

Agenda
Zoning Board of Appeals
March 17, 2022
6:30 PM

1. Virtual Meeting Instructions

Documents:

[3-17-22 Zoning Board Meeting Instructions.pdf](#)

2. Pledge Of Allegiance

3. Approval Of Minutes

4. Ryan Smith, 5546 N. Burdick St., Fayetteville
Will need five variances for a 2 Lot Subdivision.

Documents:

[5546 and 5590 N Burdick Street - Subdivision Map.pdf](#)
[Application.pdf](#)
[Image mate photo of property.pdf](#)
[Enlarged Subdivision Map.pdf](#)

5. Other Business

6. 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 your Phones



March 17, 2022 – 6:30PM

Zoning 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/83711703825?pwd=YIMrOGNRNkJ4MEM3cnJiREtjSHplZz09>

Password to join when prompted:

Password: **248550**

Enter your email address and name and join the meeting.

Join by telephone by dialing the number below:

(929) 436-2866

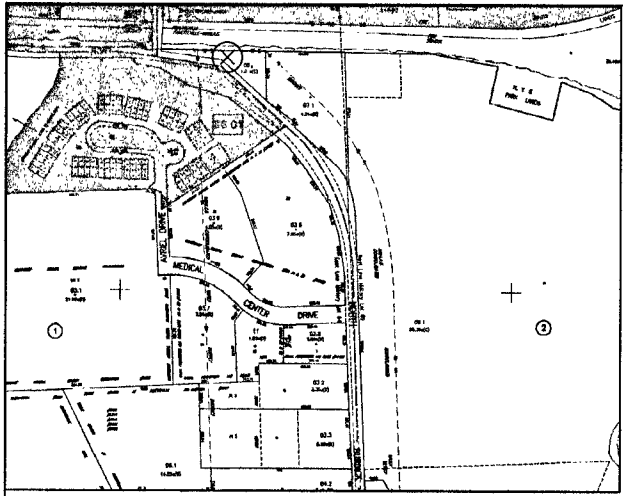
When prompted to enter the Webinar ID, use the number below followed by #

Webinar ID: 837 1170 3825

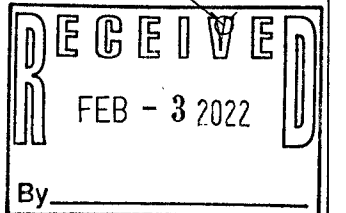
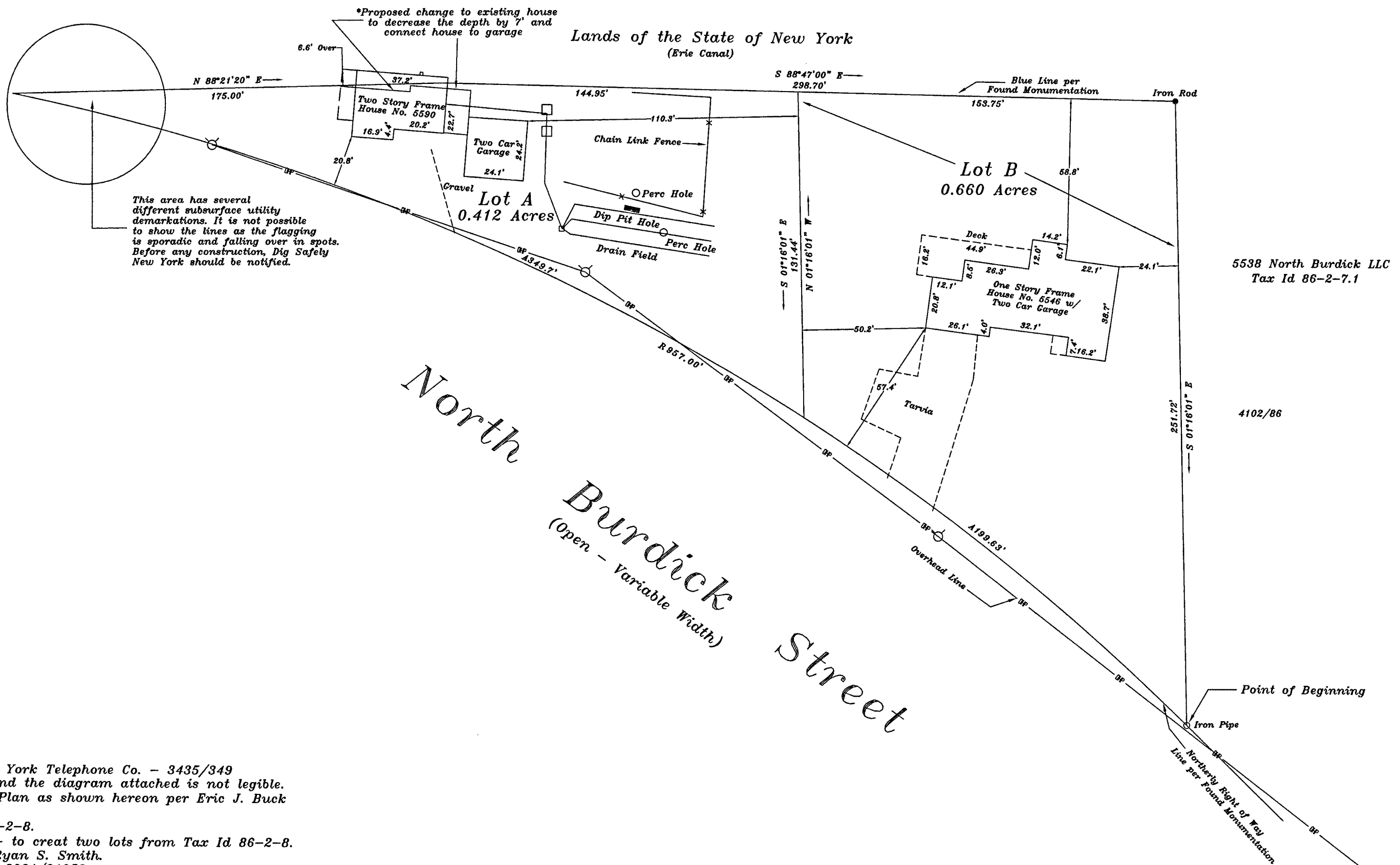
Press # again to skip the personal id and enter the password below followed by #

Password: **248550**

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



Site Vicinity Locator
(not to scale)



Approvals

Abstract: Bradt-Luciani Real Property Services, #211859, 12/15/2020.

Proposed Only

Owner(s)	Town of Manlius	County of Onondaga	Michael J. McCully Land Surveying PLLC 5875 Fieldstone Drive Cazenovia New York 13035 Phone : (315) 815-5034	Minor Subdivision on Part of Military Lot 64 - Manlius.
			I hereby certify that this map was made from an actual survey and same is correct.	Known as No. 5546-5590 North Burdick Street, Town of Manlius, County of Onondaga, State of New York.
			M.J. McCully NYSLS 50696	Drawn by: MJM Scale: 1"= 40'
			Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law. Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies. Certifications shall run only to the person or entities for whom the survey is prepared and are not transferable to subsequent persons or entities. Copyright 2022, Michael J. McCully Land Surveying, all rights reserved.	Date(s): 01-16-22

TOWN OF MANLIUS – ZONING BOARD OF APPEALS

APPLICANT / PROPERTY INFORMATION

Date: 2-17-22

1. Property Address: 5590 5546 North Burdick St.

Property Tax Map # 086-02-08.0

The Applicants Purpose (new construction, alteration, extension, restoration, modification or other action) with respect to the subject property; there are 2 houses on 1 parcel

I would like each house to be on its own parcel. Subdivision

I would like to re build 5590 North Burdick home

2. Owner of Property: Ryan Smith

Owner's Address: 5460 Lake Road Tully NY 13159

Owner's E-Mail: ryansmithconstruction@gmail.com

Owner's Phone #: 315 729-8109 Does Owners reside at property: No

Signature of Property Owner: 

3. Applicant / Representative / Attorney:

Name: _____ Company: _____

Address: _____

Phone: _____ E-Mail: _____

Below this line - For Office Use Only

Application Received by: _____ Date: _____

Payment Receipt #: _____

Date of Denial of Building Permit Application: _____ Current Property Zoning: _____

The subject property will be in conformity with all zoning use as outlined in Chapter 155 of the Town of Manlius Municipal Code, except as stated here by the Code Officer: _____

Variances for 5546-5590 North Burdick Street

Lot A

Area Variance

1. Required – 100,000 Square Feet
2. Has - 17,946 Square Feet
3. Needs a Variance of – 82,054 Square Feet

Front Yard

1. Required – 40 Feet
2. Has – 20.8 Feet
3. Needs a Variance of – 19.2 Feet

Rear Yard

1. Required – 40 Feet
2. Has – 0 Feet
3. Needs a Variance of – 40 Feet

Lot B

Area Variance

1. Required – 100,000 Square Feet
2. Has – 28,749 Square Feet
3. Needs a Variance of – 71,251 Square Feet

Road Frontage

1. Required – 200 Feet
2. Has – 199.63 Feet
3. Needs a Variance of - .37 Feet

Agenda
Town of Manlius
Zoning Board of Appeals
March 17, 2022
6:30 P.M.

1. Approval of Minutes – December 16, 2021
2. Ryan Smith, 5460 Lake Rd., Tully NY is requesting variances for a proposed subdivision located at 5546 & 5590 N. Burdick St., Fayetteville NY (tax map # 086.-02-08.0)
Public Hearing for various variances (listed below) for the subdivision as requested by the Planning Board. The requested variances are:

Lot A

Area Variance

1. Required – 100,000 Square Feet
2. Has - 17,946 Square Feet
3. Needs a Variance of – 82,054 Square Feet

Front Yard

1. Required – 40 Feet
2. Has – 20.8 Feet
3. Needs a Variance of – 19.2 Feet

Rear Yard

1. Required – 40 Feet
2. Has – 0 Feet
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Lot B

Area Variance

1. Required – 100,000 Square Feet
2. Has – 28,749 Square Feet
3. Needs a Variance of – 71,251 Square Feet

Road Frontage

1. Required – 200 Feet
2. Has – 199.63 Feet
3. Needs a Variance of - .37 Feet

3. Other Business
4. Adjournment

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 Laureen E. Duddy , being duly sworn, deposes and says that (s) he is:
 (Notary)
 Ryan Smith,
 (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: 2-17, 2022

Date: _____, 20____

Ryan Smith
(Print Name of 1st Applicant)

(Print Name of 2nd Applicant)

Rh
(Signature of 1st Applicant)

(Signature of 2nd Applicant)

(Entity Name)

(Entity Name)

By (Officer) _____ (Title)

By (Officer) _____ (Title)

5460 Lake Rd.
(Mailing Address of 1st Applicant)

(Mailing Address of 2nd Applicant)

Tully NY 13159

315 729-8109
(Telephone Number)

(Telephone Number)

ACKNOWLEDGEMENTS

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

On this 17th day of February in the year 2022, before me, the undersigned, a notary public in and for said state, personally appeared Ryan Smith
(1st Applicants Name)

, and _____ personally known to me or proved to me on the basis
(2nd Applicants Name)

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.

Laureen E. Doody
Notary Public

SEAL
LAUREEN E. DOODY
Notary Public, State of New York
Qualified in Onon. Co. No. 01D06279299
My Commission Expires April 8, 2025

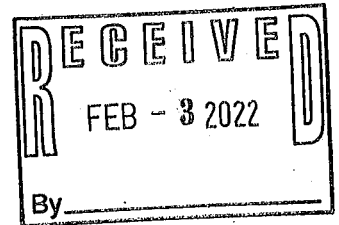
Area Variance – 5 Critical Questions

1. No
2. No
3. No
4. No
5. No

Expected

Fee: _____

TOWN OF MANLIUS
PLANNING DEPARTMENT
INITIAL APPEARANCE APPLICATION



DATE: 2-2-2022

Name of Project: 5546 and 5590 N. Burdick

Applicant must submit 12 copies of all site plans, surveys, and supporting data with the final application before a planning board meeting can be scheduled.

Location of Project: 5546, 5590 Burdick St. North

Type of Project:

☐ Division of Land ☒ Subdivision ☐ Accessory Use ☐ Zone Change ☐ Site Review ☐ Other

Developer: Ryan S. Smith

Phone: 315 729 8109

Address: 5460 Lake Rd. Tully NY

Zip: 13159

Tax Map Number(#)/s: 086.-02-08.0

Present Zoning: RA

Desired Zoning: Same

Total Acreage: 1.072

Total Number of Lots: 1

Property Owner/s: Ryan S. Smith

Phone: 315 729 8109

Address: 2383 Route 11 Lafayette NY

Zip: 13084

Tax Map#(s): _____

Owner's Signature: _____

Printed Name: _____

Ryan Smith

Property Owner/s: _____

Phone: _____

Address: _____

Zip: _____

Tax Map#(s): _____

Owner's Signature: _____

Printed Name: _____

Use next page for additional known property owners' information

Planning Board Meeting Date Assignment: _____

Fee: _____

Paid: _____

Per: ☐ Credit/Debit Card ☐ Check ☐ Cash

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information		
Name of Action or Project: 5546 5590 N. Burdick St. Town of Manlius Subdivision		
Project Location (describe, and attach a location map): 5546 / 5590 N. Burdick St. Fayetteville 13066		
Brief Description of Proposed Action: Subdivision to divide 2 houses on 1 parcel		
Name of Applicant or Sponsor: Ryan Smith	Telephone: 315 729 8109	
	E-Mail: ryan.smith.construction@gmail.com	
Address: 5460 Lake Rd.		
City/PO: Tully	State: NY	Zip Code: 13159
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	NO ☒	YES ☐
3.a. Total acreage of the site of the proposed action? 1.07 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		
4. Check all land uses that occur on, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland		

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>County approved septic</u>	NO ☒	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☐	YES ☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☒	YES ☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO ☒	YES ☐	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____		Date: _____
Signature: _____		

STOP

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency Date	
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer	
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)	

PRINT

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. Ryan Smith, being duly sworn, deposes and says that (s) he is:

applicant and property owner
(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: 2/2, 20 22

Date: _____, 20 _____

Ryan Smith
(Print Name)

(Print Name)

[Signature]
(Signature)

(Signature)

(Entity Name)

(Entity Name)

By (Officer) _____ (Title) _____

By (Officer) _____ (Title) _____

2383 Route 11 Lafayette 13084
(Mailing Address of Applicant)

(Mailing Address of Applicant)

315 729-8109
(Telephone Number)

(Telephone Number)

ACKNOWLEDGEMENTS

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

On this 3rd day of February in the year 2022, before me, the undersigned, a notary public in and for said state, personally appeared Ryan Smith, 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.

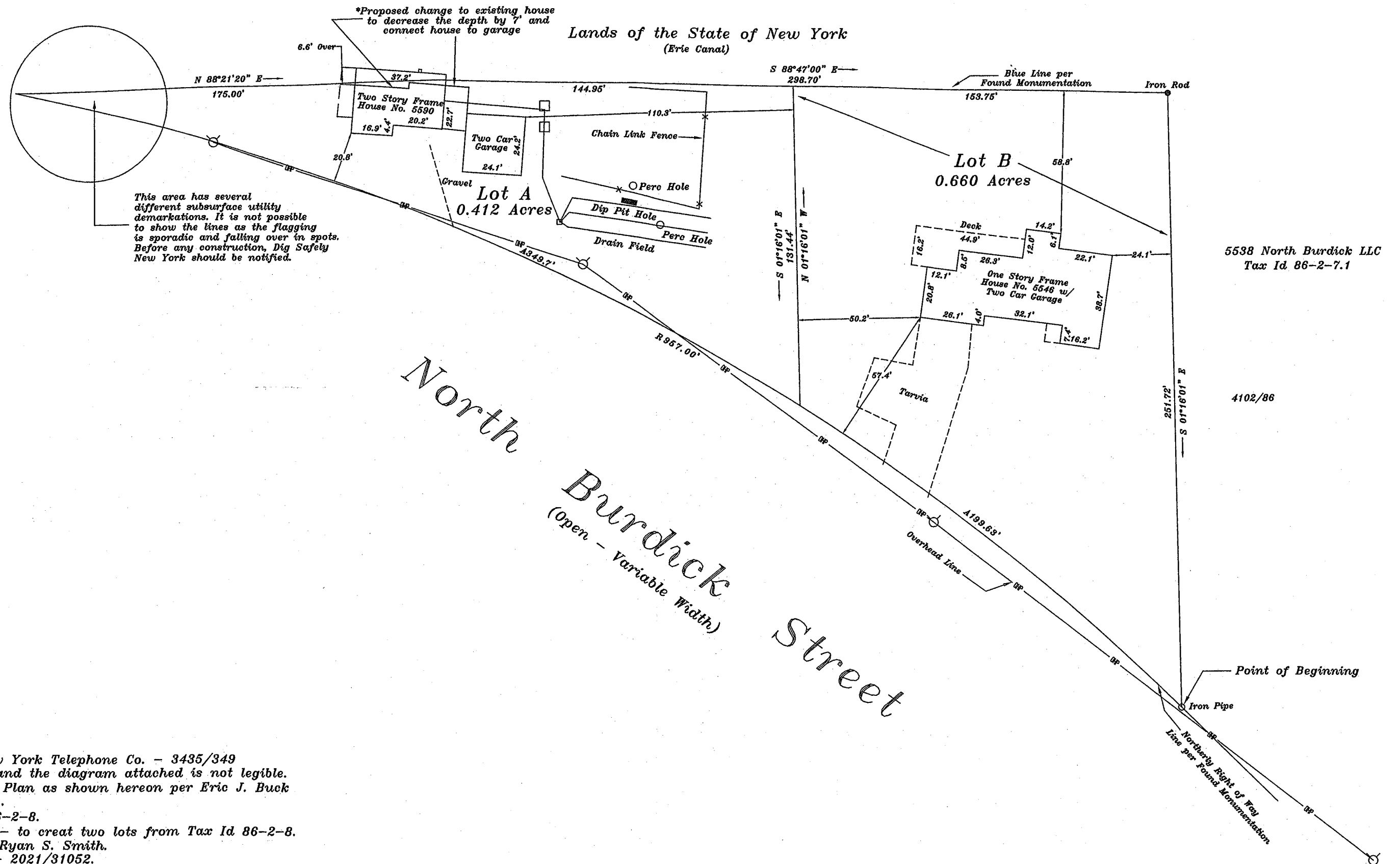
[Signature]
Notary Public

LAUREEN E. DOODY
Notary Public, State of New York
Qualified In Onon. Co. No. 01D06279299
My Commission Expires April 8, 2025

5546 - 5590 N. Burdick St.



04/25/2014



Notes/References:

- *Easement to New York Telephone Co. - 3435/349 is not described and the diagram attached is not legible.
- *Sewage Disposal Plan as shown hereon per Eric J. Buck dated 12/16/2021.
- *Parcel Tax Id 86-2-8.
- *Purpose of Map - to create two lots from Tax Id 86-2-8.
- *Parcel Owner - Ryan S. Smith.
- *Deed Reference - 2021/31052.

Approvals

Abstract: Bradt-Luciani Real Property Services, #211859, 12/15/2020.

Proposed Only

