5. VERTICAL COORDINATES REFERENCED TO NAVD88 IN US SURVEY FEET.

DIG SAFELY NEW YORK: CALL 811 BEFORE YOU DIG:

1. CALL BEFORE YOU DIG: IF YOU PLAN TO DIG OR DO ANY TYPE OF EXCAVATION WORK, NEW YORK STATE LAW REQUIRES YOU CALL DIG SAFELY NEW YORK PRIOR TO DOING SO.
2. WAIT THE REQUIRED TIME: YOU NEED TO PROVIDE TWO FULL WORKING DAYS NOTICE PRIOR TO STARTING YOUR WORK, NOT COUNTING THE DAY OF YOUR CALL, WEEKENDS OR HOLIDAYS. THIS PROVIDES TIME FOR THE UTILITIES TO LOCATE YOUR PROPOSED DIG SITE.
3. CONFIRM UTILITY RESPONSE: DIG SAFELY NEW YORK WILL NOTIFY ALL MEMBER UTILITIES OF THE PENDING EXCAVATION SO THAT THAT THEY CAN COME OUT AND MARK THE LOCATION OF THEIR UNDERGROUND LINES. BEFORE DIGGING ON YOUR STATED COMMENCEMENT DATE CONFIRM THAT ALL UTILITIES HAVE RESPONDED TO YOU INDICATING THEY HAVE MARKED YOUR PROPERTY OR THEY HAVE NO FACILITIES PRESENT.
4. RESPECT THE MARKS: BEFORE YOU BEGIN YOUR EXCAVATION, WALK THROUGH THE SITE TO FAMILIARIZE YOURSELF WITH THE MARKINGS AND THE LOCATIONS OF BURIED FACILITIES.
5. DIG WITH CARE: IT IS IMPORTANT EXCAVATORS TAKE A PROACTIVE APPROACH TO SAFETY NOT ONLY FOR THEMSELVES BUT FOR THE PUBLIC BY INITIATING THE ONE CALL PROCESS AND ADHERING TO THE FIVE STEPS OF A SAFE EXCAVATION.

GENERAL NOTES:

1. ACCESS TO THE PROJECT WORK AREA SHALL BE THROUGH THE TOWN'S PUBLIC RIGHT-OF-WAY UNLESS APPROVAL IS OBTAINED FROM PRIVATE LAND OWNER'S.
2. ALL WORK SHALL BE PERFORMED UNDER DRY WEATHER CONDITIONS.
3. ANY WATER OR FLUID GENERATED FROM SYSTEM FLUSHING SHALL BE MANAGED IN ACCORDANCE WITH APPLICABLE REGULATIONS. UNDER NO CIRCUMSTANCES SHALL THERE BE A TURBID DISCHARGE INTO THE DOWN GRADIENT STORM SEWER SYSTEM OR DRAINAGE COURSES.
4. CONTRACTOR SHALL COORDINATED WITH THE TOWN NO LESS THAN TWO WEEKS PRIOR TO COMMENCEMENT OF WORK WITH THE TOWN OF MANLIUS FOR THE PURPOSES OF ESTABLISHING WORK AREAS ON THE SCHOOL DISTRICT PROPERTY.
5. CONTRACTOR STAGING AND EQUIPMENT LAYDOWN AREAS SHALL NOT IMPEDED SCHOOL ACCESS OR OPERATIONS. PROVIDE CONSTRUCTION SAFETY FENCE AROUND ANY WORK AREAS.
6. THE CONTRACTOR SHALL MAKE ARRANGEMENTS TO OBTAIN ANY AND ALL WATER FROM THE WATER PURVEYOR AND SHALL INCLUDE COST TO DO SO AS PART OF THE BID SUBMITTED. THE TOWN OF MANLIUS DOES NOT OPERATE THE POTABLE WATER SYSTEM.

REMOVAL NOTES:

1. CONFORM TO APPLICABLE CODE FOR DEMOLITION OF STRUCTURES, SAFETY OF ADJACENT STRUCTURES, DUST CONTROL, RUNOFF CONTROL, AND HAULING, DISPOSAL AND STORAGE OF DEBRIS.
2. PROVIDE, ERECT, AND MAINTAIN TEMPORARY BARRIERS AND SECURITY DEVICES.
3. MAINTAIN EXISTING UTILITIES TO REMAIN IN SERVICE AND PROTECT THEM AGAINST DAMAGE DURING SELECTIVE DEMOLITION OPERATIONS. DO NOT INTERRUPT EXISTING UTILITIES SERVING OPERATING FACILITIES, EXCEPT WHEN AUTHORIZED IN WRITING BY OWNER'S REPRESENTATIVE.
4. PREVENT MOVEMENT OR SETTLEMENT OF ADJACENT STRUCTURES. PROVIDE BRACING AND SHORING.
5. LOCATE AND IDENTIFY ALL EXISTING UTILITIES WITHIN THE CONSTRUCTION AREA AS REQUIRED BY SPECIFICATION SECTION 023313. DISCONNECT AND SEAL OR CAP OFF UTILITY SERVICES THAT WILL BE AFFECTED BY THIS PROJECT. NOTIFY OWNER'S REPRESENTATIVE AT A MINIMUM OF 72 HOURS BEFORE STARTING WORK AND WITH THEIR REQUIREMENTS. VERIFY THAT UTILITIES HAVE BEEN DISCONNECTED AND CAPPED.
6. REMOVE COMPONENTS IN AN ORDERLY AND CAREFUL MANNER.
7. PROTECT EXISTING FEATURES THAT ARE NOT TO BE REMOVED.
8. CONDUCT OPERATIONS WITH MINIMUM INTERFERENCE TO PUBLIC OR PRIVATE ACCESSES.
9. MAINTAIN EGRESS AND ACCESS AT ALL TIMES. DO NOT CLOSE OR OBSTRUCT ROADWAYS, OR SIDEWALKS WITHOUT OWNER'S REPRESENTATIVE'S PERMISSION.
10. CEASE OPERATIONS IMMEDIATELY IF ADJACENT STRUCTURES APPEAR TO BE IN DANGER.
11. ROUGH GRADE AND COMPACT AREAS AFFECTED BY DEMOLITION TO MAINTAIN SITE GRADES AND CONTOURS.
12. FIELD VERIFY EXISTING CONDITIONS AND CORRELATE WITH REQUIREMENTS INDICATED ON DEMOLITION PLAN TO DETERMINE EXTENT OF SELECTIVE DEMOLITION REQUIRED.
13. CONDUCT DEMOLITION OPERATIONS AND REMOVE DEBRIS TO ENSURE MINIMUM INTERFERENCE WITH SELECTIVE DEMOLITION OPERATIONS.
14. CONDUCT DEMOLITION OPERATIONS TO PREVENT INJURY TO PEOPLE AND DAMAGE TO ADJACENT BUILDINGS AND FACILITIES TO REMAIN. ENSURE SAFE PASSAGE OF PEOPLE AROUND SELECTIVE DEMOLITION AREA.
15. REMOVE AND TRANSPORT DEBRIS IN A MANNER THAT WILL PREVENT SPILLAGE ON ADJACENT SURFACES AND AREAS. ALL EXCESS MATERIALS SHALL BE TRANSPORTED OFF SITE AND LEGALLY DISPOSED OF.
16. CLEAN ADJACENT STRUCTURES AND IMPROVEMENTS OF DUST, DIRT AND DEBRIS CAUSED BY SELECTIVE DEMOLITION OPERATIONS. RETURN ADJACENT AREAS TO CONDITION EXISTING BEFORE START OF SELECTIVE DEMOLITION.
17. LEGALLY DISPOSE OF DEMOLISHED MATERIALS. ALL DEBRIS RESULTING FROM DEMOLITION ACTIVITIES SHALL BE DISPOSED OF OFF-SITE AT A FACILITY LEGALLY APPROVED TO RECEIVE THE DEBRIS. DO NOT ALLOW DEMOLISHED MATERIALS TO ACCUMULATE ON-SITE. DO NOT BURN DEMOLISHED MATERIALS ON-SITE.

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PROJ. MANAGER:	JML
CHIEF DESIGNER:	JMF
DESIGNED BY:	AJW
DRAWN BY:	AJW
CHECKED BY:	JMB

TOWN OF MANLIUS
301 BROOKLEA DRIVE
FAYETTEVILLE, NEW YORK 13066

Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

ENDERS ROAD STORMWATER SYSTEM REHABILITATION

DRAWING INDEX, GENERAL NOTES AND LEGEND

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.09
DATE: 1/18/22

C-002

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1533 Crescent Road - Clifton Park, NY 12065

ENDERS ROAD STORMWATER SYSTEM REHABILITATION

EXISTING CONDITIONS PLAN

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.09
DATE: 1/18/22

C-100

File Name: F:\MJ1456 - Town of Manlius TDE\1456.01 - General Engineering Services - Misc Projects\09-Enders Road Drainage Improvements\1456.01.09 C-100 EXIST COND.dwg (Layout: C-100)
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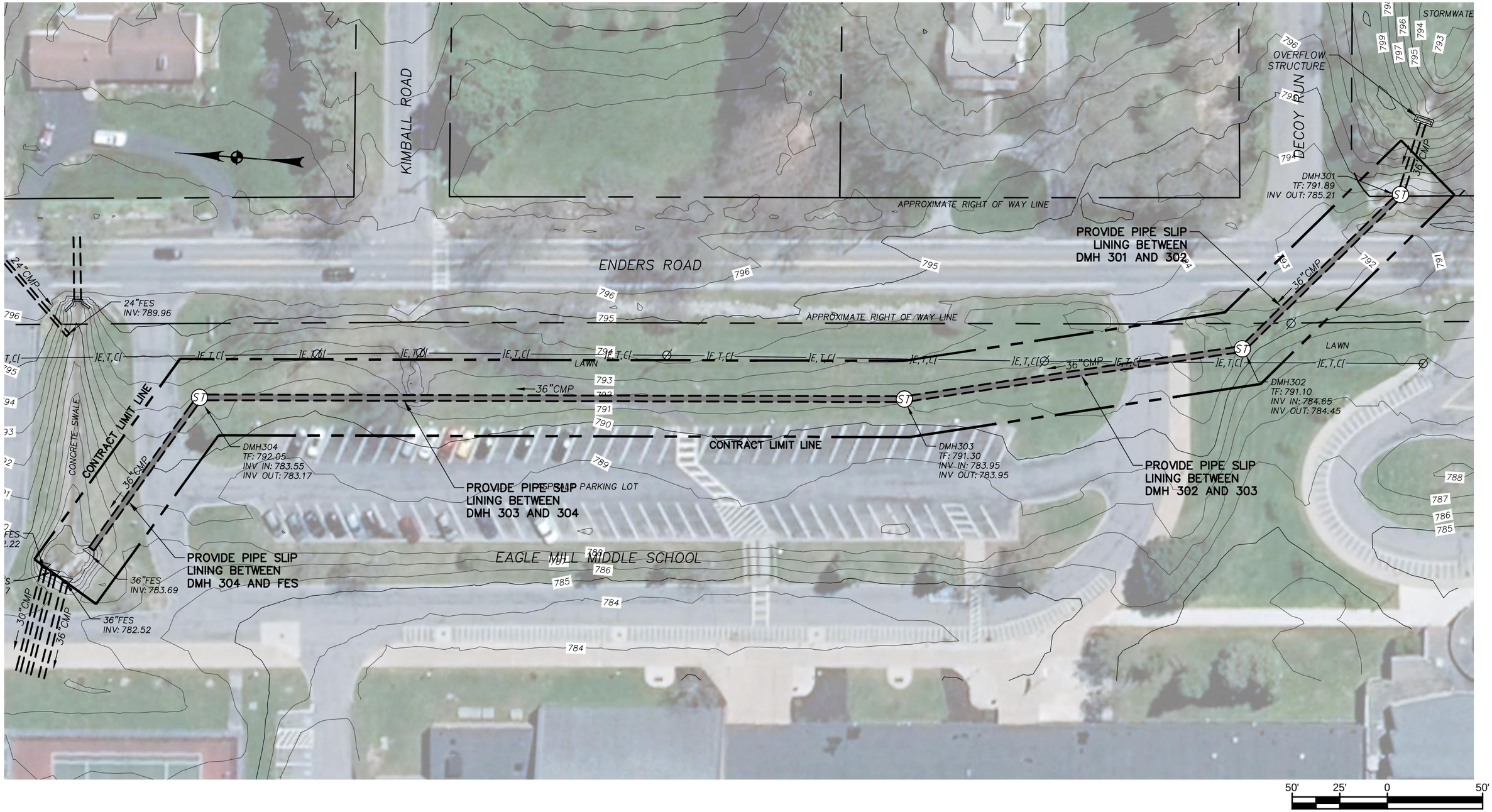

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TOWN OF MANLIUS
301 BROOKLEA DRIVE
FAYETTEVILLE, NEW YORK 13066

Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

ENDERS ROAD STORMWATER SYSTEM REHABILITATION

DRAINAGE SYSTEM REHABILITATION PLAN

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.09
DATE: 1/18/22

C-110

File Name: F:\MJ1456 - Town of Manlius TDE\1456.01 - General Engineering Services - Misc Projects\09-Enders Road Drainage Improvements\1456.01.09 C-110 PROP COND.dwg (Layout: C-110)
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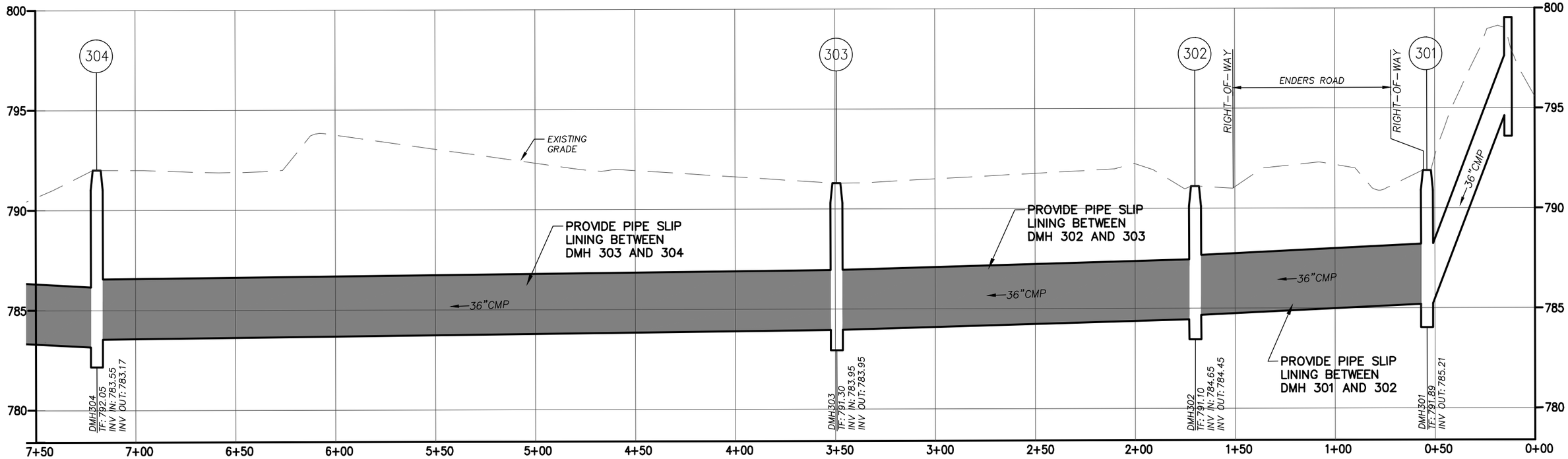
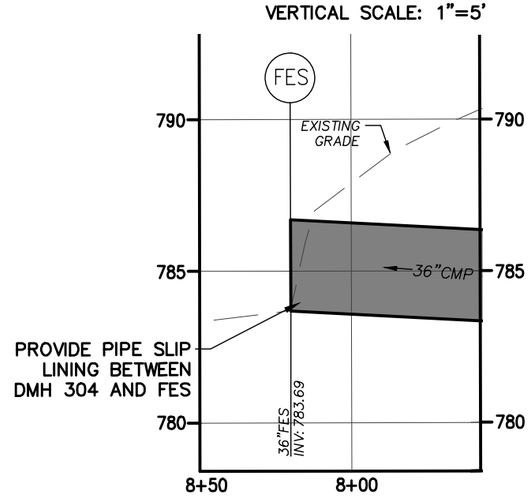


DRAINAGE SYSTEM PROFILE - STA 0+00 TO 7+50

HORIZONTAL SCALE: 1"=50'
VERTICAL SCALE: 1"=5'



DRAINAGE SYSTEM PROFILE - STA 7+50 TO 8+50

HORIZONTAL SCALE: 1"=50'
VERTICAL SCALE: 1"=5'

50' 25' 0 50'

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DESIGNED BY:	AJW
DRAWN BY:	AJW
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301 BROOKLEA DRIVE
FAYETTEVILLE, NEW YORK 13066

Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

ENDERS ROAD STORMWATER SYSTEM REHABILITATION

DRAINAGE SYSTEM PROFILE

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.09
DATE: 1/18/22

C-120

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Date: Tue, Jan 18, 2022 - 9:56 AM (Name: jbianchi)

SECTION 330130.72
CURED IN PLACE PIPE LINING

PART 1 – GENERAL

1.1 RELATED DOCUMENTS

A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specification Sections, apply to this Section.

1.2 SUMMARY

A. Provide all labor, materials, equipment, and services necessary to, and incidental to, clean, inspect by closed-circuit-television (CCTV), and rehabilitate underground storm sewer piping indicated on the Drawings. Rehabilitation of the storm sewer piping shall be by cured-in-place, full length, resin-impregnated tube inverted into the host pipe by means of a hydraulic head.

1.3 REFERENCES

A. This specification references the following American Society for Testing and Materials (ASTM) standards and are made a part hereof insofar as they are applicable.
   1. D256 - Standard Test Methods for Determining the Pendulum Impact Resistance of Notched Specimens of Plastics.
   2. D638 - Standard Test Method for Tensile Properties of Plastics.
   3. D790 - Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics.
   4. D1784 - Standard Specification for Rigid Polyvinyl Chloride (PVC) Compounds and Chlorinated Polyvinyl Chlorinated (CPVC) Compounds.
   5. D2122 - Standard Test Method for Determining Dimensions of Thermoplastic Pipe and Fittings.
   6. D2152 - Standard Test Method for Extrusion Quality using Acetone Emersion.
   7. D2444 - Standard Test Method for Determination of Impact Resistance.
   8. D 3681 - Standard Test Method for Chemical Resistance of Reinforced Thermosetting Resin Pipe in a Deflected Condition.
   9. F 1057 - Standard Test Method for Extrusion Quality using Heat Reversion.
   10. F1216 - Practice for Rehabilitation of Existing Pipelines and Conduits by the Inversion and Curing of a Resin-Impregnated Tube.

B. This specification references the following American Water Works Association (AWWA) standards and are made a part hereof insofar as they are applicable.
   1. C950 - Standard for Fiberglass Pressure Pipe

1.4 SUBMITTALS

A. Shop Drawings: Details of the lining procedure, lining elements and equipment depicting method of installation.

B. Product Data:
   1. Manufacturer's technical data, details, and specifications giving information on material composition, physical properties, and dimensions, including certification by the manufacturer that the materials are immune to corrosion from storm sewer flows.
   2. Manufacturer's recommended procedures for handling, storing, and installation of the liner, including reinstatement of lateral service connections.

C. Design Calculations:
1. For the rehabilitation of sewers by the inversion and curing of a resin-impregnated tube, submit structural design calculations and specification data sheets listing all parameters used in the liner design and thickness determinations based on Appendix X1 of ASTM F 1216.
2. Calculations shall be prepared under and stamped by a Professional Engineer registered in the State of New York. Submit P.E. Certification form for all CIPP and Fold-and-Form Liner design data.

D. Quality Control Submittals:
1. Test Reports: Furnish certified test data issued by an independent testing laboratory, demonstrating that the products used comply with the required physical properties.
2. Workers' Qualifications Data:
   a. Submit the names and addresses of 3 previous trenchless sewer rehabilitation projects comparable in all ways to this project. Briefly describe the nature of each project.
   b. Submit a letter certifying that the Supervisor and the Workers doing the liner Work have at least 2 years experience each in installing sewer liners of the type specified.

PART 2 - PRODUCTS

2.1 GENERAL MATERIAL REQUIREMENTS

A. Characteristics: Designed to meet the following installation conditions:
1. To match the configuration of the host pipe with a concave dimple appearing at each service connection.
2. Able to negotiate pipeline bends of 90 degrees without splitting, rupturing or wrinkling of the liner material.
3. Able to be expanded 25 percent larger than the host pipe diameter without splitting or rupturing of the liner material.
4. ASTM D 1784 impact resistance equal to 5 or better.
5. Manufactured with sufficient excess wall thickness to allow the liner to meet or exceed the DR requirements after being expanded during final installation.
6. Continuously extruded or produced at the factory to effectively span the distance between manholes with no joints therebetween.

B. Material Testing: Provide certification of inspection and testing at time of manufacture for defects in accordance with ASTM D 2122, D 2152 and D 2444. Liners shall be homogeneous, uniform in color, free of cracks, holes, foreign material and deleterious faults.

2.2 MATERIALS

A. Cured-in-Place, Resin-Impregnated Felt Liner:
1. Resin-Impregnated, flexible polyester felt thermally cured-in-place and meeting the following minimum physical properties:
   a. Flexural Modulus: 300,000 psi initial; 150,000 psi long-term.
   b. Flexural Strength: 5000 psi.
   c. Tensile Modulus: 250,000 psi initial; 152,000 psi long-term.
   d. Tensile Strength: 4000 psi.

2. Custom designed by the manufacturer in accordance with ASTM F 1216 to meet the following conditions:
   a. AASHTO H-20 live load with two trucks passing.
   b. Soil weight 120lbs./cf.
   c. Maximum ground water level at ground surface.
   d. Consideration of partially or fully deteriorated pipe based on the video inspection following cleaning of the host pipe.
   e. 50-year service life.
   f. Maximum felt content of the liner: 25 percent.
   g. SDR of 50 or less dependent on deteriorated condition of host pipe. Wall thickness of the cured liner shall be determined by the design calculations required under Article 1.4 of this Section.
3. Resin shall be a polyester liquid thermosetting resin with associated catalysts suitable for the design conditions and curing process.
4. When cured the liner shall form a continuous, tight fitting, hard, impermeable lining chemically immune to corrosion from sewage and by-products, combined with a maximum abrasion resistance.
5. Fabricate the liner to a size that when reformed will tightly fit the host pipe.
   a. Tube shall consist of one or more layers of flexible needled felt, or an equivalent non-woven material.
   b. Tube shall be capable of conforming to bends, offset joints, bells, and disfigured pipe sections.
   c. Allow for longitudinal and circumferential expansion when sizing to achieve proper installation of the liner.
   d. Verify dimensions in the field prior to delivery of the liner.
6. Verify length of liner prior to construction to effectively carry out installation and seal the liner at the inlet and outlet of each manhole.
7. Ensure that the correct liner is fabricated for the respective runs between each set of manholes.

PART 3 - EXECUTION

3.1 PRE- REHABILITATION CLEANING

A. Remove foreign materials from the sewer piping as required to obtain tight seating of the new liner against a cleaned interior wall surface throughout the host pipe.
   1. Use hydraulically propelled, high velocity jet, or mechanically powered equipment as deemed necessary to satisfactorily remove dirt, grease, rocks, sand and other foreign materials including obstructions.
   2. Remove roots in a manner assuring complete removal from the joints.
      a. Use mechanical equipment such as rodding machines, bucket machines, and winches in connection with root cutters and porcupines, plus other equipment such as high-velocity jet cleaners.
      b. Chemical root treatment with an herbicide approved by the Engineer may be used at the Contractor's option to aid in the removal of roots. Application shall be in accordance with the manufacturer's printed recommendations and instructions. Damaged vegetation as designated by the Engineer shall be replaced at no cost to the Owner.
   3. If cleaning an entire section between any two manholes can not be successfully performed from one of the manholes, the equipment shall be set up at the other manhole and cleaning attempted from the other direction. If, again, successful cleaning can not be performed or the equipment fails to traverse the entire distance between the two manholes, it will be assumed that a major blockage exists requiring

a point repair and the cleaning effort shall be abandoned until the blockage is removed by open-cut excavation.

4. Debris of every name and nature from sewer cleaning operation shall be legally disposed of off Site.

3.2 VIDEO INSPECTION

A. Pre-Rehabilitation Inspection: Following thorough cleaning, conduct a video survey, in the presence of the Engineer, of each sewer section cleaned to verify adequacy of the cleaning in accordance with these specifications.

B. Post-Rehabilitation Inspection: Conduct a video survey, in the presence of the Engineer, of each rehabilitated sewer section to verify adequacy of the liner installation and repairs in accordance with these specifications. Post-rehabilitation inspection shall be conducted following the specified post-rehabilitation cleaning procedures.

C. Video Images:
   1. Full color, 360-degree side view projected on a state-of-the-art television monitor.
   2. Continuous logging action video taped for permanent record. Turn over to the Engineer one copy of all video tapes produced.

D. Radial-head Camera Requirements:
   1. Scanning system: 525 line, 60 Hz NTSC or 625 line, 50 Hz PAL.
   2. TV line resolution: 350(H) x 360(V).
   3. Minimum illumination: 10 lux or one foot candle (F=1.4).
   4. Remote functions:
      a. Iris control (F1.4-F22).
      b. Motorized focus control.
      c. Automatic white balance.

3.3 INSTALLATION

A. Adhere strictly to the liner manufacturer's standard procedures for proper installation under specific conditions. Procedures for liner installation are specific to the method used and vary with liner material, liner thickness, pipe size, pipe shape, etc.

B. Cover irregular and sharp edges of the entrance to the host pipe to prevent damage to the liner during insertion.

C. Installation of Inverted, Resin-Impregnated Tube Liner:
   1. Resin-Impregnation (wet-out):
      a. Protect tube and resin areas from sunlight and moisture.
      b. Test operation of mixing and wet-out equipment prior to resin mixing to ensure that all components are in proper working order.
      c. Following resin mixing, verify that resin temperatures have been taken and gel tests (accelerated curing tests of the resin reactivity) have been performed for proper evaluation of the resin mixture.
      d. Pump the resin between the innermost layers of the tube. Verify by counting the tube layers.
      e. Do not allow air entrainment in the wet-out process.
      f. Pass the tube through a pair of rollers to uniformly distribute the resin. Gap spacing between the rollers shall be a minimum of twice the specified wall

thickness of the cured-in-place liner. Verify the gap spacing with every 100 feet of wet-out.

2. Inversion:
   a. Protect the tube from injurious impact and unclean soiling matter (dirt, mud, fine debris, etc.).
   b. Use inversion heads sized according to manufacturer's recommendations.
   c. Do not overstress the tube material or exceed 5 percent longitudinal stretch.
   d. Place thermocouples at both ends of the tube and at intermediate stations as required to monitor the curing process.
   e. Remove plastic films or coatings on the interior finish of the liner unless they are fully bonded to the absorbent tube material prior to installation.
   f. Allow the liner to cool below 100 degrees F. before releasing the pressure and cutting the ends.

3.4 FIELD QUALITY CONTROL

A. Samples: Take samples as designated by the Engineer at not less than 5 random line sections for the entire project.
   1. Take samples at intermediate manholes or at termination points initiated through like diameter pipe held in place by a suitable heat sink.
   2. Samples shall have been heated, pressurized, and formed or shaped in a manner identical to the liner installation.
   3. Samples shall be large enough to provide a minimum of 3 specimens and recommended 5 specimens for flexural and tensile testing, as applicable.

B. Testing: Submit samples to an independent laboratory for analysis to assure physical properties of the cured samples are in compliance with the referenced applicable ASTM standards.
   1. Deliver test reports to the Engineer for approval.
   2. Bear all testing costs.

3.5 SERVICE CONNECTION REINSTATEMENT

A. Reinstate the existing service connections by using remotely controlled methods approved by the liner manufacturer and the Engineer.
   1. Activate the connections from the interior of the lined sewer by means of a remotely directed cutting device that locates the covered service connection and cuts away the liner pipe in such a way that a smooth edge is established.
   2. Liner shall be tight to the existing sewer pipe with no evidence of an annular space between the service pipe and the liner.

3.6 MANHOLE SEALING AND BENCHES

A. Provide a watertight seal at the insertion and termination points in the manholes, in accordance with the manufacturer's recommendations.
   1. Neatly cut off the liner at least 4 inches from the manhole wall.
   2. Provide a mortar/concrete bench adjacent to the liner segment within the manhole to support the liner sidewalls and to provide smooth merging of flows from other pipelines.

3.7 POST- REHABILITATION CLEANING

A. Perform post-rehabilitation cleaning of all rehabilitated sewer piping in accordance with Section 3.1 contained herein.

3.8 FIELD TESTING AND ACCEPTANCE

A. Field acceptance of the sewer rehabilitation Work shall be based on evaluation of the installation from post-installation TV videotapes, direct inspection where possible, and a review of the certified test data of the installed liner samples.
   1. Ground water infiltration of the liner shall be zero. Check by video inspection before doing service connection reinstatement.
   2. Service connections shall be open, clear and watertight.
   3. The finished lining shall be continuous between manholes and shall be free from visual defects such as foreign inclusions, reverse curvatures, splits, flats, cracks, lifts, kinks, wrinkles, flats, dry spots, pinholes, shrinkage, crazing, leaks, and delamination. The maximum allowable size for wrinkle or bulge as shown in the inspection shall not exceed 3 percent of equivalent pipe diameter or 1-inch by visual measurement, whichever is smaller. No wrinkles will be allowed in the in the invert of pipe between 4:00 and 8:00 o'clock positions.
   4. Interior surfaces of the liners shall have a smooth appearance, fitted tightly to the shape of the host pipe.

B. Should inspection reveal a defective liner, corrective measures shall be taken as approved by the Engineer, including replacement of the liner if deemed necessary.

*****

TOWN OF MANLIUS
Onondaga County
NEW YORK

CONSOLIDATED DRAINAGE DISTRICT NO. 3 VERBECK DRIVE STORMWATER BASIN CLEANOUT

TOWN OF MANLIUS
HIGHWAY DEPARTMENT

REQUEST FOR QUOTATION

CONSOLIDATED DRAINAGE DISTRICT NO. 3
VERBECK DRIVE STORMWATER BASIN CLEANOUT

QUOTATIONS DUE: March 31, 2022 @ 2:00 PM

TOWN OF MANLIUS
REQUEST FOR QUOTATION
GENERAL INSTRUCTIONS TO BIDDERS

SECTION 1: BID IDENTIFICATION

1.1 Title: Consolidated Drainage District No. 3, Verbeck Drive Stormwater Basin Cleanout

1.2 Requesting Department: Town of Manlius Highway Department

1.3 Scope of Work (Base Bid): The base bid is for the cleanout of an existing stormwater basin to restore to its original line and grade and appropriate and legal disposal of removed sediment for the Town of Manlius Highway Department.

SECTION 2: PURPOSE

2.1 The intent of these specifications is to furnish information to responsible bidders for the purpose of obtaining bids for the stated scope of work.

SECTION 3: BIDDING DOCUMENTS

3.1 Complete sets of the Bidding Documents are included with this notice.

3.2 Complete sets of Bidding Documents must be used in preparing bids. The Town does not assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.

3.3 The prices submitted by the Contractor, shall include all costs of permits, bonds,, taxes, fees, labor, equipment, travel expenses and materials for the various bid items necessary for completion of work in accordance with these specifications. All items of work not specifically mentioned herein which are required, by the contractor, to make the product perform as intended and deliver the final product as specified herein shall be included in the respective bid.

SECTION 4: SUBMISSION OF BIDS

4.1 Bids and any other required documents must be one (1) original and one (1) copy, submitted in a sealed opaque envelope, plainly marked with the name and number of the bid and the name and address of the bidder and accompanied by the required documents. Bids must be received no later than **2:00 PM on March 31, 2022** at the following address:

Allison A Weber, Town Clerk
Town of Manlius
301 Brooklea Drive
Fayetteville, New York 13066

4.2 The Town Board reserves the right to reject any or all bids in whole or in part, to waive any and all informalities, and to disregard all non-conforming, non-responsive or conditional bids.

SECTION 5: NON-COLLUSIVE BIDDING CERTIFICATE

5.1 All bidders bidding under the provisions of the specifications are subject to the provisions of Section 103 of the General Municipal Law of the State of New York. A signed Non-Collusive Bidding Certificate (Attachment 'A") is required to be submitted with each bid on the form provided by the Town.

SECTION 6: QUALIFICATION OF BIDDER

6.1 The Town may make such investigations it deems necessary to determine the ability of the bidder to perform the work. The bidder shall furnish to the Town, within five (5) days of a request, all such information and data for this purpose as may be requested. The Town reserves the right to reject any bid if the information submitted by, or investigation of, a bidder fails to satisfy the Town that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional bids will not be accepted.

SECTION 7: DISQUALIFICATION

7.1 The Town reserves the right to refuse to issue Bidding Documents to a prospective bidder should such bidder be in default for any of the following reasons:

A. Failure to comply with any pre-qualification regulations of the Town, if such regulations are cited, or otherwise included, in the Bidding Documents as a requirement for bidding.
B. Bidder's failure to pay, or satisfactorily settle, all bills due for labor and materials on former contracts in force (with the Owner) at the time the Town issues the Bidding Documents to a prospective bidder.
C. Bidder's default under previous contracts with the Town.
D. Bidder's unsatisfactory work on previous contracts with the Town.

7.2 Bids received from bidders who have previously failed to complete contracts within the time required, or who have previously performed similar work in an unsatisfactory manner, may be rejected. A bid may be rejected if the bidder cannot show that it has the necessary ability, equipment and licensure to commence the work at the time prescribed and thereafter to perform and complete the work at the rate or within the time specified. A bid may be rejected if the bidder is already obligated for the performance of other work which would delay the commencement, performance or completion of the work.

7.3 The Town of Manlius reserves the right to reject any bid if the information submitted by, or investigation of, such bidder fails to satisfy the Town that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.

7.4 Bids will be considered irregular and shall be subject to rejection for the following reasons:

A. If the bid is on a form other than that furnished by Town of Manlius, or, if the Town of Manlius's form is altered, or, if any part of the required bidding documents is missing.
B. If there are unauthorized additions, conditional or alternate pay items, or irregularities of any kind which make the bid incomplete, indefinite, or otherwise ambiguous.

SECTION 8: BID FORM

8.1 The Bid Form is attached hereto; additional copies may be obtained from the Town.

8.2 Bids must be made on the Bid Form provided by the Town. The Bid Form must be completed in ink or by typewriter. The Bid Form must also be signed by an authorized representative of the bidder.

8.3 Bids by corporations must be executed in the corporate name by the president or a vice president (or other corporate officer accompanied by evidence of authority to sign on behalf of the corporation) and the corporate seal must be affixed by the secretary or an assistant secretary. The corporate address and State of incorporation must be shown below the signature.

8.4 Bids by partnerships must be executed in the partnership name and signed by a partner, whose title must appear under the signature. The official address of the partnership must be shown below the signature.

8.5 All names must be printed or typed below the signature.

8.6 The bid must contain an acknowledgment of receipt of all Addenda (the number of which will be filled in on the Bid Form).

8.7 The address to which communications regarding the bid are to be directed must be included on the Bid Form.

SECTION 9: SPECIFICATION CLARIFICATION

9.1 All inquiries with respect to this Request for Bid must be directed to the Town of Manlius

Mr. Joel Bianchi, P.E.
Principal
M.J. Engineering & Land Surveying, PC
1533 Crescent Road
Clifton Park, New York 12065
(518) 371-0799
jbianchi@mjels.com

9.2 All questions about the meaning or intent of the specifications must be submitted to the aforementioned designated person in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded as having received the bidding documents. Questions received less than two (2) days prior to the date of submission of bids will not be answered. The Town will be bound only by responses given by formal written Addenda.

SECTION 10: AVAILABILITY OF LANDS FOR WORK

10.1 The lands upon which the Work is to be performed, rights-of-way and easements for access thereto and other lands designated for use by Contractor in performing the Work are limited to the Town's property. Any additional lands and access thereto required for staging, operations, storage of materials and equipment, hauling and disposal necessary to complete the work are to be obtained and paid for by the Contractor.

SECTION 11: BID EVALUATION

11.1 Bids received will be evaluated by the Town of Manlius and will be based, as a minimum, upon the following criteria:

A. A total aggregate project cost of the base bid items;
B. Completeness of the bid; and
C. Bidder's demonstrated capabilities and professional qualifications.

11.2 The Town reserves the right to award this Contract to multiple bidders.

SECTION 12: AWARD OF BID

12.1 After the award has been approved by the Town Board, the successful bidder will be issued a Notice of Award. A notice of contract award shall not be binding upon the Town until the contract has been fully executed by both parties.

12.2 The following documents shall be incorporated within the contract between the Town of Manlius and the apparent successful Bidder: the successful Bidder's bid, this Request for Bids and any written Addenda issued by the Town of Manlius in response to inquiries of prospective bidders.

12.3 No successful bidder to whom a contractor purchase order is let, granted or awarded, shall assign, transfer, convey, sublet, or otherwise dispose of same, or of its right, title, and interest herein, including the performance of the contract or purchase order or the right to receive monies due or to become due, or of its power to execute the contract or purchase order without the prior written consent of the Town of Manlius. In the event the contractor shall without prior written consent assign, transfer, convey, sublet or otherwise dispose of the contract or purchase order or of its right, title and interest therein, including the performance of this contract or purchase order, or the right to receive monies due or to become due, or its power to execute such contract or purchase order to any other person or corporations, or upon receipt by the Town of Manlius of an attachment against the Successful Bidder, the Town of Manlius shall be relieved and discharged from any and all liability and obligation growing out of such contract or purchase order to such contractor, and the person or corporation to which such contract or purchase order shall have been assigned, its assignees, transferees or sub lessees shall forfeit and lose all monies theretofore assigned under the contract or purchase order, except so much as may be required to pay its employees.

SECTION 13: INSURANCE REQUIREMENTS

13.1 The successful Bidder will be required to procure and maintain at its own expense the following insurance coverage:

A. Workers' Compensation and Employers Liability Insurance: A policy or policies providing protection for employees in the event of job-related injuries.

B. Automobile Liability Insurance: Automobile Liability policies and, if necessary, Commercial Umbrella policies, including coverage for any automobile(s), hired automobile(s) and non-owned automobile(s) shall be furnished will limits not less than:

Liability for Bodily Injury & Property Damage:	
Combined Single Limit	$1,000,000

C. Commercial General Liability: General Liability (occurrence form) and, if necessary, Commercial Umbrella policies, shall cover liability arising from premises, operations, independent contractors, products completed operations, personal injury and liability assumed under an insured contract. There shall be no endorsements, or modification, of the CGL limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground property damage. If contractor's CGL policy contains a general aggregate limit, it shall apply separately to this project.

Liability for Bodily Injury & Property Damage:	
Each Occurrence	$1,000,000
General Aggregate	$2,000,000

13.2 Each policy of insurance required shall be of form and content satisfactory to the Town Attorney.

A. The Town of Manlius shall be named as an additional named insured on all liability policies. The bid number must appear on policy.
B. The policy shall not be changed or canceled until the expiration of thirty (30) days after written notice to the Town of Manlius. It shall be automatically renewed upon expiration and continued in force unless the Town of Manlius is given at least thirty (30) days written notice to the contrary.

13.3 No work shall be commenced under the contract or purchase order until the successful Bidder has delivered to the Town or their designee proof of issuance of all policies of insurance required by the contract to be procured by the successful Bidder. If at any time, any of said policies shall expire or become unsatisfactory to the Town, the successful Bidder shall promptly obtain a new policy and submit proof of insurance of the same to the Town for approval. Upon failure of the successful Bidder to furnish, deliver and maintain such insurance as above provided, the contract or purchase order may, at the election of the Town, be forthwith declared suspended, discontinued or terminated. Failure of the successful Bidder to procure and maintain any required insurance shall not relieve the successful Bidder from any liability under the contract, nor shall the insurance requirements be construed to conflict with the obligations of the successful Bidder concerning indemnification.

SECTION 14: INDEMNIFICATION

14.1 The successful Bidder shall defend, indemnify and save harmless the Town, its employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the successful Bidder, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

SECTION 15: DELIVERY AND PAYMENT

15.1 All bid prices shall include freight and shall be quoted FOB (Freight On Board) destination.

15.2 No allowance will be made for cost of increasing fuel. The submitted Bid price shall be valid for the full period noted in the bidding documents.

15.3 The Town of Manlius is not subject to federal, state or local taxes.

SECTION 16: PREVAILING WAGE

16.1 The Contractor warrants that he is familiar with and in compliance with Sections 220.3 and 220-d if the New York State Labor Law. Said Sections relate to the payment of wages to each laborer, workman or mechanic upon this project employed by the contractor of not less than the prevailing hourly wage for a legal days work.

TOWN OF MANLIUS

BIDDER QUALIFICATION FORM

Contractor

Name of Contractor _____

Address _____

City _____ State _____ Zip _____

It shall be necessary for the Contractor to present evidence that he has been in business for a reasonable period of time in this particular field and can submit a suitable record of satisfactorily completing similar projects as called for herein. In addition to the above, he shall submit evidence that his company has the necessary personnel and equipment to carry out this type of construction.

1. How many years have you been engaged in construction under your present firm or trade name? _____ years.

2. In accordance with the requirements of the specifications, list below completed installations of this size or larger constructed by your firm.

JOB NAME AND ADDRESS	DATE COMPLETED
1.	
2.	
3.	
4.	

TOWN OF MANLIUS

BID FORM

BID IDENTIFICATION:

Title: Consolidated Drainage District No. 3, Verbeck Drive Stormwater Basin Cleanout

THIS BID IS SUBMITTED TO:

Allison A Weber, Town Clerk
Town of Manlius
301 Brooklea Drive
Fayetteville, New York 13066

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to perform and furnish all Work as specified or indicated in the Contract Documents for the Bid Price indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

2. BIDDER accepts all of the terms and conditions of the Request for Bid. This Bid will remain subject to acceptance for four weeks after the day of Bid opening.

3. In submitting this Bid, BIDDER represents that:

   (a) BIDDER has examined and carefully studied the Bidding Documents and the following Addenda, receipt of all that is hereby acknowledged: (List Addenda by Addendum Number and Date)

   _____

   _____

   (b) BIDDER has visited the site and has become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the Work;

   (c) BIDDER is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress, performance and furnishing of the Work.

   (d) BIDDER has correlated the information known to BIDDER, and information and observations obtained from visits to the site with the Contract Documents.

   (e) BIDDER has given OWNER written notice of all conflicts, errors, ambiguities or discrepancies that BIDDER has discovered in the Contract Documents, and the written resolution thereof by OWNER is acceptable to BIDDER, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work for which this Bid is submitted.

   (f) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

TOWN OF MANLIUS
BID SHEET
CONSOLIDATED DRAINAGE DISTRICT NO. 3
VERBECK DRIVE STORMWATER BASIN CLEANOUT

Item	***Description***	***Total***
1	Mobilization / Demobilization	$_____
2	Erosion and Sediment Control Measures Installed and Maintained	$_____
2	Remove / Dispose of Sediment / soil	$_____
3	Rough and Fine Grade	$_____
4	Seed / Final Restoration	$_____
	TOTAL LUMP SUM COST	$_____

4. The following documents are attached to and made a condition of this Bid:

   (a) Non-Collusive Bidding Certificate (Attachment "A")
   (b) Acknowledgment by Bidder (Attachment "B")
   (c) Standard Details (Attachment "C")

5. Communication concerning this Bid shall be addressed to:

   Mr. Joel Bianchi, P.E.
   Principal
   M.J. Engineering & Land Surveying, PC
   1533 Crescent Road
   Clifton Park, New York 12065
   (518) 371-0799
   jbianchi@mjels.com

ATTACHMENT "A"

NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.

2. Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.

3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

_____
Signature

_____
Title

_____
Company Name

_____
Date

ATTACHMENT "B"
ACKNOWLEDGMENT BY BIDDER

An Individual

By_____(SEAL)
(Individual's Name)
doing business as _____
Business address: _____
Phone No.:_____

A Partnership

By_____ (SEAL)
(Firm Name)
_____
(general partner)

Business address: _____
Phone No.:_____

A Corporation

By_____ (SEAL)
(Corporation Name)
_____
(state of incorporation)
By_____ (SEAL)
(Title)
(Corporate Seal)

Attest_____
(Secretary)
Business address: _____

Phone No.:_____

Date of Qualification to do business in New York State if BIDDER is not incorporated in New York State_____

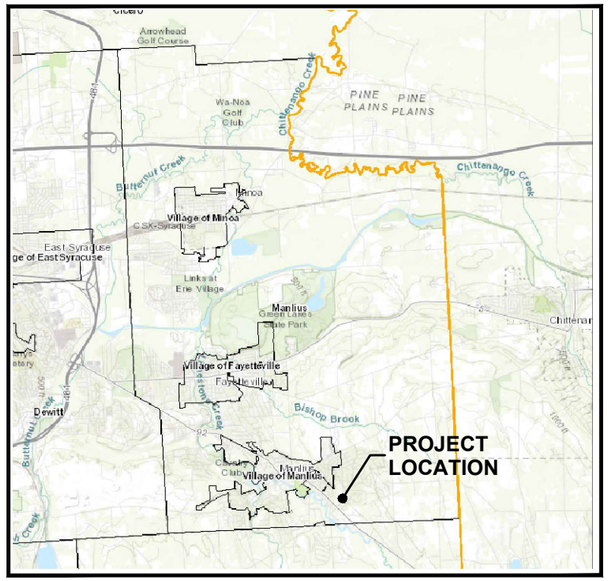
A Joint Venture

By_____ (SEAL)
(Name)
_____
(Address)
By_____ (SEAL)
(Name)
_____
(Address)
Phone Number and Address for receipt of official communications
_____
_____

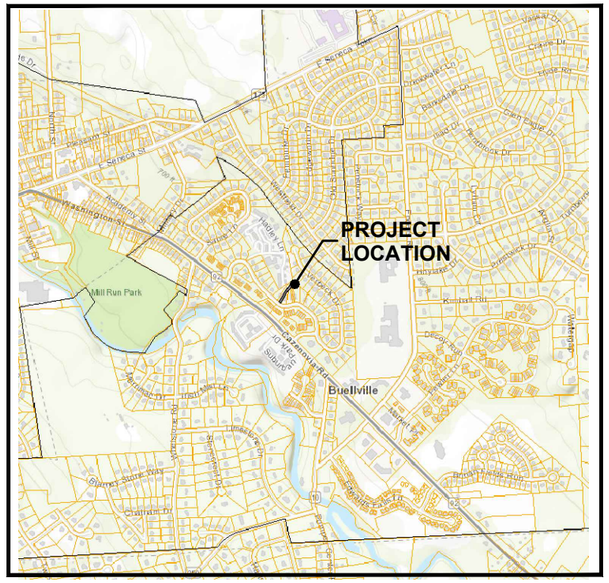
(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a part to the joint venture should be in the manner indicated above.))

ATTACHMENT "C"

CONTRACT DOCUMENTS
(PLANS AND TECHNICAL SPECIFICATIONS)



VICINITY MAP
NOT TO SCALE



SITE LOCATION MAP
NOT TO SCALE

PRELIMINARY DESIGN SUBMISSION

CONSOLIDATED DRAINAGE DISTRICT NO. 3 VERBECK DRIVE STORMWATER BASIN CLEANOUT

TOWN OF MANLIUS, ONONDOGA COUNTY, NEW YORK

PREPARED FOR

TOWN OF MANLIUS
301 BROOKLEA DRIVE
FAYETTEVILLE, NEW YORK 13066

SUPERVISOR
JOHN DEER

TOWN BOARD
SARA BOLLINGER - COUNCILER
ELAINE DENTON - COUNCILER
ALISSA ITALIANO, COUNCILOR
KATELYN KRIESEL - COUNCILER
WILLIAM NICHOLSON - COUNCILER
HEATHER ALLISON WATERS - COUNCILER

SUPERINTENDENT OF HIGHWAYS
ROBERT CUSHING

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, (I.E.) ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER OR LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS "A" MISDEMEANOR.

SUBMITTAL / REVISIONS

No.	DATE	DESCRIPTION	BY	REVIEWED BY:	DATE
1	9/17/21	PRELIMINARY DESIGN SUBMISSION	AJW	JML	9/17/21
2	1/18/22	PRELIMINARY DESIGN SUBMISSION	AJW	JML	1/18/22

PROJ. MANAGER:	JML
CHIEF DESIGNER:	JMF
DESIGNED BY:	AJW
DRAWN BY:	AJW
CHECKED BY:	JMB

TOWN OF MANLIUS
301 BROOKLEA DRIVE
FAYETTEVILLE, NEW YORK 13066

Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

VERBECK DRIVE STORMWATER BASIN CLEANOUT

COVER PAGE

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.08
DATE: 9/17/21

C-001

File Name: F:\MJ1456 - Town of Manlius TDE\1456.01 - General Engineering Services - Misc Projects\08-Verbeck Drive Stormwater Basin Cleanout\1456.01.08 C-001 COVER.dwg (Layout: C-001)
Date: Tue, Jan 18, 2022 - 10:08 AM (Name: jbianchi)

DRAWING INDEX

DRAWING	SHEET	TITLE
C-001	1	COVER SHEET
C-002	2	DRAINING INDEX, GENERAL NOTES AND LEGENDS
C-100	3	EXISTING CONDITIONS PLAN
C-110	4	GRADING PLAN
C-200	5	SECTIONS
C-500	6	DETAILS

LEGEND:

EXISTING

- PROPERTY LINE
- EASEMENT LINE
- 120 — MAJOR CONTOUR
- ST — STORM LINE
- CB — CATCH BASIN

PROPOSED

- CONTRACT LIMIT LINE
- 345 — CONTOUR LINE
- SF — SILT FENCE

SURVEY MAP NOTES:

1. CONTOURS GENERATED FROM 2017 FEMA AERIAL LIDAR.
2. CONTOUR INTERVAL = 1 FOOT.
3. NYS ORTHOIMAGERY DATED 2018.
4. HORIZONTAL COORDINATES REFERENCED TO NAD83 NY STATE PLANE CENTRAL ZONE IN US SURVEY FEET.
5. VERTICAL COORDINATES REFERENCED TO NAVD88 IN US SURVEY FEET.
6. APPLY A SHIFT OF +0.51' TO CONVERT NAVD88 ELEVATION TO NGVD29.

DIG SAFELY NEW YORK: CALL 811 BEFORE YOU DIG:

1. CALL BEFORE YOU DIG: IF YOU PLAN TO DIG OR DO ANY TYPE OF EXCAVATION WORK, NEW YORK STATE LAW REQUIRES YOU CALL DIG SAFELY NEW YORK PRIOR TO DOING SO.
2. WAIT THE REQUIRED TIME: YOU NEED TO PROVIDE TWO FULL WORKING DAYS NOTICE PRIOR TO STARTING YOUR WORK, NOT COUNTING THE DAY OF YOUR CALL, WEEKENDS OR HOLIDAYS. THIS PROVIDES TIME FOR THE UTILITIES TO LOCATE YOUR PROPOSED DIG SITE.
3. CONFIRM UTILITY RESPONSE: DIG SAFELY NEW YORK WILL NOTIFY ALL MEMBER UTILITIES OF THE PENDING EXCAVATION SO THAT THAT THEY CAN COME OUT AND MARK THE LOCATION OF THEIR UNDERGROUND LINES. BEFORE DIGGING ON YOUR STATED COMMENCEMENT DATE CONFIRM THAT ALL UTILITIES HAVE RESPONDED TO YOU INDICATING THEY HAVE MARKED YOUR PROPERTY OR THEY HAVE NO FACILITIES PRESENT.
4. RESPECT THE MARKS: BEFORE YOU BEGIN YOUR EXCAVATION, WALK THROUGH THE SITE TO FAMILIARIZE YOURSELF WITH THE MARKINGS AND THE LOCATIONS OF BURIED FACILITIES.
5. DIG WITH CARE: IT IS IMPORTANT EXCAVATORS TAKE A PROACTIVE APPROACH TO SAFETY NOT ONLY FOR THEMSELVES BUT FOR THE PUBLIC BY INITIATING THE ONE CALL PROCESS AND ADHERING TO THE FIVE STEPS OF A SAFE EXCAVATION.

GENERAL NOTES:

1. ACCESS TO THE PROJECT WORK AREA SHALL BE THROUGH THE TOWN'S PUBLIC RIGHT-OF-WAY UNLESS APPROVAL IS OBTAINED FROM PRIVATE LAND OWNER'S.
2. ALL WORK SHALL BE PERFORMED UNDER DRY WEATHER CONDITIONS.
3. ANY DEWATERING OF THE FACILITY SHALL BE DONE IN ACCORDANCE WITH THE NYSDEC STANDARDS. UNDER NO CIRCUMSTANCES SHALL TURBID WATER DISCHARGES BEING PERMITTED. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR TURBID DISCHARGES RESULTING FROM THIS SCOPE OF WORK.
4. ALL SPOILS RESULTING FROM THIS WORK, SHALL BE DISPOSED OF OFF-SITE AND IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.

REMOVAL NOTES:

1. CONFORM TO APPLICABLE CODE FOR DEMOLITION OF STRUCTURES, SAFETY OF ADJACENT STRUCTURES, DUST CONTROL, RUNOFF CONTROL, AND HAULING, DISPOSAL AND STORAGE OF DEBRIS.
2. PROVIDE, ERECT, AND MAINTAIN TEMPORARY BARRIERS AND SECURITY DEVICES.
3. MAINTAIN EXISTING UTILITIES TO REMAIN IN SERVICE AND PROTECT THEM AGAINST DAMAGE DURING SELECTIVE DEMOLITION OPERATIONS. DO NOT INTERRUPT EXISTING UTILITIES SERVING OPERATING FACILITIES, EXCEPT WHEN AUTHORIZED IN WRITING BY OWNER'S REPRESENTATIVE.
4. PREVENT MOVEMENT OR SETTLEMENT OF ADJACENT STRUCTURES. PROVIDE BRACING AND SHORING.
5. LOCATE AND IDENTIFY ALL EXISTING UTILITIES WITHIN THE CONSTRUCTION AREA AS REQUIRED BY SPECIFICATION SECTION 023313. DISCONNECT AND SEAL OR CAP OFF UTILITY SERVICES THAT WILL BE AFFECTED BY THIS PROJECT. NOTIFY OWNER'S REPRESENTATIVE AT A MINIMUM OF 72 HOURS BEFORE STARTING WORK AND WITH THEIR REQUIREMENTS. VERIFY THAT UTILITIES HAVE BEEN DISCONNECTED AND CAPPED.
6. REMOVE COMPONENTS IN AN ORDERLY AND CAREFUL MANNER.
7. PROTECT EXISTING FEATURES THAT ARE NOT TO BE REMOVED.
8. CONDUCT OPERATIONS WITH MINIMUM INTERFERENCE TO PUBLIC OR PRIVATE ACCESSES.
9. MAINTAIN EGRESS AND ACCESS AT ALL TIMES. DO NOT CLOSE OR OBSTRUCT ROADWAYS, OR SIDEWALKS WITHOUT OWNER'S REPRESENTATIVE'S PERMISSION.
10. CEASE OPERATIONS IMMEDIATELY IF ADJACENT STRUCTURES APPEAR TO BE IN DANGER.
11. ROUGH GRADE AND COMPACT AREAS AFFECTED BY DEMOLITION TO MAINTAIN SITE GRADES AND CONTOURS.
12. FIELD VERIFY EXISTING CONDITIONS AND CORRELATE WITH REQUIREMENTS INDICATED ON DEMOLITION PLAN TO DETERMINE EXTENT OF SELECTIVE DEMOLITION REQUIRED.
13. CONDUCT DEMOLITION OPERATIONS AND REMOVE DEBRIS TO ENSURE MINIMUM INTERFERENCE WITH SELECTIVE DEMOLITION OPERATIONS.
14. CONDUCT DEMOLITION OPERATIONS TO PREVENT INJURY TO PEOPLE AND DAMAGE TO ADJACENT BUILDINGS AND FACILITIES TO REMAIN. ENSURE SAFE PASSAGE OF PEOPLE AROUND SELECTIVE DEMOLITION AREA.
15. REMOVE AND TRANSPORT DEBRIS IN A MANNER THAT WILL PREVENT SPILLAGE ON ADJACENT SURFACES AND AREAS. ALL EXCESS MATERIALS SHALL BE TRANSPORTED OFF SITE AND LEGALLY DISPOSED OF.
16. CLEAN ADJACENT STRUCTURES AND IMPROVEMENTS OF DUST, DIRT AND DEBRIS CAUSED BY SELECTIVE DEMOLITION OPERATIONS. RETURN ADJACENT AREAS TO CONDITION EXISTING BEFORE START OF SELECTIVE DEMOLITION.
17. LEGALLY DISPOSE OF DEMOLISHED MATERIALS. ALL DEBRIS RESULTING FROM DEMOLITION ACTIVITIES SHALL BE DISPOSED OF OFF-SITE AT A FACILITY LEGALLY APPROVED TO RECEIVE THE DEBRIS. DO NOT ALLOW DEMOLISHED MATERIALS TO ACCUMULATE ON-SITE. DO NOT BURN DEMOLISHED MATERIALS ON-SITE.

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2	1/18/22	PRELIMINARY DESIGN SUBMISSION	AJW	JML	1/18/22

PROJ. MANAGER:	JML
CHIEF DESIGNER:	JMF
DESIGNED BY:	AJW
DRAWN BY:	AJW
CHECKED BY:	JMB

TOWN OF MANLIUS
301 BROOKLEA DRIVE
FAYETTEVILLE, NEW YORK 13066

Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

VERBECK DRIVE STORMWATER BASIN CLEANOUT

DRAWING INDEX, GENERAL NOTES AND LEGEND

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.08
DATE: 9/17/21

C-002

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VERBECK DRIVE STORMWATER BASIN CLEANOUT

EXISTING CONDITIONS PLAN

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

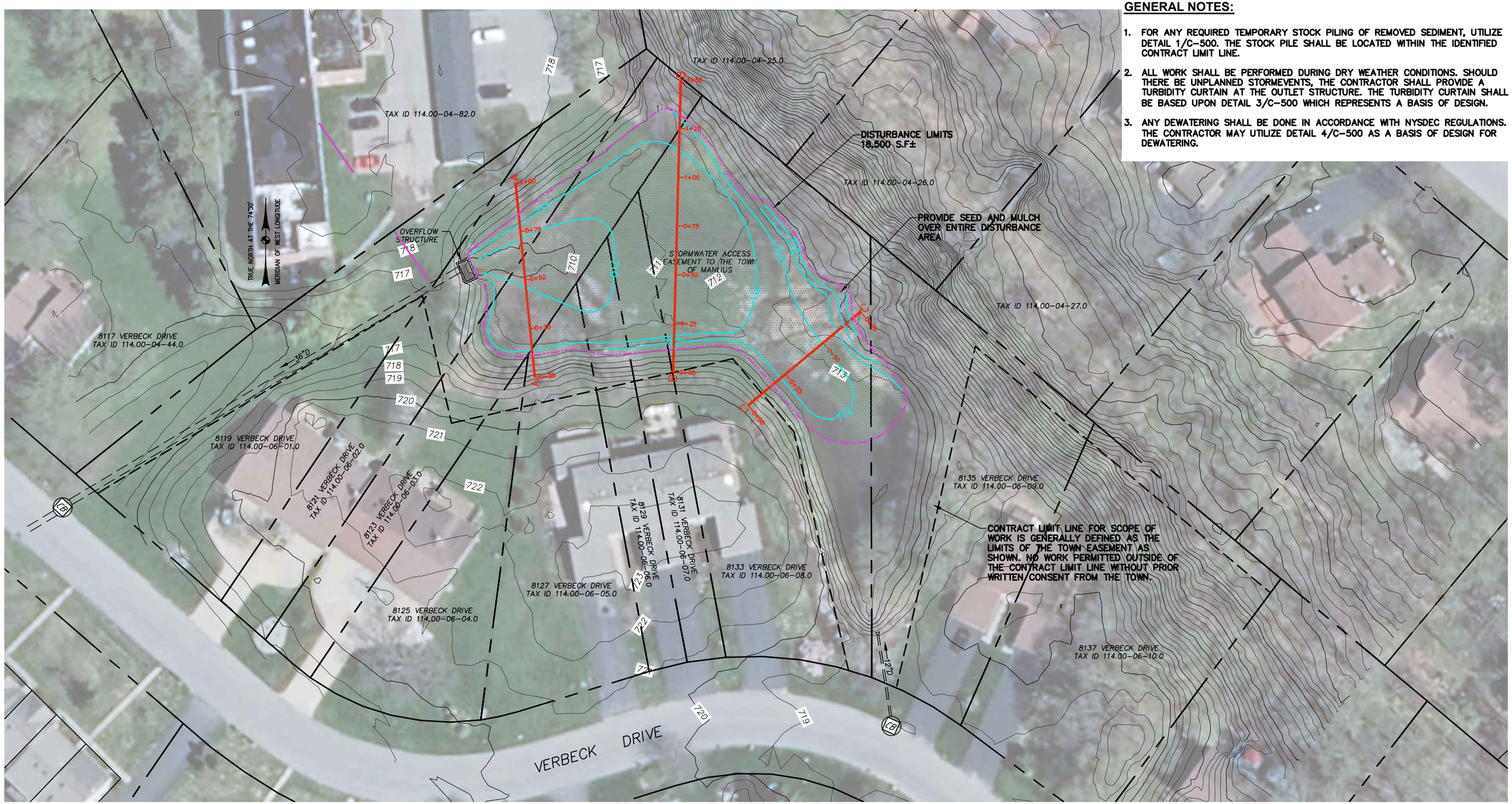
SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.08
DATE: 9/17/21

C-100

File Name: F:\MJ1456 - Town of Manlius TDE\1456.01 - General Engineering Services - Misc Projects\08-Verbeck Drive Stormwater Basin Cleanout\1456.01.08 C-100 EXIST COND.dwg (Layout: C-100)
Date: Tue, Jan 18, 2022 - 10:09 AM (Name: jbianchi)

GENERAL NOTES:

1. FOR ANY REQUIRED TEMPORARY STOCK PILING OF REMOVED SEDIMENT, UTILIZE DETAIL 1/C-500. THE STOCK PILE SHALL BE LOCATED WITHIN THE IDENTIFIED CONTRACT LIMIT LINE.
2. ALL WORK SHALL BE PERFORMED DURING DRY WEATHER CONDITIONS. SHOULD THERE BE UNPLANNED STORMEVENTS, THE CONTRACTOR SHALL PROVIDE A TURBIDITY CURTAIN AT THE OUTLET STRUCTURE. THE TURBIDITY CURTAIN SHALL BE BASED UPON DETAIL 3/C-500 WHICH REPRESENTS A BASIS OF DESIGN.
3. ANY DEWATERING SHALL BE DONE IN ACCORDANCE WITH NYSDEC REGULATIONS. THE CONTRACTOR MAY UTILIZE DETAIL 4/C-500 AS A BASIS OF DESIGN FOR DEWATERING.



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VERBECK DRIVE STORMWATER BASIN CLEANOUT

GRADING PLAN

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.08
DATE: 9/17/21

C-110

File Name: F:\MJ1456 - Town of Manlius TDE\1456.01 - General Engineering Services - Misc Projects\08-Verbeck Drive Stormwater Basin Cleanout\1456.01.08 C-110 GRADING.dwg (Layout: C-110)
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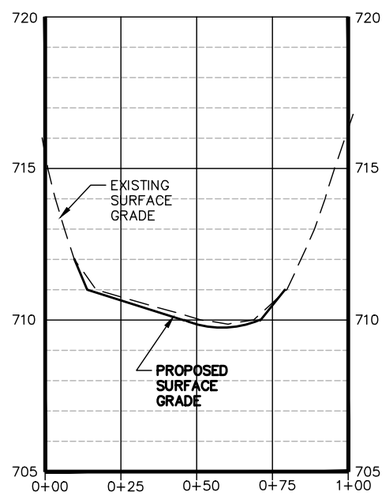
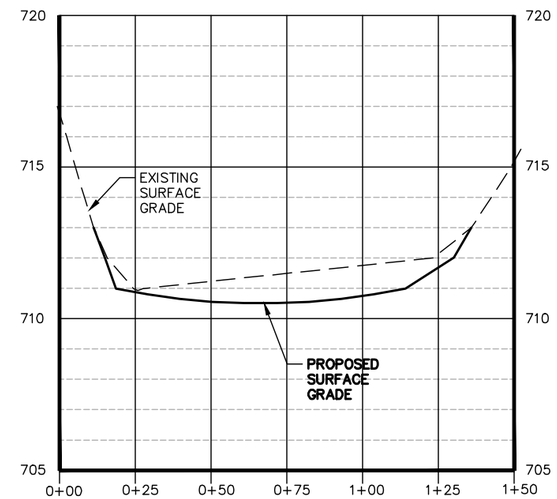


SECTION A-A

H: 1"=50'; V: 1"=5'



SECTION B-B

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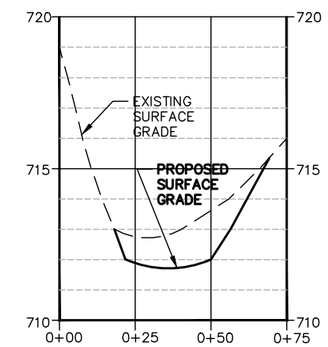

SECTIONC-C

H: 1"=50'; V: 1"=5'

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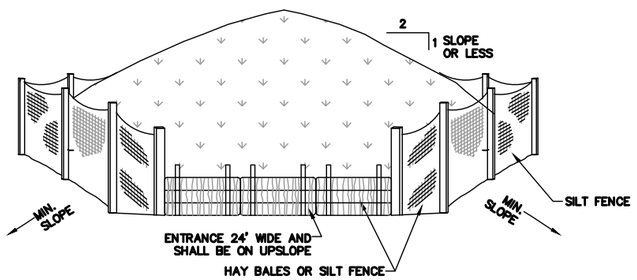
VERBECK DRIVE STORMWATER BASIN CLEANOUT

SECTIONS

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.08
DATE: 9/17/21

C-200

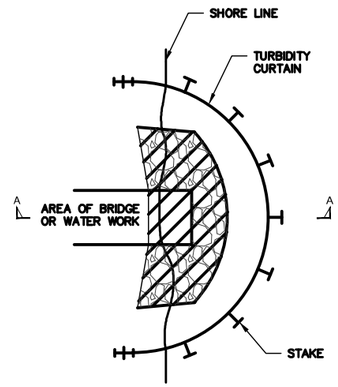


NOTES:

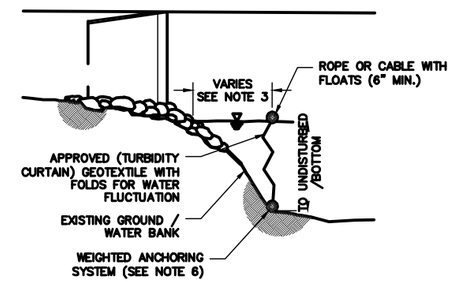
1. AREA CHOSEN FOR STOCKPILING OPERATIONS SHALL BE DRY AND STABLE.
2. MAXIMUM SLOPE OF STOCKPILE SHALL BE 2 HORIZ ON 1 VERT.
3. UPON COMPLETION OF SOIL STOCKPILING, EACH PILE SHALL BE SURROUNDED WITH EITHER SILT FENCING OR HAY BALES, THEN STABILIZED WITH VEGETATION OR COVERED.

1 TEMPORARY SOIL STOCKPILE

SCALE: NTS



PLAN VIEW



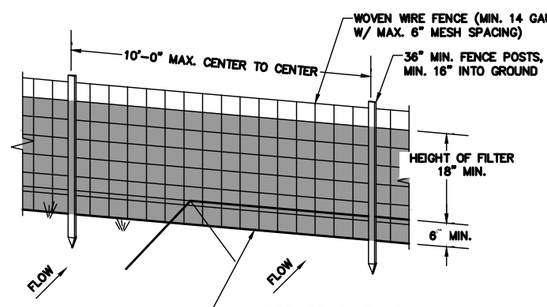
SECTION

NOTES:

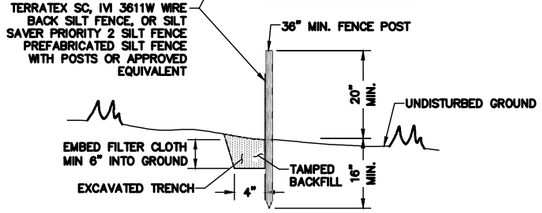
1. THE DETAIL DEPICTS WORK AT A BRIDGE LOCATION, BUT TURBIDITY CURTAIN MAY BE APPLIED AT OTHER LOCATIONS.
2. TURBIDITY CURTAIN SHALL BE A MAXIMUM OF 100' LONG FOR EACH SECTION OF CURTAIN REQUIRED. END SECTIONS SHALL TERMINATE 10' BEYOND THE LIMIT OF DISTURBANCE.
3. THE TURBIDITY CURTAIN SHALL BE PLACED AS CLOSE TO THE WORK AS POSSIBLE WITHOUT INTERFERING WITH CONSTRUCTION OPERATIONS.
4. THE CONTRACTOR SHALL CONTINUALLY MONITOR THE INSTALLATION, TAKING INTO ACCOUNT WEATHER PATTERNS AND PREVAILING WIND DIRECTIONS THAT MAY AFFECT WATER LEVELS, VELOCITY AND MOVEMENT OF THE TURBIDITY CURTAIN.
5. THE TURBIDITY CURTAIN SHALL BE REMOVED BY PULLING TOWARD THE SHORE TO MINIMIZE ESCAPE OF SEDIMENTS INTO THE WATERWAY.
6. THE WEIGHTED ANCHOR SYSTEM SHALL BE A TYPE THAT ALLOWS THE CURTAIN TO CONFORM TO THE CONTOUR OF THE BOTTOM ON THE WATERWAY.
7. FOR FLOW VELOCITIES > 5 FT/SEC, USE A REDIRECTION BARRIER SUCH THAT FLOW EXPANDING AT 20° FROM THE BARRIER WILL REACH THE CURTAIN AT A POINT WHERE THE CURTAIN IS ESSENTIALLY PARALLEL TO STREAM FLOW.
8. THE REDIRECTION BARRIER MAY CONSIST OF CONCRETE BARRIER, PLANKING OR OTHER MATERIAL SUCH THAT IT CAN BE QUICKLY REMOVED OR WASHED OUT IN THE EVENT OF HIGH FLOWS. IT SHOULD NOT BE SUCH THAT IT WILL REMAIN IN PLACE AND BE OVERTOPPED.

3 TURBIDITY CURTAIN

SCALE: NTS



PERSPECTIVE VIEW



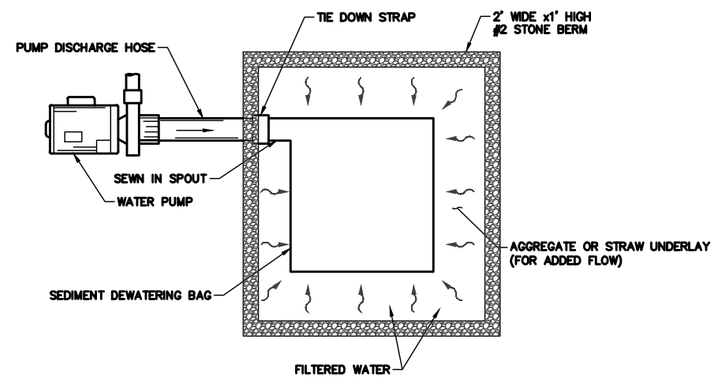
SECTION

NOTES:

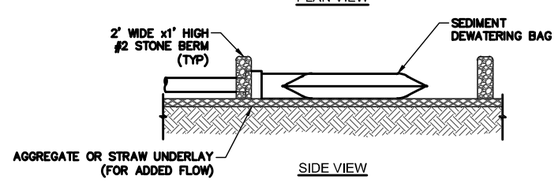
1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL "T" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 6" MAX. MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY 6" AND FOLDED.
4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIALS REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.
5. MAXIMUM DRAINAGE AREA FOR OVERLAND FLOW TO A SILT FENCE SHALL NOT EXCEED 1/4 ACRE PER 100 FEET OF FENCE.
6. SILT FENCE SHALL BE USED WHERE EROSION COULD OCCUR IN THE FORM OF SHEET EROSION.
7. SILT FENCE SHALL NOT BE USED WHEN A CONCENTRATION OF WATER IS FLOWING TO THE BARRIER.

2 SILT FENCE INSTALLATION

SCALE: NTS



PLAN VIEW



SIDE VIEW

SEDIMENT DEWATERING BAG SPECIFICATIONS

MECHANICAL PROPERTIES	TEST METHOD	UNITS	MARV
GRAB TENSILE STRENGTH	ASTM D 4632	Kn (lbs)	0.9 (205) x 0.9 (205)
GRAB TENSILE ELONGATION	ASTM D 4632	%	50 x 50
PUNCTURE STRENGTH	ASTM D 4833	kN (lbs)	0.58 (130)
MULLEN BURST STRENGTH	ASTM D 3786	kPa (psi)	2618 (380)
TRAPEZOID TEAR STRENGTH	ASTM D 4533	kN (lbs)	0.36 (80) x 0.36 (80)
UV RESISTANCE	ASTM D 4355	%	70
APPARENT OPENING SIZE	ASTM D 4751	Mm (US Std Sieve)	0.180 (80)
FLOW RATE	ASTM D 4491	1/min/m²(gal/min/ft²)	3866 (95)
PERMITTIVITY	ASTM D 4491	Sec⁻¹	1.2000

NOTE:

THE SEDIMENT DEWATERING BAG WILL BE MANUFACTURED IN THE U.S.A. FROM A NONWOVEN POLYPROPYLENE FABRIC THAT MEETS OR EXCEEDS THE FOLLOWING SPECIFICATIONS:

MAINTENANCE NOTES

1. THE GEOTEXTILE BAG IS CONSIDERED FULL WHEN REMAINING BAG FLOW AREA HAS BEEN REDUCED BY 75% AT THIS POINT, IT SHOULD BE REPLACED BY A NEW BAG.
2. DISPOSAL SHALL BE ACCOMPLISHED BY:

A. REMOVING THE BAG TO AN APPROPRIATE DESIGNATED UPLAND AREA.
B. CUTTING THE BAG OPEN AND REMOVING THE GEOTEXTILE FOR DISPOSAL.
C. SPREADING SEDIMENT CONTENTS.
D. SEEDING AND MULCHING THE DISPOSAL AREA ACCORDING TO THE SEEDING SPECIFICATIONS.

4 SEDIMENT DEWATERING BAG

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VERBECK DRIVE STORMWATER BASIN CLEANOUT

DETAILS

TOWN OF MANLIUS, ONONDAGA COUNTY, NY

SCALE: AS SHOWN
CONTRACT No.:
MJ PROJ. No.: 1456.01.08
DATE: 9/17/21

C-500

SECTION 023313
UNDERGROUND UTILITY LOCATOR SERVICE

PART 1 - GENERAL

1.01 REFERENCES

A. American Society of Civil Engineers, CI/ASCE 38-02, "Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data."

B. American Public Works Association, Uniform Color Code."

1.02 DEFINITIONS

A. Utility Quality Levels:
1. Level A: Precise horizontal and vertical location of utilities obtained by the actual exposure (or verification of previously exposed and surveyed utilities) and subsequent measurement of subsurface utilities, usually at a specific point. Minimally intrusive excavation equipment is typically used to minimize the potential for utility damage. A precise horizontal and vertical location, as well as other utility attributes, is shown on plan documents. Accuracy is typically set to 15-mm vertical and to applicable horizontal survey and mapping accuracy as defined or expected by the project owner.
2. Level B: Information obtained through the application of appropriate surface geophysical methods to determine the existence and approximate horizontal position of subsurface utilities. Quality level B data should be reproducible by surface geophysics at any point of their depiction. This information is surveyed to applicable tolerances defined by the project and reduced onto plan documents.

1.03 DESCRIPTION

A. Retain an independent utility locator service company to field locate and mark existing underground utilities and service connections. The word "independent" as used above means a person not in the regular employment of the Contractor or having any vested interest in the Contractor's business.
1. Level B locator service shall be performed in all project areas where excavations, regrading of the ground surface, and penetrations of the ground surface are to be performed.
a. Contractor shall include a minimum of 16 hours of Level A locator service to locate underground utilities as identified on the contract drawings or as identified during the Level B investigation that require more specific location, invert elevation, size, etc. Level A investigation shall only be performed at locations where shown or as directed.
b. In heavy metal areas, such as near perimeter fences, ground penetrating radar shall be used to determine the location of underground utilities. The use of equipment that induce a tracing signal along the utility path (such as a

Metrotech unit) can cause false readings, shall not be used within five feet of fences.

2. The Level A investigation shall be performed as follows:
   a. Hand excavation may be performed for depths of three feet or less.
   b. Vacuum excavation shall be performed at depths greater than three feet.
   c. All excavation test pits shall be backfilled by close of business that day.
3. Support and protect all utilities and service connections to remain in place.
4. The locator service shall field locate and mark underground utilities and service connections prior to excavation.
5. The contractor shall be responsible for coordinating the extent of the areas of subsurface investigation required to locate all underground utilities and service connections in the areas of excavation.
6. All costs associated with the repair of underground utilities and service connections hit/damaged during the investigative work shall be the responsibility of the contractor.
7. Utility location services shall be in accordance with the provisions of CIASCE 38-02, "Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data."

1.04 SUBMITTALS

A. Quality Control Submittals:
   1. Submit detailed experience and qualification information about the underground utility locator service company and the persons that will be performing the Work. Detailed experience and qualification information shall include:
      a. Minimum of five (5) years experience in field locating, marking and staking out of existing underground utilities and service connections.
         1) Qualifying Experience: Project information of 5 similar projects, which the locator service company, had worked on during the past 5 years. Information shall include for each project:
            a) Name and Address of project.
            b) Dates worked on project.
            c) Name and telephone Number of contact person at the project site for which the locator service was performed.
      b. Description of types of utility locator equipment (investigation equipment) that company will utilize to perform the underground utility investigation.
      c. Names of persons that the persons that will be performing the Work, including the number of years of experience and training that the persons have in the use of the equipment. Include copy of training certificates for locator equipment proving the person performing the locator service are trained on the equipment being used.

2. Submit Quality Control Submittals within 10 days of contract award.

B. Investigative Report:
1. Submit detailed written report and scaled drawings of the subsurface investigation, documenting all underground utilities and service connections located and identified.
   a. All documentation shall be referenced to existing data (horizontal and vertical) previously established.
   b. Provide three (3) paper copies and one (1) electronic copy of detailed written report and drawings.
2. Submit Investigative Report at least two weeks prior to advancing construction within the scheduled areas of excavation within the project site.

1.05 COORDINATION AND SCHEDULING

A. Coordinate the Work to determine the extent of the areas of subsurface investigation required to locate all underground utilities and service connections in the areas of excavation.

B. Coordinate the Work with the Owner's Representative to minimize utility disruptions and facility operations. Provide a schedule for the Work required to the Owner's Representative for approval. Upon approval of the schedule, notify the Owner's Representative a minimum of three (3) working days prior to performing the Work.

C. Within the areas of excavation, all underground utilities and service connections shall be field located and their locations marked at least two (2) weeks prior to the performance of the required excavation work.

PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION

3.01 WORK AREAS AND PERFORMANCE

A. If any underground utilities and service connections are hit or damaged during the Work, immediately inform the Owner's Representative for directions on how to proceed.

B. The utility locator service investigative work, field location and marking of underground utilities and service connections and submission of the investigative report must be completed before any excavation work can begin.
1. Contractor shall maintain markings throughout the contract duration or until a time when directed (in writing) by the Owner's Representative that maintaining of the markings are no longer required.

C. Provide subsurface investigation information, detailed written report and drawings of the subsurface investigation, documenting all underground

utilities and service connections located and identified, prior to the performance of the required excavation work.

D. If during the Level B investigations, unknown underground utilities are discovered, the Owner's Representative shall be notified as soon as possible or before the close of that business day.

E. Field Marking of underground utilities shall follow the American Public Works Association (APWA) uniform color code:

White: Proposed Excavation.
Pink: Temporary Survey Markings.
Red: Electric power lines, cables, conduit and lighting cables.
Yellow: Gas, oil, steam, petroleum and gaseous material.
Orange: Communications, alarm, signal lines, cables or conduit.
Blue: Potable water.
Purple: Reclaimed water, irrigation and slurry lines.
Green: Sewer and drain lines.

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SECTION 310000
EARTHWORK

PART 1 - GENERAL

1.1 RELATED WORK SPECIFIED ELSEWHERE

A. Site Restoration: Section 310101.

1.2 DEFINITIONS

A. The following terms shall have the meanings ascribed to them in this Article, wherever they appear in this Section.
1. Earth Excavation: The removal of all surface and subsurface material not classified as rock (as defined below).
2. Rock: Limestone, sandstone, shale, granite, and similar material in solid beds or masses in its original or stratified position which can be removed only by blasting operations, drilling, wedging, or use of pneumatic tools, and boulders with a volume greater than 1.0 cu yd. Concrete building foundations and concrete slabs, not indicated, with a volume greater than 1.0 cu yd shall be classified as rock.
   a. Limestone, sandstone, shale, granite, and similar material in a broken or weathered condition which can be removed with an excavator or backhoe equipped with a bucket with ripping teeth or any other style bucket shall be classified as earth excavation.
   b. Masonry building foundations, whether indicated or not, shall be classified as earth excavation.
3. Subgrade Surface: Surface upon which subbase or topsoil is placed.
4. Subbase: Select granular material or subbase course Type 2 which is placed immediately beneath pavement or concrete slabs.
5. Foundation Bearing Grade: Grade/elevation at which the bottom-of-footings are constructed.
6. Maximum Density: The dry unit weight in pounds per cubic foot of the soil at "Optimum Moisture Content" when determined by ASTM D 1557 (Modified Proctor).
7. Structures: Buildings, footings, foundations, retaining walls, slabs, tanks, mechanical and electrical appurtenances, or other man-made stationary features constructed above or below the ground surface.
8. Landscaped Areas: Areas not covered by structures, walks, roads, paving, or parking.
9. Unauthorized Excavation: The removal of material below required elevation indicated on the Drawings or beyond lateral dimensions indicated or specified without specific written direction by the Owner's Representative.
10. Grading Limit Line (Shown on Drawings): Limits of grading, excavations and filling required for the work of this contract. Unless specifically noted otherwise, the Grading Limit Line and Contract Limit Line shall be considered the same.

1.3 SUBMITTALS

A. Quality Control Submittals:
   1. Excavation Procedure: Submit a lay out drawing or detailed outline of intended excavation procedure for the Owner's information. This submittal will not relieve the Contractor of responsibility for the successful performance of intended excavation methods.

1.4 PROJECT CONDITIONS

A. Protect existing trees and plants during performance of the Work unless otherwise indicated. Box trees and plants indicated to remain within the grading limit line with temporary steel fencing or solidly constructed wood barricades as required. Protect root systems from smothering. Do not store excavated material, or allow vehicular traffic or parking within the branch drip line. Restrict foot traffic to prevent excessive compaction of soil over root systems.

B. Cold Weather Requirements:
   1. Excavation: When freezing temperatures are anticipated, do not excavate to final required elevations for concrete work unless concrete can be placed immediately.
   2. Backfilling: If backfill is being placed during freezing temperatures the backfilling operations shall be monitored by the Owner's Representative and the following procedures shall be followed:
      a. Frozen ground shall be removed in its entirety from beneath and five feet beyond the area of fill placement.
      b. The fill material placed shall consist of Selected Fill and shall be free of all frozen chunks that exceed four inches in size. The material transported to the project site shall only consist of material excavated from below the frost depth.
      c. At the end of the work day, the area of fill placement shall be covered with insulated blankets, or left unprotected. Other means of protection (hay, wood chips, etc.) may also be used for protection provided it is approved by the Owner's Representative.
      d. Following work day, remove the insulated blankets and/or strip the area of all frozen material as specified previously.
      e. Upon establishing the subgrade elevations, protect the grades with insulated blankets or place additional material that will adequately insulate the exposed earth surface from frost. This additional fill or protective material shall be stripped just prior to pouring concrete.

PART 2 - PRODUCTS

None – See Specification 310101

PART 3 - EXECUTION

3.1 UNDERGROUND UTILITIES

A. Locate existing underground utilities prior to commencing excavation work. Determine exact utility locations by hand excavated test pits. Support and protect utilities to remain in place.

3.2 EXCAVATION

A. Excavate earth as required for the Work.

B. Install and maintain all erosion and sedimentation controls during all earthwork operations as specified on the Contract Drawings or as directed by local officials. If the erosion and sedimentation controls specified by the local officials are more stringent than those specified on the Contract Drawings contact the Owner's Representative.

C. Maintain sides and slopes of excavations in a safe condition until completion of backfilling. Comply with Code of Federal Regulations Title 29 - Labor, Part 1926 (OSHA).
   1. Trenches: Deposit excavated material on one side of trench only. Trim banks of excavated material to prevent cave-ins and prevent material from falling or sliding into trench. Keep a clear footway between excavated material and trench edge. Maintain areas to allow free drainage of surface water.

D. Stockpile excavated materials classified as suitable material where directed, until required for fill. Place, grade, and shape stockpiles for proper drainage as approved by the Owner's Representative.

E. Unauthorized Excavations: Unless otherwise directed, backfill unauthorized excavation under footings, foundation bases, and retaining walls with compacted select granular material without altering the required footing elevation. Elsewhere, backfill and compact unauthorized excavation as specified for authorized excavation of the same classification, unless otherwise directed by the Director.
   1. Unauthorized excavations under structural Work such as footings, foundation bases, and retaining walls shall be reported immediately to the Director before any concrete or backfilling Work commences.

F. Notify the Owner's Representative upon completion of excavation operations. Do not proceed with the Work until the excavation is inspected and approved. Inspection of the excavation by the Owner's Representative will be made on 3 working days notice.

3.3 DEWATERING

A. Prevent surface and subsurface water from flowing into excavations and trenches and from flooding the site and surrounding area.

B. Do not allow water to accumulate in excavations or trenches. Remove water from all excavations immediately to prevent softening of foundation bottoms, undercutting footings, and soil changes detrimental to the stability of subgrades and foundations. Furnish and maintain pumps, sumps, suction and discharge piping systems, and other system components necessary to convey the water away from the Site.

C. Convey water removed from excavations, and rain water, to collecting or run-off area. Cut and maintain temporary drainage ditches and provide other necessary diversions outside excavation limits for each structure. Do not use trench excavations as temporary drainage ditches.

D. Provide temporary controls to restrict the velocity of discharged water as necessary to prevent erosion and siltation of receiving areas.

3.4 PLACING FILL AND BACKFILL

A. Surface Preparation of Fill Areas: Strip topsoil, remaining vegetation, and other deleterious materials prior to placement of fill. Remove all asphalt pavement in its entirety from areas requiring the placement of fill or break up old pavements to a maximum size of four inches. Prior to placement of fill, smooth out and compact areas where wheel rutting has occurred due to stripping or earthwork operations.

B. Excavations: Backfill as promptly as practicable, but only after approval by the Owner's Representative. Do not backfill with excavated material unless it meets the requirements of this Section.

C. Place backfill and fill materials in layers not more than 8 inches thick in loose depth unless otherwise specified. Before compaction, moisten or aerate each layer as necessary to facilitate compaction to the required density. Do not place backfill or fill material on surfaces that are muddy, frozen, or covered with ice.
   1. Place fill and backfill against foundation walls, and in confined areas (such as trenches) not easily accessible by larger compaction equipment, in maximum six inch thick (loose depth) layers.
   2. For Open Graded Stone/Clean Stone (Item B-12, No. 1 crushed stone, No. 2 crushed stone, etc.) in access of six inches: Material must be wrapped in separation fabric.

D. Prevent wedging action of backfill against structures by placing backfill uniformly around structure to approximately same elevation in each layer. Place backfill against walls of structures containing basements or crawl spaces only after the first floor structural members are in place.

3.5 GRADING

A. Rough Grading: Trim and grade area within the Grading Limit Line and excavations outside the limit line, required by this Contract, to a level of four inches below the finish grades indicated unless otherwise specified

herein or where greater depths are indicated. Provide smooth uniform transition to adjacent areas.

B. Finish Grading: Finish surfaces free from irregular surface changes, and as follows:
   1. Grassed Areas: Finish areas to receive topsoil to within 1 inch above or below the required subgrade surface elevations.
   2. Walks and Pavements: Place and compact subbase material as specified. Shape surface of areas to required line, grade and cross section, with the finish surface not more than 1/2 inch above or below the required subbase elevation.
   3. Building Slabs: Grade subbase material smooth and even, free of voids, compacted as specified to within 1/4 inch above or below required subbase elevation.

3.6 RESTORATION

A. Restore pavements, walks, curbs, lawns, and other exterior surfaces damaged during performance of the Work to match the appearance and performance of existing corresponding surfaces as closely as practicable.

B. Topsoil and seed or sod damaged lawn areas outside the GLL and new lawn areas inside the GLL. Water as required until physical completion of the Work.

3.7 DISPOSAL OF EXCESS AND UNSUITABLE MATERIALS

A. Remove from Town property and dispose of excess and unsuitable materials, including materials resulting from clearing and grubbing and removal of existing improvements.

3.8 PROTECTION

A. Protect graded areas from traffic and erosion and keep them free of trash and debris.

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SECTION 310101
SITE RESTORATION

PART 1 GENERAL

1.01 QUALITY ASSURANCE

A. Provide prepackaged seed readily available to the public with quality and purity equal to product of O.M. Scotts and Son, Marysville, OH 43041. On-the-job or made-to-order mixes will not be accepted.

1.02 DELIVERY STORAGE AND HANDLING

A. Deliver fertilizer in manufacturer's standard size bags or cartons showing weight, analysis, and the name of the manufacturer. Store as approved by Owner's Representative.

B. Store all seed at the site in a cool dry place as approved by the Owner's Representative. Replace any seed damaged during storage.

1.03 SCHEDULING

A. Time For Seeding: Optimum period to sow permanent grass seed is generally between April 1st and May 15th or between August 15th and October 1st. Schedule application for when weather conditions permit or as Directed.
   1. Provide temporary seed and mulch when final grading is complete while waiting for optimal seeding period.
   2. Provide temporary seed and mulch for temporary cover on disturbed ground not to be worked on for more than 7 days.
   3. Provide temporary seed and mulch on disturbed earth prior to temporary shutdown of construction.

PART 2 PRODUCTS

2.01 TOPSOIL

A. Provide topsoil conforming to the following:
   1. Original loam topsoil, well drained homogeneous texture and of uniform grade, without the admixture of subsoil material and entirely free of dense material, hardpan, sod, or any other objectionable foreign material.
   2. Containing not less than 4 percent nor more than 20 percent organic matter in that portion of a sample passing a 1/4 inch sieve when determined by the wet combustion method on a sample dried at 105 degrees C.
   3. Containing a Ph value within the range of 4.5 to 7 on that portion of the sample that passes a 1/4 inch sieve.
   4. Containing the following gradations:

SIEVE DESIGNATION	PERCENT PASSING
1 inch	100
1/4 inch	97 - 100
No. 200	20 - 65 (of the 1/4 inch sieve)

2.02 FERTILIZER

A. Fertilizer: Mixed commercial fertilizers shall contain total nitrogen, available phosphoric acid and soluble potash in the ratio of 10-6-4 (50% N/UF). 50% of total nitrogen shall be derived from ureaform furnishing a minimum of 3.5% water insoluble nitrogen (3.5% WIN). The balance of the nitrogen shall be present as methylene urea, water-soluble urea, nitrate and ammoniacal compounds.

B. Other fertilizers meeting DOT Specification Section 713-03 Fertilizer can be used.

2.03 SEED

A. Furnish fresh, clean, new-crop seed mixed in the proportions specified for species and variety, and conforming to Federal and State Standards.

B. Acceptable material in a seed mixture other than pure live seed consists of nonviable seed, chaff, hulls, live seed of crop plants and inert matter. The percentage of weed seed shall not exceed 0.1 percent by weight.

C. All seed will be rejected if the label indicates any noxious weed seeds.

D. Provide seed mixture equal to Scotts Pure Premium Sun and Shade North Grass Seed Mixture, comprised of the following:

SEED MIXTURE			
AMOUNT BY WEIGHT IN MIXTURE	SPECIES OR VARIETY *	PERCENTAGE	
		PURITY	GERMINATION
30 PERCENT	FENWAY RED FESCUE	97 PERCENT	80 PERCENT
30 PERCENT	ABBEY KENTUCKY BLUEGRASS BLEND	95 PERCENT	80 PERCENT
20 PERCENT	DEVINE PERENNIAL RYE	98 PERCENT	85 PERCENT
20 PERCENT	ENCHANTED PERENNIAL RYE	98 PERCENT	85 PERCENT
100 PERCENT			

*Variety may be altered depending on availability of seed from manufacturer.

2.04 MULCH

A. Dry Application, Straw: Stalks of oats, wheat, rye or other approved crops that are free of noxious weed seeds. Weight shall be based on a 15 percent moisture content.

PART 3 EXECUTION

3.01 GRADING

A. Rough Grading: Trim and grade lawn areas within the Contract Limit to a level of 4 inches below the finish grades indicated unless otherwise specified herein or where greater depths are indicated. Provide smooth uniform transition to adjacent areas.

B. Finish Grading: Finish surfaces free from irregular surface changes, and as follows:
   1. Grassed Areas: Finish areas to receive topsoil to within 1 inch above or below the required subgrade surface elevations.

3.02 SPREADING TOPSOIL

A. Perform topsoil spreading operations only during dry weather.

B. To insure a proper bond with the topsoil, harrow or otherwise loosen the subgrade to a depth of 3 inches before spreading topsoil.

C. Spread topsoil directly upon prepared subgrade to a minimum depth measuring 4 inches after natural settlement in areas to be seeded. Smooth out unsightly variations, bumps, ridges, and depressions that will hold water. Remove stones, litter, or other objectionable material. Finished surfaces shall conform to the contour lines and elevations indicated on the drawings or fixed by the Owner's Representative.

3.03 PREPARATION FOR SEEDING

A. Seed Bed: Scarify soil to a depth of 2 inches in compacted areas. Smooth out unsightly variations, bumps, ridges, and depressions that will hold water. Remove stones, litter, or other objectionable material.

3.04 FERTILIZING

A. Apply 10-6-4 fertilizer evenly at the rate of 40 pounds per 1000 sq ft .

3.05 SEEDING

A. Assume all risks when seed is sowed before approval of seed analysis.

B. Do not seed when the wind velocity exceeds 5 miles per hour.

C. Application Rate: 8 pounds per 1000 sq ft.

D. Dry Application: Sow seed evenly by hand or seed spreader on dry or moderately dry soil.

3.06 MULCHING

A. Dry Application: Within 3 days after seeding, cover the seeded areas with a uniform blanket of straw mulch at the rate of 50 pounds per 1000 sq ft of seeded area.

3.07 LAWN ESTABLISHMENT

A. Maintain the grass at heights between 3 inches and 3-1/2 inches on a weekly basis until the Final Acceptance of the Work.

3.08 FINAL ACCEPTANCE

A. Final acceptance of seeded areas will be granted when a uniform stand of acceptable grass is obtained, with a minimum of 95 percent coverage. Portions of the seeded areas may be accepted at various times at the discretion of the Owner's Representative.

B. Unacceptable seeded areas, dry application: Reseed as specified and fertilized at one-half the specified rate.

C. Once accepted, the owner will assume all maintenance responsibilities.

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SECTION 312513
EROSION AND SEDIMENT CONTROL

PART 1 - GENERAL

1.1 RELATED WORK SPECIFIED ELSEWHERE

A. Earthwork: Section 310000.

B. Site Restoration: Section 310101.

1.2 REFERENCES

A. Erosion and Sediment Control Guidelines: Conform to the latest edition of "NEW YORK STANDARDS and SPECIFICATIONS for EROSION and SEDIMENT CONTROL" by NYS Department of Environmental Conservation DOW (i.e., Bluebook). Refer to these guidelines for construction and maintenance of all items (Temporary and Permanent Structural, Vegetative and Biotechnical) included in the Storm Water Pollution and Prevention Plan (SWPPP).

B. Storm Water Management: Conform to the latest edition of "NEW YORK STATE STORMWATER MANAGEMENT DESIGN MANUAL" prepared by Center for Watershed Protection for NYS Department of Environmental Conservation.

1.3 RESPONSIBILITY

A. A Storm Water Pollution and Prevention Plan (SWPPP) has been prepared for this project. Install and maintain the temporary storm water and diversion control items as shown on the drawings before starting any grading or excavation and maintain compliance of all Storm Water Pollution Plan/SPDES regulations. Provide any temporary sediment and erosion control measures that may be required within limits of the work, including any staging areas, throughout construction in conformance with the plan, and as directed by the Owner's Representative. Place the permanent control practices required before the removal of the temporary storm water diversion and control items.

B. During construction conduct operations in such a manner as to prevent or reduce to a minimum any damage to any water body from pollution by debris, sediment, chemical or other foreign material, or from the manipulation of equipment and/or materials in or near a stream or ditch flowing directly to a stream. Any water which has been used for wash purposes or other similar operations which become polluted with sewage, silt, cement, concentrated chlorine, oil, fuels, lubricants, bitumens, or other impurities shall not be discharged into any water body.

C. In the event of conflict between these specifications and the regulation of other Federal, State, or local jurisdictions, the more restrictive regulations shall apply.

D. The Contractor shall adhere to all requirements of the Storm Water Pollution Prevention Plan as presented in the Contract Documents. Comply with all applicable NYSDEC regulatory requirements.

E. The Contractor will submit copies of certificates documenting that on-site workers have completed a NYS Department of Environmental Conservation endorsed Erosion & Sediment Control training as required by General Permit GP-0-15-002.

1.4 DESCRIPTION

A. The Work shall consist of furnishing, installing, inspecting, maintaining, and removing soil and erosion control measures as shown on the contract documents or as ordered by the Owner's Representative during the life of the contract to provide erosion and sediment control.

B. Temporary structural measures provide erosion control protection to a critical area for an interim period. A critical area is any disturbed, denuded slope subject to erosion. These are used during construction to prevent offsite sedimentation. Temporary structural measures shall include check dams, construction road stabilization, stabilized construction entrance, dust control, earth dike, level spreader, perimeter dike/swale, pipe slope drain, portable sediment tank, rock dam, sediment basin, sediment traps, silt fence, storm drain inlet protection, straw/hay bale dike, access waterway crossing, storm drain diversion, temporary swale, turbidity curtain, water bars or other erosion control devices or methods as required.

C. Permanent structural measures also control protection to a critical area. They are used to convey runoff to a safe outlet. They remain in place and continue to function after completion of construction. Permanent structural measures shall include debris basins, diversion, grade stabilization structure, land grading, lined waterway (rock), paved channel, paved flume, retaining wall, riprap, rock outlets, and stream bank protection or other erosion control devices or methods as required.

D. Vegetative measures shall include brush matting, dune stabilization, grassed waterway, vegetating waterway, mulching, protecting vegetation, seeding, sod, straw/hay bale dike, stream bank protection, temporary swale, topsoil, and vegetating waterways.

E. Biotechnical measures shall include wattling (live fascines, brush matting, brush layering, live cribwall, and branchpacking) vegetated rock gabions, live staking, tree revetment, and fiber rolls.

F. Weekly inspections will be completed by the Owner's Representative. Comply with and correct all deficiencies found as a result of these inspections. At the end of the construction season when soil disturbance activities will be finalized or suspended until the following spring, the frequency of the inspections may be reduced. If soil disturbance is completely suspended and the site is properly stabilized, a minimum of monthly inspections must be maintained. The stabilization activities must

be completed before snow cover or frozen ground. If vegetation is required, seeding, planting and/or sodding must be scheduled to avoid die-off from fall frosts and allow for proper germination/establishment. Weekly inspections must resume no later than March 15.

1.5 DEFINITIONS – TEMPORARY STRUCTURAL MEASURES

A. Stabilized Construction Entrance: A stabilized pad of aggregate underlain with geo-textile where traffic enters a construction site to reduce or eliminate tracking of sediment to public roads.

B. Dust Control: Prevent surface and air movement of dust from disturbed soil surfaces.

C. Silt Fence: A barrier of geo-textile fabric installed on contours across the slope to intercept runoff by reducing velocity. Replace after 1 year.

D. Storm Drain Inlet Protection: A semi-permeable barrier installed around storm inlets to prevent sediment from entering a storm drainage system.

1.6 DEFINITIONS – VEGETATIVE MATERIALS MEASURES

A. Mulches: Hay, straw, wood cellulose, fiber mats, flexible growth medium and other materials approved by the Owner's Representative.

B. Protecting Vegetation: Protecting trees, shrubs, ground cover and other vegetation from damage.

C. Temporary Seeding: Erosion control protection to a critical area for an interim period. A critical area is any disturbed, denuded slope subject to erosion.

D. Permanent Seeding: Grasses established and combined with shrubs to provide perennial vegetative cover on disturbed, denuded, slopes subject to erosion.

E. Topsoil: Placed before permanent seeding or sod is installed.

1.7 DEFINITIONS – BIOTECHNICAL MATERIALS MEASURES

A. Fiber Roll: A coconut fiber, straw, or excelsior woven roll encased in a netting of jute, nylon, or burlap to dissipate water energy and provide a medium for introduction of herbaceous vegetation. Anchor into a bank and provide suitable backfill behind the roll where vegetation can be planted.

PART 2 - PRODUCTS

2.1 MATERIALS

A. Plant Materials for biotechnical slope protection: Locate stands of specified species and obtain approval to harvest material from these

stands or obtain from managed production beds that are maintained for commercial distribution. Install all plant materials within 8 hours of cutting or provide proper storage.

1. Shrub willows: "Streamco" purpleosier willow, and "Bankers" dwarf willow.
2. Redosier Dogwood

B. Seeding: Permanent see Section 329219.

2.2 COMPANIES-TEMPORARY STRUCTURAL

A. Silt Fencing:
1. "Mirafi 100X" by Mirafi, 365 South Holland Drive, Pendergrass, Ga, 30567, (888) 795-0808, www.mirafi.com.
2. Or approved equal.

B. Filter Fabric / Geotextile:
1. Mirafi HP540 by Mirafi, 365 South Holland Drive, Pendergrass, Ga, 30567, (888) 795-0808, www.mirafi.com.
2. Or approved equal.

2.3 COMPANIES-BIOTECHNICAL

A. Erosion Control Blanket:
1. "C400 or C400B" by Nedia Enterprises, Inc., 22187 Vantage Pointe Place, Ashburn, VA 20148, (888) 725-6999, www.nedia.com.
2. Or approved equal.

PART 3 - EXECUTION

3.1 WORK AREAS

A. The Owner's Representative has the authority to limit the surface area of erodible earth exposed by earthwork operations and to direct the Contractor to provide immediate temporary or permanent erosion measures to minimize damage to property and contamination of watercourses and water impoundments. Under no circumstances will the area of erodible earth material exposed at one time exceed 50,000 sq. ft. The Owner's Representative may increase or decrease this area of erodible earth material exposed at one time as determined by his analysis of project, weather and other conditions. The Owner's Representative may limit the area of clearing and grubbing and earthwork operations in progress commensurate with the Contractor's demonstrated capability in protecting erodible earth surfaces with temporary, permanent, vegetative or biotechnical erosion control measures.

B. Schedule the work so as to minimize the time that earth areas will be exposed to erosive conditions. Provide temporary structural measures immediately to prevent any soil erosion.

C. Provide temporary seeding on disturbed earth or soil stockpiles exposed for more than 7 days or for any temporary shutdown of construction. In

spring, summer or early fall apply rye grass at a rate of 1 lb/ 1000 sq.ft. In late fall or early spring, apply certified Aroostook Rye at a rate of 2.5 lbs./ 1000 sq. ft. Apply hay or straw at a rate of 2 bales/ 1000 sq. ft. or wood fiber hydromulch at the manufacturer's recommended rate. Hay or straw shall be anchored.

D. Coordinate the use of permanent controls or finish materials shown with the temporary erosion measures.

E. All erosion and sediment control devices must be maintained in working order until the site is stabilized. All preventative and remedial maintenance work, including clean out, repair, replacement, re-grading, re-seeding, or re-mulching, must be performed immediately.

F. After final stabilization has been achieved temporary sediment and erosion controls must be removed. Areas disturbed during removal must be stabilized immediately.

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AGREEMENT REGARDING HOPE FOR HEATHER TEAL RIBBON RUN THROUGH THE VILLAGE OF MINOA, NEW YORK

THIS AGREEMENT ("Agreement"), relative to the planning and conducting the **14th** Annual Teal Ribbon 5K Run and 3K Family Fun Walk ("Event") within the corporate limits of the Village of Minoa, New York, is made and entered into as of _____, by and between the Village of Minoa, New York, a municipal corporation with offices located at 240 N. Main Street, Minoa, New York 13116 ("Village"), the Town of Manlius, New York, a municipal corporation with offices located at 301 Brooklea Drive, Fayetteville, New York 13066 ("Town"), and Hope For Heather, a not-for-profit corporation with a mailing address of P.O. Box 2208, Liverpool, New York 13089 ("Sponsor").

WITNESSETH:

WHEREAS, Sponsor is a not-for-profit corporation in memory of Heather Weeks, an advocate for women's cancer committed to raising funds to help find a cure, and who lost her life to cancer at age twenty four (24); and

WHEREAS, Sponsor's mission is to raise funds to support ovarian cancer research to promote education and awareness, and to help provide comfort to women and their families devastated by cancer;

WHEREAS, the Event is part of a series of events conducted by and/or on behalf of Sponsor to promote and fulfill its mission to end ovarian cancer as a life-threatening disease; and

WHEREAS, Sponsor is organizing, planning and conducting the Event the morning of **May 14, 2022**, at Lewis Park in the Village;

WHEREAS, Village and Town are ready, willing, and able to offer such access and/or assistance to Sponsor, as hereinafter described, in regard to the conduct of the Event; and

NOW THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Village, Town, and Sponsor covenant, represent and undertake as follows:

ARTICLE I

A. The Event shall be conducted by the Sponsor on **May 14, 2022** between **8:30 a.m. and 12:00 p.m.**

B. The Event is to generally be managed by Sponsor.

C. The specific route for the Event shall be as agreed by Village and Sponsor, upon consultation with the Town of Manlius Police Department ("Manlius Police").

requirements of the Event and to safely and effectively plan, organize, set-up, conduct and clean-up after the Event.

ARTICLE III

A. Sponsor shall provide comprehensive general liability and related insurance coverages for property damage, bodily injury, as follows:

1. General Liability Coverage. A general liability for not less than $1,000,000.00 Each Occurrence / $2,000,000.00 Aggregate coverage for Bodily Injury and Property Damage; same to be extended-broad form coverage in nature.

a. Contractual Liability. All of the foregoing coverages shall include contractual liability coverage (with the same limits) for the indemnification, defense and hold harmless provisions under this Agreement.

b. Additional Insureds. The Village of Minoa, 240 North Main Street, Minoa, New York 13116 and the Town of Manlius, 301 Brooklea Drive, Fayetteville, New York 13066, shall be named additional insureds thereon.

c. Workmen's Compensation, Disability, Employers Liability. To the extent the event will include, either through the Sponsor organization or individual or third party vendor/contractors, the use of employees a separate certificate evidencing New York State Disability/Workmen's Compensation and employer's liability coverage in statutory amounts shall be provided.

B. The foregoing coverages shall be evidenced by unconditional binders, endorsements or certificates accurately describing the coverages, insureds, additional insureds, date and specific place of event in form approved by the Village Attorney and Attorney for the Town not less than seven (7) days prior to the Event. The Village and/or Town reserve the right to request a letter from the agent, broker or carrier confirming that same complies with the requirements of this Agreement.

C. The Village Board of Trustees of Village may (but is not obligated to) approve, by duly adopted resolution, and as permitted by its various carrier(s), an endorsement or additional policy coverage to the Village's own existing policies of insurance, where circumstances are such that insurance cannot, or cannot cost effectively, be provided by Sponsor. In such event the expense to Village in providing same shall be included in the fees charged to Sponsor.

ARTICLE IV

A. Sponsor agrees to indemnify, defend and hold harmless Village and Town, its respective officers, agents and employees for and from any claims, suits, damages or liability made against or imposed upon Village or Town, its respective officers, agents and/or employees and the like arising from any and all acts or omissions, of Sponsor, its

contractors, vendors, agents, or any of their employees or subcontractors or any of their guests and/or invitees.

B. The foregoing shall survive termination/expiration of this Agreement.

ARTICLE V

A. In accordance with the provisions of section 109 of the General Municipal Law, Sponsor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement, or of its right, title or interest in this agreement, or its power to execute this agreement, to any other person or corporation without the previous consent in writing of Village and Town. Any attempts to assign the contract without the Village and Town's written consent are null and void.

B. Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party, this Agreement shall be physically amended forthwith or shall otherwise be deemed to make such insertion.

C. This Agreement and any other appendices, attachments, schedules or exhibits, constitutes the entire understanding between the parties and there are no other oral or extrinsic understandings of any kind between the parties. This Agreement may not be changed or modified in any manner except by a subsequent writing, duly executed by the parties thereto.

D. The Mayor has executed this agreement pursuant to a Resolution adopted by the Village Board of Trustees, at a meeting thereof held on _____. **William F. Brazill, Mayor**, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Village. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Village Clerk.

E. The Supervisor has executed this agreement pursuant to a Resolution adopted by the Town Board, at a meeting thereof held on _____. **John Deer, Supervisor,** whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Town. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Town Clerk.

F. This Agreement is governed by the laws of the State of New York.

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D. Sponsor shall be seeking the temporary closure or alteration of such streets, roads and routes within the municipal boundaries of Village to motor vehicle traffic prior to, and at the time of Event on **May 14, 2022** as agreed to by the parties.

E. Sponsor is seeking law enforcement assistance from the Manlius Police with respect to pedestrian and traffic safety and direction.

ARTICLE II

A. The designated (agreed to) streets/roads will be closed, from approximately 9:00 a.m. to 11:45 a.m. on the scheduled day of the Event (**May 14, 2022**), and shall be re-opened as soon as practicable thereafter, with some parts of the Event route opening prior to others.

B. Village agrees to permit Sponsor use of Lewis Park and facilities located thereon from approximately 7:00 a.m. to 12:00p.m. on the scheduled day of the Event (**May 14, 2022.)**

C. Town agrees to provide through the Manlius Police the following, related to traffic safety and direction:

1. Manlius Police shall provide a total of eight (8) police officers to Sponsor for the purpose of traffic control and general safety and to support the Event for the duration described at Article II(C)(2).

2. Eight (8) police officers shall be on duty for approximately three hours (3) hours, at a per hour rate of Forty-seven and 00/100 Dollars ($47.00).

3. The above is a good faith estimate only. Thus if circumstances warrant any increased presence, Sponsor agrees to pay same as invoiced from Town based upon the per officer hourly rate set forth herein.

4. Manlius Police may provide supplemental services through its Explorer Post volunteers, however the decision to utilize same (versus its police officers) shall be solely within Manlius Police discretion.

5. Notwithstanding the foregoing provisions for dedicated police officers for the Event, the parties agree that no special duty is or shall be thereby created.

D. Sponsor shall be responsible for any and all other costs and expenses related to the Event not specifically referenced in Article II above, including but not limited to: services, grounds, manpower, vehicles, or equipment needed to sufficiently accommodate the

IN WITNESS WHEREOF, the Town of Manlius has caused its corporate seal to be affixed hereto and these presents to be signed by **John Deer its Supervisor**, duly authorized to do so, and to be attested to by _____, Town Clerk; the Village of Minoa has caused its corporate seal to be affixed hereto and these presents to be signed by **William F. Brazill its Mayor**, duly authorized to do so, and to be attested to by **Lisa DeVona, Village Clerk**, and the Hope For Heather has caused its corporate seal to be affixed hereto and these presents to be signed by its _____, the day and year first above written.

TOWN OF MANLIUS Attest:

By: _____ By: _____

John Deer, Supervisor

VILLAGE OF MINOA Attest:

By: _____ By: _____

William F. Brazill, Mayor

HOPE FOR HEATHER Attest:

By: _____ By: _____

Name: Gary Weeks

Title: Treasurer

DRAFT

MINUTES
TOWN BOARD
January 26, 2022

The Town of Manlius Town Board held a hybrid/in-person and virtual live streaming meeting with Supervisor John Deer presiding and the following Board members present:

Sara Bollinger, Councilor
Elaine Denton, Councilor
Heather Waters, Councilor
Katelyn M. Kriesel, Councilor
Alissa Italiano, Councilor
William Nicholson, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town
Ann Oot, Town Manager
Allison A. Weber, Town Clerk
Kay Blythe, Deputy Town Manager

1. Attendees

In-Person Meeting Attendees: Rod Ives, Napierala Consulting, Mike Papa, A&E 2020 Corp.

Virtual Meeting Attendees: Jackson Marr, Warren Linhart, Lesley Pease, Matthew Buckley, Roni Morgenstern, Mike Crowell, Police Chief.

2. The Pledge of Allegiance

Supervisor Deer, called the meeting to order at 6:30 PM. Councilor Waters led the Pledge of Allegiance. Supervisor Deer welcomed everyone and thanked all for attending.

3. Open Podium – No New Business

4. 6:33 PM Recreation Department – Director Peggy Kenyon

Director Kenyon gave a report on Frosty Forest held at Green Lakes State Park. Director Kenyon stated it was a very successful event which raised $256.00 in cash donations and 585 pounds of food for the CNY Food Bank. Director Kenyon thanked the volunteers, Villages of Manlius, Fayetteville, and Minoa as well as New York State Parks, Recreation and Historical Preservation for their participation. Director Kenyon also thanked Wegmans and Four Seasons for their donations of prizes for the events.

5. Attorney – No New Business

6. 6:35 PM Police Chief

Supervisor Deer stated the town has received a letter from East Syracuse-Minoa (ESM) Schools requesting a Special Police Office (SPO). A discussion ensued exploring the cost and administration of school officers.

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The Attorney for the Town will draft a contract for an SPO for the ESM School District for review at the next meeting.

7. 6:47 PM Committee Reports

Sustainable Manlius

Councilor Denton announced that the Town has received a DEC Municipal Zero-Emission Vehicle Grant in the amount of $21,286 to fund the installation of four level two EV charging stations at Town Hall.

8. 6:49 PM Approval of Minutes – January 5, 2022 and January 12, 2022

Councilor Bollinger made a motion, seconded by Councilor Denton, to approve the minutes of January 5, 2022 as submitted by Town Clerk Weber.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Nicholson, Councilor Italiano.

Nayes: 0 All in Favor. Motion Carries.

Attorney Frateschi stated there is one correction for the January 12, 2022 minutes for item fourteen, stating the vote on the zone change should read "no motion was made to move the zone change."

Councilor Denton made a motion, seconded by Councilor Italiano, to approve the minutes of January 12, 2022 as submitted by Town Clerk Weber and amended.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

9. 6:50 PM Approval of Abstract # 26 and Abstract # 2

Councilor Bollinger made a motion, seconded by Councilor Kriesel, to approve Abstract # 26 in the amount of $94,359.72 as submitted by Town Clerk Weber.

TOWN OF MANLIUS
Fund Summary
Abstract # 26 - 2021

CODE	FUND	TOTALS
A	General Fund Townwide	$33,218.13
B	General Fund Town	$10,568.98
DA	Highway Fund Townwide	$50,162.37
DB	Highway Fund Town	$231.24
SD1	Consolidated Drainage # 2	$179.00

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel,

Nayes: 0

Abstain: Councilor Italiano

Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Kriesel, to approve Abstract # 2 in the amount of $722,215.33 as submitted by Town Clerk Weber.

TOWN OF MANLIUS
Fund Summary
Abstract # 2 - 2022

CODE	FUND	TOTALS
A	General Fund Townwide	$67,211.30
B	General Fund Town	$6,246.34
DA	Highway Fund Townwide	$348,052.95
CM1	Police Trust	$381.28
DB	Highway Fund Part Two	$124.08
SR1	Trash	$199,943.00
SR2	Brush	$25,151.33
SS1	Consolidated Sewer District	$74,105.05

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano.

Nayes: 0 All in Favor. Motion Carries.

10. 6:52 PM Zone Change – A&E & SNY Center, Medical Center Drive, Fayetteville (tax map # 086.-01-03.9)

Rod Ives, Napierala Consulting representing Mr. Papa of A&E & SNY Center gave an overview for a zone change from Restricted Agricultural (RA) to Commercial A (CA) on Medical Center Drive. Mike Papa stated he would like to put a high-end medical spa and wellness center on the property.

Councilor Italiano made a motion, seconded by Councilor Kriesel to refer the zone change request from A&E & SNY Center as presented to the Town Planning Board and the County Planning Board for their recommendations.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

11. 7:07 PM Command Staff Memorandum of Understanding

Supervisor Deer stated the Command Staff Memorandum of Understanding was negotiated in December 2021 and has been circulated for board review.

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Councilor Waters made a motion, seconded by Councilor Italiano, to approve the Command Staff Memorandum of Understanding as presented.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano.

Nayes: 0 All in Favor. Motion Carries.

11. 7:08 PM Tree Commission Secretary Appointment – Elaine Ferguson

Councilor Waters made a motion, seconded by Councilor Italiano, to appoint Elaine Ferguson as secretary to the Tree Commission.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano.

Nayes: 0 All in Favor. Motion Carries.

12. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Kriesel and seconded by Councilor Denton the Board voted unanimously to adjourn regular session at 7:09 PM.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Respectfully Submitted by:

Allison A. Weber
Town Clerk

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MINUTES
TOWN BOARD
February 9, 2022

The Town of Manlius Town Board held a hybrid meeting with in-person attendees and virtual attendees. The meeting was live streamed on the Town Facebook page and the Town YouTube Channel. Supervisor John Deer presided, and the following Board members present:

Sara Bollinger, Councilor
Elaine Denton, Councilor
Heather Waters, Councilor
Katelyn M. Kriesel, Councilor
Alissa Italiano, Councilor
William Nicholson, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town
Mike Crowell, Police Chief
Ann Oot, Town Manager
Allison A. Weber, Town Clerk
Rob Cushing, Highway Superintendent

1. Attendees

In-Person Meeting Attendees: David & Abby Neuman, Fayetteville. J. Messineo, Fayetteville. Tracy Cifra, Fayetteville. Mike Friend, Manlius. Thomas Heister, Fayetteville. Brian McAllister, Fayetteville. Troy Bullock, Manlius.

Virtual Meeting Attendees: Joe Durand, Karal Wuerslin, Mary M. Thompson, Warren Linhart, Chris Carrick.

2. The Pledge of Allegiance

Supervisor Deer, called the meeting to order at 6:30 PM. Councilor Bollinger led the Pledge of Allegiance. Supervisor Deer welcomed everyone and thanked all for attending.

3. 6:31 PM Open Podium

Dave Barnwell asked about the grant for the EV charging stations at Town Hall. The Town Board answered questions about the placement, usage, and costs of the charging stations.

4. 6:35 PM Public Hearing – Zone Change, N. Burdick St. (Tax Map #'S 086.-02-02.1, 086.-02-03.0, 086.-02-04.1, 086.-02-05.1, 086.-02-05.3, 086.-02-06.1) from Residential 1 (R1), Restricted Agricultural (RA) and Neighborhood Shopping (NS) to Restricted Agricultural (RA) and Commercial A (CA)

Councilor Waters made a motion, seconded by Councilor Nicholson, to waive the reading of the public notice in the matter of the proposed local law for a change of Zone from Residential 1 (R1), Restricted Agricultural (RA) and Neighborhood Shopping (NS) to Restricted Agricultural (RA) and Commercial A (CA) for the property located on N. Burdick St., Fayetteville NY.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Tom Cerio representing Twin Shores Properties LLC made a presentation on the application to change the zoning on parcels located on N. Burdick St. from Residential 1 (R1), Restricted Agricultural (RA) and Neighborhood Shopping (NS) to Restricted Agricultural (RA) and Commercial A (CA).

6:41PM The Town Board asked questions of the applicant and discussed the request.

Councilor Waters asked why the applicant choose CA zoning classification and removed the NS zoning classification, which is a less intensive use. Supervisor Deer offered that CA zoning would open more opportunities.

Attorney Frateschi stated a SEQR analysis will need to be completed for this project as the applicant has completed Part I of the SEQR form. Attorney Frateschi stated this project will need to be a Type I action because of the size of property at 128.9 acres.

PART II – Short Environmental Assessment Form

Attorney Frateschi reviewed Part II of the short environmental assessment form with the Town Board. The Town Board determined that each of the environmental factors would have no more than a small to moderate impact. After further discussion, the Board agreed that there would be no significant environmental impact by approving the Zone Change request.

6:45 PM Councilor Bollinger made a motion, seconded by Councilor Waters, to declare the Town of Manlius lead agency for SEQR purposes in the matter of the Zone Change Request from Residential 1 (R1), Restricted Agricultural (RA) and Neighborhood Shopping (NS) to Restricted Agricultural (RA) and Commercial A (CA) for the property located at N. Burdick St. (Tax Map #'s 086.-02-02.1, 086.-02-03.0, 086.-02-04.1, 086.-02-05.1, 086.-02-05.3, 086.-02-06.1).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Nicholson, to issue a negative declaration under the State Environmental Quality Review act in the matter of the Zone Change Request from Residential 1 (R1), Restricted Agricultural (RA) and Neighborhood Shopping (NS) to Restricted Agricultural (RA) and Commercial A (CA) for the property located at N. Burdick St. (Tax Map #'s 086.-02-02.1, 086.-02-03.0, 086.-02-04.1, 086.-02-05.1, 086.-02-05.3, 086.-02-06.1)..

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

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Councilor Denton made a motion, seconded by Councilor Waters, to open the public hearing at 6:53 pm in the matter of the proposed local law for a change of Zone from Residential 1 (R1), Restricted Agricultural (RA) and Neighborhood Shopping (NS) to Restricted Agricultural (RA) and Commercial A (CA) for the property located on N. Burdick St., Fayetteville NY.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Brian McAllister, 150 N. Burdick St., stated that he is concerned about the basin between the village line and the town line, and that the development of this project will cause flooding. Mr. McAllister stated he does not trust that the engineers can correct the flooding issue.

Mr. McAllister discussed the flooding that currently occurs in the area and stated that he will continue to speak out regarding the project.

Mr. McAllister stated that some of his neighbors did not receive notices for this public hearing. Town Clerk Weber reviewed the process that is followed to notify the public concerning public hearings.

Thomas Heister, Fayetteville, stated he is in favor of this project and believes this would be a welcome improvement for this property. Mr. Heister stated that this development would bring in tax revenue and anything would be an improvement to what exists on the property today.

Mr. McAllister discussed other projects in the community that have promised to fix ongoing issues and were not successful.

Troy Bullock, , Manlius, stated he is in support of the zone change for the development of this property. Mr. Bullock stated that the change would be consistent to what is within that corridor and it would be great to see things developed there.

Councilor Bollinger stated that the Town Board will need to see the borders of each lots with tax map numbers and proposed zoning.

Councilor Bollinger stated that nothing should be built inside the floodway which is on the south side of the property (indicated by the redline on the submitted map).

Councilor Bollinger stated that she would like the parcels to be properly subdivided as part of the process.

The public hearing was held open for the February 23rd Town Board meeting. The application and maps can be found in the agenda center or here: https://www.townofmanlius.org/228/Document-Center

5. 7:15 PM Recreation Department

Recreation Director Kristine Zingaro presented a contract for the town's summer musical, from MTI (Music Theatre International) productions for the board's approval.

Councilor Italiano made a motion, seconded by Councilor Waters, to authorize Recreation Director Kristine Zingaro to sign the summer musical rental agreement for 2022 with MTI (Music Theatre International.)

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries

6. 7:18 PM Highway Superintendent

Superintendent Cushing made a request for the Supervisor sign the proposed contract with Eagle Associates of Cazenovia, LLC for a replacement covering for the salt storage shed.

Councilor Bollinger made a motion, seconded by Councilor Waters, to authorize the Supervisor to sign the contract with Eagle Associates of Cazenovia, LLC for the purchase and installation of a Britespan Apex 70' X 91' Building in the amount of $139,965.39 as agreed to in the letter of intent approved on September 22, 2021.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Superintendent Cushing stated that Onondaga County engineers are putting the Whetstone Bridge replacement project out for bid in mid-March.

Superintendent Cushing stated they have had the 2018 sweeper up for auction for 10 days through Auctions International which has not yielded the amount hoped for. Superintendent Cushing would like to reject the bid that was presented and offer the 2018 sweeper for a rebid.

Councilor Bollinger made a motion, seconded by Council Waters, to authorize the Highway Superintendent to reject the existing bid made for the 2018 sweeper and schedule a rebid.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

5. 7:24 PM Planning & Development

Code Officer Poitras stated that the annual Planning & Development report was submitted and is available for the public to review in the office or online here:
https://www.townofmanlius.org/AgendaCenter/ViewFile/Agenda/_02092022-706?html=true

Code Officer Poitras spoke about the New York State Stretch Code and recommended the Town Board set aside more time before a formal presentation is made. Supervisor Deer encouraged residents and builders to contact the town with questions and opinions.

The Town Board discussed the New York State Stretch Code.

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7. 7:30PM Attorney

Attorney Frateschi stated the Town Board will need to discuss attorney client privilege matters after the meeting.

8. 7:32 PM Town Clerk

Town Clerk Weber presented her 2021 Annual Clerk's Report.

Councilor Denton made a motion, seconded by Council Waters, to accept the 2021 town clerk's annual report as presented by Town Clerk Weber.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

9. 7:34 PM Police Chief

Chief Crowell requested a motion for the Supervisor to sign the agreement for a Special Patrol Officer for the Fayetteville-Manlius School District.

Councilor Italiano made a motion, seconded by Councilor Waters, to authorize Supervisor Deer to sign the 2022-2023 agreement between the Town of Manlius Police Department and the Fayetteville-Manlius Central School District for Special Patrol Officer (SPO) S. Mehlek.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Italiano, Councilor Waters, Councilor Kriesel

Opposed: Councilor Denton

Motion Carries.

Councilor Waters made a motion, seconded by Councilor Kriesel, to authorize Supervisor Deer to sign the 2022 agreement between the Town of Manlius Police Department and the East Syracuse-Minoa Central School District for a Special Patrol Officer (SPO).

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Italiano, Councilor Waters, Councilor Kriesel

Opposed: Councilor Denton

Motion Carries.

Chief Crowell gave the following report:

1. January in-service has been completed.
2. February in-service was canceled as the vendor was unable to attend.
3. Provided an update on the hiring process for the four open positions at the department.

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9. 7:36PM Town Manager

Councilor Bollinger made a motion, seconded by Councilor Green, to designate Supervisor Deer, Town Manager Oot, Deputy Town Manager Kayandra Blythe as representatives to OCEBA for communication purposes.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

10. 7:38PM Committee Reports

Comprehensive Planning Committee Report – Councilor Water, Councilor Bollinger

1. Technology Focus Group met.
2. February 15th at 6:30 PM will be the Stormwater meeting.
3. March 1st at 6:30 PM will be the Quarry meeting.

All meetings will be recorded and available to the public.

Steering Committee

1. Steering Committee will meet on the February 16th at 6:30 PM.

Meeting will be recorded and available to the public.

11. 7:39PM Supervisor

Councilor Bollinger made a motion, seconded by Councilor Denton, to accept the Supervisor's monthly report for December 2021 as presented.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

The Town Board discussed the draft letter regarding the board's position and request for traffic mitigation as it relates to the proposed 3Gi Inland Port. The board members discussed their positions on the draft letter and will make additional revisions to the letter. The letter will be available to vote on at the next meeting.

13. 7:45PM Approval of Abstract # 3

Councilor Bollinger made a motion, seconded by Councilor Denton, to approve Abstract # 3 in the amount of $5,156,793.67 as submitted by Town Clerk Weber.

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	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 3 - 2022	
CODE	FUND	TOTALS
A	General Fund Townwide	$268,247.19
B	General Fund Town	$19,318.85
DA	Highway Fund Townwide	$102,439.66
DB	Highway Fund Part Two	$1,755.25
SF1	Fayetteville Fire Protection	$1,845,488.00
SF2	Manlius Fire Protection	$1,473,283.84
SF3	Minoa Fire Protection	$1,208,378.00
SF4	Kirkville Fire Department	$230,025.00
SL1	Overhead Lighting District	$1,763.05
SL2	Underground Lighting	$2,276.73
SL3	Entry Lighting	$114.60
SL4	Garden Park Lighting	$667.90
SL5	Ratnour Bridge Lighting	$2,641.60
SR1	Trash	$185.87
SR2	Brush	$185.87
SS1	Consolidated Sewer District	$22.26

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

14. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Bollinger and seconded by Councilor Kriesel the Board voted unanimously to adjourn regular session at 7:48PM.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Respectfully Submitted by:

Allison A. Weber
Town Clerk

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** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=========LINE ITEM========= ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	=======GROUP BUDGET======= ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
2022	A00-5.1420.481	Attorney - Litigation	58.80	25,000	16,564.18-	Y	116,000	595.53	
	A00-5.1420.483	Attorney - Town Board	5,500.00	66	10,934.00-	Y	116	12,288.34-	Y
	A00-5.1440.400	Engineer - Contractual	165.00	25	3,305.00-	Y	43	6,640.10-	Y
	A00-5.1620.405	Buildings - Information Te	14,194.38	229	72,262.93-	Y	2,570	88,676.36-	Y
	A00-5.1620.421	Buildings - Phone	871.12	9	1,676.71-	Y	2,570	75,353.10-	Y
	A00-5.1620.430	Buildings - Cleaning	1,281.25	24	4,413.69-	Y	2,570	75,763.23-	Y
	A00-5.1620.485	Buildings - Snow Removal	2,340.00	2	2,338.00-	Y	2,570	76,821.98-	Y
	A00-5.1640.410	Central Garage - Gasoline	7,355.90	85	17,805.35-	Y	588	18,952.83-	Y
	A00-5.3120.400	Police - Contractual	7,000.00	220	10,077.30-	Y	1,150	84,476.20-	Y
	A00-5.9055.800	Disability Insurance	454.11	6	1,356.35-	Y	6	1,356.35-	Y
	A00-5.9061.800	Health Insurance Opt-Out	1,350.00	32	4,398.76-	Y	32	4,398.76-	Y
	B00-5.3620.421	P & D - Phone	25.00	1	418.18-	Y	1,820	34,329.39-	Y
	B00-5.8020.450	Planning - Attorney	1,105.00	20	2,139.00-	Y	1,620	1,055.37-	Y
	B00-5.9055.800	P & D - Disability Insruan	19.19	250	192.43		250	192.43	
	DA0-5.9055.800	Disability Insurance	166.30	1	497.88-	Y	1	497.88-	Y
	SR1-5.8160.400	Refuse - Contractual	199,943.00	2	399,884.00-	Y	2	399,884.00-	Y
	SR2-5.8160.400	Refuse - Contractual	25,151.33	301	50,001.66-	Y	301	50,001.66-	Y
		** 2022 YEAR TOTALS	266,980.38						

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=========LINE ITEM========= ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	=======GROUP BUDGET======= ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
2022-2023	A00-2.700	Rec Dept Clearing Acct	7,395.62						
	A00-5.1010.402	Town Board - Seminar/Confe	350.00	5	970.00-	Y	52	11,056.02-	Y
	A00-5.1110.403	Justices - Assocations/Due	150.00	665	215.00-	Y	992	753.54-	Y
	A00-5.1330.401	Receiver of Taxes -Office	671.00	2	1,207.75-	Y	406	2,496.55-	Y
	A00-5.1410.401	Town Clerk - Office Suppli	129.00	2	385.54-	Y	512	1,464.78-	Y
	A00-5.1620.400	Buildings - Contractual	16.17	5	4,334.09-	Y	2,570	74,481.98-	Y
	A00-5.1620.405	Buildings - Information Te	7,190.99	229	58,068.55-	Y	2,570	74,481.98-	Y
	A00-5.1640.411	Central Garage - Town Veh	40.81	3	1,647.48-	Y	588	11,596.93-	Y
	A00-5.1670.401	Central Printing - Office	203.45	3	808.79-	Y	44	7,382.24-	Y
	A00-5.3120.400	Police - Contractual	383.00	220	3,077.30-	Y	1,150	77,476.20-	Y
	A00-5.3120.404	Police - Books/Publication	476.46	8	1,271.38-	Y	1,150	77,476.20-	Y
	A00-5.3120.412	Police - Vehicle Repair	2,237.77	90	25,294.49		1,150	77,476.20-	Y
	A00-5.3120.421	Police - Phone	199.65	28	3,033.79-	Y	1,150	77,476.20-	Y
	A00-5.3120.423	Police - Security Service	30.00	420	300.10		1,150	77,476.20-	Y
	A00-5.3120.425	Police - Building Maintena	582.00	2	751.33-	Y	1,150	77,476.20-	Y
	A00-5.3120.430	Police - Cleaning Supplies	86.53	3	1,002.16-	Y	1,150	77,476.20-	Y
	A00-5.3120.446	Police - Maintenance Contr	951.50	51	8,411.20-	Y	1,150	77,476.20-	Y
	A00-5.3120.448	Police - Uniforms & Cleani	539.86	49	20,303.38-	Y	1,150	77,476.20-	Y
	A00-5.3120.464	Police - Protection Gear	933.80	28	7,602.17-	Y	1,150	77,476.20-	Y
	A00-5.5132.200	Garage - Equipment	41,989.00	24	41,965.00-	Y	24	41,965.00-	Y
	A00-5.5132.425	Garage - Garage/Bldg Maint	69.83	15	1,369.07-	Y	1,294	11,034.75-	Y
	A00-5.5132.430	Garage - Cleaning/Bathroom	11.38	3	236.45-	Y	1,294	11,034.75-	Y
	A00-5.7310.408	Recreation - Printing & Ad	125.00	4	681.62-	Y	1,628	3,477.79-	Y
	A00-5.7310.410	Recreation - Program Expen	3,455.00	64	4,069.72-	Y	1,628	3,477.79-	Y
	B00-5.3620.461	P & D - Uniforms/Cleaning	30.00	700	290.25		1,820	34,304.39-	Y
	B00-5.8010.402	Zoning - Seminars	280.00	400	120.00		1,354	849.88	
	B00-5.8020.402	Planning - Seminars/Confer	280.00	500	220.00		1,620	49.63	
	CM1-5.3120.493	DWI Equipment - Contractu	381.28	0	1,839.56-	Y	0	1,839.56-	Y
	DA0-5.5130.411	Machinery - Vehicle Expens	7,213.08	130	22,827.97-	Y	196	31,507.54-	Y
	DA0-5.5130.440	Machinery - Equipment Expe	2,560.75	45	6,863.51-	Y	196	31,507.54-	Y
	DA0-5.5130.447	Machinery - Shop Supply/St	533.40	10	993.75-	Y	196	31,507.54-	Y
	DA0-5.5130.473	Machinery - Shop Tools	226.76	7	540.63-	Y	196	31,507.54-	Y
	DA0-5.5140.447	Brush & Weeds - Supplies/T	33.96	2	31.96-	Y	2,184	2,150.04	
	DA0-5.5142.401	Snow Removal - Office Supp	56.87	1	230.87-	Y	1,848	429,670.75-	Y
	DA0-5.5142.421	Snow Removal - Phones/Page	112.01	1	352.62-	Y	1,848	429,670.75-	Y
	DA0-5.5142.430	Snow Removal - Cleaning Su	87.34	5	1,060.84-	Y	1,848	429,670.75-	Y
	DA0-5.5142.447	Snow Removal - Shop Suppli	696.44	37	5,133.93-	Y	1,848	429,670.75-	Y
	DA0-5.5142.448	Snow Removal - Uniforms/Cl	170.32	14	1,377.37-	Y	1,848	429,670.75-	Y
	DA0-5.5142.470	Snow Removal - Materials	35,309.79	420	379,444.54-	Y	1,848	429,670.75-	Y
	DA0-5.5142.471	Snow Removal - Repairs	2,047.44	36	5,945.76-	Y	1,848	429,670.75-	Y
	DB0-5.5110.472	General Repairs - Signs	210.00	13	4,173.00-	Y	1,879	9,107.30-	Y
	DB0-5.5110.478	General Repairs - Drainage	3,721.47	41	6,351.55-	Y	1,879	9,107.30-	Y
	** 2022-2023 YEAR TOTALS **		122,168.73						