

Agenda
Zoning Board of Appeals
December 15, 2022
6:30 PM

1. Virtual Meeting Instructions - December 15th

Documents:

[12-15-22 Zoning Board Meeting Instructions.pdf](#)

2. Pledge Of Allegiance

3. Approval Of Minutes - November 17, 2022

4. A&E And SNY Center, Medical Center Dr., Fayetteville NY (Tax Map # 086.-01-03.9)
Will need one variance for a Trash Receptacle and one for a Service Loading Dock.

Documents:

[155.13 Code NS \(Neighborhood Shopping\).pdf](#)
[Disclosure Affidavit.pdf](#)
[Image Mate Photo.pdf](#)
[Short Environmental Assessment Form.pdf](#)
[Survey.pdf](#)
[ZBA Application.pdf](#)

5. Other Business

6. Adjournment

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



December 15, 2022 – 6:30PM

Zoning Board Meeting Instructions

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

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

<https://us02web.zoom.us/j/82661634947?pwd=bWFNMWRsZFVMWHoxZmh0M2JxQzMvdz09>

Password to join when prompted:

Password: **604948**

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: 826 6163 4947

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

Password: **604948**

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

*Town of Manlius, NY
Tuesday, November 29, 2022*

Chapter 155. Zoning

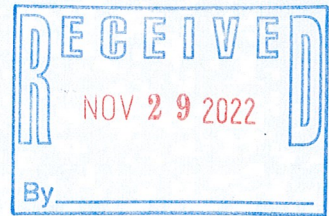
Article III. District Regulations

§ 155-13. Neighborhood Shopping Districts NS.

[Amended 5-22-2002 by Ord. No. 2002-5; 12-2-2020 by L.L. No. 10-2020]

- A. Purpose and intent. This zoning classification is intended to permit the development of small-scale commercial, retail and personal service establishments in proximity to residential neighborhoods while at the same time minimizing the potential impact and disruption that such uses near residential neighborhoods could have.
- B. Design principles.
 - (1) Applicants seeking permits or site plan approval for new construction and/or renovation within the Neighborhood Shopping District Zone must demonstrate to the satisfaction of the Planning Board that building and site designs are consistent with the design principles which predominate among the existing buildings and structures within the zone and the surrounding area, including residential, and will consider the impact on the character of the immediate and surrounding area, including residential.
 - (2) Design principles to be addressed include, but are not limited to, the suitability of design and type of the proposed construction, including mass, height and line to be used in relation to the immediate and surrounding area, including residential.
 - (3) Site plan review shall include, but is not limited to, pedestrian access, hours of operation, lot coverage, parking, screening, lighting, noise, ingress/egress, and the overall aesthetics of the proposed development.
- C. Permitted uses. Only the following structures and uses are permitted in Neighborhood Shopping Districts upon the issuance of site plan approval by the Town Planning Board pursuant to Article IV, § 155-28, of this chapter:
 - (1) Artisan, maker.
 - (2) Day-care facilities.
 - (3) Farmer's market.
 - (4) Greenhouses.
 - (5) Parks and trails.
 - (6) Professional offices, including banking, finance, insurance, real estate, legal, medical, dental, and governmental.
 - (7) Personal service establishments, including barbershops, nail salons, beauty parlors, shoe repair, appliance repair, laundromats, tattoo and piercing parlors, instructional and tutoring services, personal training/yoga, karate/music studios, and dry cleaners.

- (8) Religious establishments.
 - (9) Restaurants, including coffee houses, fast casual, casual and fine dining but not including fast food.
 - (10) Retail sales, including grocery stores, pharmacies, department stores, specialty shops and shops for the sale of general merchandise.
- D. Special permit uses. The following structures and uses are permitted upon the issuance of a special use permit by the Town Planning Board pursuant to Article IV, § 157-27, of this chapter:
- (1) Drive-through as an accessory use or structure only in connection with a bank, restaurant or other primary use permitted in this section.
 - (2) Places of entertainment, including arcades, billiard halls, gyms, sports, recreation and indoor theaters.
 - (3) Light manufacturing.
- E. Regulations.
- (1) Nothing herein set forth shall be deemed to prevent the inclusion of two or more permitted uses in the same building.
 - (2) No Neighborhood Shopping District shall exceed 15 acres. All structures shall be further limited to a total maximum of a 10,000-square-foot footprint per acre. Maximum lot coverage shall be limited to 75%. Any structure within a Neighborhood Shopping District shall be set back a minimum of 50 feet from any adjoining property line of property zoned residential or restricted agricultural. A minimum of 30 feet immediately adjoining any such property line shall consist of a landscaped buffer, appropriate to the circumstances, as approved by the Planning Board.
 - (3) All service areas within a Neighborhood Shopping District, such as those for the loading and unloading of merchandise, the delivery of food and equipment and the collection and pickup of garbage, shall be located a minimum of 100 feet from any adjoining property line of property zoned residential or restricted agricultural. All service areas shall be screened from sight by appropriate fencing, and such additional steps shall be taken as are necessary to minimize the impact of noise and light on adjoining residential properties.
- F. Signage. All signage shall be in accordance with § 155-25 of the Manlius Town Code subject to the following:
- (1) All signage, including requests for freestanding signs, shall be subject to site plan review by the Planning Board and shall be reviewed by the Planning Board to ensure that signage design is consistent with the design principles which predominate among the existing and proposed buildings within the zone and the surrounding area, including residential, and will not adversely affect the character of the immediate and surrounding area, including residential. Design principles to be addressed include, but are not limited to, the suitability of design and type of proposed sign, including height, line, color and texture of materials to be used in relation to the immediate and surrounding area, including residential.
 - (2) Freestanding signs shall not exceed eight feet in width and 7 1/2 feet in height and shall only be permitted after site plan review and recommendation by the Planning Board and upon the granting of an area variance by the Zoning Board of Appeals.



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 Michael Papq, being duly sworn, deposes and says that (s) he is:
 (Notary)
applicant
 (applicant, petitioner, corporation officer, property owner, etc.)

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

- A. Every application, petition or request submitted for a site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- B. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
- 1) is the applicant, or
 - 2) is an officer, director, partner or employee of the applicant, or
 - 3) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - 4) is a party to an agreement with such an applicant, express or implied, whereby (s) he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
- C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- D. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

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

-OR-

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

Date: 3 24, 2022

Date: _____, 20____

Michael Papa

(Print Name of 1st Applicant)

(Print Name of 2nd Applicant)

Michael Papa
(Signature of 1st Applicant)

(Signature of 2nd Applicant)

A&E and SNY Center

(Entity Name)

(Entity Name)

By (Officer) _____ (Title)

By (Officer) _____ (Title)

(Mailing Address of 1st Applicant)

(Mailing Address of 2nd Applicant)

(Telephone Number)

(Telephone Number)

ACKNOWLEDGEMENTS

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

On this 24th day of March in the year 2022, before me, the undersigned, a notary public in and for said state, personally appeared Michael Papa
(1st Applicants Name)

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

of satisfactory evidence to be the individual whose name is subscribed to the within Petition and acknowledged to me the he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the Petition, the individual or the persons upon behalf of which the individual acted executed the instrument.

Marcia Short
Notary Public

SEAL

Marcia Short
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01SH6195235
Qualified in Onondaga County
Commission Expires October 20 2024

A&E Medical Center Dr.



Short Environmental Assessment Form **Part 1 - Project Information**



Instructions for Completing

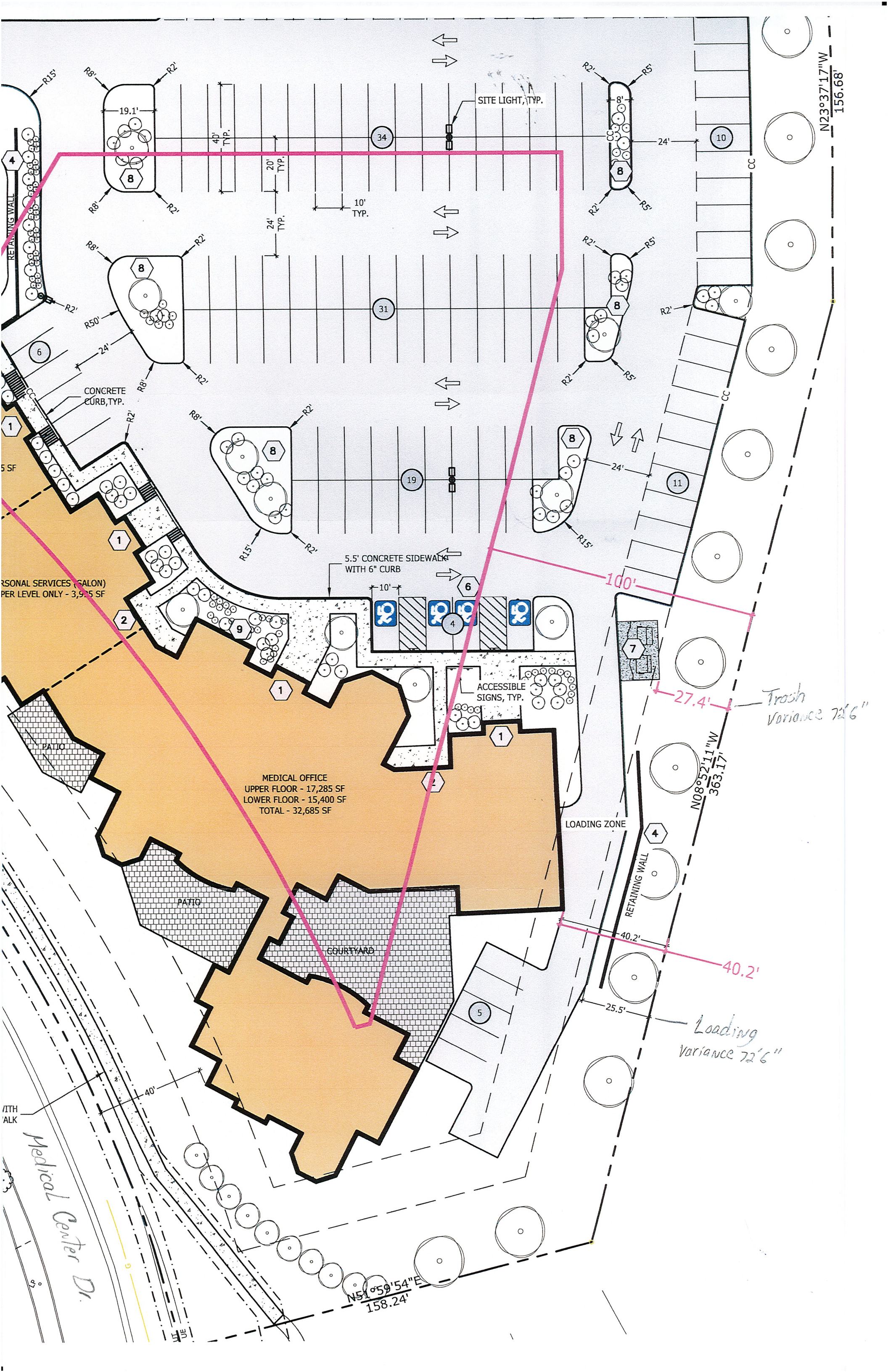
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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			
Name of Action or Project: A&E & SNY Center			
Project Location (describe, and attach a location map): Medical Center Drive at Avriel Drive (Tax Parcel 086.-01-03.9), Town of Manlius, Onondaga County			
Brief Description of Proposed Action: Development of a medical office / personal services center. The construction includes a one-story building with a "walk-out" basement with a footprint of 25,918 sq ft (total 39,995 sq ft), a 140-vehicle parking lot and associated utilities (water, sewer, stormwater management, electric, natural gas, communications). Variances are required for the service area setback (requested 73-foot relief from the required 100 feet).			
Name of Applicant or Sponsor: A&E & SNY CENTER		Telephone: (315) 445-1177 E-Mail: papam42020@gmail.com	
Address: Suite 38, 5781 Bridge Street			
City/PO: East Syracuse		State: New York	Zip Code: 13057
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Manlius Planning Board - Site Plan Approval Manlius Town Board - Zone Change; Manlius ZBA- Variance Approval		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		4.038 acres	
b. Total acreage to be physically disturbed?		2.890 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.038 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other(Specify): Undeveloped ☐ Parkland			

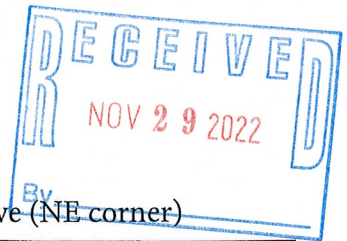
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
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?	NO	YES	
	☒	☐	
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?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

PRINT FORM



TOWN OF MANLIUS – ZONING BOARD OF APPEALS

APPLICANT / PROPERTY INFORMATION



Date: March 25, 2022

1. Property Address: Medical Center Drive @ intersection with Avriel Drive (NE corner)

Property Tax Map # 086.-01-03.9

The Applicants Purpose (new construction, alteration, extension, restoration, modification or other action) with respect to the subject property; _____

New construction

2. Owner of Property: Walnut Grove, LLC

Owner's Address: 7101 82nd Street, Lincoln, NE 68516

Owner's E-Mail: blewis@camerongeneralcontractors.com

Owner's Phone #: 402-420-3149 Does Owners reside at property: No

Signature of Property Owner: Buck C Belingsworth

3. Applicant / Representative / Attorney:

Name: Michael Papa Company: A&E and SNY Center

Address: Suite 38, 5781 Bridge Street, East Syracuse NY 13057

Phone: (315) 445-1177 E-Mail: papam42020@gmail.com

Below this line - For Office Use Only

Application Received by: _____ Date: _____

Payment Receipt #: _____

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

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