

Agenda
Town Board Meeting
September 14, 2022
6:30 PM

1. Virtual Meeting Instructions

Documents:

[9-14-22 TOWN BOARD MEETING INSTRUCTIONS.PDF](#)

2. Pledge Of Allegiance

3. Open Podium

4. Continuation Public Hearing - Apple Tree Water District

Documents:

[PUBLIC HEARING APPLETREE WATER DISTRICT.PDF](#)
[MAP, PLAN AND REPORT - APPLE TREE WATER DISTRICT.PDF](#)
[ORDER AUTHORIZING CREATION - APPLE TREE RIDGE.PDF](#)

5. Set Date - Public Hearing - Zone Change Seven Pines Project, 8104, 8108,8112 And 8116 Manlius-Cazenovia Rd. From (CA & RA To RM)

Documents:

[SEVEN PINES - 8104, 8108, 8112, 8116 CAZENOVIA RD. - SURVEY 2.PDF](#)
[SEVEN PINES - 8104, 8108, 8112, 8116 CAZENOVIA RD. - ZONE CHANGE APP-PB APP-SHORT FORM EAF.PDF](#)
[SEVEN PINES - 8104, 8108, 8112, 8116 CAZENOVIA RD - SURVEY 1.PDF](#)
[SEVEN PINES - 8104, 8108, 8112, 8116 CAZENOVIA RD. - LEGAL DESCRIPTION.PDF](#)
[SEVEN PINES - 8104, 8108, 8112, 8116 CAZENOVIA RD. - PHOTOPACKAGE - RESIDENTIAL CONVERSION.PDF](#)
[LOCAL LAW 2022 - ____ SEVEN PINES ZONE CHANGE SET DATE PH.PDF](#)
[Z-22-195.PDF](#)

6. Brolex Properties - Zone Change Request- Megnin Farms - RA/ CB To R3 Property Tax Map No. 082.2-01-02.0, 082.2-01-03.0

The Applicant will give an initial presentation and is requesting a referral to the Planning Board.

Documents:

[UPDATED ZONE CHANGE APPLICATION - BROLEX.PDF](#)

7. Set Date For Public Hearing - Residential Multi-Use Zoning (RM) Classification Amendment

Documents:

[LOCAL LAW 2022 - ____ AMENDING RM ZONE FOR MIXED-USE PH FINAL.PDF](#)

8. Highway Bid Agreement For Oil Water Separator

Documents:

[2022493 MANLIUS OIL WATER SEPARATOR \(SCOPE\) 2022.09.07.PDF](#)

9. Set Date - Public Hearing - Property Tax Cap Override

Documents:

[LL 2022-__ SET DATE PUBLIC HEARING - PROPERTY TAX OVERRIDE.PDF](#)

10. Approval Of Minutes - August 10, 2022 August 24, 2022 September 2, 2022

Documents:

[8-10-22 DRAFT.PDF](#)

[8-24-22 DRAFT.PDF](#)

[9-2-22 DRAFT.PDF](#)

11. Approval Of Abstract # 17

12. 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



September 14, 2022

6:30 PM

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/83548920735?pwd=eFVDT2VFay9vaGt1WkF1dnFRZGFtZz09>

Password to join when prompted:

Password: **014471**

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: 835 4892 0735

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

Password: **014471**

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

CONTINUATION OF
NOTICE OF PUBLIC HEARING
Appletree Water District of the Town of Manlius,
Onondaga County, New York Pursuant to Town Law Article 12

PLEASE TAKE NOTICE that the Town Board of the Town of Manlius, Onondaga County, New York, will meet at the Town Hall, 301 Brooklea Drive, Fayetteville New York 13066, in said Town, on the 14th day of September, 2022 at 6:35 P.M., for the purpose of conducting a public hearing upon a certain preliminary engineering report and map, plan, report, including an estimate of cost in relation to the proposed creation of the Apple Tree Water District, in said Town, being generally described as the construction of: the connection to Onondaga County Water Authority (OCWA) existing 6-inch water main on Armstrong Road via a 6-inch tapping sleeve and valve, installation of approximately 1,000 feet of 8-inch ductile iron pipe (DIP) water main extending north along the west side of Apple Tree Ridge; Installation of two (2) fire hydrants, with one (1) hydrant located at the dead-end of the new 8-inch water main to facilitate flushing; Installation of three (3) ¾-inch Type K water service up to the respective property line and/or right-of-way (ROW) line for each property included; and installation of three (3) water meters on the existing plumbing within the interior of each residence, together with original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of the project to be \$251,000.00, with a projected total annual debt service based on a 30-year loan at 2.15% interest of \$11,400.00, to be split between the three (3) proposed residences/users for an annual debt service per user of \$3,800.00, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

The public may mail, e-mail or fax comments to the Town Clerk by noon on September 14th, 2022.

Such cost shall be annually apportioned, levied and collected from the parcels and lots within the District in the manner provided by law, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same. The improvements as described above have been determined to be a “Unlisted” pursuant to the regulations promulgated under the State Environmental Quality Review Act (“SEQRA”) and the Town Board has declared itself to be the lead agency for SEQRA review. The map, plan and report for said improvements prepared by a competent engineer licensed by the State of New York and SEQRA compliance materials are available for inspection at the Office of the Town Clerk where they may be inspected during normal business hours.

At said public hearing, said Town Board will hear all persons instituted on the subject matter thereof.

Dated: August 25, 2022

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF MANLIUS, ONONDAGA
COUNTY, NEW YORK**

Town Clerk

Map, Plan and Report for Town of Manlius Apple Tree Ridge Water District

Town of Manlius, Onondaga County, New York

August 1, 2022

MJ#: 1456.03

Prepared For:

Town of Manlius
301 Brooklea Drive
Fayetteville, New York 13066

Prepared By:

**M.J Engineering and
Land Surveying, P.C.**

1533 Crescent Road
Clifton Park, NY 12065
Phone: 518.371.0799
Fax: 518.371.0822
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TABLE OF CONTENTS

1.0	BACKGROUND AND AUTHORIZATION	1
2.0	PROPOSED DISTRICT BOUNDARIES AND BENEFITED PROPERTIES	1
3.0	PROPOSED WATER SYSTEM FACILITIES.....	2
4.0	OWNERSHIP, OPERATION AND MAINTENANCE	3
5.0	ESTIMATED PROBABLE PROJECT COSTS	3
6.0	EXPLANATION OF USER COSTS	3
7.0	ESTIMATED WATER DISTRICT USER COSTS	4
8.0	REQUIRED PERMITTING AND APPROVALS.....	5
9.0	DISTRICT FORMATION PROCESS	6

APPENDICIES

Appendix A:	Onondaga County Water Authority Service Area Map
Appendix B:	Onondaga County Water Authority Apple Tree Ridge Design Drawings
Appendix C:	Proposed Apple Tree Ridge Water District Map and Benefited Parcels
Appendix D:	Legal Description
Appendix E:	Onondaga County Water Authority 2022 Rate Schedules
Appendix F:	Opinion of Probable Project Cost
Appendix G:	New York State Mapping Resources

1.0 BACKGROUND AND AUTHORIZATION

On June 28, 2021, the Town of Manlius (Town) received a petition with the signatures of three (3) residents located at 4853 Troop K Road, 4833 Apple Tree Ridge, and 4857 Troop K Road. The petition was for the creation of a new water district to serve these three residences, which currently receive water from their own private wells. The residents filed the petition due to health and safety concerns with their current wells. The well at 4853 Troop K Road is shallow and has run dry four times in the past 15 years. The well at 4833 Apple Tree Ridge is a drilled well which has collapsed twice in the past 15 years from unreliable underground characteristics and produces unpalatable water. The well at 4857 Troop K Road is also a drilled well that experiences unpalatable water.

Onondaga County Water Authority (OCWA) is the water provider for approximately 340,000 residents in five counties in Central New York including Onondaga, Oswego, Madison, Oneida, and Cayuga. OCWA is established in some areas of the Town and provides their water at retail as shown in the OCWA Service Area Map included in Appendix A. On June 4, 2020, the resident of 4833 Troop K Road received a letter from OCWA regarding a proposed water main extension that included adding the three residents involved in the aforementioned petition to their existing water distribution system with a new water main, hydrants, valves, and services. OCWA currently supplies water to users located along Armstrong Road south of the three residents on the petition. The June 4, 2020 letter from OCWA also included a drawing and a cost estimate to furnish and install the required materials and servicing fees. The OCWA drawing is included in Appendix B. However, the proposed project by OCWA was not pursued at the time.

The three aforementioned property owners have filed a petition with the Manlius Town Clerk requesting that the Manlius Town Board evaluate the creation of a water district encompassing their properties. All proposed water system improvements will be owned by the Town, however operated and maintained by OCWA. The Manlius Town Board on August 25, 2021 authorized MJ Engineering and Land Surveying PC (MJ) to prepare a Map, Plan and Report (MPR) for the creation of a new water district. The MPR outlines the proposed service area, parcels to be serviced, water facilities and improvements (if required) and the estimate annual user costs. The water district will be created in accordance with Article 12 of the New York State Town Law.

2.0 PROPOSED DISTRICT BOUNDARIES AND BENEFITED PROPERTIES

The proposed District will serve three (3) residential properties currently utilizing private water wells, as shown in the proposed water district map included in Appendix C. The proposed District includes three (3) separate parcels and encompasses a total land area of about 6.24 acres as listed in Table 2-1. The proposed district boundary will follow the perimeters of each of the three parcels and include the Town right-of-way between those parcels. A legal description of the boundaries comprising the proposed water district is included in Appendix D.

Table 2-1 Proposed Apple Tree Ridge Water District Parcel Listing							
Town	SBL	Owner	Parcel Street Number	Parcel Street Name	Mailing Address	Property Class	Acres
313889 - Manlius	102.-09-08.1	Ilacqua Carol A & Samuel David J	4853	Troop K Road	4853 Troop K Road Manlius, NY 13104	210	1.34
313889 - Manlius	102.-09-07.2	Mc Ginnis Rebecca	4833	Apple Tree Ridge	4833 Apple Tree Ridge Manlius, NY 13104	210	0.9
313889 - Manlius	102.-05-39.1	Temes Sara C	4857	Troop K Road	4857 Troop K Road Manlius, NY 13104	210	4

3.0 PROPOSED WATER SYSTEM FACILITIES

Currently, there is no water infrastructure on Apple Tree Ridge or Troop K Road. Based on the design drawing provided by OCWA in Appendix B, the proposed water system infrastructure required to provide water services for the proposed water district includes the following:

- Connection to OCWA existing 6-inch water main on Armstrong Road via a 6-inch tapping sleeve and valve.
- Installation of approximately 1,000-feet of 8-inch ductile iron pipe (DIP) water main, extending north along the west side of Apple Tree Ridge.
- Installation of two (2) fire hydrants, with 1 hydrant located at the dead-end of the new 8-inch water main to facilitate flushing.
- Installation of three (3) ¾-inch Type K water service up to the respective property line and/or right-of-way (ROW) line for each property included.
- Installation of three (3) water meters on the existing plumbing within the interior of each residence.

The following items (and associated costs) are excluded from the water district formation and will need to be performed by the residences:

- Extending the water service from the curb stop installed at the property line or ROW line and into each residence.
- Providing a pressure reducing valve (PRV) on the water service upstream of the water meter. The PRV is required by OCWA as the proposed water district is located within a high-pressure zone.
- Follow New York State Department of Health guidance for decommissioning the individual water supply well.

4.0 OWNERSHIP, OPERATION AND MAINTENANCE

The Town will own the new water system infrastructure including the new water main, hydrants, and valves within the proposed District, however operation and maintenance will be provided by OCWA. Water service lines will be installed by OCWA from the water main and up to the property line and/or ROW to the curb stop. The curb stops and water service lines between the water main and each curb stop will be owned, operated, and maintained by OCWA. The water meters will also be installed by OCWA within the interior of each residence and will be owned, operated, and maintained by OCWA.

The property owners will be responsible for extending their respective water service from the curb stop and into their residence. The extension of each water service shall be owned, operated, and maintained by the respective resident. Each resident will also be responsible for providing and installing their respective OCWA-required pressure reducing valve upstream of their water meter. They shall be responsible to operating and maintaining the PRV.

5.0 ESTIMATED OPINION OF PROBABLE PROJECT COSTS

This MPR provides an updated opinion of probable project cost for the proposed water district using 2022 dollars. The estimate is based upon the OCWA design drawing included in Appendix B. The estimated opinion of probable project cost for the required infrastructure to serve the proposed water district is \$251,000, as included in Appendix E. This includes a 15% design contingency and 20% fee for engineering design, legal, fiscal, and permitting consultation, and construction administration and inspection.

6.0 EXPLANATION OF USER COSTS

General Municipal Law requires that all costs associated with a water district are to be borne by users in the district. The proposed costs to the typical user are based on a shared debt service by the property owners in the proposed district, operation and maintenance (O&M) of the water district, and any applicable fees (i.e., connection and service fees). The user cost is to be charged on a benefit basis.

6.1 Debt Services Costs

Based on the opinion of probable project cost discussed in Section 5 and assuming the project is financed with a 30-year loan at an interest rate of 2.15%, the total annual debt service for the project is \$11,400. With a total of three (3) users within the proposed water district, the estimated annual debt service for each user is \$3,800.

6.2 Operation and Maintenance Costs

OCWA will operate and maintain the water distribution system in the proposed water district, including all water mains, hydrants, valves, and service lines right-of-way of the areas serviced. The total O&M fees include OCWA's Base System Fee and their Water Use Rate. The Base System Fee and Water Use Rate for general residential services are billed quarterly with the use rate being an increasing block rate style with three tiers. Table 6-2 outlines the quarterly water billing for an OCWA ¾-inch water service. The OCWA 2022 Rate Schedule is included in Appendix E. Based on an assumed daily water usage of 200 gallons per day (gpd) for a single-family home, which is typical of residential OCWA customers, the approximate quarterly water bill will be \$121.78. Therefore, the total annual O&M fee per user is approximately \$487.12.

Assumed Quarterly Water Usage = 200 gpd x 30 days/month x 3 months/quarter = 18,000 gallons

Quarterly OCWA O&M Bill = \$58.28 + (10,000gal x \$0.00311/gal) + (8,000gal x \$0.00405/gal) = \$121.78

Annual OCWA O&M Bill = \$121.78/quarter x 4 quarters/year = \$487.12

Table 6-2 Onondaga County Water Authority Rate Schedule No. 2 – Gallons General Residential Service – Quarterly <i>Effective January 1, 2022</i>			
Base System Fee			
¾-inch Size Meter	\$	58.28	
Water Use Rate			
First 10,000 gallons @	\$	3.11	Per 1,000 gallons
Next 13,000 gallons @	\$	4.05	Per 1,000 gallons
Over 23,000 gallons @	\$	5.01	Per 1,000 gallons

6.3 Costs of Connection Fees

The properties included in the proposed water district will incur a connection fee determined by OCWA. Effective January 1, 2022, OCWA charges \$890 for a ¾-inch service connection fee when performed with the installation of the connecting water main according to Articles VIII and X of OCWA's Customer Rules. OCWA also imposes a Service Activation Fee of \$11 for the activation of each new service as shown in the OCWA 2022 Rate Schedule and Fees included in Appendix E. These one-time fees will fund the furnishing of the material and installation from the water main to the property line and/or right-of-way line and the installation of the water meter. Those fees will not be included in the overall user cost for the water district users after the first year of district formation.

7.0 ESTIMATED WATER DISTRICT USER COSTS

Table 7-1 outlines the projected user costs to be incurred by the properties located in the proposed water district. Based on the annual debt service and O&M costs presented in Sections 6.1 and 6.2, the opinion of probable annual user cost is \$4,287.12. It is noted that this does not include the OCWA one-time service connection fee (\$890/user) and service activation fee (\$11/user) which will need to be paid directly to OCWA by the property owners as discussed in Section 6.3.

Table 7-1 Proposed Apple Tree Ridge Water District Projected Annual Costs	
Project Capital Costs	
Total Project Cost	\$251,000
Annual Debt Service <i>Assumed with a 30-year loan at 2.15%</i>	
Total Annual Debt Service	\$11,400
Number of Users	3
Annual Debt Service Per User	\$3,800
Annual OCWA O&M Cost	
Total Annual O&M Cost Per User ¹	\$487.12
Annual User Cost	
Annual User Cost	\$4,287.12
2022 NYS Comptroller Special District Average Estimated Cost Threshold	
Town Water Special Districts	\$989

¹Total annual O&M cost was based on the typical quarterly water usage of a single-family residential OCWA customer

²Additional cost of \$901 per user will occur during the first year of the district's formation from OCWA service fees.

The New York State Office of the State Comptroller issues a listing of the average estimated cost thresholds for special districts. The costs referenced by the Comptroller includes "amounts required to be paid for debt services, operation and maintenance and other charges, including fees, related to the improvement in the first year following the formation of the district or extension". This listing is issued on an annual basis. The January 2022 average estimated cost to a typical user for a water district establishment is \$989. The proposed water district's typical annual user cost, as shown in Table 7-1, is \$4,287.12 per user. Including the OCWA one-time service fees (\$901/user), the typical cost for the first year of district formation totals to \$5,188.12 per user, which is above the 2022 State Comptroller's cost. As such, Comptroller's approval will be required for the district formation. An application to the Office of the NYS Comptroller will need to be submitted, then the NYS Department of Audit and Control will either grant permission to or deny the formation of the district.

8.0 REQUIRED PERMITTING AND APPROVALS

The following agencies are required to approve the water district formation and water extension project:

- The Office of the NYS Comptroller will need to review the application submitted regarding the creation of a special water district that exceeds the listed threshold. The Comptroller's approval will be required to create the water district.
- OCWA and the must review and approve the plans for the public water system extension.

- Onondaga County Department of Health must review and approve the plans for the public water system extension.
- The Town of Manlius Highway Department must approve work within Town roads, including but not limited to coordination of pavement restoration and work zone traffic control.

The New York State Department of Environmental Conservation (NYSDEC) Environmental Resource mapper (ERM) indicates one freshwater pond on the property on 4853 Troop K Road. However, it is not expected that this pond will be affected by the installation of the new water system infrastructure. The ERM also indicates that the project area is within the vicinity of documented rare plants and animals. Therefore, a project screening letter will need to be sent to the NYSDEC for determination of project impact during design.

The Agricultural Districts Map for Onondaga County from the NYS Department of Agriculture and Markets (NYSAM) indicates that the project area is not located within an agricultural district.

The NYS Office of Parks, Recreation and Historic Preservation (OPRHP) GIS-based Cultural Resource Information System (CRIS) indicates that the project is not located within an archaeologically sensitive area.

All maps generated from the NYSDEC, NYSAM, and NYS OPRHP CRIS are included in Appendix G.

9.0 DISTRICT FORMATION PROCESS

The following are the procedural requirements for the creation of a district, which are in accordance with New York State Town Law – Article 12. The district formation and charges are subject to permissive referendum.

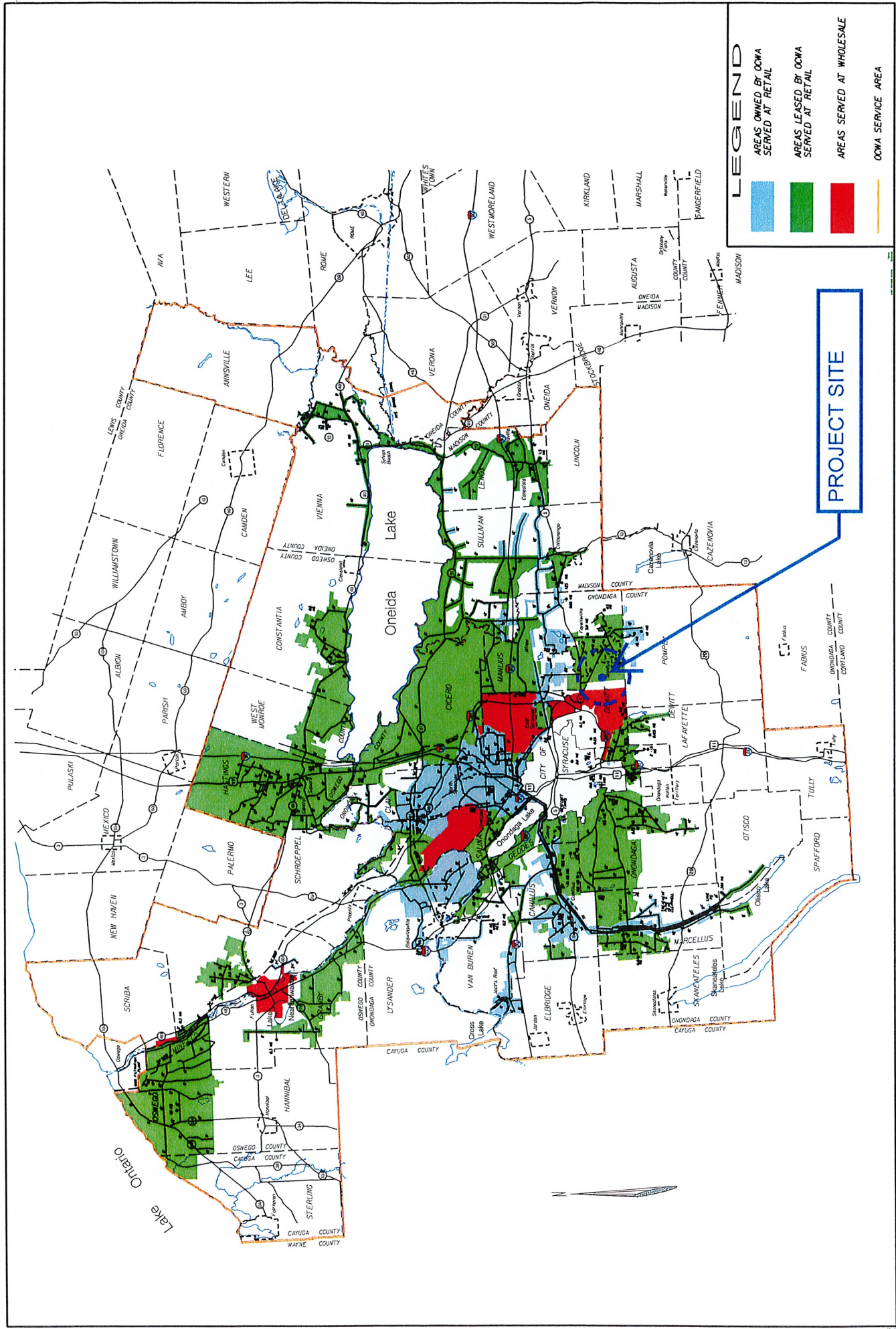
- The submission of this report, representing a Map, Plan and Report to the Town Board, which encompasses the proposed district.
- The Town accepts and files this report.
- The Town Board schedules and holds a public hearing in accordance with NYS Town Law and Town of Manlius public notice requirements.
- The Town Board takes action on the State Environmental Quality Review (SEQR) by making a determination if the proposed action (district formation) will or will not have an adverse impact on the environment.
- Assuming the Town Board finds that the action will not have an adverse impact on the environment, a SEQR negative declaration shall be made by Town Board resolution.
- An application to the Office of the NYS Comptroller will be submitted since the typical property fee is greater than the Comptroller limit.
- Assuming the NYS Department of Audit and Control grants permission to form the special district, the Town Board will consider acting on the proposed district formation by the board of resolution.

The Town Board, in its review of the creation of the district, shall validate that the following criteria have been satisfied:

- All the property and property owners within the proposed district are benefited thereby;
- All the property and property owners benefited are included within the limits of the proposed district;
- The cost of the proposed improvements is to be assessed against the benefited area and all real property to be assessed will be benefited by the proposed improvements and no benefited property will be excluded; and
- It is in the public interest to form the district and will not constitute an undue burden on the property that will bear the cost thereof.

Appendix A

Onondaga County Water Authority (OCWA) Service Area Map



LEGEND

- AREAS OWNED BY OCWA SERVED AT RETAIL
- AREAS LEASED BY OCWA SERVED AT RETAIL
- AREAS SERVED AT WHOLESALE
- OCWA SERVICE AREA

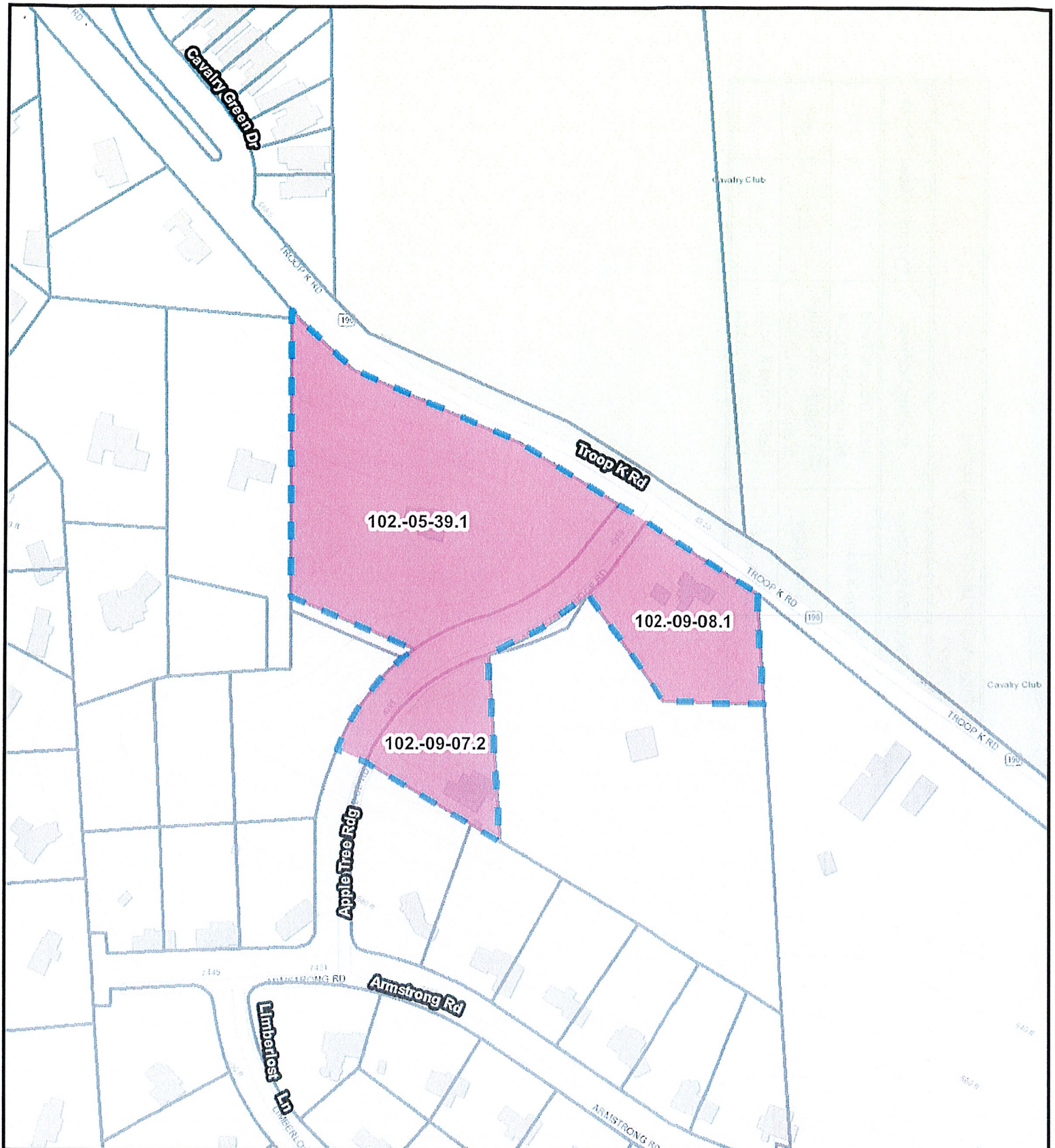
PROJECT SITE

Appendix B

Onondaga County Water Authority (OCWA) Apple Tree Ridge Design Drawings

Appendix C

Proposed Apple Tree Ridge Water District Map and Benefited Parcels



Apple Tree Ridge Proposed Water District

Town of Manlius, New York
August 2022

-  Approximate Proposed Water District Boundary
-  Town of Manlius Parcels

0 100 200 400
Feet



Engineering and
Land Surveying, P.C.

Sources:
ESRI, NYS ITS,
Onondaga County



This map was prepared for illustrative
purposes only and is not suitable for
engineering, surveying, or legal purposes.

**Table 2-1: Proposed Apple Tree Ridge Water District Parcel Listing
August 2022**

Town	SBL	Owner	Parcel Street Number	Parcel Street Name	Mailing Address	Property Class	Acres
313889 - Manlius	102.-09-08.1	Ilacqua Carol A & Samuel David J	4853	Troop K Road	4853 Troop K Road Manlius, NY 13104	210	1.34
313889 - Manlius	102.-09-07.2	Mc Ginnis Rebecca	4833	Apple Tree Ridge	4833 Apple Tree Ridge Manlius, NY 13104	210	0.9
313889 - Manlius	102.-05-39.1	Temes Sara C	4857	Troop K Road	4857 Troop K Road Manlius, NY 13104	210	4

Appendix D

Legal Description

Town of Manlius
Onondaga County, New York

Suggested Description of the Proposed
Apple Tree Ridge Water District

The following is intended to describe the bounds of the proposed Apple Tree Ridge Water District in the Town of Manlius, Onondaga County, New York as shown on the map entitled "Apple Tree Ridge Proposed Water District" prepared by M.J. Engineering and Land Surveying, P.C., dated August 2022.

Beginning at the point located at the northwest corner of parcel 102.-05-39.1 and continuing southerly along the westerly bounds of parcel 102.-05-39.1 to a point located in the southwest corner of Parcel 102.-05-39.1, then easterly along the southern bounds of parcel 102.-05-39.1, to a point at its intersection with the right-of-way of Apple Tree Ridge;

Thence southerly 215-feet along the western bounds of the right-of-way of Apple Tree Ridge and thence continuing easterly across Apple Tree Ridge to the easterly bounds of the right-of-way of Apple Tree Ridge at a point located at its intersection with the southwest corner of parcel 102.-09-07.2;

Thence easterly along the southerly bounds of parcel 102.-09-07.2 to a point located on the southeast corner of parcel 102.-09-07.2, and continuing northerly along the easterly bounds of parcel 102.-09-07.2, to a point located at its intersection with the right-of-way of Apple Tree Ridge;

Thence northerly along the easterly bounds of the right-of-way of Apple Tree Ridge, to a point located on the southwest corner of parcel 102.-09-08.1 and continuing southeasterly along the southerly bounds of parcel 102.-09-08.1, to a point located at the southernmost corner of parcel 102.-09-08.1 and continuing easterly along the southerly bounds of Parcel 102.-09-08.1 to a point located on the southeast corner of parcel 102.-09-08.1;

Thence northerly along the easterly bounds of parcel 102.-09-08.1, to a point located on the northeast corner of parcel 102.-09-08.1 and continuing westerly along the northerly bounds of parcel 102.-09-08.1 to a point located at its intersection with the right-of-way of Apple Tree Ridge;

Thence westerly across Apple Tree Ridge to the westerly bounds of the right-of-way of Apple Tree Ridge at a point located at its intersection with the northeast corner of parcel 102.-05-39.1;

Thence westerly along the northerly bounds of parcel 102.-05-39.1, to the northwest corner of parcel 102.-05-39.1, said point is also the point and place of the beginning.

Appendix E

Onondaga County Water Authority (OCWA) 2022 Rate Schedules

Effective January 1, 2022



**RATE SCHEDULE NO. 2 – GALLONS
GENERAL RESIDENTIAL SERVICE – QUARTERLY**

AVAILABILITY: Service under this rate schedule is available to any customer within the Authority's service area in Onondaga and Oswego Counties.

APPLICABILITY: Any regular metered purpose.

BASE SYSTEM FEE: The base system fee for services hereunder shall be:

<u>Size of Meter:</u>	<u>Base System Fee:</u>
5/8"	\$ 38.85
3/4"	\$ 58.28
1"	\$ 97.13
1-1/2"	\$ 194.25
2"	\$ 310.80
3"	\$ 621.60
4"	\$ 971.25

WATER USE RATE:

First	10,000 gallons @	\$3.11 per 1,000 gallons
Next	13,000 gallons @	\$4.05 per 1,000 gallons
Over	23,000 gallons @	\$5.01 per 1,000 gallons

BILLING: Based on the total of the Base System fee plus the applicable usage rate for all water used during the billing cycle.

PAYMENT: Bills are rendered net and are payable within fifteen (15) days after presentation, in accordance with Article VIII of the Customer Rules of the Authority.

TERMS AND CONDITIONS: Service hereunder is subject to the Customer Rules of the Authority.

Applicability: All Customers

<u>Size of Meter</u>	<u>Cost</u>	<u>Size of Meter</u>	<u>Cost</u>
5/8"	\$218.98	3"	\$2,464.47
3/4"	\$271.65	4"	\$3,486.43
1"	\$335.36	6"	\$5,534.14
1 1/2"	\$893.30	8"	\$5,920.04
2"	\$1,148.72	10"	\$8,311.46
<u>Size of Fireline</u>	<u>Meter Cost</u>	<u>Size of Fireline</u>	<u>Meter Cost</u>
4" FL	\$7,525.09	8" FL	\$14,174.11
6" FL	\$10,558.81	10" FL	\$18,995.93

- | | | | |
|-----|--|----------------------------------|------------------------------------|
| 2. | Service Activation Fee: | \$11.00 | |
| 3. | Meter Testing Fee (thru 3"): | \$75.00 | |
| 4. | Service Restoration Fee: | | |
| | During Regular Hours | \$75.00 | |
| | After Hours | \$112.50 | |
| 5. | Damaged Hydrant Meter/ RPZ Service Charge: | <u>1st occurrence</u> | <u>2nd occurrence +</u> |
| | | \$75.00 | \$112.50 |
| 6. | Damaged/Frozen Meter Service Charge: | <u>1st occurrence</u> | <u>2nd occurrence +</u> |
| | During Regular Hours | \$75.00 | \$112.50 |
| | After Hours | \$112.50 | \$168.75 |
| | Charges for irreparably damaged meter s will be incurred at current replacement cost. | | |
| 7. | Meter Pit Installation Fee: 1" & Under - Regular & High Pressure | | \$1,500.00 |
| | (If High Pressure Customer to provide Pressure Reducing Valve) | | |
| 8. | Meter Pit Installation Fee: 1 1/2" & 2" – Regular & High Pressure | | \$3,600.00 |
| | (If High Pressure Customer to provide Pressure Reducing Valve) | | |
| 9. | Illegal Use of Hydrant (Theft of Service) Fee: | <u>1st occurrence</u> | <u>2nd occurrence +</u> |
| | | \$500.00 | \$1,000.00 |
| 10. | Returned Check Fee: | \$20.00 | |
| 11. | Backflow Preventer Test Report Submittal: | | |
| | a. Test Report submittal via VEPO CrossConnex Application - \$13.00 per test report submittal – paid directly through VEPO CrossConnex Application. | | |
| 12. | Advance Benefit: | | |
| | Applicability: Applications for service connections to certain water mains must be accompanied by an Advance Benefit payment in addition to the connection fee. These water mains are designated by OCWA which have been installed after January 1, 1995 but not as replacements of existing mains or under Main Extension Contract. The 2022 cost for Advance Benefit is \$2,610.00. | | |
| | Rate: Actual charges each year are on file at OCWA office. The charge for water used will be at the regular rates. | | |

Payment: Bills are rendered net and are payable in advance.

Terms and Conditions: Services hereunder are subject to the Customer Rules of OCWA.
Any and all rates set forth in this Rate Schedule No. 5 are made subject to the Rock and Boulder Provision of Sec. 4.9 of these Customer Rules.



Effective January 1, 2022

ONONDAGA COUNTY WATER AUTHORITY
RATE SCHEDULE NO. 5A – FEES

Availability: Service under this rate schedule is available to any customer:

Applicability: All Customers

1. **Connection Fees (including meter)**

<u>Size of Service</u>	<u>If Installed w/Main</u>	<u>If Installed Separately</u>	
		<u>On Mains Less Than 16"</u>	<u>On Mains 16" or Larger</u>
3/4"	\$ 890.00	\$ 1,870.00	\$ 1,885.00
1"	1,080.00	2,070.00	2,085.00
1 1/2"	2,290.00	2,990.00	3,040.00
2"	3,020.00	4,120.00	4,180.00

Connection fees for services 4" and over will be based on the actual cost of labor and materials to furnish and install the service.

OCWA will require a deposit for 4" and over services to be made prior to installation of the service.

If the deposit is more than the actual cost, OCWA will refund the monies not used, and likewise, if the deposit does not cover the actual cost, the customer will be responsible for any overage.

Appendix F

Opinion of Probable Project Cost

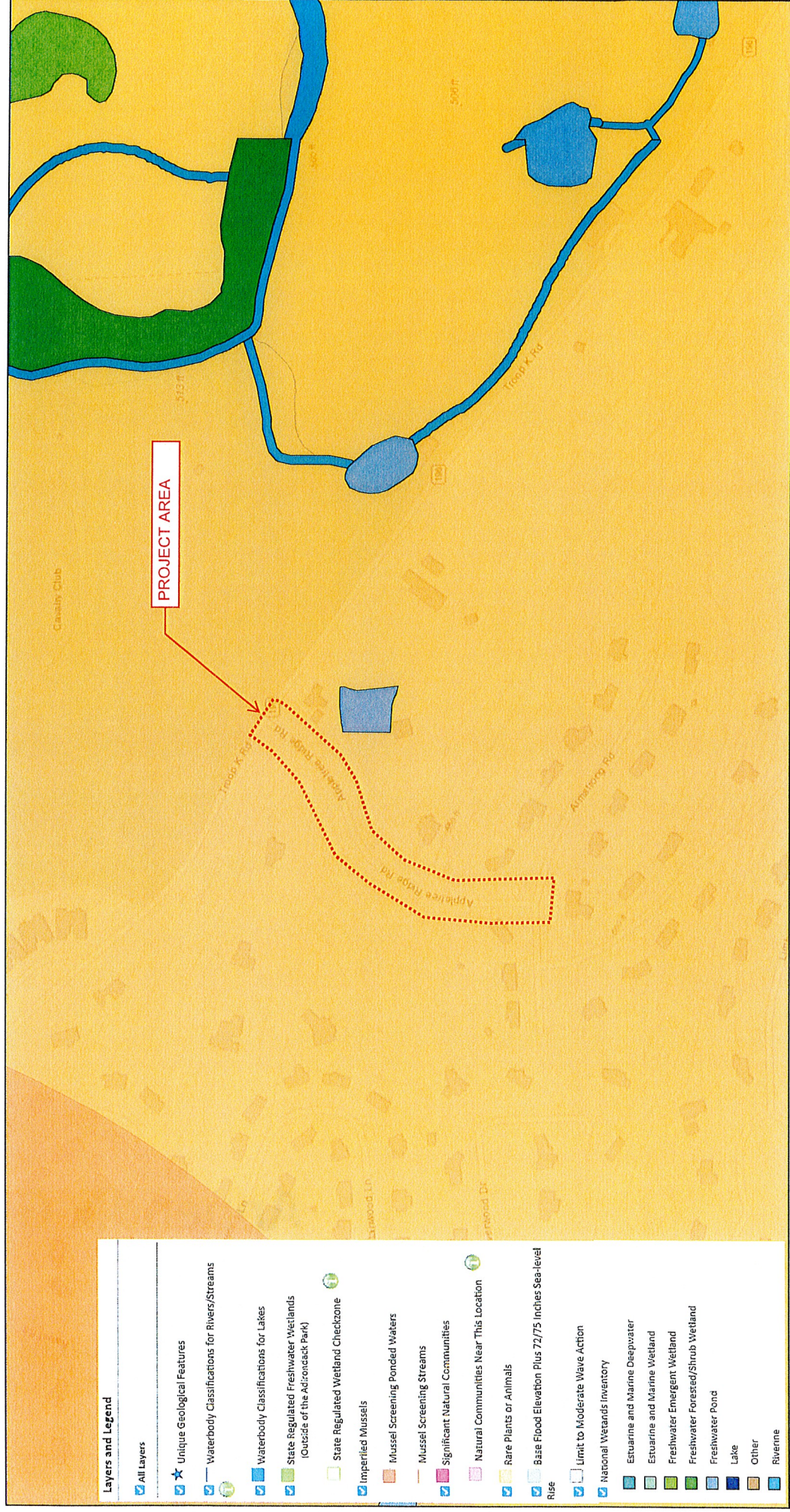
TOWN OF MANLIUS PROPOSED APPLE TREE RIDGE WATER DISTRICT ROM COST ESTIMATE				
ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
Mobilization & Demobilization	1	LS	\$7,500.00	\$7,500.00
Town Road Traffic Control	1	LS	\$2,500.00	\$2,500.00
8" Ductile Iron Watermain (<i>furnish and install only</i>)	1,000	LF	\$60.00	\$60,000.00
Unclassified Excavation (<i>water main trench</i>)	1,150	CY	\$25.00	\$28,750.00
Connection to Existing Water Mains	1	EA	\$5,000.00	\$5,000.00
Pipe Zone Bedding and Backfill	215	CY	\$45.00	\$9,675.00
Trench Backfill and Compaction	860	CY	\$25.00	\$21,500.00
MJ Fittings	1	LS	\$6,000.00	\$6,000.00
Hydrant & Valve Assembly	2	EA	\$9,500.00	\$19,000.00
Pavement Replacement	15	TON	\$200.00	\$3,000.00
Rock Removal	170	CY	\$100.00	\$17,000.00
Topsoil & Seeding	625	SY	\$8.00	\$5,000.00
Stormwater & Erosion Control	1	LS	\$1,500.00	\$1,500.00
SUBTOTAL				\$186,000.00
Project Contingency (15%)				\$28,000.00
Engineering, Legal, Fiscal, Permitting, Administration (20%)				\$37,000.00
TOTAL CAPITAL COST¹				\$251,000.00

¹Estimate is as of August 2022. Costs for equipment and materials are subject to change based on market conditions.

Appendix G

New York State Mapping Resources

NYS DEC Environmental Resource Mapper

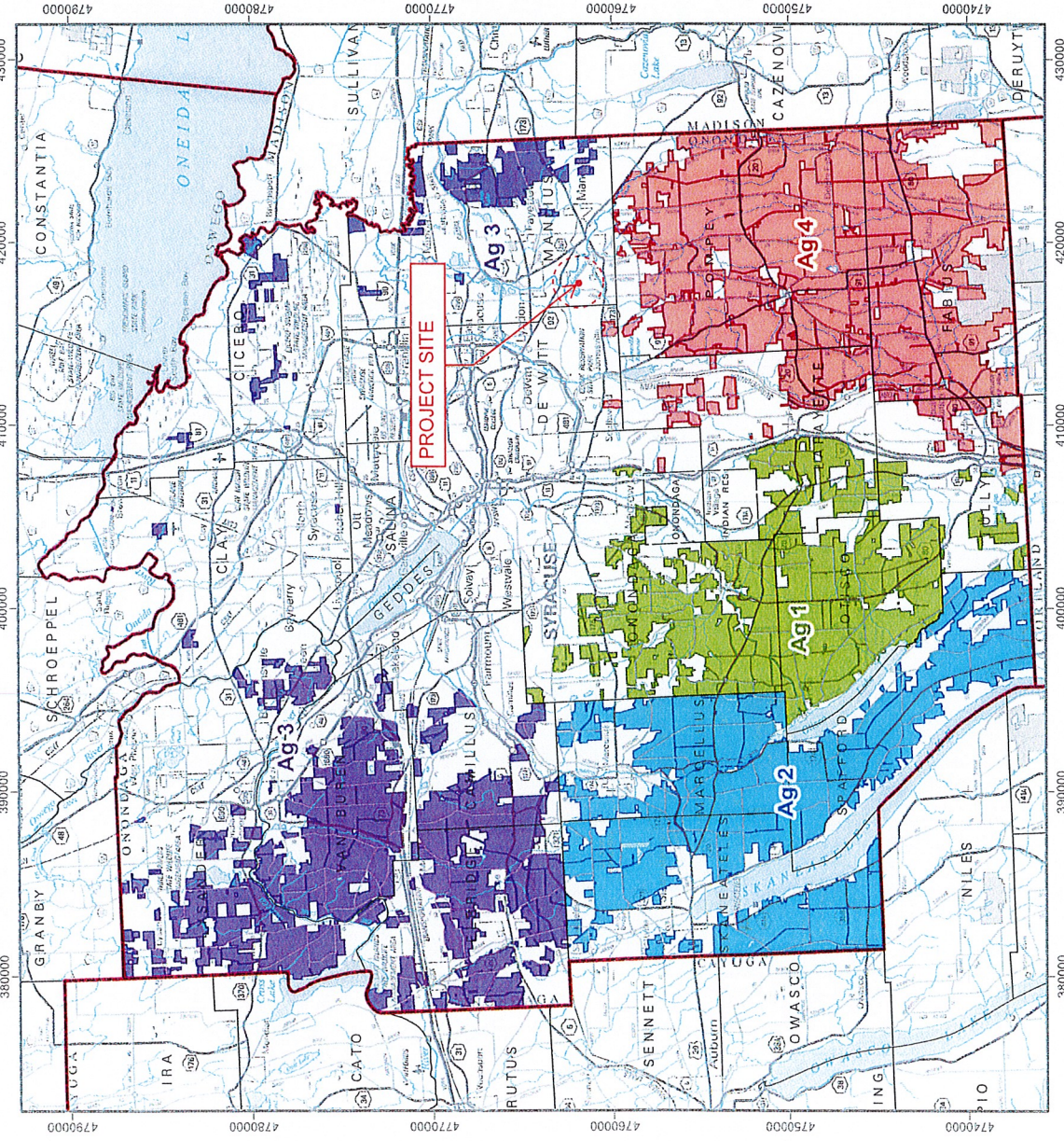


September 17, 2021

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

NYS Department of Environmental Conservation
Not a legal document

ONONDAGA COUNTY



MAP PROJECTION
UTM Zone 18, NAD83 meters

Onondaga County

- Ag. District 1
- Ag. District 2
- Ag. District 3
- Ag. District 4

DISTRICT CERTIFICATIONS and TOWNS

DISTRICT 1 CERTIFIED 8/21/18

LaFayette
Onondaga
Otisco
Tully

DISTRICT 2 CERTIFIED 8/5/2020

Marcellus
Skaneateles
Spafford

DISTRICT 3 CERTIFIED 4/9/2015

Lysander
Cicero
Manlius
Clay
Van Buren
Elbridge

DISTRICT 4 CERTIFIED 9/7/2016

DeWitt
Fabius
LaFayette
Pompey
Tully

MAP SOURCE INFORMATION

Map created at Cornell IRIS
(Institute for Resource
Information Sciences)
<<http://iris.cals.cornell.edu>>
for the NYS Department of
Agriculture and Markets
<<https://www.agriculture.ny.gov>>

Agricultural Districts boundary
data is available at CUGIR
(Cornell University Geospatial
Information Repository) website:
<<http://cugir.library.cornell.edu>>

Base Map: state250_bw.tif 1998
Scale: 1:250,000; County
boundaries imported from the
file nysshore.e00 from the
NYSGIS Clearinghouse website:
<<http://gis.ny.gov>>

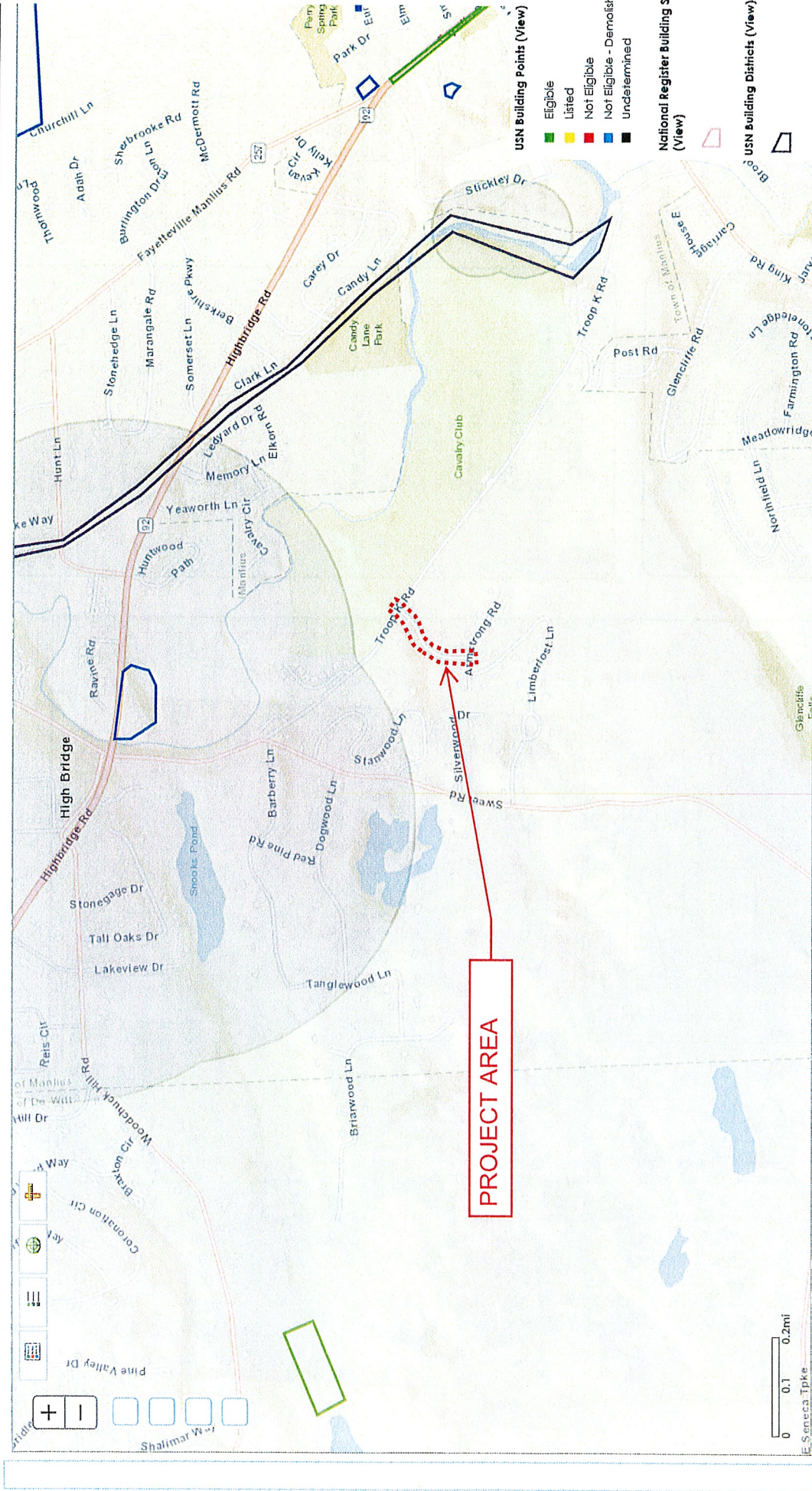
**Base map contains data
copyrighted by the NYS
ITS GIS Program.**

DISCLAIMER

This is a general reference
to Agricultural District
boundaries; not a legal substitute
for actual tax parcel information.

Boundaries as prior to
January 2021

Open Enrollment Annual
Inclusions added after the
certification date are not
included in this data. Check
with county agencies to confirm
the status of individual parcels.



IN THE MATTER

Of

**The creation of the APPLE TREE RIDGE
WATER DISTRICT to provide services to the
area known as the APPLE TREE RIDGE
subdivision in the Town of Manlius, County of
Onondaga, State of New York**

**RESOLUTION AND ORDER
AUTHORIZING THE
CREATION OF THE APPLE
TREE RIDGE WATER
DISTRICT**

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 10th day of August, 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 M. Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

Councilor _____ offered the following Resolution and moved for its adoption. Councilor _____ seconded the motion.

The following resolution was moved, seconded and unanimously adopted:

WHEREAS, the Manlius Town Board has received a petition and Map, Plan, and Report for Town of Manlius Apple Tree Ridge Water District (the “District”) which has been made by M.J Engineering and Land Surveying, P.C., pursuant to Town Law Article 12; and,

WHEREAS, the Town Board has accepted the Map, Plan and Report for the creation of the District, by M.J Engineering and Land Surveying, P.C., dated August 1, 2022 and the report has been filed in the Office of the Manlius Town Clerk on July 31, 2022 (Project No. 1456.03); and,

WHEREAS, the boundary description for the proposed District is as follows:

Beginning at the point located at the northwest corner of parcel 102.-05-39.1 and continuing southerly along the westerly bounds of parcel 102.-05-39.1 to a point located in the southwest corner of Parcel 102.-05-39.1, then easterly along the southern bounds of parcel 102.-05-39.1, to a point at its intersection with the right-of-way of Apple Tree Ridge;

Thence southerly 215-feet along the western bounds of the right-of-way of Apple Tree Ridge and thence continuing easterly across Apple Tree Ridge to the easterly bounds of the right-of-way of Apple Tree Ridge at a point located at its intersection with the southwest corner of parcel 102.-09-07.2;

Thence easterly along the southerly bounds of parcel 102.-09-07.2 to a point located on the southeast corner of parcel 102.-09-07.2, and continuing northerly along the easterly bounds of parcel 102.-09-07.2, to a point located at its intersection with the right-of-way of Apple Tree Ridge;

Thence northerly along the easterly bounds of the right-of-way of Apple Tree Ridge, to a point located on the southwest corner of parcel 102.-09-08.1 and continuing southeasterly along the southerly bounds of parcel 102.-09-08.1, to a point located at the southernmost corner of parcel 102.-09-08.1 and continuing easterly along the southerly bounds of Parcel 102.-09-08.1 to a point located on the southeast corner of parcel 102.-09-08.1;

Thence northerly along the easterly bounds of parcel 102.-09-08.1, to a point located on the northeast corner of parcel 102.-09-08.1 and continuing westerly along the northerly bounds of parcel 102.-09-08.1 to a point located at its intersection with the right-of-way of Apple Tree Ridge;

Thence westerly across Apple Tree Ridge to the westerly bounds of the right-of-way of Apple Tree Ridge at a point located at its intersection with the northeast corner of parcel 102.-05-39.1;

Thence westerly along the northerly bounds of parcel 102.-05-39.1, to the northwest corner of parcel 102.-05-39.1, said point is also the point and place of the beginning:
and

WHEREAS, the proposed District would serve three parcels and residences located in the Town of Manlius, 4853 Troop K Road, Manlius, New York 13104, 4833 Apple Tree Ridge, Manlius, New York, 13104 and 4857 Troop K Road, Manlius, New York 13104; and

WHEREAS, the improvements proposed consist of the connection to Onondaga County Water Authority (OCWA) existing 6-inch water main on Armstrong Road via a 6-inch tapping sleeve and valve, installation of approximately 1,000 feet of 8-inch ductile iron pipe (DIP) water main extending north along the west side of Apple Tree Ridge; Installation of two (2) fire hydrants, with one (1) hydrant located at the dead-end of the new 8-inch water main to facilitate flushing; Installation of three (3) ¾-inch Type K water service up to the respective property line and/or right-of-way (ROW) line for each property included; and installation of three (3) water meters on the existing plumbing within the interior of each residence; and

WHEREAS, extending the water service from the curb stop installed at the property line or ROW line and in to each residence, providing a pressure reducing valve (PRV) on the water service upstream of the water meter, and decommissioning individual water supply wells pursuant to New York State Department of Health guidance are excluded from the proposed District formation and would be required to be performed by the individual residences; and

WHEREAS, the Map, Plan and Report for Town of Manlius Apple Tree Ridge Water District projects the capital cost of the project to be \$251,000.00, with a projected

total annual debt service based on a 30-year loan at 2.15% interest of \$11,400.00, to be split between the three (3) proposed residences/users for an annual debt service per user of \$3,800.00; and

WHEREAS, the Map, Plan and Report for Town of Manlius Apple Tree Ridge Water District projects the annual OCWA operating and maintenance cost to be \$487.12 per user based on the assumed daily water usage of typical OCWA residential customers, with an initial one-time OCWA service hook-up fee of \$901.00 per user, for the projected cost of the first year of district formation of \$5,188.12, and an annual user cost of \$4,287.12 per user thereafter; and

WHEREAS, the 2022 New York State Comptroller Special District average estimated cost threshold of a typical property is \$989.00 per user; and

WHEREAS, because the projected per-user cost exceeds the New York State Comptroller Special District average estimated cost threshold of a typical property, an application to the Office of the NYS Comptroller would be required, and the NYS Department of Audit and Control would be required to grant or deny the formation of the district; and

WHEREAS, the Town Board wishes to evaluate the creation of the water district as proposed and petitioned for; and

WHEREAS, the Town moves pursuant to Town Law Article 12 to create the DISTRICT to provide services to the area known as the Apple Tree Ridge Water District;

WHEREAS, the assets of the District will be held in the name of the Town of Manlius; and

WHEREAS, the amounts to be expended for the acquisition will be expended by the residents in the District pursuant to that certain Bond Resolution adopted by the Town Board to be considered in the future if the Comptroller approves the formation;

WHEREAS, it is the Town's intent that any further expenditure for which the maintenance, upkeep, public debt, or cost of the assets may be incurred shall be in accordance a formula whereby the costs thereof shall be assessed, levied, and collected upon the parcels of land within the DISTRICT as by the Town Board shall deem especially benefited by said acquisition, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; and

WHEREAS, the Town Board has considered the environmental impacts of the proposed creation of the DISTRICT and hereby finds that the creation of the DISTRICT will improve the environmental conditions of the community because maintenance and operation will be accomplished through a contract with Onondaga County rather than by a private entity and therefore a negative declaration is hereby issued by the Town Board under SEQRA;

WHEREAS, an Order was duly adopted by the Town Board of the Town of Manlius on the 10th day of August reciting the adoption of said General Plan/Map, boundary description and estimate of maximum cost related to the formation of the District, the assets being purchased and the boundaries of the area into with the MANLIUS CONSOLIDATED SEWER DISTRICT is to be extended, and specifying the 24th day of August, 2022, as the date, and the Town Hall in said Town as the place where the said Board would meet and consider the Petition and hear all persons interested in the subject thereof concerning same; and

WHEREAS, notice of said Hearing was duly posted and published as required by law; and

WHEREAS, a Hearing in the matter was duly held by the Town Board on the 14th day of September 2022 commencing at _____ p.m. at the Town Hall in said Town, and discussion upon the matter having been had, and all persons desiring to be heard, having been heard;

NOW, upon the evidence given at such Hearing it is

RESOLVED AND DETERMINED that:

- (a) The petition is signed, and acknowledged or proved, or authenticated, as required by law and is otherwise sufficient;

- (b) The notice of hearing was published and posted as required by law and is otherwise sufficient to meet the standards set forth in Article 12 of the Town Law;
- (c) The property and the property owners within the proposed extension are benefited thereby;
- (d) The property and the property owners benefited are included within the limits of the proposed extension;
- (e) It is in the public interest to grant in whole the relief sought;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that the formation of the APPLE TREE WATER DISTRICT to provide service to the area set forth in the Map, Plan and Report, is hereby authorized; and it is further

RESOLVED, DETERMINED, AND ORDERED, that such formation of the DISTRICT is bounded and described as follows:

Beginning at the point located at the northwest corner of parcel 102.-05-39.1 and continuing southerly along the westerly bounds of parcel 102.-05-39.1 to a point located in the southwest corner of Parcel 102.-05-39.1, then easterly along the southern bounds of parcel 102.-05-39.1, to a point at its intersection with the right-of-way of Apple Tree Ridge;

Thence southerly 215-feet along the western bounds of the right-of-way of Apple Tree Ridge and thence continuing easterly across Apple Tree Ridge to the easterly bounds of the right-of-way of Apple Tree Ridge at a point located at its intersection with the southwest corner of parcel 102.-09-07.2;

Thence easterly along the southerly bounds of parcel 102.-09-07.2 to a point located on the southeast corner of parcel 102.-09-07.2, and continuing northerly along the easterly bounds of parcel 102.-09-07.2, to a point located at its intersection with the right-of-way of Apple Tree Ridge;

Thence northerly along the easterly bounds of the right-of-way of Apple Tree Ridge, to a point located on the southwest corner of parcel 102.-09-08.1 and continuing southeasterly along the southerly bounds of parcel 102.-09-08.1, to a point located at the southernmost corner of parcel 102.-09-08.1 and continuing easterly along the southerly bounds of Parcel 102.-09-08.1 to a point located on the southeast corner of parcel 102.-09-08.1;

Thence northerly along the easterly bounds of parcel 102.-09-08.1, to a point located on the northeast corner of parcel 102.-09-08.1 and continuing westerly along the northerly bounds of parcel 102.-09-08.1 to a point located at its intersection with the right-of-way of Apple Tree Ridge;

Thence westerly across Apple Tree Ridge to the westerly bounds of the right-of-way of Apple Tree Ridge at a point located at its intersection with the northeast corner of parcel 102.-05-39.1;

Thence westerly along the northerly bounds of parcel 102.-05-39.1, to the northwest corner of parcel 102.-05-39.1, said point is also the point and place of the beginning:
and

The boundaries herein described are intended to be wholly within the present boundaries of the Town of Manlius, Onondaga County, New York, and outside the boundaries of any Village; and it is further

RESOLVED, DETERMIEND, AND ORDERED, that the purchase of assets set forth in the Report, Map and Plan shall be purchased at no expense to the Town or to the MANLIUS CONSOLIDATED DISTRICT; and be it further

RESOLVED, DETERMIEND, AND ORDERED, that said FORMATION be, and hereby is, effective as the formation of a benefit district, and in the event any future expenditures involving the MANLIUS CONSOLIDATED SEWER DISTRICT, including the are covered by the extension, the costs thereof shall be assess, levied and collected upon the parcels of land within the MANLIUS CONSOLIDATED SEWER DISTRICT, with the Town Board shall deem especially benefited, so much upon and from each as shall be in just proportion to the amount of benefit with the improvement shall confer upon the same; and be it further,

RESOLVED AND ORDERED, that within ten (10) days after the adoption of this Resolution and execution of this Order (the adoption of said Resolution being evidenced by the signatures of the Town Board members affixed thereto), the Town Clerk of the Town of Manlius shall file certified copies thereof in the Office of the Clerk of the County of Onondaga and of the State Department of Audit and Control.

DATED: September 14, 2022

TOWN BOARD OF THE TOWN OF MANLIUS

Supervisor

Councilor

Councilor

Councilor

Councilor

Councilor

Councilor

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 14 day of September, 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.

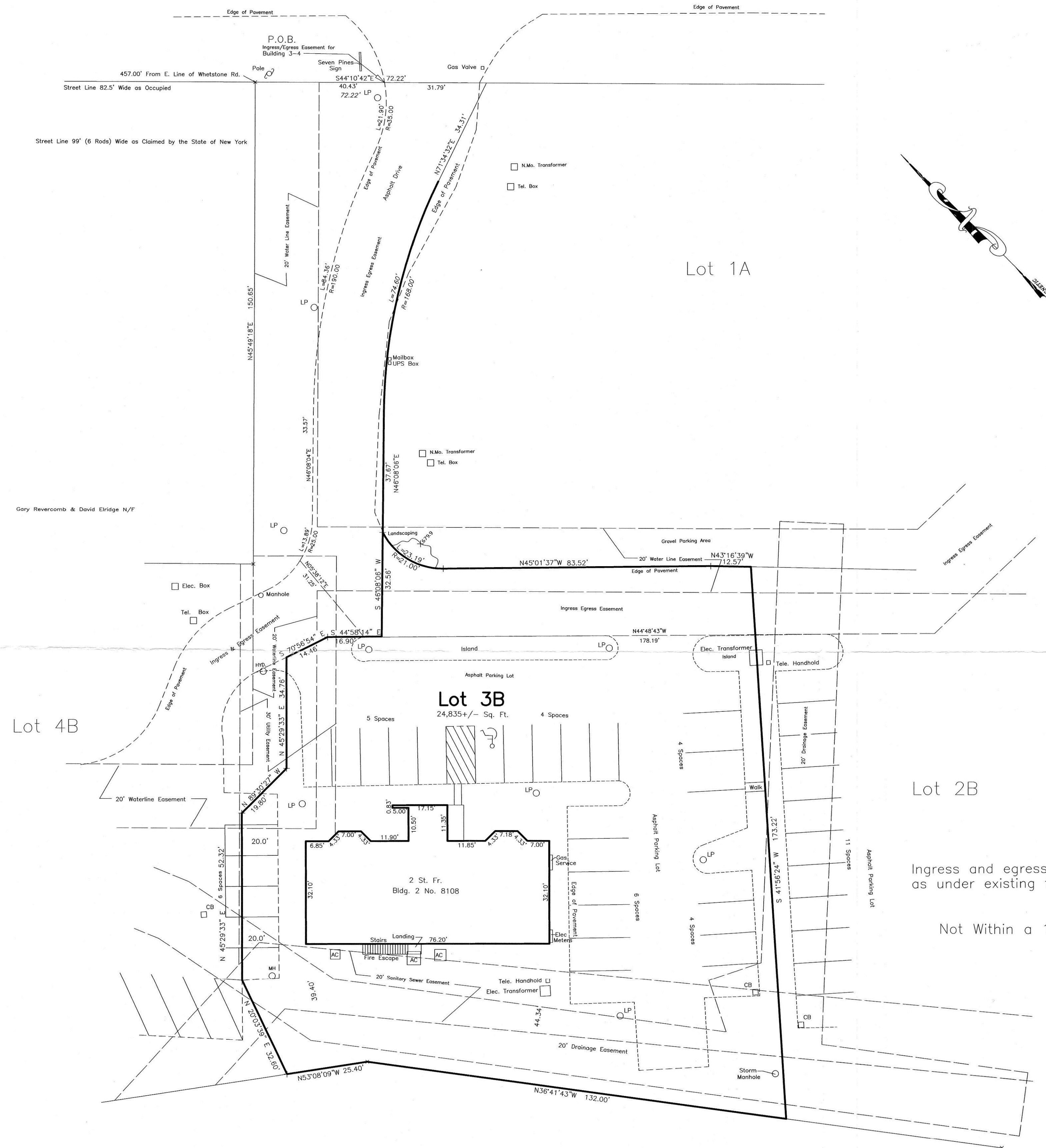
I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 14th day of September, 2022.

DATED: September 14, 2022
Fayetteville, New York

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

Manlius-Cazenovia Rd. — N.Y.S. Rte. 92



Lot 3B, Trolley Crossing
Pt. of Lot 98 — Town of Manlius
Onondaga Co., N.Y.

Scale 1" = 20'

January 06, 2022



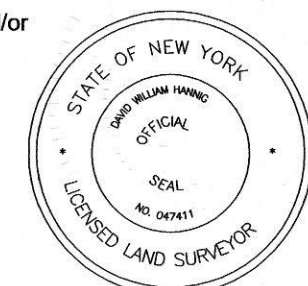
D. W. HANNIG L.S., P.C.

SURVEYORS - PLANNERS - CONSULTANTS
THE MARKET PLACE, BUILDING #1
MANLIUS, NEW YORK 13104
PHONE: (315) 682-5225 - FAX: (315) 682-7774

Subject to a Current Abstract of Title
In my professional opinion, and based on my observations and/or
scope of service, I hereby certify this map was made from an
actual survey on 1/06/2022, and this map is correct.

This certification is void unless signed in RED ink.

DAVID WILLIAM HANNIG, P.L.S., - N.Y.S. LIC. NO. 47411



The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities — Underground Facilities Protective Organization (315) 437-7333.

**TOWN OF MANLIUS
ZONE CHANGE APPLICATION**

1. Name of Person applying for Zone Change SHASHANK BHATT
Address of person applying 4579 Southwood Heights Jamesville NY 13078
Cell Number 315-396-4391 Phone Number _____
2. Name: (owner of record) of land where Zone Change would occur HOGAN DRS LLC
Address (owner of record) 4579 Southwood Height Drive Jamesville NY 13078
Cell Number (owner of record) 315-396-4394 Phone Number _____
8104 Manlius Cay road - 112-02-2.7
3. Tax Map Number of property where Zone Change would occur 8112 " " - 112-02-7.0
4. Is this property located in a flood hazard area? NO 8116 " " - 112-02-2.9
8108 " " - 112-02-06.0
If so, what flood area is the property in it in?

5. Present zoning classification of property CA & RA
6. Desired zoning classification RM
Reason for Change of Zone (use additional sheets if necessary)
DESIRED CONVERSION OF SECOND FLOOR OFFICE SPACE TO
RESIDENTIAL APARTMENTS
7. What is lot size? _____
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? NO
If yes, please specify _____
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 PROPERTY ABUTTING LIMESTONE CREEK

12. List the uses of all abutting property COMMERCIAL OFFICE, RESIDENTIAL

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 5/30/2022

Shashank Mait
Applicant 1

Date _____

Applicant 2

Date _____

Applicant

Short Environmental Assessment Form

Part 1 - Project Information

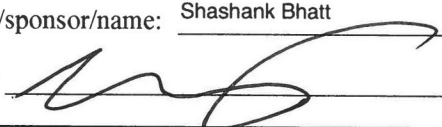
Instructions for Completing

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							
Seven Pines Office Park, Residential conversion							
Name of Action or Project: Seven Pines Office Park, Residential conversion							
Project Location (describe, and attach a location map): 8104- 8110 Cazenovia Rd, Manlius NY 13104							
Brief Description of Proposed Action: The project is for the conversion of the second floors of 4 existing 2 story office buildings into residential apartments. Three of the buildings would have three units and one would have 4 units. No changes to the exteriors or to the current parking areas.							
Name of Applicant or Sponsor: Shashank Bhatt		Telephone: 315-396-4394 E-Mail: shashank_bhatt@hotmail.com					
Address: 4579 Southwood Heights Tamule NY							
City/PO: Tamule		State: NY	Zip Code: 13078				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Manlius Zoning approval Town of Manlius Building Permit			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3. a. Total acreage of the site of the proposed action? +/- 4 acres b. Total acreage to be physically disturbed? 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? +/- 4 acres							
4. Check all land uses that occur on, are adjoining or 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? b. Consistent with the adopted comprehensive plan?	NO ☒ ☐	YES ☐ ☒	N/A ☐ ☐
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? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO ☒ ☐ ☒	YES ☐ ☒ ☐	
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: _____ _____	NO ☐	YES ☒	
12. a. 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? b. 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?	NO ☒ ☒	YES ☐ ☐	
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? 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: _____ _____ _____	NO ☒ ☒	YES ☐ ☐	

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 plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☐	☒
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
_____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Shashank Bhatt</u> Date: <u>5/30/2022</u>		
Signature: <u></u> Title: <u>Managing member</u>		

Expected
Fee: _____

TOWN OF MANLIUS
PLANNING DEPARTMENT
INITIAL APPEARANCE APPLICATION

DATE: 5/30/2022

Name of Project: _____

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: Manlius - Cazenovia Road

Type of Project:

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

Developer: Hogen DRB LLC Phone: _____

Address: 4579 Southwood Heights Tamarack NY Zip: 13078

Tax Map Number(#)/s: 8104 Manlius Cazenovia Road - 112-02-2-7

8112 Manlius - Cazenovia Road - 112-02-7-0 8108 Manlius - Cazenovia Road - 112-02-06
8116 " " - 112-02-2-9

Present Zoning: QA # RA Desired Zoning: RM

Total Acreage: ±4 Total Number of Lots: 1

Property Owner/s: _____ Phone: _____

Address: _____ Zip: _____

Tax Map#(s): _____ Owner's Signature: _____

Printed Name: _____

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

TOWN OF MANLIUS
PLANNING DEPARTMENT
INITIAL APPEARANCE APPLICATION
(continued)

Property Owner/s: _____ Phone: _____
Address: _____ Zip: _____
Tax Map#(s): _____ Owner's Signature: _____
Printed Name: _____

Property Owner/s: _____ Phone: _____
Address: _____ Zip: _____
Tax Map#(s): _____ Owner's Signature: _____
Printed Name: _____

Property Owner/s: _____ Phone: _____
Address: _____ Zip: _____
Tax Map#(s): _____ Owner's Signature: _____
Printed Name: _____

Property Owner/s: _____ Phone: _____
Address: _____ Zip: _____
Tax Map#(s): _____ Owner's Signature: _____
Printed Name: _____

Property Owner/s: _____ Phone: _____
Address: _____ Zip: _____
Tax Map#(s): _____ Owner's Signature: _____
Printed Name: _____

Property Owner/s: _____ Phone: _____
Address: _____ Zip: _____
Tax Map#(s): _____ Owner's Signature: _____
Printed Name: _____

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: 5/25, 20 22.

Shashank Bhatt
(Print Name)

[Signature]
(Signature)

(Entity Name)

By (Officer) (Title)

(Mailing Address of Applicant)

(Telephone Number)

Date: _____, 20 ____.

(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 25th day of May in the year 2022, before me, the undersigned, a notary public in and for said state, personally appeared Shashank Bhatt,
N/A, and N/A 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.

Michelle A. Kolis
Notary Public



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

(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.

CORPORATE ACKNOWLEDGEMENT

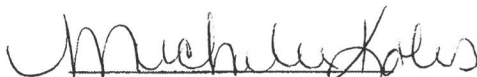
STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

Shashank Bhatt, being duly sworn, deposes and says the
s(he) is the managing member of Hogan Drs 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.

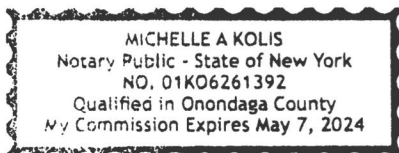


Applicant Signature

Subscribed to me before this day 25th
Of May, 2022



Notary Public



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: 5/25, 2022.

Shashank Bhatt
(Print Name)

[Signature]
(Signature)

(Entity Name)

By (Officer) (Title)

(Mailing Address of Applicant)

(Telephone Number)

Date: _____, 20 ____.

(Print Name)

(Signature)

(Entity Name)

By (Officer) (Title)

(Mailing Address of Applicant)

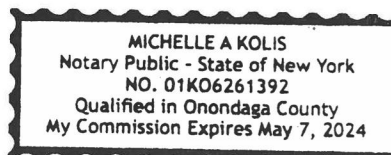
(Telephone Number)

ACKNOWLEDGEMENTS

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

On this 25th day of May in the year 2022, before me, the undersigned, a notary public in and for said state, personally appeared Shashank Bhatt,
N/A, and N/A 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.

Michelle A Kolis
Notary Public



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. Shashank Bratt 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.

CORPORATE ACKNOWLEDGEMENT

STATE OF NEW YORK)

) SS:

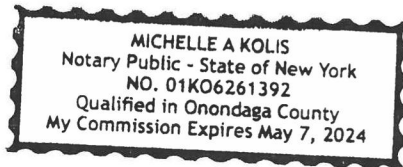
COUNTY OF ONONDAGA)

Shashank Bhatt, being duly sworn, deposes and says the
s(he) is the managing member of Hogan Drs 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.

[Signature]
Applicant Signature

Subscribed to me before this day 25th
Of May, 2022

[Signature]
Notary Public



James H. Messenger, Jr.

ATTORNEY AT LAW

The Galleries of Syracuse

440 South Warren Street • Suite 703

Syracuse, New York 13202

Tel: 315.471.3030 • Fax: 315.471.0899

jim@messengerlaw.net

May 20, 2022

James Knittel, AIA

in- Architects

239 E. Water Street – 2nd Floor

Syracuse, New York 13202

RE: Hogan DRS, LLC – Seven Pines project

8104, 8112 and 8116 Manlius-Cazenovia Road, and 8108 Manlius-Cazenovia
Road Town of Manlius

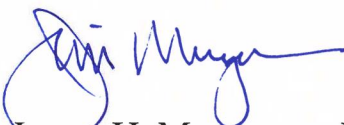
Dear Jim:

At the request of Dr. Shashank Bhatt, enclosed is a full size survey of 3 buildings (8104, 8112 and 8116 Manlius-Cazenovia Road) and a separate full size survey for 8108 Manlius-Cazenovia Road, all purchased earlier this year. I have requested a pdf versions from D. W. Hannig surveyors and will forward them to you if and when received. Please email me your email address.

Also enclosed are the legal descriptions for all 4 properties. Only 8108 has an expanded metes and bounds description. The others simply reflect a reference to a filed subdivision map.

Please feel free to contact me if you have any questions. Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jim Messenger", with a stylized flourish at the end.

James H. Messenger, Jr., Esq.

cc: Shashank Bhatt

SCHEDULE "A"
LEGAL DESCRIPTION
[for Mortgage Policy]

Parcel I [8104 Cazenovia Rd; Town of Manlius SBL # 112.-02-02.7]

all that tract or parcel of land situate in the Town of Manlius, County of Onondaga and State of New York being part of Lot 98 in said town and being more particularly described as Lot 4B according to a map entitled Final Plan Resubdivision of Lot 2A into Lots 2B, 3B and 4B Trolley Crossing made by D.W. Hannig L.S., P.C. dated January 10, 2007 and filed in the Onondaga County Clerk's Office on August 2, 2007 as Map No. 10712.

Parcel II [8112 Cazenovia Rd; Town of Manlius SBL # 112.-02-07.0]

all that tract or parcel of land situate in the Town of Manlius, County of Onondaga and State of New York being part of Lot 98 in said town and being more particularly described as Lot 2B according to a map entitled Final Plan Resubdivision of Lot 2A into Lots 2B, 3B and 4B Trolley Crossing made by D.W. Hannig L.S., P.C. dated January 10, 2007 and filed in the Onondaga County Clerk's Office on August 2, 2007 as Map No. 10712.

Together with a right of way, in comon with others, for ingress and egress between Route 92 and said Lot 2B, as more particularly desribed in an Ingress and Egress Easement dated April 6, 2007 and recorded in the Onondaga County Clerk's Office on March 4, 2008 in Book 5036 of Deeds at page 789 &c.

Parcel III [8116 Cazenovia Rd; Town of Manlius SBL # 112.-02-02.9]

All that tract or parcel of land situate in the Town of Manlius, County of Onondaga and State of New York being part of Lot 98 in said town and being more particularly described as Lot 3A according to a map entitled Final Plan Resubdivision of Lot 2 into Lots 2A and 3A Trolley Crossing made by D.W. Hannig, L.S., P.C. dated November 6, 2006 and filed in the Onondaga County Clerk's Office on February 1, 2007 as Map No. 10600.

Together with a right of way, in comon with others, for ingress and egress between Route 92 and said Lot 3A, as more particularly desribed in an Ingress and Egress Easement dated April 6, 2007 and recorded in the Onondaga County Clerk's Office on February 21, 2008 in Book 5034 of Deeds at page 733 &c.

8108 Manlius Cazenovia Road, Manlius, New York 13104

Tax Map No. 112.-02-06.0

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Manlius, County of Onondaga and State of New York, being part of Farm Lot 98 in said Town, and more particularly described as Lot No. 3B according to a map entitled Rinal Plan Resubdivision of Lot 2A into Lots 2B, 3B & 4B Trolley Crossing made by D. W. Hannig L.S., P.C. dated January 10, 2007 and filed in the Onondaga County Clerk's Office on August 2, 2007 as Map No. 10712 bounded and described as follows:

BEGINNING AT A POINT, said point being the following courses and distances from the easterly line of Whetstone Road: S 44° 10' 42" E 529.22 feet, S 71° 34' 32" W, 34.31 on a curve to left having a radius of 168.00 feet an arc length of 74.60; thence S 46° 08' 06" W 37.67 feet to the point of beginning:

THENCE from said point of beginning along a curve to the left having a radius of 21.00 feet and an arc length of 23.19 feet;

THENCE S 45° 01' 37" E for a distance of 83.52 feet to a point;
THENCE S 43° 16' 39" E for a distance of 12.57 feet to a point;
THENCE S 41° 56' 24" W for a distance of 173.22 feet to a point;
THENCE N 36° 41' 43" W for a distance of 132.00 feet to a point;
THENCE N 53° 08' 09" W for a distance of 25.40 feet to a point;
THENCE N 20° 03' 39" E for a distance of 32.60 feet to a point;
THENCE N 45° 29' 33" E for a distance of 53.32 feet to a point;
THENCE S 89° 30' 27" E for a distance of 19.80 feet to a point;
THENCE N 45° 29' 33" E for a distance of 34.76 feet to a point;
THENCE S 70° 56' 54" E for a distance of 14.46 feet to a point;
THENCE S 44° 58' 14" E for a distance of 16.90 feet to a point;
THENCE N 46° 08' 06" E for a distance of 32.56 feet to a point and place of beginning.

ALSO TOGETHER WITH an ingress and egress easement dated and acknowledged April 6, 2007 and recorded in the Onondaga County Clerk's Office simultaneously herewith, in common with others, over premises more particularly described as follows:

BEGINNING AT A POINT said point being South 44 degrees 10 minutes 42 seconds East, 497.43 feet from the easterly line of Whetstone Road;

THENCE South 44 degrees 10 minutes 42 seconds East for a distance of 31.79 feet along the southerly street line of Manlius-Cazenovia Road to a point;

THENCE South 71 degrees 34 minutes 32 seconds West for a distance of 34.31 feet to a point of a curve;

THENCE along a curve to the left having a radius of 168.02 feet and an arc length of 74.60 feet, being subtended by a chord of South 58 degrees 51 minutes 10 seconds West for a distance of 73.98 feet to a point of tangent;

THENCE South 46 degrees 08 minutes 06 seconds West for a distance of 37.67 feet to a point of curve;

THENCE along a curve to the left having a radius of 21.00 feet and an arc length of 23.19 feet, being subtended by a chord of South 12 degrees 37 minutes 42 seconds West for a distance of 22.21 feet to a point of tangent;

THENCE South 45 degrees 01 minutes 37 seconds East for a distance of 83.52 feet to a point;

THENCE South 43 degrees 16 minutes 39 seconds East for a distance of 64.20 feet to a point;

THENCE South 61 degrees 53 minutes 17 seconds East for a distance of 28.48 feet to a point;

THENCE South 76 degrees 09 minutes 46 seconds East for a distance of 27.83 feet to a point;

THENCE North 88 degrees 07 minutes 19 seconds West for a distance of 62.25 feet to a point;

THENCE North 44 degrees 48 minutes 43 seconds West for a distance of 178.19 feet to a point;

THENCE North 05 degrees 38 minutes 12 seconds East for a distance of 31.25 feet to a point of curve;

THENCE along a curve to the right having a radius of 190.00 feet and an arc length of 84.36 feet, be subtended by a chord of North 58 degrees 51 minutes 12 seconds East for a distance of 83.67 feet to a point of compound curve;

THENCE along a curve to the left having a radius of 35.00 feet and an arc length of 21.90 feet, be subtended by a chord of North 53 degrees 38 minutes 04 seconds East for a distance of 21.54 feet to a point and place of beginning.

ALSO TOGETHER WITH the rights to use and connect to the Drainage, Sanitary Sewer and Water Line Easements and Rights of Way, as they presently exist as shown on the Final Plan Trolley Crossing Amended by David W. Hannig, L.S., P.C. dated December 2, 2005 and filed in the Onondaga County Clerk's Office on April 28, 2006 as Map No. 10409, or as they may exist in the future.

ALSO TOGETHER WITH and subject to a Cross Parking Easement dated and acknowledged April 6, 2007 and recorded in the Onondaga County Clerk's Office on February 21, 2008 in Book 5034 of Deeds at Page 737.



ARCHITECTS

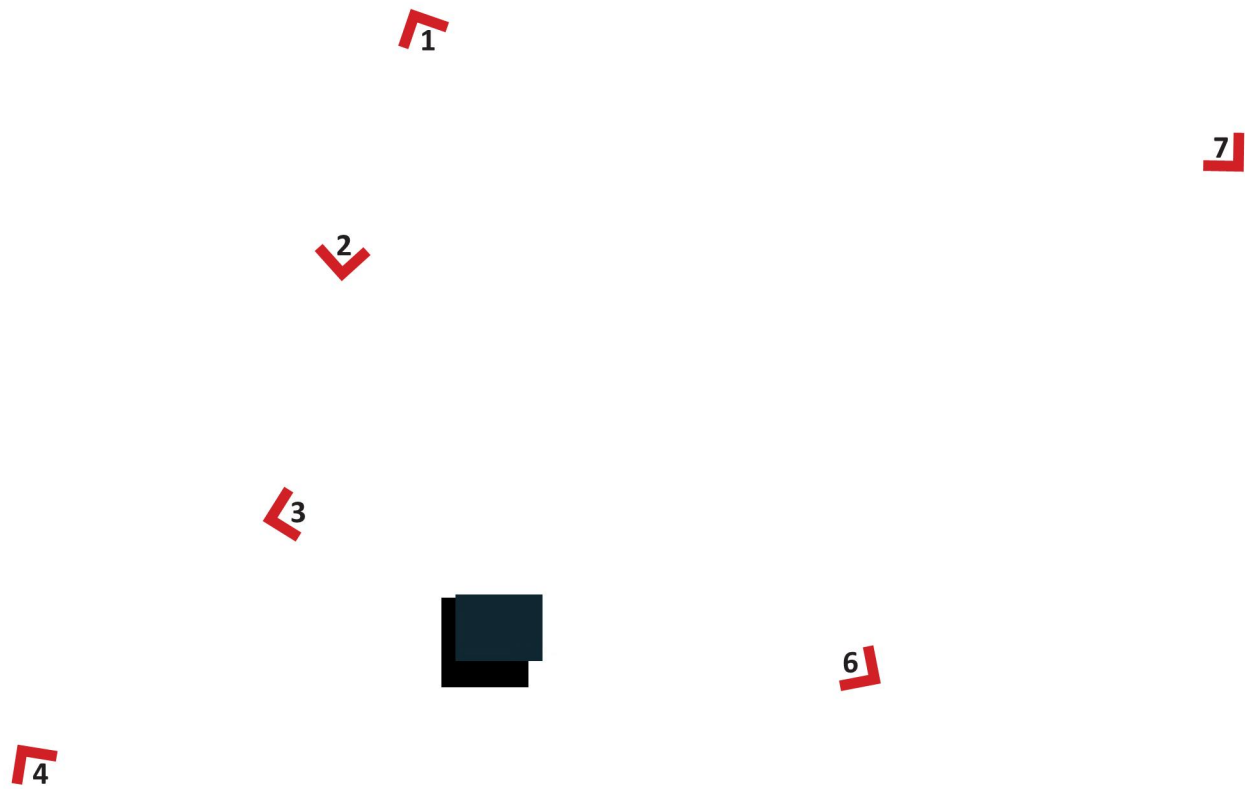
239 E. Water Street - 2nd Fl.
Syracuse, New York 13202
www.in-ARCHITECTS.com

SEVEN PINES RESIDENTIAL CONVERSION

CAZENOVIA ROAD, MANLIUS, NEW YORK

PHOTO PACKAGE

JUNE 3RD, 2022
#22033



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Syracuse, New York 13202
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SEVEN PINES RESIDENTIAL CONVERSION
CAZENOVIA ROAD, MANLIUS, NY

DESCRIPTION: SITE PLAN



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SEVEN PINES RESIDENTIAL CONVERSION
CAZENOVIA ROAD, MANLIUS, NY

PHOTO NUMBER:

1 & 2

PHOTO TITLE:

SIGNAGE / VIEW OF
BUILDING 2



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SEVEN PINES RESIDENTIAL CONVERSION
CAZENOVIA ROAD, MANLIUS, NY

PHOTO NUMBER: 3 & 4
PHOTO TITLE: VIEWS OF BUILDING '3/4'



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SEVEN PINES RESIDENTIAL CONVERSION
CAZENOVIA ROAD, MANLIUS, NY

PHOTO NUMBER: 5 & 6

PHOTO TITLE: VIEW OF BUILDING 2 / VIEW
OF BUILDING 1



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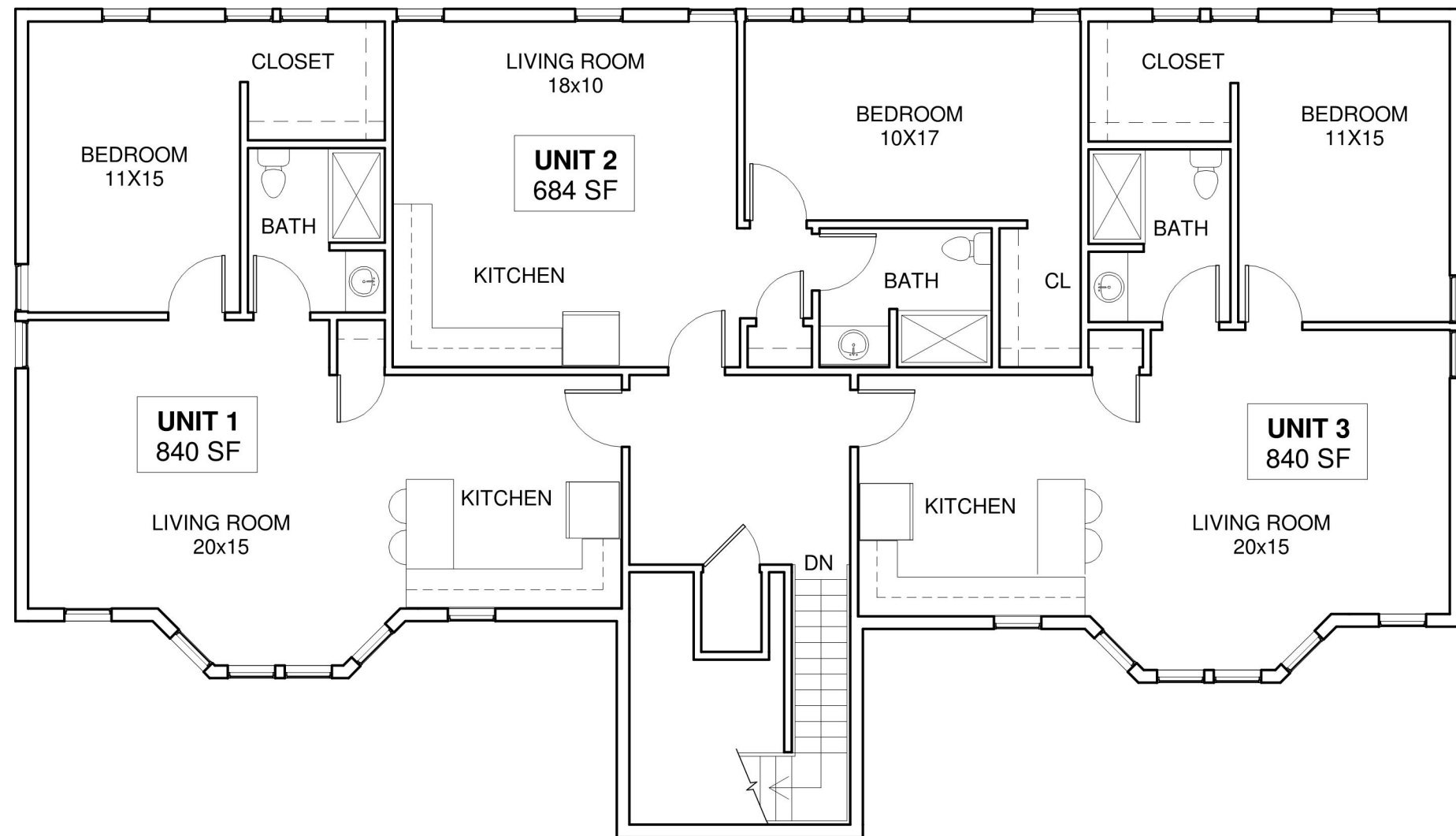
SEVEN PINES RESIDENTIAL CONVERSION
CAZENOVIA ROAD, MANLIUS, NY

PHOTO NUMBER:

7

PHOTO TITLE:

VIEW OF BUILDING 3



239 E. Water Street - 2nd Fl.
Syracuse, New York 13202

www.in-ARCHITECTS.com

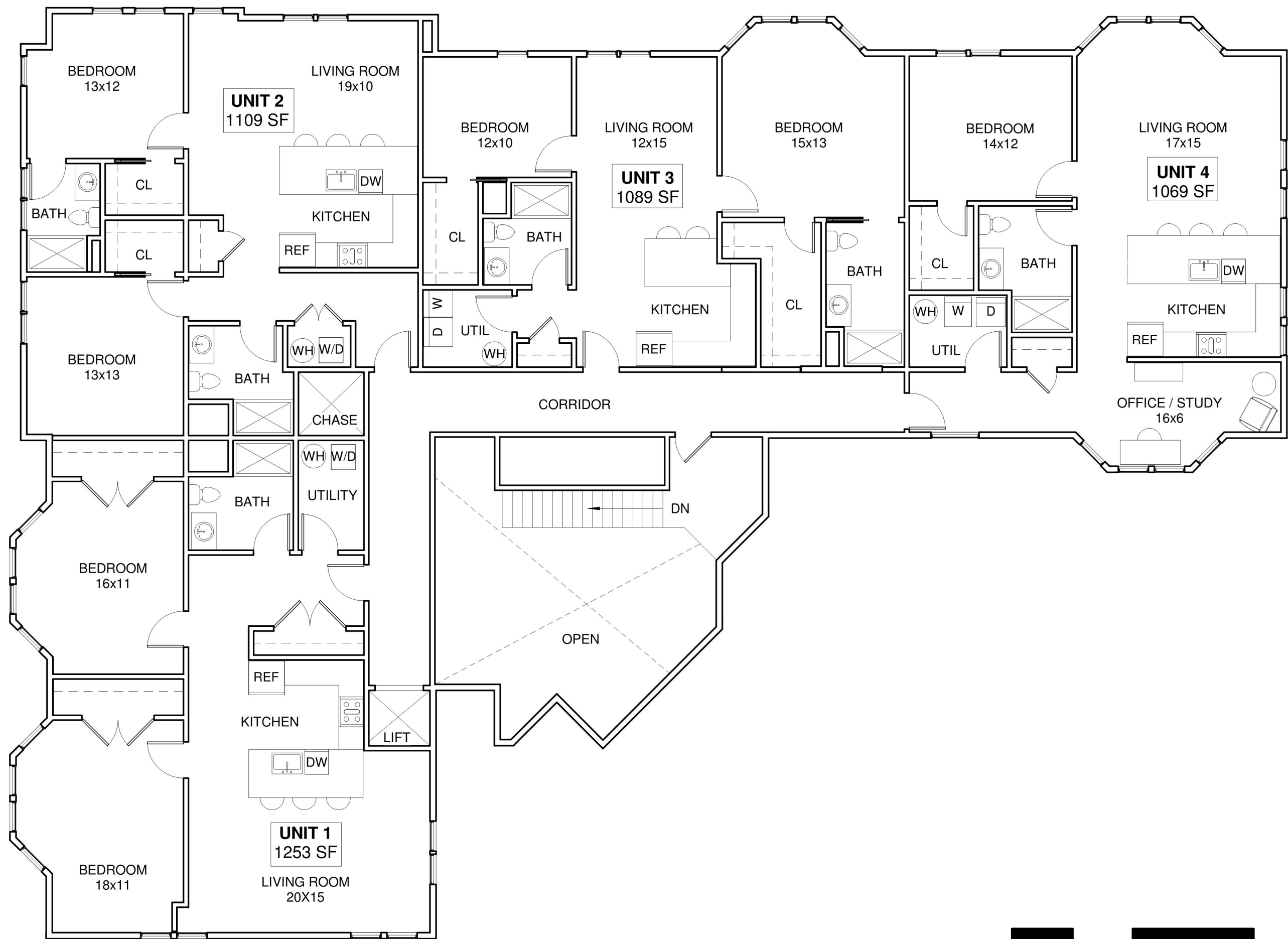
**SEVEN PINES
RESIDENTIAL
CONVERSION
CAZENOVIA ROAD,
MANLIUS, NY**

DATE: 06/03/2022

SCALE: 1/8" = 1'-0"

SHEET NAME: PROPOSED SECOND FLOOR
LAYOUT OF BUILDING 1, 2 & 3

SHEET NUMBER: A-202



ARCHITECTS

239 E. Water Street - 2nd Fl.
Syracuse, New York 13202

www.in-ARCHITECTS.com

SEVEN PINES
RESIDENTIAL
CONVERSION

CAZENOVIA ROAD,
MANLIUS, NY

DATE: 06/03/2022

SCALE: 1/8" = 1'-0"

SHEET NAME: PROPOSED SECOND FLOOR
LAYOUT OF BUILDING '3/4'

SHEET NUMBER: A-201

IN THE MATTER

Of

**LOCAL LAW 2022-___ THE APPLICATION
OF SHASHANK BHATT FOR A CHANGE
OF ZONE FROM COMMERCIAL A (CA)
AND RESTRICTED AGRICULTURAL (RA)
TO RESIDENTIAL MULTIPLE USE (RM)**

**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 14th of September 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 M. 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 SHASHANK BHATT (the “Applicant”) for approval of a zone change from Restricted Agricultural (RA) and

Commercial A (CA), to Residential Mixed-Use (RM) (the “Application”) for four (4) parcels of land along NYS Route 92, as set forth below:

(a) Lot 2B – 43,974 acres – 8112 Cazenovia Road – Tax Map No. 112-02-07.0;

(b) Lot 3A – 39,623 sq. ft. +/- - 8116 Cazenovia Road – Tax Map 112.02-02.9;

(c) Lot 3B – 24,835 sq. ft. +/- - 8108 Manlius Cazenovia Road – Tax Map 112-02-06.0;

(d) 4B – 39,211 +/- sq. ft. – 8104 Cazenovia Road – Tax Map 112-02-02.7

(the “Properties”);

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 for the improved parcels identified as tax map no. 112-02-07, 112-02-02.7, 112-02-02.9, 112-02-06.0 from Restricted Agricultural (RA) and Commercial A (CA) to Residential Multi-Use (RM), which new RA zoning is set forth for the land on those two surveys:

(1) Land Title Survey dated October 9, 2019 (last updated 1-6-22) entitled, Lots 2B, 3A & 4B Trolley Crossing Pt. of Lot 98 – Town of Manlius Onondaga County, NY, prepared by D.W. Hannig L.S., P.C. Project No. JB841329 and

(2) Lot 3B, Trolley Crossing Pt. of Lot 98 – Town of Manlius Onondaga Co., N.Y., prepared by D.W. Hannig L.S., P.C., dated January 6, 2022, Project No. JB41329 and as set forth more particularly on Exhibit A:

See Exhibit A, Legal Description

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

WHEREAS, the Town Board desires to hear from the public on the Application;

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 on said proposed Local Law 2022-____, and that such Hearing shall be held in persona and virtually on the Internet platform commonly referred to as ZOOM, directions for attendance which will be on the Town's Website and such hearing shall take place on the 12th day of October 2022 at approximately 6:35 p.m. and be it further

RESOLVED, that the Town Clerk shall 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 the instructions by which the public can access the virtual meeting, 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 14th day of September 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 14th day of September, 2022.

DATED: September 14, 2022
Fayetteville, New York

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



Joanne M. Mahoney
County Executive

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: July 27, 2022

OCPB Case # Z-22-195

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a ZONE CHANGE from the Town of Manlius Town Board at the request of Shashank Bhatt for the property located at 8104-8110 Cazenovia Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law and the site is located within 500 feet of Cazenovia Road (Route 92), a state highway, and the municipal boundary between the Town of Manlius and the Village of Manlius; and
- WHEREAS, the applicant is requesting a zone change on four parcels totaling 4 acres from Commercial A (CA) and Restricted Agricultural (RA) to Residential Multiple-Use (RM) to allow for second-floor residential apartments in four office buildings; and
- WHEREAS, in 2007, the Board recommended modification of a preliminary subdivision referral (S-07-12) to subdivide 2.5 acres (former Lot 2A) into three proposed lots; the Board recommended modification of two prior subdivision referrals (S-06-137) and (S-06-25) on the property; and
- WHEREAS, the site is located in a primarily residential area east of Mill Run Park; Suburban Park apartment complex borders the site to the southeast and other apartment complexes and dwellings exist to the north and west; Syracuse Orthodontics borders the site to the north and the property abuts forested land containing Limestone Creek to the southwest; and
- WHEREAS, the submitted survey dated January 6, 2022 shows four contiguous parcels (Seven Pines Office Park) each with a two story building and associated parking areas: Lot 4B (28 spaces), Lot 3B (23 spaces), Lot 2B (23 spaces) and Lot 3A (18 spaces); the eight parking spaces in Lot 3A are encroaching onto the State right-of-way; the survey also shows a Seven Pines sign in the state right-of-way; per the survey, out of the four lots, Lot 4B is the only lot with a driveway on Cazenovia Road, a state road; the survey shows that ingress and egress for Lots 2B, 3A and 3B will be from Lot 4B via an existing ingress/egress easement and notes that this will not change with the zone change;
ADVISORY NOTE: Per the NYS Department of Transportation, signage is not permitted in the state right-of-way and Lot 3A parking cannot encroach onto State property; and
- WHEREAS, per the Environmental Assessment Form dated May 30, 2022, the second floors of the existing buildings contain office space that the applicants would like to convert to residential apartments where three of the buildings would have three units and one would have four units; per the EAF, there will be no exterior changes to the buildings and parking will remain the same; and
- WHEREAS, three of the four parcels are currently zoned Commercial A (CA) which "is intended to include the commercial, retail, and personal service uses permitted in Residential R-3 and Neighborhood Shopping Zones"; permitted uses in the CA district include artisan (maker), commercial businesses only including wholesale

establishments, congregate-care services, gathering places, light manufacturing, outdoor display and storage only, places of entertainment, professional offices, personal service establishments, restaurants, and retail sales; uses permitted with a special permit include commercial storage, pet-care services, landing fields, landscaping business, recreational vehicle sales, vehicle repair, and vehicle dealerships; and

WHEREAS, Lot 4B is currently zoned Restricted Agriculture (RA) which allows for any use permitted in R-1 and R-3, two-family dwellings, mobile homes, farms, farm structures, farming, and sale of farm products produced on the farm; with issuance of a special permit, public utility structures, public or private golf courses, dog kennels, and rural occupations are permitted; and

WHEREAS, the applicant is requesting the four parcels be changed to Residential Multiple-Use (R-M) which is “designed to retain the existing residential character of established neighborhoods while permitting unobtrusive uses of a commercial, nonretail nature which are to be regulated in such a manner as to maintain and preserve the residential character of adjacent areas as well as to provide a transition between residential areas and nonresidential areas”; uses permitted within this district include offices of religious and educational institutions, offices of physicians, surgeons, dentists, lawyers, architects, engineers, planners, real estate agents, public stenographers, mailing service without presses, telephone answering services, funeral homes, day-care center, care home, teaching of music, dance or other similar types of instruction, bed-and-breakfast accommodations, dressmaker and/or tailoring, decorator, photographer, art studio, and apartment(s) for residential use; uses involving the preparation of food, shoe repair shops, barbershops, beauty salons and similar uses are expressly excluded from the district; and

WHEREAS, per the Town’s zoning map, parcels to the north, east, and southeast are zoned Residential (R-5), parcels to the northwest are zoned Commercial A (CA), parcels to the west are zoned Residential (R-1), and to parcels to the south are zoned Restricted Agriculture (RA); the map shows several parcels further west along Cazenovia Road that are Residential Multiple-Use Districts; and

WHEREAS, per the referral notice, the site is served by public drinking water and no changes to the existing infrastructure are proposed; per the survey, a 10’ water easement crosses near the west boundary of Lot 4B and a 20’ water line easement crosses Lots 4B and 3B;

ADVISORY NOTE: Given the proposed change in use, the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral notice, the site is served by public sewers and is located in the Meadowbrook Limestone Wastewater Treatment Plant and Manlius Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow; no changes to the existing infrastructure are proposed; several easements cross the site including a 20’ sanitary sewer easement crosses through Lots 4B, 3B, and 2B, a storm sewer easement crosses near the west boundary of Lot 4B, and a 20’ drainage easement crosses Lots 4B, 3B and 2B;

ADVISORY NOTE: Given the proposed change in use, capacity assurance approval from the Onondaga County Department of Water Environment

Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html> ; and

WHEREAS, the site may contain the Northern Long-eared Bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from the plans it appears that no trees will be removed as part of the proposed project; the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.



Martin E. Voss, Chairman
Onondaga County Planning Board

GML 239 Report of Final Action

NYS GML § 239-m.6. and n.6. require the referring body to file a report of the final action it has taken on a referred matter with the county planning agency within 30 days after the final action (separate from the minutes taken at the meeting). A referring body which acts contrary to a County Planning Board recommendation of MODIFICATION or DISAPPROVAL of a referred matter shall also set forth the reasons for the contrary action in such report.

This section to be completed by the Syracuse-Onondaga County Planning Agency

To: Onondaga County Planning Board **From:** Town of Manlius Town Board

Fax: 435-2439 **Phone:** 435-2611

Re: Applicant: Shashank Bhatt
Address: at 8104-8110 Cazenovia Road
Referral Type: ZONE CHANGE
OCPB Date: July 27, 2022
OCPB Action: No Position
OCPB Case #: Z-22-195

The local board took the following action regarding the above referenced referral (Check one box. If checking Other, please specify the final action taken. Use the space at the bottom of the report to identify reasons if acting contrary to the OCPB recommendation.):

- ☐ Approved the proposed action with regard to the OCPB's No Position or No Position with Comment.
- ☐ Approved the proposed action as modified by the OCPB.
- ☐ Approved the proposed action contrary to some of the modifications recommended by the OCPB.*
- ☐ Approved the proposed action contrary to all of the modifications recommended by the OCPB.*
- ☐ Approved the proposed action contrary to the disapproval recommended by the OCPB.*

- ☐ Disapproved the proposed action with regard to the OCPB's no position or no position with comment.
- ☐ Disapproved the proposed action with regard to the recommended modification(s) by the OCPB.
- ☐ Disapproved the proposed action as recommended and for reasons set forth by the OCPB.
- ☐ Disapproved the proposed action as recommended but for reasons other than those set forth by the OCPB. (Please list reasons below for local disapproval.)

☐ Other _____

Local Board Date: _____

*List reasons for acting contrary to the OCPB recommendation and include a copy of the local board resolution. Attach additional reasons on a separate sheet of paper as necessary.

BROLEX PROPERTIES, LLC.

5912 North Burdick Street
East Syracuse, NY 13057

HAND DELIVERED

August 23, 2022

Town Board
Town of Manlius
301 Brooklea Drive
Fayetteville, NY 13066

Re: Brolex Properties, LLC, R-3 Zone Change Request
16.02 Acres, NYS Rt #5 & Strawmount Trail

Town of Manlius
Town Clerks Office

AUG 23 2022

Received and Filed

Dear Town Board,

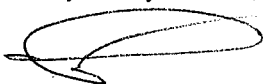
Attached please find our Petition/Application for a zone change on the 16 acre parcel on the south/front side of the Megnin Farms subdivision. The request is for R-3 zoning that would permit a maximum of (25) two family homes or a maximum of (50) housing units.

Accordingly, we have included a "density" plan showing the (25) conforming R-3, two family building lots and a proposed "cluster" plan, with the application of §278 of New York's Town Law, showing (25) two family or duplex living units. The clustering of these housing units is intended to preserve open, green-space, while avoiding wetland permitting and reducing overall development costs. Sanitary sewers would be connected through the existing gravity system in the Megnin Farms subdivision, with an extension of the existing Intermunicipal Agreement with the Town of Sullivan, the Village of Chittenango and the Town of Manlius.

As the Board is well aware, there is a need for affordable housing alternatives within the Town of Manlius. As we believe the proposed site plan to be consistent with the proper and orderly development of the Route 5 corridor, where public utilities are currently available and there is a mix of uses, this project would provide a convenient and affordable alternative to existing housing options within the Town of Manlius.

We plan to be present on Wednesday September ^{14th} 9, 2022 requesting a referral to the Town Planning Board for review and recommendation and a date for a Public Hearing with the Town Board. Should anything further be needed at this time, please do not hesitate to contact me.

Very Truly Yours,



Brandon Jacobson, Managing Member
Brolex Properties, LLC.

**TOWN OF MANLIUS
ZONE CHANGE APPLICATION**

1. Name of Person applying for Zone Change Brandon Jacobson, Managing Member of Brolex Properties, LLC
Address of person applying 5912 North Burdick Street, East Syracuse, NY 13057
Cell Number 315.559.0556 Phone Number _____
2. Name: (owner of record) of land where Zone Change would occur Donald Megnin Trust & Megnin Farms
Address (owner of record) 1301 Nottingham Road, Unit C211, Jamesville NY 13078
Cell Number (owner of record) _____ Phone Number _____
3. Tax Map Number of property where Zone Change would occur 082.2-01-02.0 & 082.2-01-03.0
4. Is this property located in a flood hazard area? No
If so, what flood area is the property in it?

5. Present zoning classification of property RA - Restricted Agriculture/CB - Commercial B
6. Desired zoning classification R-3
Reason for Change of Zone (use additional sheets if necessary) R-3 zoning with Town Law section 278 clustering needed to provide affordable housing alternatives

7. What is lot size? 16.02 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 Property is adjacent to the Madison County boundary line.
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 Property is adjacent to NY-5

12. List the uses of all abutting property residential housing, commercial nursery, vacant land

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 8/23/2022



Applicant 1

Date _____

Applicant 2

Date _____

Applicant

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (TO BE COMPLETED BY APPLICANT OR PROJECT SPONSOR)

1. APPLICANT/SPONSOR: <u>Brooks Properties, LLC</u>	2. PROJECT NAME: <u>Megain Landing</u>
3. PROJECT LOCATION: MUNICIPALITY <u>Town of Marquis</u> COUNTY <u>Onondaga</u>	
4. PRECISE LOCATION: (Street address and road intersections, prominent landmarks, etc., or provide map) <u>NYS Rt #5, East Genesee Street & Strawmont Trail</u>	
5. PROPOSED ACTION IS: ☒ NEW ☐ EXPANSION ☐ MODIFICATION/ALTERATION	
6. DESCRIBE PROJECT BRIEFLY: <u>Zero change from R-A to R-3 for the development of (25) two family homes, maximum 50 modular living units, utilizing § 278 N.Y. Town Law (clustering)</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>16</u> Acres Ultimately <u>4-10</u> Acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? ☒ Yes ☐ No If no, describe briefly:	
9. WHAT IS THE PRESENT LAND USE IN THE VICINITY OF THE PROJECT? ☒ RESIDENTIAL ☐ INDUSTRIAL ☒ COMMERCIAL ☒ AGRICULTURAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? ☒ Yes ☐ No If yes, list agency(s) name and permit/approvals: <u>Town of Marquis Planning Board Subdivision Approval</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? ☐ Yes ☒ No If yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION, WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? ☐ Yes ☒ No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
APPLICANT/SPONSOR NAME: <u>Brooks Properties, LLC</u> DATE: <u>8/22/2022</u>	
SIGNATURE: <u>[Signature]</u> <u>Brandon Jacobson, Managing Member</u>	

IF THE ACTION IS IN A COASTAL AREA, AND YOU ARE A STATE AGENCY, COMPLETE A COASTAL ASSESSMENT FORM BEFORE PROCEEDING WITH THIS ASSESSMENT.

PART II – ENVIRONMENTAL ASSESSMENT (TO BE COMPLETED BY AGENCY)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? IF YES, COORDINATE THE REVIEW PROCESS AND USE THE FULL EAF. ☐ YES ☐ NO
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? IF NO, A NEGATIVE DECLARATION MAY BE SUPERSEDED BY ANOTHER INVOLVED AGENCY. ☐ YES ☐ NO
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (ANSWERS MAY BE HANDWRITTEN, IF LEGIBLE). C1. EXISTING AIR QUALITY, SURFACE OR GROUNDWATER QUALITY OR QUANTITY, NOISE LEVELS, EXISTING TRAFFIC PATTERNS, SOLID WASTE PRODUCTION OR DISPOSAL, POTENTIAL FOR EROSION, DRAINAGE OR FLOODING PROBLEMS? EXPLAIN BRIEFLY:
C2. AESTHETIC, AGRICULTURAL, ARCHAEOLOGICAL, HISTORIC, OR OTHER NATURAL OR CULTURAL RESOURCES; OR COMMUNITY OR NEIGHBORHOOD CHARACTER: EXPLAIN BRIEFLY:
C3. VEGETATION OR FAUNA, FISH, SHELLFISH OR WILDLIFE SPECIES, SIGNIFICANT HABITATS, OR THREATENED OR ENDANGERED SPECIES? EXPLAIN BRIEFLY:
C4. A COMMUNITY'S EXISTING PLANS OR GOALS AS OFFICIALLY ADOPTED, OR A CHANGE IN USE OR INTENSITY OF USE OF LAND OR OTHER NATURAL RESOURCES? EXPLAIN BRIEFLY:
C5. GROWTH, SUBSEQUENT DEVELOPMENT, OR RELATED ACTIVITIES LIKELY TO BE INDUCED BY THE PROPOSED ACTION: EXPLAIN BRIEFLY:
C6. LONG TERM, SHORT TERM, CUMULATIVE, OR OTHER EFFECTS NOT IDENTIFIED IN C1-C5? EXPLAIN BRIEFLY:
C7. OTHER IMPACTS (INCLUDING CHANGES IN USE OF EITHER QUANTITY OR TYPE OF ENERGY)? EXPLAIN BRIEFLY:
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? ☐ YES ☐ NO. IF YES, EXPLAIN BRIEFLY:
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? ☐ YES ☐ NO. IF YES, EXPLAIN BRIEFLY:

PART III – DETERMINATION OF SIGNIFICANCE (TO BE COMPLETED BY AGENCY)

Instructions: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D or Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ CHECK THIS BOX IF YOU HAVE IDENTIFIED ONE OR MORE POTENTIALLY LARGE OR SIGNIFICANT ADVERSE IMPACTS WHICH MAY OCCUR. THEN PROCEED DIRECTLY TO THE FULL EAF AND/OR PREPARE A POSITIVE DECLARATION.	
☐ 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 AND PROVIDE ON ATTACHMENTS AS NECESSARY. THE REASONS SUPPORTING THIS DETERMINATION:	
_____ 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)

ALL THAT TRCT OR PARCEL OF LAND situated in the Town of Manlius, County of Onondaga, State of New York, being part of Lot 58 and 59 in said Town and being more specifically described as follows:

Beginning at a point in the northerly line of N.Y. Route #5, (a/k/a E. Genesee Street), at the intersection of said northerly line with the easterly line of Lot 59 Town of Manlius, (being also the easterly line of Onondaga County and the westerly line of Madison County),.

Running thence N81°50'02"W a distance of 60.13 feet to the point and place of beginning,

Thence S04°25'29"W a distance of 700 feet along the westerly side of Strawmount Trail,

Thence N81°49'11"W a distance of 1040.03 feet,

Thence S04°45'25"W a distance of 700 feet to a point on the north side of N.Y. Route #5,

Thence S81°50'02"E along the northerly line of N.Y. Route #5 a distance of 704.20 feet,

Thence N04°25'29"E a distance of 150 feet,

Thence S81°50'02"E a distance of 200 feet,

Thence S04°25'29"W a distance of 150 feet,

Thence S81°50'02"E a distance of 139.87 feet along the northerly line of N.Y. Route #5, to the point and place of beginning, containing 16.025+/- acres of land

Subject to easements and restrictions of record.

LD:
FILE:
B/P: 381/054

"NO CHANGE" AFFIDAVITS ISSUED ON THIS MAP VOID THE CERTIFICATION,
INFRINGE ON COPYRIGHT AND REPRESENT UNLICENSED SURVEY PRACTICE!

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AND HAVE BEEN ALTERED.

USERS: THIS MAP IS NOT USABLE NOR CERTIFICATIONS EXTENDABLE
FOR UNSPECIFIED PURPOSES OR FOR SUBSEQUENT TRANSACTIONS
EXCEPT BY THE WRITTEN CONSENT OF OR BY SURVEY UPDATE BY THE
UNDERSIGNED ONLY.

SURVEYORS REFERENCE TO, USE OF OR RELIANCE ON THIS MAP
WITHOUT THE WRITTEN CONSENT FOR WHATEVER PURPOSE VIOLATES MY
COPYRIGHT AND ABSOLVES ME OF ANY LIABILITY FOR LATENT OMISSIONS
AND ERRORS AND OF ANY RESPONSIBILITY FOR RESULTANT DAMAGES.



S04°45'25"W

700.00'

PIPE SET

STREET LINE

704.20'

S81°50'02"E

(GENESEE TURNPIKE)

N. Y. S. ROUTE 5

PART OF LOT 59 - TOWN OF MANLIUS

ONONDAGA CO., N. Y.

SCALE: 1" = 100'
NOV. 1, 2005

COTTRELL LAND SURVEYORS, P.C.
MANLIUS, NY - (315) 662-8121

Rev. 5/07/07

AREA 16.025± AC.
(excl hwy.)

VACANT

1040.03'
N81°49'11"W

PIPE SET

700.00'

N04°25'29"E

ONONDAGA COUNTY
MADISON COUNTY

FOR CONVEYANCE AND/OR MORTGAGE PURPOSES OCCURRING
WITHIN ONE YEAR OF THE LATEST CERTIFICATION DATE ONLY.

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS MAP
WAS MADE FROM AN ACTUAL SURVEY ON 03/16/05
VOID WITHOUT EMBOSSED SEAL

Gary E. Cottrell

POOLS, MEGNIN, 2005, 11-01.DWG

POOLSBRK.CRD

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. Donald Megnin, being duly sworn, deposes and says that (s) he is:

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: _____, 20____.

(Print Name)

(Signature)

(Entity Name)

By (Officer) (Title)

(Mailing Address of Applicant)

(Telephone Number)

Date: 1/2/2020, 20____.

DONALD F. MEGALIN
(Print Name)

Donald F. Megalin
(Signature) *Trustee*

(Entity Name)

By (Officer) (Title)

1301 NOTTINGHAM RD APT C 211, JAMESVILLE NY
(Mailing Address of Applicant) 13078

315 396 0080
(Telephone Number)

ACKNOWLEDGEMENTS

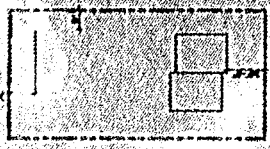
STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

On this 2nd day of JANUARY in the year 2020, before me, the undersigned, a notary public in and for said state, personally appeared DONALD F. MEGALIN

_____, 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.

Brenda R. Green
Notary Public

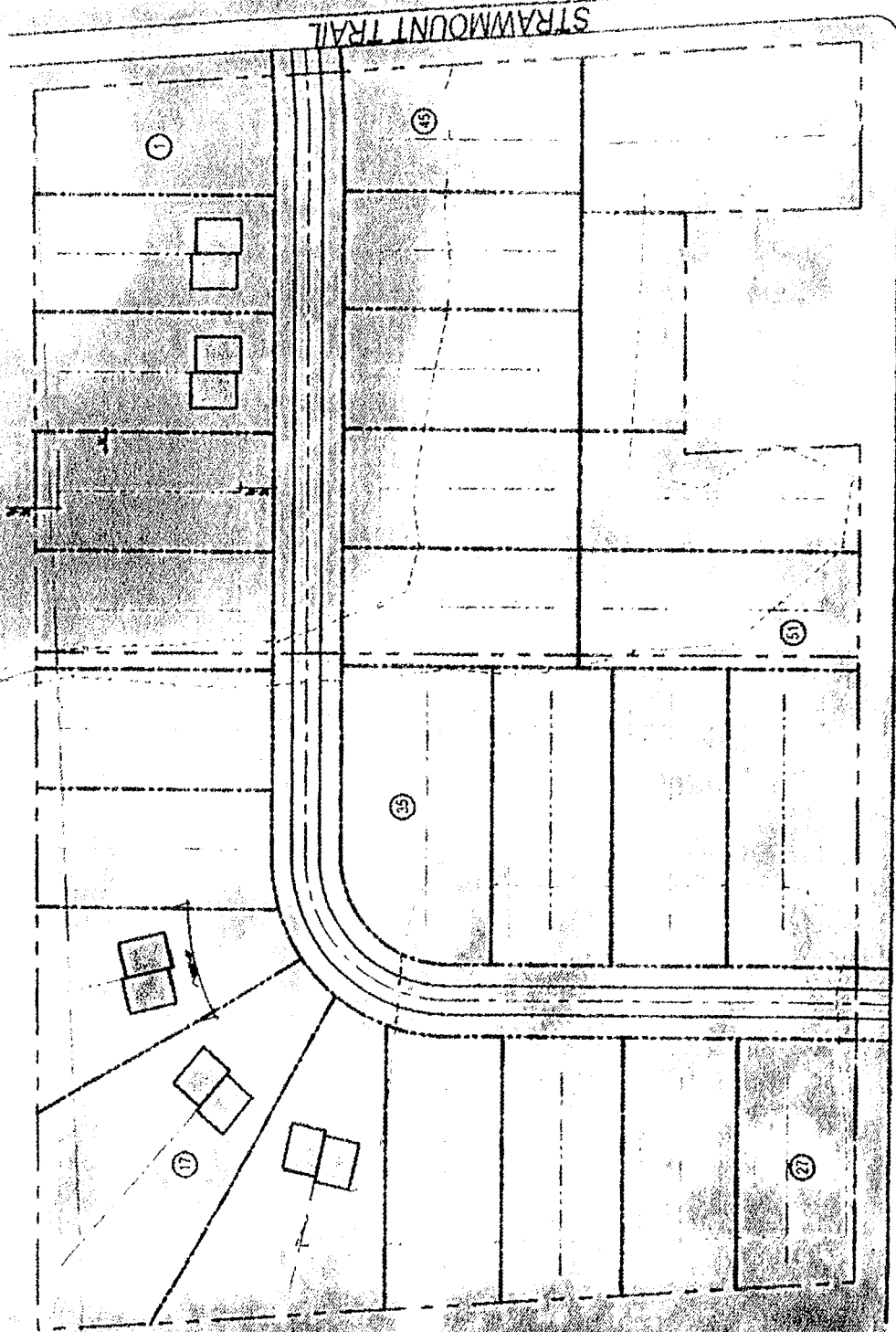




STANDARD LOT - R3

TWO-FAMILY DWELLINGS

LOT
 MIN FRONTAGE 100 FT
 DEPTH 200 FT
 MIN AREA 16,000 SF
 FRONT YARD 30 FT
 SIDE YARD 15 FT
 REAR YARD 20 FT



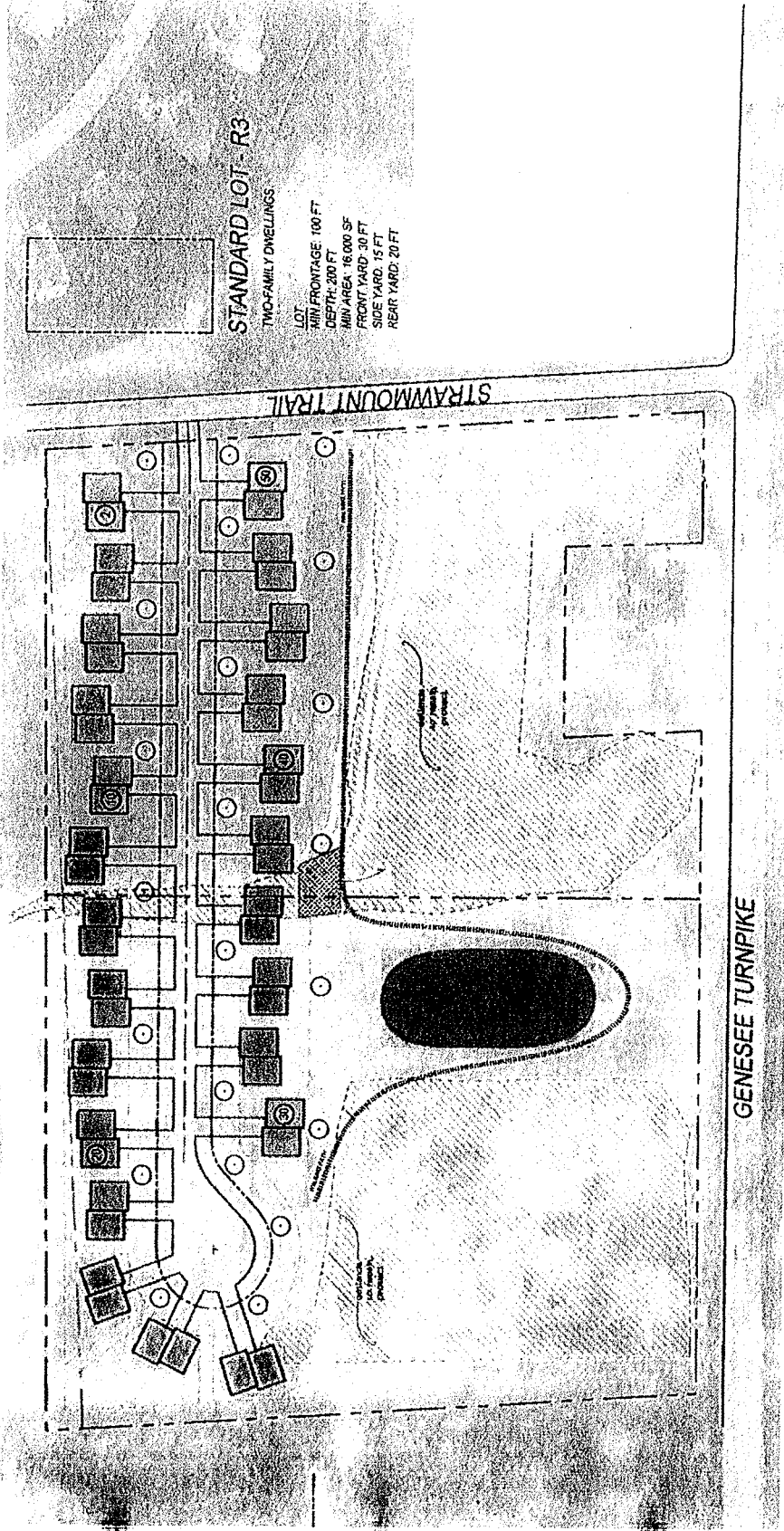
GENESEE TURNPIKE

STRAWMOUNT TRAIL

R-3 DENSITY PLAN (PROPOSED R-3 ZONING)
(26) CONFORMING, TWO FAMILY BUILDING LOTS
MAXIMUM (52) ATTACHED TWO FAMILY HOMES

JULY 27, 2021

SCALE IN FEET

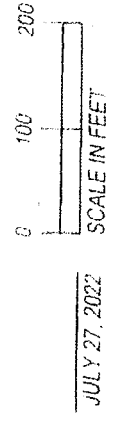


STANDARD LOT - R3

TWO-FAMILY DWELLINGS

- LOT
- MIN FRONTAGE 100 FT
- DEPTH: 200 FT
- MIN AREA 16,000 SF
- FRONT YARD: 30 FT
- SIDE YARD: 15 FT
- REAR YARD: 20 FT

R-3 ZONING - CLUSTERING
(50) ATTACHED TOWNHOUSE UNITS (PROPOSED)
USING §278 N.Y. TOWN LAW



IN THE MATTER
Of
LOCAL LAW 2022-___ AMENDING
CHAPTER 155 OF THE TOWN CODE
SECTION 155-20 RESIDENTIAL
MULTIPLE-USE (RM) DISTRICTS TO
ALLOW FOR MIXED-USE DEVELOPMENT
AND TO ELIMINATE THE RESIDENTIAL
TRANSITIONAL (RT) DISTRICT

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 14th of September 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 M. Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, the Town Board has been approached by several developers that have inquired about including mixed-use projects in the Town;

WHEREAS, the mixed-use concept (projects, buildings or developments that allow commercial, residential and/or office in one location) is attractive to the Town Board because it furthers the goals of concentrated development that is convenient for residents and walkable, therefore reducing the need for car travel and the use of fossil fuels;

WHEREAS, the Residential Multiple Use Zoning District (“RM”) is the most appropriate zoning district to consider mixed-use projects;

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2022- ____, amending Chapter 155 of the Town Code entitled “Zoning” as follows:

**LOCAL LAW 2022-____, A LOCAL LAW AMENDING
CHAPTER 155 ENTITLED “ZONING” TO INCLUDE
MIXED-USE DEVELOPMENT IN THE RESIDENTIAL
MIXED-USE ZONING DISTRICT:**

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

Section 1. Article III of Chapter 155 of the Town Code (District Regulations) shall be amended as follows:

§ 155-20 Residential Multiple-Use Districts R-M.

A. Purpose and intent. This district is designed to retain the existing residential character of established neighborhoods while permitting unobtrusive uses of a commercial nature which are to be regulated in such a manner as to maintain and preserve the residential character of adjacent areas as well as to provide a transition between residential areas and nonresidential areas. It is also the general purpose and intent of this zoning classification to encourage the preservation of historical structures while also encouraging mixed-use opportunities in the RM zone that will promote walkability, re-use and re-purposing of existing structures in the RM zone.

B. The following uses shall be permitted in a Residential Multiple-Use District R-M, provided that no major alterations in the exterior appearance of existing buildings shall be allowed, except in conformity with Subsection **H** hereof:

(1) Any use permitted in a Residential District R-1 and subject to the same restrictions.

(2) Uses as set forth below and other uses of a substantially similar kind, upon approval of a combined site plan and accessory use permit (requiring the fee for site plan only) pursuant to Article **IV**, §§ **155-28** and **155-29**, provided that such uses, or mixed uses, are confined to buildings existing on the effective date of this amendment:

- (a) Artisan, maker.
- (b) Congregate-care services.
- (c) Farmer's market.
- (d) Gathering places.
- (e) Professional offices.
- (f) Personal services establishments.
- (g) Retail sales.
- (h) Apartments for residential use.

(3) Uses as set forth below and other uses of a substantially similar kind, upon approval of a combined site plan and Special Permit (requiring the fee for site plan only) pursuant to Article **IV**, §§ **155-27** and **155-28**, provided that such uses, or mixed uses, are confined to buildings existing on the effective date of this amendment:

- (a) Restaurants, including coffee houses, fast casual and fine dining but not including fast food.
- (b) Bakery.
- (c) Indoor entertainment facilities.

C. Uses involving drive-throughs are expressly excluded from the Residential Multiple-Use District R-M.

D. Area and dimensional requirements. All buildings, structures or uses properly permitted at the time this amendment is effective shall be deemed legal nonconforming structures and uses as set forth in Article **V** of this chapter. All buildings or structures hereafter erected or structurally altered shall meet the following area and dimensional requirements:

(1) The front yard shall have a minimum depth of 40 feet, side yards of 20 feet and rear yard depth of 40 feet. No portion of any building shall be located on any front, side or rear yard.

(2) The minimum road frontage requirement is 150 feet, and the minimum lot size is 40,000 square feet.

(3) Public sanitary sewer service is required.

(4) For vacant lots with less than 150 feet in frontage on the effective date of this amendment, the twenty-foot minimum required for each side yard shall be reduced one foot for each 10 feet by which the lot fails to meet the minimum frontage requirement. No side yard shall be less than 10 feet.

E. Maximum lot coverage. For the purposes of this district, lot coverage shall include the service area of a lot used for parking or access to parking, such as driveways or aisles, sidewalks as well as buildings and structures. The maximum permitted coverage on a lot used as a single-family dwelling shall be 30%. For all other permitted uses, the maximum permitted coverage shall be 50%.

F. Parking. All uses permitted herein upon receipt of a combined site plan and accessory use permit shall provide parking spaces in accordance with §155-31 except apartments, which require two parking spaces for each apartment. Except for all legal nonconforming uses existing at the time this amendment is effective; parking shall be prohibited in the front yard.

[Amended 5-23-2012 by L.L. No. 2-2012]

G. The Town Planning Board, when reviewing an application for a combined site plan and accessory use permit or site plan and special permit approval in a Residential Multiple-Use District R-M, may permit signs in accordance with § 155-25 of this chapter.

H. All structures built subsequent to the effective date of this amendment and any major alterations in the exterior appearance of structures already in existence on the effective date of this amendment shall be subject to site plan review by the Town of Manlius Planning Board and shall be of a design and style that is compatible with the style and type of structures in the neighborhood.

I. Except for any legal nonconforming uses or buildings existing on the effective date of this amendment, no more than two permitted uses, as set forth in § 155-20B(2) of this chapter, shall be allowed to occupy any structure or building of 1,000 square feet or less. In any structure or building of more than 1,000 square feet, the Planning Board is hereby authorized to grant permission to approve more than two allowed uses upon the granting of a combined site plan and accessory use permit for each additional new or different use proposed. It is the intention of the Town Board to require a combined accessory use and site plan permit approval for any new business, even if it is similar to the business it is replacing. In granting or denying such combined site plan and accessory use approval, the Planning Board shall first consider the purpose and intent, as set forth in § 155-20A of this chapter, and then determine and find the following:

- (1) Whether multiple businesses will change the character of the area.
- (2) Intensity of use for each additional business in a structure or building will not adversely affect the operation of other businesses in the structure or building.
- (3) Whether one freestanding sign with multiple tenants displayed will adversely affect aesthetics or cause confusion to the public.
- (4) Whether the location and capacity for parking will accommodate any new or different use;
- (5) Whether the new or additional use will adversely affect ingress and egress;
- (6) Whether any aesthetic changes to the building or structure fit within the purpose and intent as described in § 155-20A of this chapter.

J. Any zoning district designated as Residential Transitional-District (RT), which was created by Local Law 2-2014 shall be considered to have been converted to Residential Mixed-Use.

Section 2. Article III of Chapter 155 of the Town Code (District Regulations) shall be amended to repeal the Residential Transitional District (RT) as follows :

~~§ 155-20.1~~ **Residential Transitional District (RT).**

~~[Added 8-13-2014 by L.L. No. 2-2014]~~

~~A. This district is designed to encourage continuance of the existing residential character of structures and dwellings in and nearby established neighborhoods and for reasons described hereinafter, within one formerly R-M zoned area in the Town (described at Exhibit "A")^H permitting only upon special use permit review, certain unobtrusive smaller scale uses of a commercial nature and which are to be regulated in such a manner and to as best as possible maintain and preserve the predominantly residential appearance and character of this and nearby areas as well as to provide a transition between wholly residential and nonresidential areas. It is also the general purpose and intent of this zoning classification to encourage the preservation of historical structures.~~

~~B. The following uses shall be permitted in a Residential Transitional (RT) District, provided that no major alterations in the exterior appearance of existing buildings shall be allowed, except in conformity with Subsection H hereof:~~

~~(1) Any use permitted in a Residential District R-1 and subject to the same restrictions. In the event that the property owner chooses to use the R-1 as a basis for uses and restrictions, the additional uses and restrictions set forth below shall only be allowed upon a finding by the Planning Board that such uses are compatible with a residential use and after the accessory use process, as set forth in Article IV, § 155-29, of this chapter.~~

~~(2) Uses as set forth below and other uses of a substantially similar kind, upon approval of a combined site plan and accessory use permit (requiring the fee for site plan only) pursuant to Article IV, §§ 155-28 and 155-29, provided that such uses are confined to buildings existing on the effective date of this amendment:~~

~~(a) Offices of religious and educational institutions.~~

~~(b) Offices of physicians, surgeons, dentists, lawyers, architects, engineers, planners, real estate agents, public stenographers, mailing service without presses, telephone answering services.~~

~~(c) Funeral homes.~~

~~(d) Day-care center.~~

~~(e) Care home.~~

~~(f) Teaching of music, dance or other similar types of instruction when limited to five pupils at a time.~~

~~(g) Bed and breakfast accommodations.~~

~~(h) Dressmaker and/or tailoring.~~

~~(i) Decorator.~~

~~(j) Photographer.~~

~~(k) Art studio.~~

~~(l) Apartment(s) for residential use.~~

~~C. Uses involving the preparation of food, shoe repair shops, barbershops, beauty salons and similar uses shall only be permitted upon issuance of an accessory use permit pursuant to Article IV, § 155-29 and special use permit by the Town Board pursuant to § 155-27.~~

~~D. Area and dimensional requirements. All buildings, structures or uses properly permitted at the time this amendment is effective shall be deemed legal nonconforming structures and uses as set forth in Article V of this Chapter. All buildings or structures hereafter erected or structurally altered shall meet the following area and dimensional requirements:~~

~~(1) The front yard shall have a minimum depth of 40 feet, side yards of 20 feet and rear yard depth of 40 feet. No portion of any building shall be located on any front, side or rear yard.~~

~~(2) The minimum road frontage requirement is 150 feet, and the minimum lot size is 40,000 square feet. Public sanitary sewer service is required.~~

~~(3) For vacant lots with less than 150 feet in frontage on the effective date of this amendment, the twenty-foot minimum required for each side yard shall be reduced one foot for each 10 feet by which the lot fails to meet the minimum frontage requirement. No side yard shall be less than 10 feet.~~

E. Maximum lot coverage. For the purposes of this district, lot coverage shall include the service area of a lot used for parking or access to parking, such as driveways or aisles, as well as buildings and structures. The maximum permitted coverage on a lot used as a single-family dwelling shall be 30%. For all other permitted uses, the maximum permitted coverage shall be 35%.

F. Parking. All uses permitted herein upon receipt of a combined site plan and accessory use permit shall provide a minimum of one parking space for every 200 square feet of floor area for all uses except apartments, which require two parking spaces for every bedroom of an apartment. The Town Planning Board may require additional parking spaces whenever, in its judgment, additional spaces are warranted for the comfort, convenience, safety, health or welfare of the community. Except for all legal nonconforming uses existing at the time this amendment is effective, parking shall be prohibited in the front yard.

G. Signage. The Town Planning Board, when reviewing an application for a combined site plan and accessory use permit approval in a Residential Transitional (RT) District, may permit one sign, attached to the structure, having a maximum area of eight square feet. No other signs are permitted, excepting those permitted in § 155-25 of this chapter.

H. All structures built subsequent to the effective date of this § 155-20.1 and any major alterations in the exterior appearance of structures already in existence on the effective date of this amendment shall be subject to site plan review by the Town of Manlius Planning Board and shall be of a design and style that replicates a traditional single-family home in its exterior appearance and shall be compatible with the style and type of structures in the neighborhood.

I. Except for any legal nonconforming uses or buildings existing on the effective date of this amendment, no more than two permitted uses, as set forth in § 155-20.1B(2) of this chapter, shall be allowed to occupy any structure or building of 1,000 square feet or less. In any structure or building of more than 1,000 square feet, the Planning Board is hereby authorized to grant permission to approve more than two allowed uses upon the granting of a combined site plan and accessory use permit for each additional new or different use proposed. It is the intention of the Town Board to require a combined accessory use and site plan permit approval for any new business, even if it is similar to the business it is replacing. In granting or denying such combined site plan and accessory use approval, the Planning Board shall first consider the purpose and intent, as set forth in § 155-20.1A of this chapter, and then determine and find the following:

(1) Whether multiple businesses will change the character of the residential nature of the area;

(2) Intensity of use for each additional business in a structure or building will not adversely affect the operation of other businesses in the structure or building;

- ~~(3) Whether one freestanding sign with multiple tenants displayed will adversely affect aesthetics or cause confusion to the public;~~
- ~~(4) Whether the location and capacity for parking will accommodate any new or different use;~~
- ~~(5) Whether the new or additional use will adversely affect ingress and egress;~~
- ~~(6) Whether any aesthetic changes to the building or structure fit within the purpose and intent as described in § 155-20.1A of this chapter.~~

Section 3. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

WHEREAS, the Town Board desires to hear from the public on the Application;

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 on said proposed Local Law 2022-____, and that such Hearing shall be held in persona and virtually on the Internet platform commonly referred to as ZOOM, directions for attendance which will be on the Town's Website and such hearing shall take place on the 28th day of September 2022 at approximately 6:35 p.m. and be it further

RESOLVED, that the Town Clerk shall 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 the instructions by which the public can access the virtual meeting, 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 14th day of September 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 14th day of September 2022.

DATED: September 14, 2022
Fayetteville, New York

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



September 13, 2022

Ms. Sara Bollinger, Town Councilor
Town of Manlius
301 Brooklea Drive
Fayetteville, New York 13066

Re: Proposal for Engineering Services
Replacement of Oil/Water Separator at Highway Garage
Town of Manlius
MJ Proposal No. 2022493

Dear Ms. Bollinger:

M.J. Engineering and Land Surveying, P. C. (MJ) is pleased to provide the Town of Manlius (Town) this proposal for engineering services associated with planned replacement of the oil/water separator at the Town Highway Garage.

PROJECT UNDERSTANDING

Based upon information provided to MJ by the Town, MJ has the following project understanding:

- Based upon representations made by the Town, runoff from the washing of vehicles is directed to a center trench drain that runs the length of the Highway garage. Runoff then flows by gravity to an exterior tank of unknown capacity, is then pumped back into the building through carbon filters, then flows by gravity back out to the exterior tank and then is discharged into an existing leach field, by gravity or via pumping. There is no reported surface discharge from the leach field and all effluent is treated via a soil-based system and infiltrates into the subsurface. The existing leach field collects effluent from the oil/water separator only and septic waste from the Highway Garage is directed to another leach field located elsewhere on the complex.
- The existing carbon filters are located within the service bays and are contained within two (2) 55-gallons steel drums. The filters are in a state of failure, are no longer operational and have been taken offline.
- The Town wants to replace portions of the existing system to meet current regulatory requirements.
- It is not known what the design flow of the oil/water separator systems is, and it is assumed to be less than 1,000 gallons per day since the Town has no record of a SPDES Permit being obtained from the NYSDEC. However, the planned upgrades would not increase system capacity or flows to the existing leach field. There are no reported operational issues with the leach field, including leachate breaching the surface or compromised ground cover over the top of the leach field.
- The initial approach is to remove the existing carbon filters and exterior tank and install a new exterior oil/water separator and potential dose chamber to distribute effluent to the existing leach field. Exterior piping will be rehabilitated and/or realigned to accommodate the new system layout. No substantial interior plumbing work is anticipated at this time, beyond disconnecting piping to and from the carbon filters.
- The area of planned ground disturbance will be less than 1-acre.
- There is no defined construction estimate for this project nor has a formal estimate been prepared.
- The Town has requested that MJ provide the survey/mapping, design and construction phase support for the project.

Based upon the above understanding, MJ offers the following scope of services for the Town's consideration.



SCOPE OF SERVICES

Field Investigation Phase

Task 01: Survey and Mapping

MJ will complete a survey and mapping of the project area, estimated to be 0.80 acres in size. (refer to Figure 1). The tasks to be completed include:

- Establish survey control by static GPS methods, utilizing the NYSDOT CORS Network. Horizontal positions will be referenced by NAD83 (CORS) – New York State Plane Coordinate System, Central Zone. Vertical positions will be referenced to the North American Vertical Datum of 1988 (NAVD).
- Collect data by ground survey within the mapping limit, including the location of existing utility hardware, building structures, light poles, trees, curbing, striping and other site features.
- The existing parcel boundaries will be based upon record mapping and tax map data. No formal property line determinations are proposed.
- Collect utility information utilizing conventional field locations, defined as Quality Level C (QL-C) designations. The location and type of utility lines and structure will be shown. Utility type, size and materials of construction will be obtained. Structure elevations will be collected when and where feasible.
- Prepare mapping at a scale of 1"=30' in AutoCAD 2020 in accordance with National CAD Standards. Contours will be displayed in 1-foot intervals. Utilities will be depicted based on field measurements and/or record plan information. Property lines will be shown based upon deed research and field evidence. The survey control point ties and benchmark descriptions will also be included in the mapping.

Task 02: Regulated Wetland Delineation and Report

MJ, through our subconsultant, will complete a review of regulated wetlands within the project area. The wetland evaluation will include the following:

- Perform a wetland delineation within the project limits.
- The delineation will cover both State and Federal wetlands using the appropriate flagging.

Design & Permitting Phase

Task 03: Preliminary Design (50% Complete)

- Conduct a site walkthrough with the Town to review the project area and identify site features, conditions, and/or constraints that will affect the performance of the work to be completed and as needed to develop design plans for bidding proposes.
- Prepare preliminary design drawings and technical specifications for review and approval by the Town.
- Prepare an opinion of probable construction costs based on the Preliminary Design.
- Identify permitting agencies associate with the scope of work of the project.
- Provide the Town three (3) hard copies of the Preliminary Design for review and comment.
- Participate in a meeting (page turn) with the Town to review comments and confirm the scope of work associated with final design.



Task 04: Final Design (95% Complete & Bid Documents)

Following Town approval of the preliminary design drawings, MJ will prepare final bid and contract documents. The bid and contract documents will include information required for the contractors to bid, procure, install, and properly test equipment and components of the project. Design documents will conform to applicable State, County, and Local laws and codes for construction and bidding.

- The design drawings for the 95% Submission prepared by MJ are envisioned to include the following:
 - Cover Page;
 - Notes and Legends
 - Construction Logistics and Staging Plan
 - Removal Plan
 - Utility Plan
 - Grading Plan
 - Erosion Control Plan
 - Civil Details
- A Project Manual will be developed and will include required information as if ready for a contractor to perform a detailed bid take-off.
- Prepare a final opinion of probable construction costs based on the final documents prior to project bidding to ensure conformance with the project budget.
- Provide the Town three (3) hard copies of the Final Design for review and comment.
- Participate in a meeting (page turn) with the Town to review comments and to confirm the scope of work associated with the project.
- Address Town / Regulatory comments and submit final documents ready for bidding.

Task 05: State Environmental Quality Review Act (SEQRA)

MJ will assist the Town in completing the State Environmental Quality Review Act (SEQRA) responsibilities. The project is an Unlisted action and the following efforts will be completed by MJ which follows the criteria of Part 617 of Environmental Conservation Law:

- Complete Part I of the Short Environmental Assessment Form (SEAF). Part I provides a detailed assessment of the project background and proposed scope of work.
- Assist the Town Board with establishing the SEQR lead agency.
- Complete a draft of Part II of the SEAF which assesses the potential environmental impact and magnitude of those impacts. The Town would review the draft and accept as prepared or make modifications as deemed appropriate.
- Complete a draft Part III of the SEAF and Findings of Non-Significance which are presumed to support the issuance of a negative declaration under SEQRA by the Town Board.
- For each procedural step within SEQRA, MJ will assist the Town's legal counsel is preparing resolutions for the Town Board to review and use.

Bidding and Construction Phase

Task 06: Construction Contract Bidding

- Provide complete contract documents to the Town in digital (PDF) format.



- Assist the Town with the bid process by preparing instructions to bidders and bid advertisement to be published in the Town's official newspaper, in accordance with General Municipal Law.
- Notify potential bidders of advertisement publication and provide electronic contract documents (plans and specifications) to prospective bidders and contractor clearinghouses.
- Respond to prospective bidder's questions and prepare addenda to the contract documents, as required, to clarify bidder questions.
- Tabulate and evaluate the bids, review professional and financial references of low bidders and prepare a recommendation letter to the Town for contract award.

Task 07: Contract Administration Services

- Prepare and issue Notice of Award to the awarded contractor. Compile and review the successful bidder's contractual submittals, including bonds, insurance, and agreement and forward to the Town for execution.
- Coordinate, schedule and attend a pre-construction conference, and prepare and distribute meeting minutes to attending parties.
- Review and process construction shop drawings and specifications submitted by contractor(s) for compliance with the design concept.
- Respond to construction-related questions raised by the contractor.
- Progress minor design revisions, as required, to adjust the proposed construction to site-specific conditions. Major design changes, due to unforeseen conditions, are not included.
- Review and certify the contractor's monthly and final payment applications. Payment applications will be prepared and submitted to the Town as needed.
- Receive, review, and prepare change orders as required. Provide the Town with recommendations on the validity of the change orders.
- Conduct a final on-site project review, issue punch list, Notice of Substantial Completion, and Notice of Final Completion for each Contract.
- Compile equipment operation and maintenance manuals, start-up reports, warranty information, shop drawings and record plans as provided and developed by the Contractor(s), into a single final document package for delivery to the Town.

Task 08: Construction Observation Services

MJ will provide up to 20 hours of construction observation during critical phases of construction by a NICET Level III inspector. It is noted that the level of construction observation may vary and will be dependent upon the contractors' specific work schedule. MJ will provide construction observation on an hourly rate basis such that only the hours spent will be billed, which may result in a cost savings to the Town depending on the contractors' schedule.

As part of our construction observation services, MJ will perform the following tasks:

- Document that the construction work observed is in conformance with the contract documents.
- Perform a detailed inspection of materials and items of work required by the contract documents to support the Contractor's payment request.



- Coordinate the Contractor's construction activities with the Town.
- Inform the Town, in writing, of operations and procedures that may lead to a delay in the construction.
- Maintain a construction observation log describing progress and special problems encountered and other pertinent information relative to the project. Any meetings conducted will also be documented.
- Inspect manufactured and shop-fabricated materials to ensure conformance with approved shop drawings.
- Supervise on-site testing and maintain a log and file of tests and related reports.
- Maintain a set of record documents based upon redline mark-ups provided by the contractor.

ASSUMPTIONS AND TASKS NOT INCLUDED IN THIS PROPOSAL

The following assumptions apply to this scope of work:

- It is assumed that the existing leach field is in working order and would not require replacement or rehabilitation. Should MJ's assessment determine otherwise, additional design work would be required which would be completed as a change order.
- Project requires current NYS Prevailing Wage Rates for survey field crew.
- The professional services proposed within this scope of work are not subject to W/MBE or SDVOB participation.
- Existing utility and record mapping will be made available to MJ by the Town.
- Contact will be made with UFPO prior to performing the ground survey. Note utility identification by UFPO is limited to publicly owned lands only.
- Materials testing and special inspections are not included. It is assumed that these services will be provided by the contractor as part of the construction contract.
- Construction survey stakeout and field survey verification of installed infrastructure (i.e., buildings, piping, etc.) is not included.
- Archeological investigations (i.e., Phase 1A/1B/2) are assumed not required. If through correspondence with NYS OPRHP (or other regulatory agencies) that this work is required, MJ can provide these services for an additional fee, under separate authorization.
- Wetlands permitting and mitigation design are assumed not required. If based on the wetlands delineation and/or through correspondence with the NYSDEC, USACE (or other regulatory agencies) that this work is required, MJ can provide these services for an additional fee, under separate authorization.
- The Contractor will be required as part of the construction contract to prepare record drawings for submission to the Town. Preparation of additional record drawings is not included.
- Payment of any fees, including applications, permits and other reviewing authority will be paid for by the Town.
- No warranty, or guarantee, is expressed, or implied concerning the granting of permits or approvals required, or timelines for review and action, by regulatory agencies.



SCHEDULE

MJ is prepared to begin the work identified in this proposal within 2 weeks of Notice to Proceed. MJ will perform the outlined tasks as follows:

Field Investigations	September 2022 – October 2022
Design Phase Services	November 2022 – January 2023
Bid Phase Services	February 2023 – March 2023
Construction Administration Services	April 2023 – July 2023
Construction Observation Services	June 2023 – July 2023

Projected start and end dates are subject to change and are based on date from authorization to proceed. As certain aspects of the project are outside of MJ's control (e.g., review agency schedules, actions, and approvals), MJ cannot guarantee completion of the project within these proposed schedules.

FEE

MJ proposes to complete the requested services for the following fees:

Field Investigation Phase

Task 01: Survey and Mapping	\$4,000	Lump Sum
Task 02: Regulated Wetland Delineation and Report	\$3,000	Lump Sum

Design and Permitting Phase

Task 03: Preliminary Design (50% Complete)	\$10,000	Lump Sum
Task 04: Final Design (95% Complete and Bid Documents)	\$3,500	Lump Sum
Task 05: State Environmental Quality Review Act (SEQRA)	\$1,000	Lump Sum

Bidding and Construction Phase

Task 06: Construction Contract Bidding	\$3,000	Lump Sum
Task 07: Contract Administration Services	\$6,000	Lump Sum
Task 08: Construction Observation Services	\$2,200*	Not to Exceed

Total Estimated Fee \$32,700

**Based on twenty (20) hours of construction oversight by a NICET Level III inspector at a rate of \$110/hour. Actual hours to be determined based on the contractor's anticipated schedule.*

MJ will invoice on a monthly basis based upon a percentage of work completed in that period. The fee assumes there are no significant changes resulting from decisions, conditions and/or events beyond MJ's control.



SUMMARY

Thank you for the opportunity to submit this proposal and we look forward to continuing our work with the Town on this project. If you have any questions, please feel free to contact Joel Bianchi at (518) 371-0799 or by email at jbianchi@mjels.com.

Sincerely,

Michael D. Panichelli, P.E.
President

cc. Robert Cushing, Highway Superintendent
Ann Oot, Town Manager



Figure 1
Survey and Mapping Limits



IN THE MATTER
Of
OVERRIDING THE PROPERTY TAX CAP
IN THE TOWN OF MANLIUS FOR FISCAL
YEAR 2023

LOCAL LAW 2022-__
CALLING FOR 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 14th of September 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 M. Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2022-__ , amending Article XI of Chapter 134 (“Taxation”) to override the tax levy limit established by General Municipal Law Section 3-c (the “Property Tax Cap”);

**LOCAL LAW 2022 - ___, A LOCAL LAW AMENDING
CHAPTER 134 ARTICLE XI, TAX LEVY LIMIT
OVERRIDE OF THE CODE 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. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Manlius County of Onondaga pursuant to General Municipal Law § 3-c, and to allow the Town of Manlius, County of Onondaga to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2019 and 2020 and 2021 and 2022 *and 2023** that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Manlius County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2020 and 2021 and 2022 and 2023* that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

* Added Language

WHEREAS, upon review of the projected expenses facing the Town, especially State pension costs, special district costs and other state mandated costs for which the Town has no control, the Town Board hereby finds that this override is a necessary prudent step;

RESOLVED, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, shall hold a Public Hearing on said proposed Local Law 2022-____, and that such Hearing shall be held at the Town Hall of the Town of Manlius, located at 301 Brooklea Drive, Fayetteville, New York, on September 28, 2022, at 6:35 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 14th day of September 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 14th day of September 2022.

DATED: September 14, 2022
Fayetteville, New York

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

MINUTES
TOWN BOARD
August 10, 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. The recording of the meeting can be viewed here:

<https://www.youtube.com/channel/UC3pS9-uTiX4l7aEgciGEVSA>

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:

Anthony Germano, Attorney for the Town
Robert Germain, Attorney

Allison A. Weber, Town Clerk

The following Town Officers Attending Virtually:

Michael Crowell, Police Chief

Rob Cushing, Highway Superintendent

1. Attendees

In-Person Meeting Attendees: Jason Klaiber, Eagle Bulletin. Mary Cunningham, Danielle & Ryan Ewert, Don Bregande, Madison Ewert

Virtual Meeting Attendees: Paula Ellenberg

2. The Pledge of Allegiance

Supervisor Deer, called the meeting to order at 6:30 PM. Councilor Kriesel led the Pledge of Allegiance. Supervisor Deer welcomed everyone and thanked all for attending.

3. Open Podium – No Speakers

4. 6:35 PM Public Hearing – Zone Change Request – 8291 E. Seneca Turnpike Residential District (R1) to Restricted Agricultural Districts (RA)

Anthony Germano, Attorney for the Town, exited the meeting. Robert Germain joined the meeting as outside counsel representing the Town Board for the public hearing for the application for a zone change for the parcels located at 8291 E. Seneca Turnpike to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA).

Councilor Waters made a motion, seconded by Councilor Italiano, to waive the reading of the public notice in the matter of public hearing for the application for a zone change for the parcel

located at 8291 E. Seneca Turnpike to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, 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 open the public hearing at 6:35 PM in the matter of public hearing for the application for a zone change for the parcel located at 8291 E. Seneca Turnpike to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Supervisor Deer asked Town Clerk Weber to read aloud letters and comments that were submitted for this public hearing for the record.

Town Clerk Weber stated that she has received two photos from the applicant that show the fencing that was installed on their property.

Town Clerk Weber read aloud an online public comment from Barbara Emmons. Town Clerk Weber stated that the Town is also in receipt of a letter from Barbara Emmons and Paula Ellenberg.

Town Clerk Weber stated that she received a phone comment in opposition of the zone change from Cynthia Crowe.

Town Clerk Weber read aloud a letter of opposition from Dr. John Endres, Compassionate Care Veterinary Hospital.

Supervisor Deer requested that the letters and comments submitted by the public be added to the record.

Paula Ellenberg spoke virtually and stated the proposed zone change request does not make sense based on the small pockets of RA. Ms. Ellenberg stated that the Planning Board had already reviewed this and issued a negative recommendation.

With there being no further comments from the public, Councilor Bollinger made a motion, seconded by Councilor Denton, to close the public hearing at 6:45 PM in the matter of Zone Change Request for 8291 E. Seneca Turnpike from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

PART II – Short Environmental Assessment Form

Attorney Germain 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 issuing (approving for Local Law) the Zone Change request based on the reasons set forth in the Resolution drafted by the Attorney for the Town.

Councilor Bollinger made a motion, seconded by Councilor Italiano, to declare the Town of Manlius lead agency for SEQR purposes in the matter of Zone Change Request for 8291 E. Seneca Turnpike from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, 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 for SEQR purposes in the matter of for the application for a zone change for the parcel located at 8291 E. Seneca Turnpike to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

Attorney Germain stated this is a filed short form EAF and that it is an unlisted action allowing the draft environmental form to be prepared.

Councilor Bollinger made a motion, seconded by Councilor Italiano, to approve the zone change for the parcel located at 8291 E. Seneca Turnpike to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA) as outlined in the resolution prepared by the Attorney for the Town.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

5. 6:57 PM Appletree Water District – Map Plan & Report

Councilor Bollinger made a motion, seconded by Councilor Italiano, to accept the Map, Plan & Report prepared by M. J. Engineering and Land Surveying, P. C. for the proposed Appletree Ridge Water District.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Italiano, to set a date for a public hearing in the matter of the formation of the Appletree Water District for August 24, 2022, at 6:35 PM.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

6. 7:02 PM Resolution to issue a Bid for the Kayak Floating Dock at Poolsbrook Lakes

The Town Board authorized the issuance of a bid for the design, acquisition, and installation of an accessible floating dock/launch at Poolsbrook in the Olde Erie Canal State Park. The Town has received a grant in the amount of \$24,000.00 from the State of New York to offset the cost of such floating dock/launch. This was previously approved as a Request For Proposal and this requires a bid process.

Councilor Bollinger made a motion, seconded by Councilor Denton, to issue a bid for the construction of a Kayak Floating Dock at Poolsbrook

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

7. 7:03 PM Hive Agreement – Project Management Software

Supervisor Deer presented a contract with Hive for project management software and gave a brief overview of the software. Supervisor Deer stated that he has reviewed different project management software platforms and selected Hive.

Councilor Waters made a motion, seconded by Councilor Kriesel, to authorize the Supervisor to sign an annual agreement with Hive for project management software at a rate of \$1,584.00.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

8. 7:07 PM Approval of Minutes – July 27, 2022 - Tabled

9. 7:09 PM Approval of Abstract # 15

Councilor Bollinger made a motion, seconded by Councilor Waters, to approve Abstract # 15 in the amount of \$74,171.64 as submitted by Town Clerk Weber.

TOWN OF MANLIUS
Fund Summary
Abstract # 15 - 2022

CODE	FUND	TOTALS
A	General Fund Townwide	\$478,049.34
B	General Fund Town	\$6,112.30
DA	Highway Fund Townwide	\$10,919.52
DB	Highway Fund Town	\$201,633.50
SL1	Overhead Lighting District	\$1,646.37
SL2	Underground Lighting District	\$2,172.01
SL3	Entry Lighting	\$108.26
SL4	Garden Park Lighting	\$671.92
SL5	Ratnour Bridge Lighting	\$2,486.68
SR1	Trash	\$185.87
SR2	Brush	\$185.87

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

10. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Kriesel and seconded by Councilor Italiano, 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

MINUTES
TOWN BOARD
August 24, 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. The recording of the meeting can be viewed here;

<https://www.youtube.com/channel/UC3pS9-uTiX4l7aEgciGEVSA>

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
Ann Oot, Town Manager

Allison A. Weber, Town Clerk

The following Town Officers Attending Virtually:

Katelyn Kriesel, Town Councilor.

1. Attendees

In-Person Meeting Attendees: Paul Welch, Syracuse. Steve Weisman, Manlius. S. O'Connor, TDK Engineering. Mary Teske, Fayetteville.

Virtual Meeting Attendees: Joe Durand, David Hekala, David Samuel, Carol Ilacqua, Grazi Zazzara, William McGuinness

2. The Pledge of Allegiance

Supervisor Deer, called the meeting to order at 6:30 PM. Councilor Denton led the Pledge of Allegiance. Supervisor Deer welcomed everyone and thanked all for attending.

3. Open Podium

Steve Weisman, Citizens Aquarium Review, spoke in opposition of the proposed aquarium at the Syracuse Inner Harbor and discussed reasons why the aquarium is not a good fit for the Syracuse area.

Mary Teske, Manlius, stated that she attended a Zoning Board of Appeals meeting where the issue of time stamping documents in the Office of Planning and Development was discussed. Ms. Teske stated that it is best practice to time stamp everything that is received and requested that the Town Board correct the time stamping issue. The Town Board is drafting a policy that will be presented in a future meeting.

4. Public Hearing – Twin Shores – 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) CA, RA To CA, RA, R5

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 local law to authorize the Zone Change request based on the reasons set forth in the resolution drafted by the Attorney for the Town.

Councilor Waters made a motion, seconded by Councilor Nicholson, to issue a negative declaration under the State Environmental Quality Review act.

Ayes: Supervisor Deer, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Abstain: Councilor Bollinger

Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Denton, to waive the reading of the public notice in the matter of the public hearing for the application for a zone change for the parcels 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) to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nays: 0

All in Favor.

Motion Carries.

Councilor Denton made a motion, seconded by Councilor Nicholson, to open the public hearing at 6:52 PM in the matter of the public hearing for the application for a zone change for the parcels 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) to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nays: 0

All in Favor.

Motion Carries.

Supervisor Deer reviewed the history of the zone change application.

Town Clerk Weber read aloud a comment from Lori Diekman, Fayetteville, that was submitted virtually. Ms. Diekman requested her objection to the zone change of the 129-acre parcel on North Burdick St. as it would bring unmanageable traffic, noise, light and other environmental concerns.

Councilor Waters stated that Ms. Diekman may have been commenting on the original zone change application and not the updated application. Supervisor Deer stated that the new application has significantly less planned commercial development on the southern part of the site.

With there being no further comments from the public, Councilor Bollinger made a motion, seconded by Councilor Waters, to close the public hearing at 6:56 PM in the matter of the public hearing for the application for a zone change for the parcels 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) to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

Councilor Denton asked if the proposed road would eventually be dedicated to the Town of Manlius as it is in the floodplain, and will there be a more intensive maintenance schedule? Highway Superintendent Cushing stated that there would be a more intensive maintenance schedule.

Councilor Waters asked about plantings and green scaping. The Planning Board will address those concerns.

Discussion ensued regarding the comments made by the Onondaga County Planning Board about building in a floodplain.

Councilor Denton asked if the Commercial A zoning classification was extended on the parcel for parking or to maximize the buildable space? The applicant stated that it was partly due to those reasons and also to keep the zoning classification from crossing subdivision lines.

Councilor Waters made a motion, seconded by Councilor Italiano, to approve the Local Law 2022-7 zone change for the parcels 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) to change the zoning classification from Residential District (R1) to Restricted Agricultural Districts (RA).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: Councilor Denton

6-1

Motion Carries.

5. County Legislator Mark Olson - County Legislature Update – Postponed

6. Public Hearing - Appletree Ridge Water District - Will Be Continued to The September 14th Meeting

Councilor Bollinger made a motion, seconded by Councilor Waters, to waive the reading of the public notice in the matter of the public hearing for the application for the proposed Appletree Water District.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Waters, to open the public hearing at 7:04 PM in the matter of the public hearing for the application for the proposed Appletree Water District.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Town Clerk Weber read aloud a comment submitted virtually by Carol Ilacqua, Appletree Ridge. Ms. Ilacqua asked if her written comments were distributed to the Town Board and if the continuation of the public hearing would interfere with the funding application deadline with New York State. Councilor Bollinger stated that the Town would not have had time to apply for the September deadline but will be ready for the next deadline.

William McGuiness, Appletree Ridge, asked about the next steps in the process and asked about the difference in quotes received for the project. Mr. McGuiness stated that the original quote from OCWA was substantially less than the current quote because this is now a public project. The Town Board discussed the process and comptroller regulations.

Carol Ilacqua, Appletree Ridge, read aloud her written comments submitted to the Town Board.

The public hearing will be held open until the September 14th, 2022 Town Board meeting.

7. Zone Change Request - 4600 Enders Rd. Tax Map # 117.2-01-04.0 - RA To CA

Grazi Zazzara, Icon Companies, presented on behalf of the applicant. The applicant is requesting a zone change to allow for banquets and events in the existing building. The Town Board and the applicant discussed the best potential zoning classification for the parcel and the proposed use. The Town Board discussed their review of the Residential Multi-use (RM) and the proposed changes.

The Town Board tabled the matter until the review and amendment of the RM zoning classification has taken place.

8. For Discussion - Zone Change Application - Seven Pines Project - 8104, 8108, 8112, 8116 Cazenovia Rd.

Jeff Foster, representing the applicant, discussed the proposed zone change request with the Town Board.

The Town Board asked questions of Mr. Foster about the logistics of the proposed renovations.

The Town Board requested that the Attorney for the Town prepare a resolution to set a date for a public hearing to consider the zone change request. The Town Board will set a date for a public hearing at the next meeting.

9. Fayetteville-Manlius School District SIRO And SPO Agreements 2022 - 2023

Councilor Waters made a motion, seconded by Councilor Italiano 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 School Information Resource Officers (SIRO), D. Golden, M. Grogan, A. Palmer, B. Damon and Special Patrol Officers (SPO) G. Hack, T. Leroy, and S. Mehlek.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Italiano, Councilor Waters, Councilor Kriesel

Opposed: Councilor Denton 6-1 Motion Carries.

10. Supervisor's Monthly Report - July

Councilor Bollinger made a motion, seconded by Councilor Kriesel, to approve the July 2022 Supervisor's report as presented.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Italiano, Councilor Waters, Councilor Kriesel, Councilor Denton

Nays: 0 All in Favor. Motion Carries.

11. Approval of Minutes – July 27, 2022

Councilor Italiano made a motion, seconded by Councilor Waters, to approve the minutes of July 27, 2022, as submitted by Town Clerk Weber.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Italiano, Councilor Waters, Councilor Kriesel

Abstain: Councilor Denton

Motion Carries.

12. Approval of Abstract # 16

Councilor Bollinger made a motion, seconded by Councilor Italiano, to approve Abstract # 16 in the amount of \$405,695.87 as submitted by Town Clerk Weber.

TOWN OF MANLIUS		
Fund Summary		
Abstract # 16 - 2022		
CODE	FUND	TOTALS
A	General Fund Townwide	\$104,619.00
B	General Fund Town	\$4,127.57
DA	Highway Fund Townwide	\$9,815.01
DB	Highway Fund Town	\$46,407.46
SR1	Trash	\$199,943.00
SR2	Brush	\$25,151.33
TA2	Trust & Agency - Other	\$ 2,148.00

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

There being no further business to come before the Board, upon a motion duly made by Councilor Italiano and seconded by Councilor Waters the Board voted unanimously to adjourn regular session at 7:47 PM to discuss a litigation matter.

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

EXECUTIVE SESSION MEETING MINUTES

Executive Session
August 24, 2022

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 8:15 PM.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nays: 0

All in Favor.

Motion Carries.

Submitted by:
Allison A. Weber
Town Clerk

DRAFT

MINUTES
TOWN BOARD
September 2, 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. The recording of the meeting can be viewed here;

<https://www.youtube.com/channel/UC3pS9-uTiX4l7aEgciGEVSA>

Deputy Supervisor Sara Bollinger presided, and the following Board members present:

	John Deer, Supervisor
	Heather Waters, Councilor
	Alissa Italiano, Councilor
	William Nicholson, Councilor
Absent	Katelyn M. Kriesel, Councilor
Absent	Elaine Denton, Councilor

The following Town Officers were present: Allison A. Weber, Town Clerk

The following Town Officers Attending Virtually: Supervisor John Deer

1. Attendees

In-Person Meeting Attendees: None

Virtual Meeting Attendees: None

2. The Pledge of Allegiance

Deputy Supervisor Bollinger, called the meeting to order at 5:00 PM. Councilor Waters led the Pledge of Allegiance. Supervisor Deer welcomed everyone and thanked all for attending.

5. Authorize an Additional Special Patrol Officer (SPO) Position and Authorize the Supervisor to Sign the School Information Resource Officer (SIRO) and SPO Contracts with the East Syracuse Minoa School District

Councilor Waters made a motion, seconded by Councilor Italiano, to authorize an additional Special Patrol Officer Position SPO position in the East Syracuse Minoa School District.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Italiano, Councilor Waters

Nayes: 0

All in Favor.

Motion Carries.

The Town Board discussed the proposed SIRO and SPO contracts. The Town Board removed the word confidential from section 3.6 of the contracts.

Councilor Italiano made a motion, seconded by Councilor Nicholson, to authorize the Supervisor to sign the SIRO and SPO contracts with the East Syracuse Minoa School District as amended effective September 2, 2022.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Italiano, Councilor Waters

Nayes: 0

All in Favor.

Motion Carries.

7. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Bollinger and seconded by Councilor Nicholson the Board voted unanimously to adjourn regular session at 5:05 PM.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Italiano, Councilor Waters

Nayes: 0

All in Favor.

Motion Carries.

Respectfully Submitted by:

Allison A. Weber
Town Clerk