

Please turn off your cell phone

Agenda
Manlius Town Board
May 24, 2017
7:00PM

1. The Pledge of Allegiance
2. Approval of Minutes – May 10, 2017
3. Recreation – Kenmark Inc. - Scenic Backdrop Rental Agreement
4. Approval of Abstract # 10
5. 7:05PM – Public Hearing – Special Permit – Solar Array -Tetra Tech - Green Lakes Rd. (Tax Map # 082.-02-15.1)
6. Zone Change Request - RM to CB – 4581 Enders Rd. (Tax Map # 114.-01-13.0) John & Stella Penizotto
7. Set Date – Public Hearing – Special Permit - Graystone – Solar Array - Collamer Road, East Syracuse, NY 13057 Tax Map # 037.-02-03.1
8. Zone Change Request R4 to RA– Quarry Rd. (Tax Map # 110.-03-13.1)
9. Employee Assistance Program (EAP) – Renewal Agreement
10. Agreement between the Town of Manlius Police and East Syracuse - Minoa Schools for SIRO (School Information Resource Officer)
11. Correspondence/New Business
 - a. Highway Superintendent
 - b. Planning & Development
 - c. Attorney
 - d. Town Clerk
 - Special Permit Renewal - Bartlett Realty Co., Inc – 6271 Fremont Rd.
 - Special Permit Renewal – Beth Scott – 6545 Fremont Rd.
 - Special Permit Renewal - Arad Evans – 7206 E. Genesee St.
 - Special Permit Renewal – Cell Tower – 6397 Fremont Rd.
 - e. Police Chief
 - f. Town Board
 - g. Supervisor
 - Monthly Report
12. Adjournment

**TOWN OF MANLIUS
SPECIAL PERMIT APPLICATION
(Original or Renewal)**

TOWN OF MANLIUS
TOWN CLERK'S OFFICE

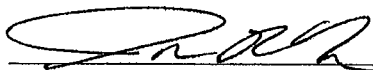
APR 20 2017

RECEIVED AND FILED

DATE: April 18, 2017

Tax Map # 092-06-04.1

I Jason Thomas as applicant relative to property located at 7206 Genesee St. Fayetteville NY 13066 hereby request/apply for issuance renewal (CIRCLE ONE) of a **SPECIAL PERMIT** from the Town of Manlius Town Board as required by the Town of Manlius Code, submit the following application and documentary evidence and/or information, including comprising the Exhibits in support of this request and certify that it is correct, true and accurate to the best of my/our knowledge and after reasonable due diligence and investigation. I further knowledge and agree that should any such evidence or information be later determined as false or not credible in any material respect, any special permit issued/renewed based thereon may be determined by the Town Board as void from the start or revocable.



Applicant's Signature

A 1. Owner(s) of property: Jason Thomas

A 2. Status (Owner, Lessee) of each applicant: Owner

A 3. Present Zoning of Property: Commercial A

A.4. Present Use of Property (describe in detail as best as reasonably possible- add additional pages as needed): Restaurant

A5 Describe property condition at present: Very good

B 1. Proposed use of property: same as present / restaurant

B 2. Anticipated number of employees, guests, customers on property:
same as present - 75 ±

B 3. Hours of Proposed Operation: same as present 7 days a week
4:30 PM - 11:30 PM

B 4. Anticipated Automobile Parking: SAME AS PRESENT 83 SPOTS

B 5. Parking Area Buffer/Screening: SAME AS PRESENT

B 6. Anticipated Vehicle Traffic Volume/Flow: SAME AS PRESENT

B 7. Proposed Site Lighting: SAME AS PRESENT

B 8. Anticipated noise sources, known decibel levels: SAME AS PRESENT. JUST NOISE FROM CARS PULLING INTO LOT

B 9. Landscape:

a) Existing landscaping: SAME AS PRESENT

b) Proposed landscaping: NONE

B 10. Proposed Signage: NONE / SAME AS PRESENT

B 11. Level of municipal and other services required to support the proposed activity (i.e., water supply sanitary sewage facilities): SAME AS PRESENT

B 12. Specific Requirements:

Town Code (District) Requirement: Proposal:

SAME AS PRESENT

Parking Spaces

Lot Coverage

Front Yard Setback

Side Yard Setback

Rear Yard Setback

Maximum Height of Building

EXHIBITS TO SPECIAL PERMIT APPLICATION:

1. Detailed site plan of any proposed construction anticipated (attach as Exhibit "A"). The Town Board requires that drawings be certified by the appropriate design professional, i.e. a licensed engineer, architect, or surveyor, and include, except as may be permitted at #10 below, at time of application such detail as required per Town Zoning Code §155-28A (1) (13) for site plan submission.
2. Survey Map (Exhibit "B") Certified by a licensed surveyor within two years of date of application. Survey should show all existing state of facts, improvements, structures, easements, rights-of-way, appropriations, landscape features, encroachments and existing pavement on site. Any survey map last re-dated prior to 60 days before the application filing date shall be accompanied by an affidavit from the applicant, owner or occupant, i.e. someone with personal knowledge, that the survey map accurately shows the state of facts of the survey map as of the date of the application filing or if it does not the affidavit should describe any change features.
3. Legal description of proposed site (Exhibit "C"). The legal description must be in a form sufficient to follow the legal description on the survey map submitted.
4. Drainage, SWPPP if applicable, sanitary sewer, water service plans and specifications for proposed site (certified by a licensed professional engineer). Attach as Exhibit "D" and as applicable, numbered sub-exhibits e.g. "D-1", "D-2" etc.
5. Environmental Assessment Form (Exhibit "E"). A short environmental assessment form (see attached form) may be provided with any application for an unlisted action, however acceptance of same shall not be deemed a waiver by the Town of its right to require a long EAF with appropriate documentary substantiation of answers provided (including without limitation #6 following). For Type One Actions a long EAF must be submitted at time of application.
6. Freshwater Wetlands Letter. Pursuant to 6 NYCRR 663.4(a), where the application involves conduct of regulated activity on freshwater wetlands or adjacent areas, the applicant must obtain either a permit or letter of permission from the DEC or the authorized local government having jurisdiction over the wetland. Any delineation such determination is based on shall likewise be provided. Attach as Exhibit "F" and as applicable, with numbered sub-exhibits.
7. Professional Fees Reimbursement Agreement (Exhibit "G").
8. Disclosure Affidavit. The applicant shall submit an affidavit attesting it has reviewed General Municipal Law §809 and is familiar with the provisions contained therein, that no state officer, or any officer or employee of the County of Onondaga or Town of Manlius has any interest in the person, partnership or association owning the premises subject of the application or making such application, and that no other violation of §809 shall result from such application (Exhibit "H").

9. Filing and Professional Review Fees. At the time of application filing, applicant shall submit \$100.00 in the form of a check payable to the Town of Manlius for Special Permit filing or renewal fees. Site Plan filing and Professional Review fees must be paid per Town Code Fee Schedule prior to commencement of Planning Board advisory review.

10. NOTE: THE ABOVE ARE NOT INTENDED AS AN EXHAUSTIVE LISTING OF THE APPLICATION REQUIREMENTS. THE APPLICANT SHALL BE RESPONSIBLE FOR FAMILIARIZING ITSELF WITH ALL TOWN CODE ZONING, SITE PLAN REVIEW, AND SPECIAL PERMIT REQUIREMENTS, AND THE REQUIREMENTS OF OTHER INVOLVED AND PERMITTING AGENCIES INCLUDING RELATIVE TO SEQRA, GENERAL MUNICIPAL LAW SECTION 239 REVIEW, STATE/COUNTY DOT, DOH AND THE LIKE.

THE FOREGOING NOTWITHSTANDING IT IS ACKNOWLEDGED THAT UPON INITIAL APPLICATION CERTAIN OF THE ABOVE MAY NOT, WITHOUT INITIAL INPUT FROM THE TOWN BOARD OR PLANNING BOARD, BE REASONABLY CAPABLE OF FINAL COMPLETION, AND ACCORDINGLY MAY BE WAIVED OR SUCH REQUIREMENTS RELAXED TEMPORARILY AND UNTIL SUFFICIENT SPECIFIC DIRECTION FROM THE RESPECTIVE BOARDS HAS BEEN GIVEN. AT TIME OF SUBMISSION THE APPLICANT SHALL SPECIFICALLY REFERENCE ANY SUCH REQUEST(S) AND ITS REASON(S) FOR SAME IN A DETAILED ENCLOSURE LETTER DESCRIBING THE SUBMISSION AND EXHIBITS.

RENEWAL APPLICATIONS SHALL REQUIRE ONLY SUCH OF THE FOREGOING INFORMATION AND EXHIBITS AS ARE DEEMED NECESSARY FOR CONSIDERATION OF A RENEWAL PERMIT INVOLVING NO MATERIAL CHANGES FROM OR VIOLATIONS UNDER THE PRIOR ISSUED SPECIAL PERMIT.

APPLICATIONS SHALL BE SUBMITTED IN BOUND TABBED BOOKLET FORM WITH A COVER LETTER, TABLE OF CONTENTS REFERENCING EXHIBITS, AND LEGIBLE 11"by 17" MINIMUM DRAWINGS FOLDED TO LETTER SIZE THEREIN. TWENTY COPIES SHALL BE DELIVERED TOGETHER WITH SEVEN (7) FULL SIZE PRINTS OF ALL DRAWINGS. SUBSEQUENT SUBMISSIONS OF MINOR MODIFICATIONS MAY BE SUBMITTED IN THE SAME MANNER WITH A LETTER REFERENCING THE SPECIFICS OF THE SUBSTITUTION, HOWEVER IF NUMEROUS OR MATERIAL IN NATURE ENTIRE REPLACEMENT SUBMISSIONS MAY BE REQUESTED.

IN THE MATTER

Of

**The Application of ARAD EVAN/JASON
THOMAS for Special Permit Pursuant to
Chapter 155, Section 155-27 of the Town of
Manlius Code**

**RESOLUTION APPROVING
SPECIAL PERMIT**

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, on the 12th day of May, 2010, at 7:00 p.m. The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Nicholas J. Marzola	Councilor
Vincent Giordano	Councilor
Karen Green	Councilor
Sandra A. Schepp	Councilor
John R. Loeffler	Councilor
David Marnell, Sr.	Councilor

The following resolution was moved, seconded and adopted with the following vote:

Theobald	<u> Y </u>
Loeffler	<u> Y </u>

Schepp	<u> N </u>
Marzola	<u> Y </u>
Green	<u> Y </u>
Marnell	<u> Y </u>
Giordano	<u> Y </u>

WHEREAS, application has been made to the Town Board of the Town of Manlius for a Special Permit to construct a porch for outdoor dining in a Commercial A Zone in the Town of Manlius for the purpose of allowing patrons to dine outdoors at the property situated at 7206 E. Genesee Street, Fayetteville, New York (property tax number 092-06-04.1)

WHEREAS, the Planning Board of the Town of Manlius has reviewed the application and on May 10, 2010 recommended to the Town Board the granting of the requested Special Permit for the outdoor dining area as set forth in the minutes of said meeting;

WHEREAS, The Town Board of the Town of Manlius held a Public Hearing on the 12th day of May, 2010, at which all persons in interest and citizens desiring to be heard had an opportunity to be heard; and

WHEREAS, the Board has declared itself the lead agency on this unlisted action under SEQR and has issued a negative declaration under SEQR for the following reasons, which are set forth in more detail in the Short Environmental Assessment Form considered by the Board at its July 14, 2010 meeting: the site is in a commercial district the addition of the deck is on existing impervious ground so drainage will not be an issue; parking and drainage was reviewed by the Planning Board during the site plan approval

process and it determined that there will be no significant environmental impact, therefore the Town Board hereby agrees, ratifies and adopts the negative declaration of the Planning Board; and

WHEREAS, the Town Board hereby finds that that the special permit will have a beneficial impact on the Town by improving an existing business and providing the Town residents with additional outdoor dining options;

WHEREAS, the proposed Special Use is allowed under Town Code Section 155-13 and 155-15;

WHEREAS, in the opinion of the members of the Town Board, the granting of said Special Permit requested by applicant will not adversely affect the health, safety, morals, and/or the general welfare of the public for the reasons stated above; and

WHEREAS, the Town Board may impose additional standards upon the Special Permit to preserve the general character of the neighborhood in which the proposed special use is to be placed;

WHEREAS, all other requirements of Law have been complied with;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Manlius finds as follows:

1. The use possesses characteristics that will blend desirably with the neighboring properties and will secure the objectives of the Zoning Ordinance of the Town of Manlius since the residential use is pre-existing;

2. The location, size of the use of and structure, nature and intensity of the operations involved, size of the site in relation to it, and the location of the site with

respect to the streets giving access to it are such that it will be in harmony with the orderly development of the district for the reasons stated above.

3. The location, nature and general lay-out of the plan will not discourage the appropriate development and use of adjacent land and buildings or impair their value.

4. The use does not conflict with any master plan or part thereof.

5. The proposal will not significantly impair the safety of the general public nor unreasonably increase traffic congestion as set forth above.

6. The proposal will not significantly increase the possibility of nuisance or noise from the site.

and be it further

RESOLVED, that the applicant be, and hereby is, granted a Special Permit pursuant to the provisions of Section 155-13 and 155-15 of the Town of Manlius Code for the Business subject to the conditions set forth in the Special Permit; and be it further

RESOLVED, that the Special Permit shall be issued by the Town Clerk upon the agreement in writing by the applicant to the conditions imposed by Special Permit, which is attached.

SPECIAL PERMIT

Pursuant to a Resolution of the Town Board of the Town of Manlius on the Application of ARAD EVAN/JASON THOMAS, which Resolution was passed at a regular meeting of the Town Board of the Town of Manlius, held on May 12, 2010, permission is hereby granted construct a 464 sq. ft. deck expansion on an existing

restaurant for the purpose of providing outdoor dining to patrons, as set forth on that certain Site Plan/Survey that is attached to the application of the Applicant, which is hereby incorporated into this Special Permit.

This Permit will continue in full force until terminated by the Town Board for breach of one or more of the conditions pursuant to which it is granted, and the implementation thereof will be in accordance with the following conditions:

1. The Special Permit and the uses allowed pursuant thereto shall expire in seven (7) years, on June 30, 2017 and any renewal may not be unreasonably withheld.
2. This Special Permit shall be transferable as set forth in Section 155-27(G) of the Town of Manlius Code.
3. The Applicant will not cover the porch/deck without first appearing before the Town Board for an amendment to this Special Permit.
4. The applicant covenants to comply with all of the rules and regulations of the United States, the State of New York and the County of Onondaga with regard to land use.

The applicant, by the acceptance of this Special Permit, agrees to all of the above terms and conditions, and in the event that she shall fail for any reason to perform any of the said terms and conditions on her part to be performed, this special permit shall be automatically revoked.


Deborah Demmon, Deputy Town Clerk
Town of Manlius
Onondaga County, New York

The undersigned does hereby accept the foregoing Special Permit and agrees to perform all of the terms and conditions thereof.

By: 
Name: Jason Thomas

STATE OF NEW YORK)

COUNTY OF ONONDAGA) ss:

On the 6th day of August in the year 2010 before me, the undersigned, personally appeared JASON R. THOMAS personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individuals(s) acted, executed the instrument.


Notary Public
RAULETTE A. WEBER
Notary Public, State of New York
Qualified in Onondaga County
No. 01WE603431
Commission Expires Dec. 6, 2013

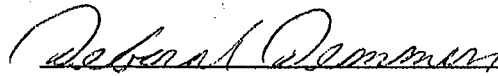
I, **DEBORAH DEMMON**, Deputy Town Clerk of the Town of Manlius, **DO**

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 12th day of May, 2010; 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.

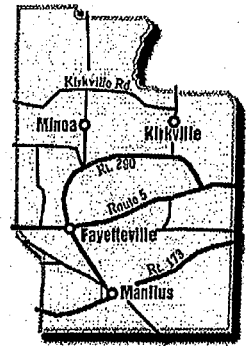
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 12th day of May, 2010.

DATED: May 12, 2010
Fayetteville, New York


DEBORAH DEMMON
Deputy Town Clerk of the
Town of Manlius

Town of Manlius

Planning & Development



Date: May 12, 2017

To: Town of Manlius Board

From: Randy Capriotti
Director of Code Enforcement

Re: Application for Special Permit Renewal
Arad Evans
7206 E. Genesee St.
Fayetteville NY 13066

I have reviewed the attached Renewal Application and find it to be in order. The business continues to operate as it did in 2010.

There have been no violations or complaints regarding 7206 E. Genesee St. relative to its present use and recommend the renewal of the current special use permit.

Edmond J. Theobald, Supervisor

Town Board – John R. Loeffler, David M. Marnell Sr., Nicholas J. Marzola, Richard Rossetti, Vincent Giordano, Karen Green

IN THE MATTER

Of

**The Application of BARTLETT REALTY
COMPANY, INC. for Special Permit Pursuant
to Chapter 155, Section 155-17 and 155-27 of
the Town of Manlius Code**

**RESOLUTION APPROVING
SPECIAL PERMIT RENEWAL**

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, on the 12th day of May, 2010, at 7:00 p.m. The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Nicholas J. Marzola	Councilor
Vincent Giordano	Councilor
Karen Green	Councilor
Sandra A. Schepp	Councilor
David Marnell, Sr.	Councilor

The following resolution was moved, seconded and adopted with the following vote:

Theobald	__Aye__
Schepp	__Aye__
Marzola	__Aye__
Green	__Aye__

Marnell Aye

Giordano Aye

WHEREAS, application has been made to the Town Board of the Town of Manlius for a Special Permit to re-new an existing Special Permit to operate a tree service business within an Industrial Zone;

WHEREAS, The Town Board of the Town of Manlius determined that a Public Hearing was not necessary because the operation of the business will not change and the Applicant's request is to continue to operate as they have for the past 7 years;

WHEREAS, the Board determined that for SEQRA purposes this is an Unlisted Action that will not have any significant environmental affects because the business operation will not change; and

WHEREAS, the Town Board hereby finds that that the special permit will have a beneficial impact on the Town by allowing a business to continue;

WHEREAS, the Director of Planning & Development, by Memorandum dated April 26, 2010, is recommending the extension of the Special Permit because he has received on complaints about the operation of the business;

WHEREAS, the proposed Special Use is allowed under Town Code Section 155-17 and 155-27;

WHEREAS, in the opinion of the members of the Town Board, the granting of the extension of said Special Permit requested by applicant will not adversely affect the health, safety, morals, and/or the general welfare of the public for the reasons stated above; and

WHEREAS, the Town Board may impose additional standards upon the Special Permit to preserve the general character of the neighborhood in which the proposed special use is to be placed;

WHEREAS, all other requirements of Law have been complied with;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Manlius finds as follows:

1. The use possesses characteristics that will blend desirably with the neighboring properties and will secure the objectives of the Zoning Ordinance of the Town of Manlius since the residential use is pre-existing;

2. The location, size of the use of and structure, nature and intensity of the operations involved, size of the site in relation to it, and the location of the site with respect to the streets giving access to it are such that it will be in harmony with the orderly development of the district for the reasons stated above.

3. The location, nature and general lay-out of the plan will not discourage the appropriate development and use of adjacent land and buildings or impair their value.

4. The use does not conflict with any master plan or part thereof.

5. The proposal will not significantly impair the safety of the general public nor unreasonably increase traffic congestion as set forth above.

6. The proposal will not significantly increase the possibility of nuisance or noise from the site.

and be it further

RESOLVED, that the applicant be, and hereby is, granted an extension of the Special Permit pursuant to the provisions of Section 155-17 and 155-27 for an additional period of seven (7) years, through May 31, 2017, of the Town of Manlius Code for the Business subject to the same terms and conditions set forth in the original Special Permit, as amended hereby; and be it further

RESOLVED, that the extension of the Special Permit shall be issued by the Town Clerk.

I, DEBORAH DEMMON, Deputy 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 12th day of May, 2010; 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.

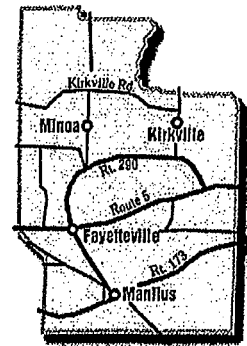
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 12th day of May, 2010.

DATED: May 12, 2010
Fayetteville, New York


DEBORAH DEMMON
Deputy Town Clerk of the
Town of Manlius

Town of Manlius

Planning & Development



Date: May 12, 2017

To: Town of Manlius Board

From: Randy Capriotti
Director of Code Enforcement

Re: Special Permit Renewal Application
Bartlett Realty CO., Inc
6271 Fremont Road
East Syracuse, NY 13057

I have reviewed the attached Renewal Application and find it to be in order. The business continues to operate as it did in 2010.

There have been no violations or complaints regarding 6271 Fremont Road relative to its present use and recommend the renewal of the current special use permit.

Edmond J. Theobald, Supervisor

Town Board - John R. Loeffler, David M. Marnell Sr., Nicholas J. Marzola, Richard Rossetti, Vincent Giordano, Karen Green

**TOWN OF MANLIUS
SPECIAL PERMIT APPLICATION
(Original or Renewal)**

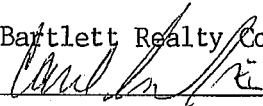
DATE: May 8, 2017

Tax Map # 54-01-23.2

I The Bartlett Realty Company, Incorporated as applicant relative to property located at 6271 Fremont Road in Manlius

hereby request/apply for issuance/renewal (CIRCLE ONE) of a **SPECIAL PERMIT** from the Town of Manlius Town Board as required by the Town of Manlius Code, submit the following application and documentary evidence and/or information, including comprising the Exhibits in support of this request and certify that it is correct, true and accurate to the best of my/our knowledge and after reasonable due diligence and investigation. I further knowledge and agree that should any such evidence or information be later determined as false or not credible in any material respect, any special permit issued/renewed based thereon may be determined by the Town Board as void from the start or revocable.

The Bartlett Realty Company, Incorporated

By: 

Applicant's Signature
Carol A. Kijek, Secretary

A 1. Owner(s) of property: The Bartlett Realty Company, Incorporated

A 2. Status (Owner, Lessee) of each applicant: Owner: The Bartlett Realty Company, Incorporated
Property Leased to: The F. A. Bartlett Tree Expert Company

A 3. Present Zoning of Property: Industrial

A 4. Present Use of Property (describe in detail as best as reasonably possible- add additional pages as needed): Continued operation of a tree service business with an office of The F. A. Bartlett Tree Expert Company, an affiliate of the owner.

A 5. Describe property condition at present: The building and the property are in good shape.

B 1. Proposed use of property: Continued use as a tree service office of The F. A. Bartlett Tree Expert Company.

B 2. Anticipated number of employees, guests, customers on property:

20 employees. However, these employees arrive around 7:00 am, and then leave the premises at 7:20 am, and return at 3:30 pm. There are only two employees on the premises during the day.

B 3. Hours of Proposed Operation: 7:00 am - 6:00 pm

B 4. Anticipated Automobile Parking: 13 Trucks - 19 cars

B 5. Parking Area Buffer/Screening: None/same condition as it was in April, 2010
when previous Special Permit was approved.

B 6. Anticipated Vehicle Traffic Volume/Flow: N/A

B 7. Proposed Site Lighting: Same at it was in April, 2010.

B 8. Anticipated noise sources, known decibel levels: Same as it was in April, 2010.
All trucks leave the property at 7:20 am and return later in the day, not later
than 6:00 pm

B 9. Landscape:

a) Existing landscaping: Same as it was in April, 2010.

b) Proposed landscaping: N/A Same as it was in April, 2010.

B 10. Proposed Signage: No change/same as it was in April, 2010.

B 11. Level of municipal and other services required to support the proposed activity (i.e., water
supply sanitary sewage facilities): No public facilities - Well and Septic systems.

B 12. Specific Requirements:

Town Code (District) Requirement: Proposal:

Same as in April, 2010.

Parking Spaces

Lot Coverage

Front Yard Setback

Side Yard Setback

Rear Yard Setback

Maximum Height of Building

EXHIBITS TO SPECIAL PERMIT APPLICATION:

1. Detailed site plan of any proposed construction anticipated (attach as Exhibit "A"). The Town Board requires that drawings be certified by the appropriate design professional, i.e. a licensed engineer, architect, or surveyor, and include, except as may be permitted at #10 below, at time of application such detail as required per Town Zoning Code §155-28A (1) (13) for site plan submission.
2. Survey Map (Exhibit "B") Certified by a licensed surveyor within two years of date of application. Survey should show all existing state of facts, improvements, structures, easements, rights-of-way, appropriations, landscape features, encroachments and existing pavement on site. Any survey map last re-dated prior to 60 days before the application filing date shall be accompanied by an affidavit from the applicant, owner or occupant, i.e. someone with personal knowledge, that the survey map accurately shows the state of facts of the survey map as of the date of the application filing or if it does not the affidavit should describe any change features.
3. Legal description of proposed site (Exhibit "C"). The legal description must be in a form sufficient to follow the legal description on the survey map submitted.
4. Drainage, SWPPP if applicable, sanitary sewer, water service plans and specifications for proposed site (certified by a licensed professional engineer). Attach as Exhibit "D" and as applicable, numbered sub-exhibits e.g. "D-1", "D-2" etc.
5. Environmental Assessment Form (Exhibit "E"). A short environmental assessment form (see attached form) may be provided with any application for an unlisted action, however acceptance of same shall not be deemed a waiver by the Town of its right to require a long EAF with appropriate documentary substantiation of answers provided (including without limitation #6 following). For Type One Actions a long EAF must be submitted at time of application.
6. Freshwater Wetlands Letter. Pursuant to 6 NYCRR 663.4(a), where the application involves conduct of regulated activity on freshwater wetlands or adjacent areas, the applicant must obtain either a permit or letter of permission from the DEC or the authorized local government having jurisdiction over the wetland. Any delineation such determination is based on shall likewise be provided. Attach as Exhibit "F" and as applicable, with numbered sub-exhibits.
7. Professional Fees Reimbursement Agreement (Exhibit "G").
8. Disclosure Affidavit. The applicant shall submit an affidavit attesting it has reviewed General Municipal Law §809 and is familiar with the provisions contained therein, that no state officer, or any officer or employee of the County of Onondaga or Town of Manlius has any interest in the person, partnership or association owning the premises subject of the application or making such application, and that no other violation of §809 shall result from such application (Exhibit "H").

9. Filing and Professional Review Fees. At the time of application filing, applicant shall submit \$100.00 in the form of a check payable to the Town of Manlius for Special Permit filing or renewal fees. Site Plan filing and Professional Review fees must be paid per Town Code Fee Schedule prior to commencement of Planning Board advisory review.

10. NOTE: THE ABOVE ARE NOT INTENDED AS AN EXHAUSTIVE LISTING OF THE APPLICATION REQUIREMENTS. THE APPLICANT SHALL BE RESPONSIBLE FOR FAMILIARIZING ITSELF WITH ALL TOWN CODE ZONING, SITE PLAN REVIEW, AND SPECIAL PERMIT REQUIREMENTS, AND THE REQUIREMENTS OF OTHER INVOLVED AND PERMITTING AGENCIES INCLUDING RELATIVE TO SEQRA, GENERAL MUNICIPAL LAW SECTION 239 REVIEW, STATE/COUNTY DOT, DOH AND THE LIKE.

THE FOREGOING NOTWITHSTANDING IT IS ACKNOWLEDGED THAT UPON INITIAL APPLICATION CERTAIN OF THE ABOVE MAY NOT, WITHOUT INITIAL INPUT FROM THE TOWN BOARD OR PLANNING BOARD, BE REASONABLY CAPABLE OF FINAL COMPLETION, AND ACCORDINGLY MAY BE WAIVED OR SUCH REQUIREMENTS RELAXED TEMPORARILY AND UNTIL SUFFICIENT SPECIFIC DIRECTION FROM THE RESPECTIVE BOARDS HAS BEEN GIVEN. AT TIME OF SUBMISSION THE APPLICANT SHALL SPECIFICALLY REFERENCE ANY SUCH REQUEST(S) AND ITS REASON(S) FOR SAME IN A DETAILED ENCLOSURE LETTER DESCRIBING THE SUBMISSION AND EXHIBITS.

RENEWAL APPLICATIONS SHALL REQUIRE ONLY SUCH OF THE FOREGOING INFORMATION AND EXHIBITS AS ARE DEEMED NECESSARY FOR CONSIDERATION OF A RENEWAL PERMIT INVOLVING NO MATERIAL CHANGES FROM OR VIOLATIONS UNDER THE PRIOR ISSUED SPECIAL PERMIT.

APPLICATIONS SHALL BE SUBMITTED IN BOUND TABBED BOOKLET FORM WITH A COVER LETTER, TABLE OF CONTENTS REFERENCING EXHIBITS, AND LEGIBLE 11"by 17" MINIMUM DRAWINGS FOLDED TO LETTER SIZE THEREIN. TWENTY COPIES SHALL BE DELIVERED TOGETHER WITH SEVEN (7) FULL SIZE PRINTS OF ALL DRAWINGS. SUBSEQUENT SUBMISSIONS OF MINOR MODIFICATIONS MAY BE SUBMITTED IN THE SAME MANNER WITH A LETTER REFERENCING THE SPECIFICS OF THE SUBSTITUTION, HOWEVER IF NUMEROUS OR MATERIAL IN NATURE ENTIRE REPLACEMENT SUBMISSIONS MAY BE REQUESTED.



VIA FEDERAL EXPRESS

May 12, 2017

Allison A. Weber
Town Clerk, Town of Manlius
301 Brooklea Drive
Fayetteville, NY 13066

**Re: Telecommunications Tower Facility Special Permit Renewal
ATC 415360 / UPNY Minoa West NY
6397 Fremont Road, East Syracuse NY**

Dear Ms. Weber,

Please find the enclosed application to renew the Special Permit associated with the Telecommunications Tower Facility (the "Tower Facility") located at 6397 Fremont Road, East Syracuse, New York. Please be advised that ATC Sequoia, LLC, a wholly owned subsidiary of American Tower Corporation, manages the Tower Facility on behalf of the Tower Facility's owner, Syracuse SMSA Limited Partnership d/b/a Verizon Wireless. Accordingly, ATC Sequoia, LLC is authorized to renew the Special Permit.

Please note that, to the best of our knowledge, the Tower Facility has not been substantially modified since its initial approval on October 22, 2008. As such, we have not included a detailed site plan, survey map, legal description of the proposed site, drainage/SWPP/sanitary sewer/water service plans for proposed site, environmental assessment form and freshwater wetlands letter. That being said, please let me know if you will require any additional items to be filed accompanying this application.

Should you have any questions or concerns, please do not hesitate to contact me by phone at 781-926-4793 or by email at Nicholas.Caezza@AmericanTower.com.

Very truly yours,

Nicholas M. Caezza
Attorney
American Tower Corporation

**TOWN OF MANLIUS
SPECIAL PERMIT APPLICATION
(Original or Renewal)**

DATE: _____

Tax Map # 053-01-21.1

I ATC Sequoia, LLC as applicant relative to property located
at 6397 Fremont Road, East Syracuse, NY

hereby request/apply for issuance/renewal (CIRCLE ONE) of a **SPECIAL PERMIT** from the Town of Manlius Town Board as required by the Town of Manlius Code, submit the following application and documentary evidence and/or information, including comprising the Exhibits in support of this request and certify that it is correct, true and accurate to the best of my/our knowledge and after reasonable due diligence and investigation. I further knowledge and agree that should any such evidence or information be later determined as false or not credible in any material respect, any special permit issued/renewed based thereon may be determined by the Town Board as void from the start or revocable.

By: _____

Margaret Robinson
Senior Counsel

Applicant's Signature

A 1. Owner(s) of property: Daniel G. Jurenko & Anne K. Jurenko

A 2. Status (Owner, Lessee) of each applicant: Sublessee, Telecommunications Tower Manager

A 3. Present Zoning of Property: Restricted Agriculture

A.4. Present Use of Property (describe in detail as best as reasonably possible- add additional pages as needed): Telecommunications tower facility and accompanying ground equipment.

A5 Describe property condition at present: Existing telecommunications tower facility and accompanying ground equipment.

B 1. Proposed use of property: Use to remain as telecommunications tower facility, applicant is seeking to renew the Special Use Permit to continue telecommunications tower facility use.

B 2. Anticipated number of employees, guests, customers on property:
N/A - unmanned telecommunications tower facility.

B 3. Hours of Proposed Operation: Telecommunications equipment to operate continuously.

B 4. Anticipated Automobile Parking: Parking conditions to remain same as current.

B 5. Parking Area Buffer/Screening: Parking conditions to remain same as current.

B 6. Anticipated Vehicle Traffic Volume/Flow: Vehicle traffic volume/flow to remain same as current.

B 7. Proposed Site Lighting: Site lighting to remain same as current.

B 8. Anticipated noise sources, known decibel levels: Minimal noise sources, noise to remain same as current.

B 9. Landscape:

a) Existing landscaping: Landscaping to remain same as current.

b) Proposed landscaping: Landscaping to remain same as current.

B 10. Proposed Signage: N/A.

B 11. Level of municipal and other services required to support the proposed activity (i.e., water supply sanitary sewage facilities): N/A - unmanned telecommunications tower facility.

B 12. Specific Requirements:

Town Code (District) Requirement: Proposal:

Parking Spaces		<u>N/A (Renewal)</u>
Lot Coverage		<u>N/A (Renewal)</u>
Front Yard Setback	<u>40 Feet</u>	<u>N/A (Renewal)</u>
Side Yard Setback	<u>20 Feet</u>	<u>N/A (Renewal)</u>
Rear Yard Setback	<u>40 Feet</u>	<u>N/A (Renewal)</u>
Maximum Height of Building		<u>N/A (Renewal)</u>

IN THE MATTER

Of

The Application of Syracuse SMSA Limited Partnership d/b/a Verizon Wireless for a Special Permit Pursuant to Chapter 155, Section 155-12 and 155-27 of the Town of Manlius Code

**RESOLUTION APPROVING
SPECIAL PERMIT**

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, on the 22nd day of October 2008, at 7:00 p.m. The meeting was called to order by Mark E. Tetley, Supervisor, and the following were present, namely:

Mark E. Tetley	Supervisor
Nicholas J. Marzola	Councilor
Paul E. Susco	Councilor
John S. Curtis	Councilor
Sandra A. Schepp	Councilor
John R. Loeffler	Councilor
David Marnell, Sr.	Councilor

The following resolution was moved, seconded and adopted with the following vote:

WHEREAS, application has been made to the Town Board of the Town of Manlius for a Special Permit for the purpose of construct a 145 ft. telecommunication tower on a .23 acre parcel which is part of a larger 6.74 acre parcel at 6397 Freemont Road in a Restricted Agricultural District and the installation of a 11'-6' x 30' equipment shelter for the purpose of providing cellular telephone services as set forth on that certain site plan prepared by

Costich Engineering, P.C., dated May 28, 2008 and last revised on August 19,, 2008 (the "Project");

WHEREAS, the Planning Board of the Town of Manlius has reviewed the application and on September 22, 2008 recommended to the Town Board the granting of the requested Special Permit for construction of the Project; (1) based on the photo simulations provided by the applicant, the visual impact will not be seen by most of the surrounding properties; (2) the RF Analysis indicates the gap in coverage that has to be filled by the Project;

WHEREAS, The Town Board of the Town of Manlius held a Public Hearing on the 22nd day of October 2008, at 7:12 pm at which all persons in interest and citizens desiring to be heard had an opportunity to be heard; and

WHEREAS, the Board has declared itself the lead agency on this unlisted action under SEQR and has issued a negative declaration under SEQR for the following reasons, which are set forth in more detail in the Short Environmental Assessment Form considered by the Board at its October 22, 2008 meeting: the intended use of the property fits within the zoning for the property; the character of the neighborhood would not be significantly changed because of the size of the parcel that the Project would be on; the proposed visual and aesthetic impacts will be negligible based on the information provided by the applicant, which included a photo simulation of what the tower would look like;

WHEREAS, the Town Board believes that providing cellular service to the emergency service providers, businesses and residents of the Town of Manlius is beneficial to the Town as a whole and encourages such opportunities for its residents;

WHEREAS, the proposed special use is allowed under Town Code Section 155-12 A (12) and 155-9(6);

WHEREAS, in the opinion of the members of the Town Board, the granting of said Special Permit requested by applicant will not adversely affect the health, safety, morals, and/or the general welfare of the public; and

WHEREAS, the Town Board may impose additional standards upon the Special Permit to preserve the general character of the neighborhood in which the proposed special use is to be placed;

WHEREAS, all other requirements of Law have been complied with;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Manlius finds as follows:

1. The use possesses characteristics that will blend desirably with the neighboring properties and will secure the objectives of the Zoning Ordinance of the Town of Manlius, especially because: (a) the size and scope of the 6.23 acre parcel will be sufficient to place the tower on the property without having a detrimental impact on the neighborhood; (b) the location of the tower will be shielded from the general public's view and will not be observed by most of the neighbors according to the photo simulations presented by the Applicant.

2. The location, size of the use and structure, nature and intensity of the operations involved, size of the site in relation to it, and the location of the site with respect to the streets giving access to it are such that it will be in harmony with the orderly development of the district.

3. The location, nature and height of the pole will not discourage the appropriate development and use of adjacent land and buildings or impair their value.

4. The use does not conflict with any master plan or part thereof.

5. The proposal will not significantly impair the safety of the general public nor unreasonably increase traffic congestion and will provide a service to the public which is needed in the Town.

6. The proposal will not significantly increase the possibility of nuisance or noise from the site. and be it further

RESOLVED, that the applicant be, and hereby is, granted a Special Permit pursuant to the provisions of Section 155-12 and 155-9 of the Town of Manlius Code for the purpose constructing a 145' cellular tower and a 11'-6' x 30' equipment shelter and related improvements as set forth in the application for a Special Permit, which application is incorporated herein, such tower to be used to provide telephony service to the residents of the Town of Manlius, and be it further

RESOLVED, that the Special Permit shall be issued by the Town Clerk upon the agreement in writing by the applicant to the conditions imposed by Special Permit, which is attached.

SPECIAL PERMIT

Pursuant to a Resolution of the Town Board of the Town of Manlius on the Application of Syracuse SMSA Limited Partnership d/b/a Verizon Wireless which Resolution was passed at a regular meeting of the Town Board of the Town of Manlius, held on October 22, 2008, permission is hereby granted to applicant, effective upon the mutual execution of this Permit, to construct a 145' telecommunications tower and 11'-6' x 30' equipment shelter and other associated improvements as shown on that certain site plan prepared by Costich Engineering, P.C. dated May 28, 2008 and last revised August 19, 2008, situated at 6397 Fremont Road, Manlius, New York.

This Permit will continue in full force until terminated by the Town Board for breach of one or more of the conditions pursuant to which it is granted, and the implementation thereof will be in accordance with the following conditions:

1. The Special Permit and the uses allowed pursuant thereto shall expire in seven (7) years, on October 31, 2015 and any renewal may not be unreasonably withheld.
2. This Special Permit shall be transferable as set forth in Section 155-27(G) of the Town of Manlius Code.
3. The applicant covenants to comply with all of the rules and regulations of the United States, the State of New York and the County of Onondaga with regard to land use and the operation of the cellular tower.

The applicant, by the acceptance of this special permit, agrees to all of the above terms and conditions, and in the event, that she shall fail for any reason to perform any of the said terms and conditions on her part to be performed, this special permit shall be automatically revoked.

Allison Edsall, Town Clerk
Town of Manlius
Onondaga County, New York

The undersigned, on behalf of SMSA Limited Partnership d/b/a Verizon Wireless, does hereby accept the foregoing Special Permit and agrees to perform all of the terms and conditions thereof.

NIXON PEABODY LLP

By: _____
Name: Jared C. Lusk, as Attorney in Fact
Title: Attorney

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

On the ____ day of _____ in the year 2008 before me, the undersigned, personally appeared JARED C. LUSK, ESQ. personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individuals(s) acted, executed the instrument.

Notary Public

I, Alison Edsall, 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 22nd day of October, 2008; 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 22nd day of October 2008.

DATED: October 22, 2008
 Fayetteville, New York

Allison Edsall
Town Clerk of the Town of Manlius



TotalCare EAP
Public Safety EAP
Educators' EAP
Higher Ed EAP
HealthCare EAP
Union AP
TotalCare Wellness

Employee Assistance Program – RENEWAL AGREEMENT

Town of Manlius, NY agrees to contract with ESI Employee Assistance Group for the period of July 1, 2017 through June 30, 2018.

I. Fees and Payment:

- A. The annual fee for the employee assistance program is **\$31.43** per employee.
- B. The total number of employees covered under this Agreement is **92**.
- C. Employer agrees to pay ESI the sum of **\$2,891.56** per agreement year.
- D. The annual fee also includes all immediate family members residing in the same household and dependent children up to age 26.
- E. Payment of the **Semi-Annual** premium is due upon receipt of the invoice.
- F. If the number of covered employees increases or decreases more than 5%, the total agreement value will be revised to reflect the changes.
- G. DOT required Substance Abuse Evaluations - **\$850.00** each.

II. The EAP will provide:

Employee Benefits

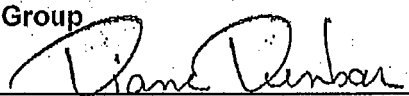
- Unlimited telephonic counseling, 24/7
- Up to **3** face-to-face counseling sessions per issue
- Work/life benefits-including debt, legal, financial, elder & child care counseling
- Information Resource benefits
- Lifestyle benefits designed to improve members' health, financial security and overall wellbeing
- Peak Performance Training and Development: **No**
- Peak Performance Wellness Coaching: **No**
- GCN Compliance Training: **No**
- Lynch Ryan Worker's Compensation: **No**

Employer Services

- **2** on-site trauma response(s) @ no charge per year, additional Trauma Responses available at **\$250.00** per hour
- Unlimited Administrative (Mandatory) Referrals
- Unlimited HR consultations with certified SPHR's
- Unlimited online Supervisor compliance training & Orientation videos
- Statistical Reports, Newsletters and EAP Awareness Materials
- All web services for employee and employer

****No other services are expressed or implied under the terms and conditions of this agreement.***

ESI Group


Diane Dunbar, Chief Client Service Officer

Date

5/16/17

Town of Manlius, NY

Authorized Signature

Date



Rental Contract

NAME Kristine Zingaro SHIP DATE 07/12/17

ORGANIZATION Town of Manlius Recreation Department

TERMS AND CONDITIONS:

- 1) **NOT SIGNING THIS CONTRACT DOES NOT CANCEL THE ORDER.**
- 2) **CANCELLATION:** If the order is cancelled you will be charged 50% of the total contract rental amount. THE ORDER MUST BE CANCELLED IN WRITING - NO EXCEPTIONS!
- 3) **BACKDROP RETURN:** Lessee is responsible for returning backdrops by the due dates. Lessee will be charged late fees at the rate of \$50 per day, per backdrop.
- 4) **DAMAGE/LOSS:** The Lessee assumes total responsibility for the backdrops rented and agrees to reimburse Kenmark, Inc. for any loss or damages incurred during the term of the rental. Lessee further agrees not to staple, tack, pin, or otherwise hang or attach drops in any manner other than with the tie lines provided. Tie lines should be intact and in the same condition as when received. Scrims are very delicate and must be handled with care. Damage costs for scrims starts at \$500. We do not recommend letting students hang or remove scrims. Any show package backdrops that are damaged will be charged total replacement value.
- 5) **CHANGES TO ORDER:** Written or verbal confirmation from Kenmark, Inc. plus a \$25 service charge will be required to change backdrops or dates on the order. Removal of any drops from an order within two weeks of the shipping date will be subject to 50% of the rental fee.

I have read and hereby agree to the terms and conditions of this contract as stated above:

Signature _____ Date _____

PAYMENT OPTIONS: (select one) ☐ CHECK ☐ CREDIT CARD ☐ PURCHASE ORDER

If paying by check the balance is due by the date stated on the invoice. If paying by credit card please fill out the information below. Anyone required to pay a security deposit may pay the deposit by either sending a separate check or by credit card. Security deposits are only processed if backdrops are late or if there is damage to the drop.

CREDIT CARD TYPE: (select) ☐ VISA ☐ MASTER CARD ☐ DISCOVER WHEN TO CHARGE: ☐ TODAY ☐ DUE DATE

CARD HOLDER NAME _____ SIGNATURE _____

CARD NUMBER _____

EXP DATE _____ CARD CODE _____

CREDIT CARD BILLING ADDRESS _____

USE THE ABOVE CARD INFORMATION FOR: (select one) ☐ DEPOSIT ☐ PAYMENT ☐ BOTH

TOWN OF MANLIUS
SPECIAL PERMIT APPLICATION
(Original or Renewal)

TOWN OF MANLIUS
TOWN CLERK'S OFFICE
MAY 08 2017

DATE: 5/5/17

Tax Map # 045. - 01.75.0

RECEIVED AND FILED

I Beth Scott as applicant relative to property located at 6545 Fremont Rd, E Syracuse hereby request/apply for issuance/renewal (CIRCLE ONE) of a **SPECIAL PERMIT** from the Town of Manlius Town Board as required by the Town of Manlius Code, submit the following application and documentary evidence and/or information, including comprising the Exhibits in support of this request and certify that it is correct, true and accurate to the best of my/our knowledge and after reasonable due diligence and investigation. I further knowledge and agree that should any such evidence or information be later determined as false or not credible in any material respect, any special permit issued/renewed based thereon may be determined by the Town Board as void from the start or revocable.

Beth Scott
Applicant's Signature

A 1. Owner(s) of property: Thomas + Beth Scott

A 2. Status (Owner/Lessee) of each applicant: Live at this address

A 3. Present Zoning of Property: _____

A.4. Present Use of Property (describe in detail as best as reasonably possible- add additional pages as needed): Residential, 2 Story house w/pool, shed + pole barn. (i.e. eat, sleep + play)

A5 Describe property condition at present: Very good!

B 1. Proposed use of property: to continue to live + eventually die here.

B 2. Anticipated number of employees, guests, customers on property: 0 (zero) I like my quiet time.

B 3. Hours of Proposed Operation: N/A

B 4. Anticipated Automobile Parking: 3 cars

B 5. Parking Area Buffer/Screening: N/A

B 6. Anticipated Vehicle Traffic Volume/Flow: N/A

B 7. Proposed Site Lighting: N/A

B 8. Anticipated noise sources, known decibel levels: N/A

B 9. Landscape:

a) Existing landscaping: none, got too old to bother
w/ the flower beds

b) Proposed landscaping: as little as possible

B 10. Proposed Signage: N/A

B 11. Level of municipal and other services required to support the proposed activity (i.e., water supply sanitary sewage facilities):

B 12. Specific Requirements:

Town Code (District) Requirement: Proposal:

Parking Spaces

Lot Coverage

Front Yard Setback

Side Yard Setback

Rear Yard Setback

Maximum Height of Building

IN THE MATTER

Of

**The Application of TOM AND BETH SCOTT
for Special Permit Pursuant to Chapter 155,
Section 155-17 and 155-27 of the Town of
Manlius Code**

**RESOLUTION APPROVING
SPECIAL PERMIT**

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, on the 14th day of July, 2010, at 7:00 p.m. The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Nicholas J. Marzola	Councilor
Vincent Giordano	Councilor
Karen Green	Councilor
Sandra A. Schepp	Councilor
John R. Loeffler	Councilor
David Marnell, Sr.	Councilor

The following resolution was moved, seconded and adopted with the following vote:

Theobald	<u>Yes</u>
Loeffler	<u>Yes</u>

Schepp	<u>Yes</u>
Marzola	<u>Yes</u>
Green	<u>Yes</u>
Marnell	<u>Yes</u>
Giordano	<u>Yes</u>

WHEREAS, application has been made to the Town Board of the Town of Manlius for a Special Permit to construct a shed for residential use in an Industrial Zone in the Town of Manlius for the purpose of storing personal equipment at the property situated at 6545 Fremont Road, East Syracuse, New York (property tax number 045-010-15)

WHEREAS, the Planning Board of the Town of Manlius has reviewed the application and on June 14, 2010 recommended to the Town Board the granting of the requested Special Permit for the construction of a pole barn in a residential area and also recommended extending the Special Permit application and approval to an existing 12' x 20' shed and an existing 24' x 39' inground pool and deck, as set forth on survey, prepared by Lehr Land Surveyors, dated November 18, 1999 and presented with the application;

WHEREAS, The Town Board of the Town of Manlius held a Public Hearing on the 14th day of July, 2010, at which all persons in interest and citizens desiring to be heard had an opportunity to be heard; and

WHEREAS, the Board has declared itself the lead agency on this unlisted action under SEQR and has issued a negative declaration under SEQR for the following reasons, which are set forth in more detail in the Short Environmental Assessment Form

considered by the Board at its July 14, 2010 meeting: the site is in an industrial zoning district and the previous use is not substantially different from the proposed use; there are similar type pole barns in the neighborhood and the storage proposed is in keeping with the neighborhood; the existing shed and pool with deck have been in place for several years and there is no record of complaint filed with the Office of Planning and Development regarding same; and

WHEREAS, the Town Board hereby finds that that the special permit will have a beneficial impact on the Town by improving an existing residential use in an industrial district as set forth in the application;

WHEREAS, the proposed Special Use is allowed under Town Code Section 155-13 and 155-15;

WHEREAS, in the opinion of the members of the Town Board, the granting of said Special Permit requested by applicant will not adversely affect the health, safety, morals, and/or the general welfare of the public for the reasons stated above; and

WHEREAS, the Town Board may impose additional standards upon the Special Permit to preserve the general character of the neighborhood in which the proposed special use is to be placed;

WHEREAS, all other requirements of Law have been complied with;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Manlius finds as follows:

1. The use possesses characteristics that will blend desirably with the neighboring properties and will secure the objectives of the Zoning Ordinance of the Town of Manlius since the residential use is pre-existing;

2. The location, size of the use of and structure, nature and intensity of the operations involved, size of the site in relation to it, and the location of the site with respect to the streets giving access to it are such that it will be in harmony with the orderly development of the district for the reasons stated above.

3. The location, nature and general lay-out of the plan will not discourage the appropriate development and use of adjacent land and buildings or impair their value.

4. The use does not conflict with any master plan or part thereof.

5. The proposal will not significantly impair the safety of the general public nor unreasonably increase traffic congestion as set forth above.

6. The proposal will not significantly increase the possibility of nuisance or noise from the site.

and be it further

RESOLVED, that the applicant be, and hereby is, granted a Special Permit pursuant to the provisions of Section 155-13 and 155-15 of the Town of Manlius Code for the Business subject to the conditions set forth in the Special Permit; and be it further

RESOLVED, that the Special Permit shall be issued by the Town Clerk upon the agreement in writing by the applicant to the conditions imposed by Special Permit, which is attached.

SPECIAL PERMIT

Pursuant to a Resolution of the Town Board of the Town of Manlius on the Application of BETH SCOTT, which Resolution was passed at a regular meeting of the Town Board of the Town of Manlius, held on July 14, 2010, permission is hereby granted construct a residential pole barn in an Industrial District, effective upon the mutual execution of this Permit, as set forth on that certain Site Plan/Survey that is attached to the application of the Applicant, which is hereby incorporated into this Special Permit.

This Permit will continue in full force until terminated by the Town Board for breach of one or more of the conditions pursuant to which it is granted, and the implementation thereof will be in accordance with the following conditions:

1. The Special Permit and the uses allowed pursuant thereto shall expire in seven (7) years, on July 30, 2017 and any renewal may not be unreasonably withheld.
2. This Special Permit shall be transferable as set forth in Section 155-27(G) of the Town of Manlius Code.
3. That Applicant agrees to use the pole barn for the personal use of the property owner and shall not be used for commercial storage.
4. The applicant covenants to comply with all of the rules and regulations of the United States, the State of New York and the County of Onondaga with regard to land use.
5. This Special Permit also hereby authorizes two additional uses as set forth on the Survey provided by the Applicant, namely: (a) a 12'x20' shed, and (b) an above ground pool with deck of approximately 24'x39' dimensions.

The applicant, by the acceptance of this Special Permit, agrees to all of the above terms and conditions, and in the event that she shall fail for any reason to perform any of the said terms and conditions on her part to be performed, this special permit shall be automatically revoked.



Allison Edsall, Town Clerk
Town of Manlius
Onondaga County, New York

The undersigned does hereby accept the foregoing Special Permit and agrees to perform all of the terms and conditions thereof.

By: _____
Name: Beth Scott

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

On the ____ day of _____ in the year 2010 before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individuals(s) acted, executed the instrument.

Notary Public

I, ALLISON EDSALL, 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 July, 2010; 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 July, 2010.

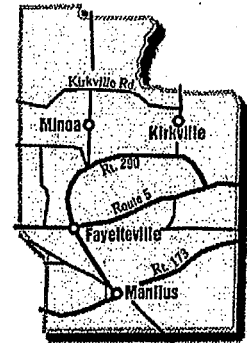
DATED: July 14, 2010
Fayetteville, New York



ALLISON EDSALL
Town Clerk of the Town of
Manlius

Town of Manlius

Planning & Development



Date: May 12, 2017

To: Town of Manlius Board

From: Randy Capriotti
Director of Code Enforcement

Re: Application for Special Permit Renewal
6545 Fremont Road
East Syracuse NY 13057

I have reviewed the attached Renewal Application and find it to be in order. I recommend adding the special permit for the pole barn, pool, shed and residential home to run concurrently.

There have been no violations or complaints regarding 6545 Fremont Road relative to its present use and recommend the renewal of the current special use permit.

Edmond J. Theobald, Supervisor

Town Board - John R. Loeffler, David M. Marnell Sr., Nicholas J. Marzola, Richard Rossetti, Vincent Giordano, Karen Green

SIRO Program 2017 -2018 (Brian M. Damon)
AGREEMENT BETWEEN THE
TOWN OF MANLIUS POLICE DEPARTMENT
AND
EAST SYRACUSE MINOA CENTRAL SCHOOL DISTRICT

THIS AGREEMENT is made this 1st day of July, 2017 by and between the TOWN OF MANLIUS POLICE DEPARTMENT (hereinafter "POLICE DEPARTMENT") and the EAST SYRACUSE MINOA CENTRAL SCHOOL DISTRICT (hereinafter "SCHOOL DISTRICT") as follows:

WHEREAS, the SCHOOL DISTRICT wishes to implement a SCHOOL INFORMATION RESOURCE OFFICER to promote the goal of ensuring a caring, safe, respectful, and orderly learning environment in its schools; and

WHEREAS, the SCHOOL DISTRICT and the POLICE DEPARTMENT desire to establish the terms and scope of duties in this SCHOOL INFORMATION and RESOURCE OFFICER (hereinafter referred to as ("SIRO")) Agreement the specific terms and conditions of the services to be provided by the said SIROs in the SCHOOL DISTRICT:

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

Defined terms

For the purposes of this Agreement, the following terms have the meanings listed:

SIRO Supervisor – The POLICE DEPARTMENT employee assigned to supervise the SIRO's activities.

School Liaison – The SCHOOL DISTRICT employee who is designated as the primary contact for the SIRO and POLICE DEPARTMENT regarding the SIRO's work.

School grounds – The school grounds shall consist of all buildings and grounds under jurisdiction of the SCHOOL DISTRICT, including but not limited to the high school, the middle school, the elementary school and the school district offices.

1.0 Goals and Objectives

It is understood and agreed that the SCHOOL DISTRICT and the POLICE DEPARTMENT officials share the following goals and objectives regarding the SIRO Program in the schools:

- 1.1 The primary duty of the SIRO is to establish relationships with students and to act as a mentor. The SIRO's law enforcement function is a part of relationship-building with the student body and community.
- 1.2 The SIRO will foster educational programs and activities that increase student knowledge of and respect for the law and the function of law enforcement agencies;
- 1.3 The SIRO will be available to work cooperatively with teachers to assist in developing specialty programs specific to areas of study including but not limited to court procedures, citizenship and forensic science;
- 1.4 The SIRO will conduct criminal investigations with the goals of promoting safety for the school community and establishing a deterrent to delinquent student behavior and promoting and ensuring the safety of the students, faculty and administration of the SCHOOL DISTRICT;
- 1.5 The SIRO will work with school administrators to identify and address safety issues within the schools;
- 1.6 The SIRO will serve as a mentor and role model for students attending school in the SCHOOL DISTRICT.

2.0 Employment and Assignment of School Resource Officers

- 2.1 The SIRO shall be an employee of the POLICE DEPARTMENT and shall be subject to the administration, supervision and control of the POLICE DEPARTMENT. Such administration, supervision and control is subject to the terms and conditions of this Agreement, as long as those terms do not compromise the Town's Employer/Employee relationship.
- 2.2 The POLICE DEPARTMENT agrees to provide and to pay the SIRO's salary and employment benefits in accordance with the applicable salary schedules and employment practices of the POLICE DEPARTMENT. The SIRO shall be subject to all other personnel and practices of the POLICE DEPARTMENT. Such policies or practices may have to be modified to comply with the terms and conditions of this Agreement, as long as those terms do not compromise the Town's Employer/Employee relationship.
- 2.3 The parties shall use a collaborative process in the assignment of a SIRO. Both parties shall have the right to attend and participate in candidate interviews. The POLICE DEPARTMENT shall select three finalists from the candidate pool and the SCHOOL DISTRICT shall select the candidate to be assigned.
- 2.4 The POLICE DEPARTMENT shall notify the SCHOOL DISTRICT within 24 hours of the termination of the services of a SIRO assigned to the SCHOOL DISTRICT. The SCHOOL DISTRICT has the right to refuse the services of a particular SIRO and shall provide the POLICE DEPARTMENT with 24 hours

notice of its intent to do so. Upon such notice by either party, the parties shall meet and confer within 48 hours of such notice to discuss the replacement of the SIRO.

- 2.5 The POLICE DEPARTMENT shall hold the SCHOOL DISTRICT free, harmless and indemnified from and against any and all claims, suits or causes of action arising out of allegations of unfair or unlawful employment practices brought by SIROs.
- 2.6 In the event an SIRO is absent from work, the SIRO shall notify both his supervisor in the POLICE DEPARTMENT and the principal of the school to which the SIRO is assigned on that particular day. To the extent possible, the POLICE DEPARTMENT shall provide an interim replacement
- 2.7 The relationship of the POLICE DEPARTMENT to the SCHOOL DISTRICT shall be that of independent contractor and neither party shall be an agent of or otherwise have authority to bind the other party.

3.0 Payment Terms and Duty Hours

- 3.1 The SIRO's regular duty shall be 40 hours per week for 186 days, and the schedule of these hours shall be set by mutual agreement between the SCHOOL DISTRICT and the POLICE DEPARTMENT. The SCHOOL DISTRICT may contract for additional service days beyond the required 186 days at the per diem rate.
- 3.2 The SCHOOL DISTRICT shall pay the POLICE DEPARTMENT for the services of the SIRO at a **per diem rate of \$ 576.83** for school year 2017-18. The SCHOOL DISTRICT will pay the POLICE DEPARTMENT at this per diem rate based upon the actual service of the SIRO.
- 3.3 From time to time the SIRO may be required to work more than the 8 hours of regular scheduled duty in a given day. In such instances, the additional time worked by the SIRO shall be credited as "school comp time" or overtime. The choice of either school comp time or overtime shall be at the discretion of the SIRO. School comp time may be used to offset days where the SIRO is scheduled to work, but does not have to report due to the closing of school. The maximum amount of comp time that may accumulate at any one time is 40 hours. At the end of the school year, any school comp time that has not been utilized by the SIRO shall be converted to overtime or carried forward into the next school year based upon the SIRO's request. Authorized overtime shall be billed at a rate of **\$68.07 per hour for the 2017 calendar year** and at **\$ 69.09 per hour for the 2018 calendar year**.
- 3.4 The SIRO shall be on duty upon the school grounds fifteen minutes before the beginning of the student instructional day and shall remain on duty for eight (8) hours unless this schedule modified by the mutual agreement between the POLICE

DEPARTMENT and the SCHOOL DISTRICT, or the Principal of the building to which the SIRO is assigned on a given day.

- 3.5 It is understood and agreed that time spent by the SIRO attending court juvenile and/or criminal cases arising from and/or out of their employment as an SIRO shall be considered as hours worked under this Agreement.
- 3.6 In the event of an emergency the SIRO may be ordered by the POLICE DEPARTMENT to leave school grounds during normal duty hours as described above to perform other services for the POLICE DEPARTMENT. In such instances, the time spent by the SIRO away from the school grounds shall not be considered billable time by the POLICE DEPARTMENT.
- 3.7 For school vacations, holidays and other times when school is not in session and/or the SIRO is not required to be on school grounds, the officer may take available leave balances, or report to the SIRO supervisor for reassignment.

4.0 Basic Qualifications of the School Information and Resource Officers (SIRO)

To be an SIRO, an officer must first meet all of the following basic qualifications:

- 4.1 Shall be a sworn officer and should have a minimum of five years of law enforcement experience;
- 4.2 Shall possess a sufficient knowledge of the applicable Federal and State laws, Town and County ordinances, and Board of Education policies and regulations;
- 4.3 Shall be capable of conducting in depth criminal investigations;
- 4.4 Shall possess even temperament and set a good example for students; and
- 4.5 Shall possess communication skills that would enable the officer to function effectively within the school environment.

5.0 Duties of School Resource Officer

- 5.1 To assist school officials with the enforcement of Board of Education Policies and Administrative Regulations regarding student conduct and to provide usual and customary police services to the SCHOOL DISTRICT.
- 5.2 To counsel public school students in special situations when requested by the principal or the principal's designee or by the parents of a student;
- 5.3 To answer questions and conduct classroom presentations for students in law-related fields;

- 5.4 To perform such other duties as the parties may agree from time to time.

6.0 Chain of Command

- 6.1 As employees of the POLICE DEPARTMENT, the SIRO shall follow the chain of command as set forth in the POLICE DEPARTMENT Policies and Procedure Manual, except where such procedures conflict with the policies of the Board of Education of the SCHOOL DISTRICT. It is expressly recognized and acknowledged by the SCHOOL DISTRICT that policies of the Board of Education cannot supersede the SIRO's duty to act in accordance with state and federal law.
- 6.2 In the performance of the duties described herein, the SIRO shall regularly coordinate and communicate with the principal or the principals' designee of the schools to which they are assigned. The principal or designee shall contact the SIRO Supervisor assigned by the POLICE DEPARTMENT for such purpose in the event of any question regarding the performance of duties by an SIRO.

7.0 Training/Briefing

- 7.1 The SIRO may be required by the POLICE DEPARTMENT to attend monthly training and briefing sessions. These sessions will be held at the direction of the POLICE DEPARTMENT Operations commander. Briefing Sessions will be conducted to provide for the exchange of information between the department and the school liaison.
- 7.2 The SCHOOL DISTRICT and the POLICE DEPARTMENT shall schedule training for the SIRO in Board of Education Policies, regulations and procedures, including the Code of Conduct for students and others and the programs and practices of the SCHOOL DISTRICT regarding student discipline.

8.0 Dress Code

- 8.1 The SIRO shall work primarily in a departmental issued uniform while on duty.
- 8.2 The SIRO shall, on occasions agreed between the parties, wear plain clothes business attire.

9.0 Supplies and Equipment

- 9.1 Motor vehicles. The POLICE DEPARTMENT shall provide an unmarked vehicle for the SIRO.
- 9.2 Office Supplies. The SCHOOL DISTRICT agrees to provide each SIRO with the usual and customary office supplies and forms required in the performance of their duties. In addition, the SIRO shall be provided a private office within the school

that is accessible by the students. The SIRO shall also be provided by the SCHOOL DISTRICT a computer, printer and access to a private fax machine for confidential intelligence sharing with other POLICE DEPARTMENT personnel, and a communication device.

10.0 Transporting Students

- 10.1 It is agreed that SIROs shall transport students in their vehicles when the students are victims of a crime, under arrest, or some other emergency circumstance exists.
- 10.2 If circumstances other than an arrest require that the SIRO transport a student, then a school administrator shall accompany the officer and the student in the vehicle.
- 10.3 Students shall not be transported to any location unless it is determined that the student's parent, guardian or custodian is at the destination to which the student is being transported. The SIRO shall not transport students in their personal vehicles.
- 10.4 The SIRO shall notify the building principal before moving a student from the school grounds.

11.0 Access to Education Records

- 11.1 School officials shall allow SIROs to inspect and copy any public records maintained by the school that is permissible by law.
- 11.2 If some information in a student's cumulative record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SIRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety; the need of the information to meet the emergency situation and the extent to which time is of the essence.
- 11.3 If confidential student records information is needed, but no emergency situation exists, the information may be released only upon the issuance of a search warrant or subpoena to produce the records, or as may otherwise comply with the Family Educational Rights and Privacy Act (FERPA).
- 11.4 Pursuant to FERPA, the SCHOOL DISTRICT hereby designates each SIRO as the District's "law enforcement unit" for the purpose of enforcing

any Federal, State or local law and maintaining the physical security and safety of the schools to which they are assigned, and as such shall have access to student education records as appropriate in order to carry out their SIRO duties.

12.0 Term of Agreement

- 12.1 The term of this agreement is one year commencing on July 1, 2017 and ending on June 30, 2018. The Agreement may be renewed and extended annually by the written agreement of both the SCHOOL DISTRICT and the POLICE DEPARTMENT. Written notice of intent to extend the Agreement must be sent by each party no later than June 1st of the current year.
- 12.2 In the event that the SCHOOL DISTRICT opts not to extend the Agreement in a given year, it shall remain responsible to pay the per diem charges that would otherwise have been due for the months of September and October of the succeeding year.

13.0 Insurance and Indemnification

- 13.1 The POLICE DEPARTMENT shall maintain in full force and effect during the term of this Agreement a comprehensive liability insurance policy with coverage that is consistent with police department policies and procedures.
- 13.2 Without waiving any defenses, the POLICE DEPARTMENT agrees to, at its sole cost and expense, indemnify, protect, defend and hold the SCHOOL DISTRICT harmless against any and all damages, losses, liabilities, obligations, penalties, claims, litigation, demands, defenses, judgments, suits, actions, proceedings, costs, disbursements and/or expenses (including reasonable attorney's fees) arising out of the performance of the SIRO's authorized duties as a police officer. The SCHOOL DISTRICT shall provide notice to the POLICE DEPARTMENT within twenty (20) days of obtaining the same, of any potential claim or action which, if decided adversely to the SCHOOL DISTRICT, would cause the SCHOOL DISTRICT to suffer or incur loss or expense.
- 13.3 Without waiving any defenses, the SCHOOL DISTRICT agrees to, at its sole cost and expense, indemnify, protect, defend and hold the POLICE DEPARTMENT harmless against any and all damages, losses, liabilities, obligations, penalties, claims, litigation, demands, defenses, judgments, suits, actions, proceedings, costs, disbursements and/or expenses (including reasonable attorney's fees) arising out of the performance of the SIRO'S authorized duties as solely directed by school personnel and not pursuant to or in contravention of the SIRO's law enforcement duties. The POLICE DEPARTMENT shall provide notice to the SCHOOL DISTRICT within

twenty (20) days of obtaining the same, of any potential claim or action which, if decided adversely to the POLICE DEPARTMENT, would cause the POLICE DEPARTMENT to suffer or incur loss or expense.

14. Evaluation

It is mutually agreed that the SCHOOL DISTRICT shall annually evaluate the SIRO Program and the parties agree that an exchange of data related to the SIRO's performance shall be a part of the annual evaluation process.

IN WITNESS WHEREOF, the parties hereto have caused this Operations Agreement to be executed the day and year first written above.

EAST SYRACUSE MINOA CENTRAL SCHOOL DISTRICT

By: _____
Dr. Donna J. DeSiato, Superintendent of Schools

TOWN OF MANLIUS

By: _____
Edmond J. Theobald, Supervisor

MANLIUS POLICE DEPARTMENT

By: _____
Kevin J. Schafer, Acting Chief of Police

TOWN OF MANLIUS
ZONE CHANGE APPLICATION

~~(Must be submitted in triplicate)~~

1. Name of Person applying for Zone Change: Penizotto, John and Stella
Address of person applying: 6886 Crystalwood Drive, Liverpool, NY 13088
Phone number: (315) 453-9064 Cell: _____
2. Name: (owner of record) of land where Zone Change would occur:
Address: (owner of record): 6886 Crystalwood Drive, Liverpool, NY 13088
Phone number (owner of record): (315) 453-9064 Cell: _____
3. Tax Map Number of property where Zone Change would occur: 114.-01-
4. Is this property located in a flood hazard area? No
If so, does the Town of Manlius Building Inspector require a Flood Permit? N/A
5. Present zoning classification of property: Residential Multi-Use (RM)
6. Desired zoning classification: Commercial District B (CB)
Reason for change of zone (use additional sheets if necessary): _____
See Attached

7. What is the lot size? 1.780+/- 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 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: NYS Route 92 is adjacent to the parcel's southern border

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

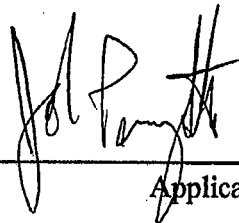
If yes, please specify: NYS Route 92 is adjacent to the parcel's southern border

12. List the uses of all abutting property: See Attached

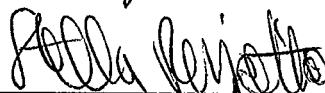
13. The following must be included with your application in triplicate unless otherwise specified and/or specifically waived by the Town Board:

- An environmental assessment form which can be obtained from the Town Clerk, or an environmental impact statement.
- Five copies 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.

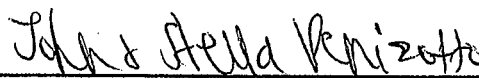
The failure to answer any question on this application, the failure to submit any item as specified or the failure to execute this application will result in a delay in the processing of the application.



Applicant



Applicant



Record Owner of Property

CURTIN LAW FIRM, P.C.

Paul J. Curtin, Jr.

Attorneys at Law
www.curtinlawpc.com

Cynthia M. Curtin *
Of Counsel

Brian T. Sinsabaugh

*Admitted in California Only

April 28, 2017

Manlius Town Board
Town of Manlius
301 Brooklea Drive
Fayetteville, New York 13066
Tel.: 315.637.3414
Fax: 315.637.0713

***Re.: Town of Manlius, Zone Change Application
Penizotto, John and Stella (Tax Parcel No. 114.-01-01.0)***

Dear Members of the Town Board,

I am writing on behalf of John and Stella Penizotto, Applicants in the above mentioned application for zone change (hereinafter the "Applicants"). Applicants are owners of the underlying property, which is currently zoned a Residential Multi-Use District (hereinafter the "RM District"). Applicants submit this application to request a change of zone from an RM District to a Commercial District B (hereinafter the "CB District"). CB District zoning is proper for the following reasons.

First, CB District zoning is consistent with that of the surrounding parcels and each such parcels current land uses. The subject parcel is located at the north-west corner of the intersection of New York State Route 92 and Enders Road. The remaining three corner parcels at this location are currently zoned in a CB District and include the following uses: (i) fuel station with a convenient store, (ii) a large retail store (True Value), and (iii) a fire house for the Village of Manlius. In addition, immediately adjacent to the western border of the subject parcel is a Commercial District A (hereinafter "CA District") with a land use of a 31,000 square foot retail and office. Thus, the proposed zone change to a CB District is consistent with the zoning and land uses of the surrounding parcels.

Second, the express purpose of the RM District pursuant to the Town of Manlius Municipal Code is "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 area and nonresidential area." Here, the parcel immediately adjacent and to the north is in a RM District with a proposed land use of a child day care center. The next parcel to

the north is the site of the Eagle Hill Middle School. Thus, a land use permitted within a CB District would properly be buffered from the residential school land uses by the RM District and child day care center. Further, a proper transition from higher intensity uses at the corners of Enders Road and Route 92 to the residential neighborhoods further north on Enders Road will be maintained. Thus, whereas here, the existing neighborhood consists of high impact commercial uses, the proposed zoning would allow for a lower impact use consistent with adjacent properties, and as an RM District with a land use of a day care center properly buffers the CB District from the more residential land uses to the north on Enders Road, the change of zone application is proper and should be granted.

Therefore, for the reasons stated above, Applicant kindly requests that its application for Change of Zone of Tax Parcel No. 114.-01-01.0 from a Residential Multi-Use District to a Commercial District B be granted.

Very truly yours,

CURTIN LAW FIRM, P.C.



Brian T. Sinsabaugh, Esq.

Email: bsinsabaugh@curtinlawpc.com

AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a variance, amendment, change of zoning, approval of a plat, exception from a part of office may, license or permit.

STATE OF NEW YORK)
COUNTY OF ONONDAGA) SS.:
TOWN OF MANLIUS)

1. Hella Renzotto, being duly sworn, deposes and says
that she is: property owner
(Applicant, petitioner, corporation officer, property owner, etc.)

2. That deponent has read and is familiar with the provisions of the General Municipal Law S809 which states:

- Every application, petitioner request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations or a municipality shall state the name, resident 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.
- For the purpose of this action, an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them.
 - a. is the applicant, or
 - b. is an officer, director, partner or employee if the applicant, or
 - c. legally or beneficially owns or controls stock of a corporate applicant or is a member
 - d. is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not, for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a variance, amendment, change of zoning, approval of a plat, exception from a part of office may, license or permit.

STATE OF NEW YORK)
COUNTY OF ONONDAGA) SS.:
TOWN OF MANLIUS)

1. JOHN S. PENIZOTTO, being duly sworn, deposes and says
that he is: PROPERTY OWNER
(Applicant, petitioner, corporation officer, property owner, etc.)

2. That deponent has read and is familiar with the provisions of the General Municipal Law S809 which states:

- Every application, petitioner request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations or a municipality shall state the name, resident 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.
- For the purpose of this action, an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them.
 - a. is the applicant, or
 - b. is an officer, director, partner or employee if the applicant, or
 - c. legally or beneficially owns or controls stock of a corporate applicant or is a member
 - d. is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not, for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

Town of Manlius
Zone Change Application

List of Abutting Properties:

TAX MAP No.	ADDRESS	OWNER	ZONING	SITE	PROPERTY CLASS	LAND USE
<i>Lot 2</i>	<i>4581 Enders Rd</i>	<i>Penizotto, John & Stella</i>	<i>RM</i>	<i>COM 1</i>	<i>484- 1 use sm bld</i>	<i>Proposed Day Care/Preschool (Shining Stars Daycare, Inc.)</i>
114.-01-15.1	8195 Manlius-Cazenovia Rd	Millstone Associates LLC	CA	Com 1	456 – Medium Retail	Retail/Office Space (31,000 sf building)
114.-01-08.0	4645-4725 Enders Rd	Fayetteville-Manlius CSD	RA	Com 1	612 – School	Eagle Hill Middle School

List of Adjacent Non-Abutting Properties:

TAX MAP No.	ADDRESS	OWNER	ZONING	SITE	PROPERTY CLASS	LAND USE
117.-2-01-01.0	4500 Pewter Ln	Market Place Property Owners	CB	Com 1	330 – Vacant comm	Vacant Commercial (appears to be devoted to drainage/green space)
117.-2-01-02.0	8225 Manlius Cazenovia Rd	Greene, Douglas & Donna	CB	Com 1	453 – Large retail	Lawn/garden, Row Storage (True Value)
117.-2-01-03.0	Pewter Ln	Market Place Property Owners	CB	Res 1	330 – Vacant comm	Represents undeveloped property surrounding subdivision. Businesses within include Stingers Pizza Pub, Children's Focus, Agway Sunflower.
117.-2-01-03.7	8219 Market Pl	Eastern Hills Bible Church	CB	Com 1	465 - Prof. bldg.	Walk-up office (Eastern Hills Bible Church Offices)
117.-2-01-03.8	4600 Enders Rd	Synergy HHW LLC	CB	Com 1	464 - Office bldg.	Walk-up office, Non-contrib
113.2-04-03.3	8220 Manlius-Cazenovia Rd	Lehigh Gas Wholesale Svc Inc.	CB	Com 1	486 - Mini-mart	High vol gas, Auto carwash (Nice N' Easy Market Place)
113.2-04-03.4	Manlius-Cazenovia Rd	Lehigh Gas Wholesale Svc Inc.	CB	Com 1	331 - Com vac w/imp	(Nice N' Easy Market Place)
113.-03-01.0	8200 Manlius-Cazenovia Rd	Village of Manlius	RM	Com 1	662 – Police/fire	Currently being developed for Fire Station

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

Name of Action or Project: Penizotto Change of Zone		
Project Location (describe, and attach a general location map): Proposed Lot 1 in the Penizotto Subdivision located at the corner of Route 92 and Enders Road		
Brief Description of Proposed Action (include purpose or need): Change of Zone from a Residential Multi-Use District ("RM District") to a Commercial District B ("CB District")		
Name of Applicant/Sponsor: Penizotta, John and Stella		Telephone: (315) 453-9064
		E-Mail: jspenizotto@att.net
Address: 6886 Crystalwood Drive		
City/PO: Liverpool	State: NY	Zip Code: 13088
Project Contact (if not same as sponsor; give name and title/role): Paul J. Curtin, Jr., Esq. / Curtin Law Firm, P.C. (Attorneys for Applicant/Owner)		Telephone: (315) 815-4221
		E-Mail: pcurtin@curtinlawpc.com
Address: 42 Albany Street		
City/PO: Cazenovia	State: NY	Zip Code: 13035
Property Owner (if not same as sponsor): (1) JS Penizotto Real Estate, Inc., and (2) Penizotto, John and Stella		Telephone: (315) 453-9064
		E-Mail:
Address: Liverpool		
City/PO: Liverpool	State: NY	Zip Code: 13088

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Manlius Town Board	
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	Town of Manlius Planning Board (recommendation to Manlius Town Board)	
c. City Council, Town or Village Zoning Board of Appeals ☐ Yes ☒ No		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☐ Yes ☒ No		
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☐ Yes ☒ No		
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

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

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? <u>Residential Multi-Use District (RM District)</u>	☒ Yes ☐ No
b. Is the use permitted or allowed by a special or conditional use permit?	☐ Yes ☐ No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? <u>Commercial District B (CB District)</u>	☒ Yes ☐ No
C.4. Existing community services.	
a. In what school district is the project site located? <u>Fayetteville-Manlius</u>	
b. What police or other public protection forces serve the project site? <u>Manlius Police Department, Onondaga County Sheriff, New York State Police</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Manlius Fire Department</u>	
d. What parks serve the project site? <u>N/A</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? <u>Change of Zone from RM to CB to allow for commercial uses.</u>	
b. a. Total acreage of the site of the proposed action?	<u>1.780</u> acres
b. Total acreage to be physically disturbed?	<u>0.000</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>4.352</u> acres
c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? ☐ Yes ☒ No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	

f. Does the project include new residential uses? ☐ Yes ☒ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☒ No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? ☐ Yes ☐ No ix. Summarize site reclamation goals and plan: _____ _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

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

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☒ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☒ No

If Yes:

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

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

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☒ No

If Yes:

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

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: CWR40-County Water
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

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

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☐ Yes ☒ No

If Yes:

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

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

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

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

• Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☒ No ☐ Yes ☒ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

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

If Yes:

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

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

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

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

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

If Yes:

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

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

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

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

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

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

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

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

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

If Yes:

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

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

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

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

i. During Construction:	ii. During Operations:
• Monday - Friday: _____ N/A	• Monday - Friday: _____ N/A
• Saturday: _____ N/A	• Saturday: _____ N/A
• Sunday: _____ N/A	• Sunday: _____ N/A
• Holidays: _____ N/A	• Holidays: _____ N/A

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No If yes: i. Provide details including sources, time of day and duration: _____	
ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☒ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally describe proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☒ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☐ Urban ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): School

ii. If mix of uses, generally describe: _____

The parcel is located at the corner of Route 92 and Enders Road. Adjacent corners include are zoned CB and uses include a fire house, retail (True Value), and a gas station/convenience store. Immediately west of the parcel is zoned CA and has a commercial office use.

b. Land uses and coverytypes on the project site.

Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.650+/-	0.650+/-	0.000
• Forested	0.000	0.000	0.000
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.130+/-	1.130+/-	0.000
• Agricultural (includes active orchards, field, greenhouse etc.)	0.000	0.000	0.000
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.000	0.000	0.000
• Wetlands (freshwater or tidal)	0.000	0.000	0.000
• Non-vegetated (bare rock, earth or fill)	0.000	0.000	0.000
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☒ Yes ☐ No
If Yes,
i. Identify Facilities:
Shining Stars Day Care, Inc.

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☒ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☒ Yes ☐ No
☒ Yes – Spills Incidents database Provide DEC ID number(s): Spill No. 8801472 (closed 5/2/1989)
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: N/A
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): N/A
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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

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

E.2. Natural Resources On or Near Project Site

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

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 0 %

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

Cazenovia Silt Loam (CfB, 293544)	50 %
Benson Silt Loam (BeB, 293533)	50 %
_____	_____ %

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

e. Drainage status of project site soils: ☒ Well Drained: _____ 100 % of site
☐ Moderately Well Drained: _____ % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

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

h. Surface water features.

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

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

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

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

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

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

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site: _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	☐ Yes ☐ No
If Yes:	
i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
☐ Yes ☐ No	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	☐ Yes ☐ No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	☐ Yes ☐ No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
☐ Yes ☐ No	

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name John Perizotto Date 4/27/17

Signature [Signature] Title President

PRINT FORM

COTTRELL LAND SURVEYORS, P.C.

7308 MANLIUS-JAMESVILLE ROAD
MANLIUS, N.Y. 13104
OFFICE (315) 682-8121 FAX (315) 682-8124
ensign@windstream.net
ensign@twcny.rr.com

Ensign S. Cottrell (1888-1947)
Jack W. Cottrell (1918-2012)

Gary E. Cottrell

Ref: Description of Lot 1, Penizotto Subdivision
#4581 Enders Road
Part of Lot 98 - Town of Manlius

May 8, 2017

SUGGESTED DESCRIPTION

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 Lot 1 as shown on a map entitled *Penizotto Subdivision*, filed in the Onondaga County Clerk's Office on Feb. 9, 2017 as Map No 12323.

TOWN OF MANLIUS
ZONE CHANGE APPLICATION

TOWN OF MANLIUS
TOWN CLERK'S OFFICE

MAY 17 2017

RECEIVED AND FILED

1. Name of Person applying for Zone Change Adam Anderson & Eve DeRosa
Address of person applying 7805 Clearwater Circle, Manlius NY 13104
Cell Number _____ Phone Number 315-692-4134
2. Name: (owner of record) of land where Zone Change would occur Same as above
Address (owner of record) Same as above
Cell Number (owner of record) _____ Phone Number Same as above
3. Tax Map Number of property where Zone Change would occur Portion of 110.-03-12.1
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 & R4
6. Desired zoning classification All RA
Reason for Change of Zone (use additional sheets if necessary) Return Lot 1 to its previous zoning of RA at request of Town Engineer to be compatible with adjoining lots and zoning.
eliminating public sewer requirement.
7. What is lot size? 3+ 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 Village of Manlius Park land within 500'
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? No

If yes, please specify _____

12. List the uses of all abutting property Park land, residential

13. The following must be included with your application in triplicate 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.
- Five copies 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

MAY 17 2017



Applicant 1

Date

17 May 2017



Applicant 2

Date

Applicant

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. Adam Anderson
Eve DeRosa being duly sworn, deposes and says that (s) he is:

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

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

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

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

-OR-

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

Date: MAY 17, 20 17.

ADAM ANDERSON
(Print Name)

[Signature]
(Signature)

(Entity Name)

By (Officer) _____ (Title) _____

7805 CLEARWATER CIRCLE
(Mailing Address of Applicant) 13104

315 692 4134
(Telephone Number)

Date: 17 May, 20 17.

Eve DeRosa
(Print Name)

[Signature]
(Signature)

(Entity Name)

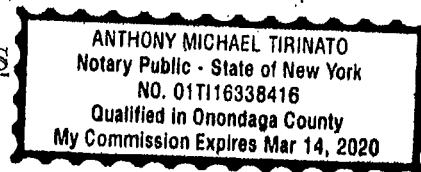
By (Officer) _____ (Title) _____

7805 Clearwater Circle, Manlius 13104
(Mailing Address of Applicant)

315 692 4134
(Telephone Number)

ACKNOWLEDGEMENTS

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



On this 17 day of May in the year 20 17, before me, the undersigned, a notary public in and for said state, personally appeared Eve DeRosa, 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.

[Signature]
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)

We X Adam Anderson
Eve De Rosa being duly sworn, deposes and says that (s) he is:

Applicant & 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: MAY 17, 20 17.

ADAM ANDERSON
(Print Name)

[Signature]
(Signature)

(Entity Name)

By (Officer) (Title)

7805 CLEARWATER CIRCLE
(Mailing Address of Applicant) 13104

315 692 4134
(Telephone Number)

Date: 17 May, 20 17.

Eve De Rosa
(Print Name)

[Signature]
(Signature)

(Entity Name)

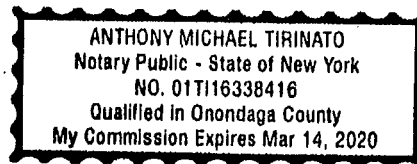
By (Officer) (Title)

7805 Clearwater Circle, Manlius
(Mailing Address of Applicant) 13104

315 692 4134
(Telephone Number)

ACKNOWLEDGEMENTS

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



On this 17 day of May in the year 20 17, before me, the undersigned, a notary public in and for said state, personally appeared Eve De Rosa, and Adam Anderson, 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.

[Signature]
Notary Public

CORPORATE ACKNOWLEDGEMENT

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

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

Applicant Signature

Subscribed to me before this day
Of _____, 20____

Notary Public

PROJECT ID NUMBER

617.20

SEQR

APPENDIX C

STATE ENVIRONMENTAL QUALITY REVIEW

SHORT ENVIRONMENTAL ASSESSMENT FORM

for UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT / SPONSOR Adam Anderson & Eve De Rosa	2. PROJECT NAME Rezoning Lot 1 Quarry Road
3. PROJECT LOCATION: Municipality <u>Manlius</u>	County <u>Onondaga</u>
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc - or provide map <u>Lot 1 (see attached map) Western end of Quarry Road</u>	
5. IS PROPOSED ACTION: ☒ New ☐ Expansion ☐ Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Return Lot 1 on attached map to RA zoning. It was switched to R4 years ago in anticipation of development. The majority of the land (Lot 2) is being donated to CNY Land Trust.</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>3</u> acres Ultimately <u>3</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? ☒ Yes ☐ No If no, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) ☒ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ 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 name and permit / approval:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? ☐ Yes ☒ No If yes, list agency name and permit / approval:	
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 _____ Date: _____	
Signature <u>[Signature]</u> <u>[Signature]</u> <u>May 17 2017</u>	

If the action is a Coastal Area, and you are a state agency,
complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead 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 pattern, 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)? (If yes, explain briefly: ☐ Yes ☐ No	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain: ☐ Yes ☐ No	

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 of 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)

May 17, 2017

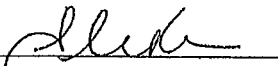
We,

Adam Anderson and Eve DeRosa grant our Realtor, Allen Olmsted permission to submit and present our application for zone change to the Town of Manlius.

Dated: MAY 17 2017

Signed: 
Adam Anderson

Dated: 17 May 2017

Signed: 
Eve DeRosa

Canaan Realty

From: Miller, Doug <dmiller@TownofManlius.org>
Sent: Monday, May 8, 2017 5:44 PM
To: Allen@syracuselands.com
Cc: Randy Capriotti
Subject: FW: Quarry Road

From: Miller, Doug
Sent: Friday, May 5, 2017 11:02 AM
To: 'canaan-realty@worldnet.att.net'
Cc: Randy Capriotti
Subject: Quarry Road

Allen

We have taken a look at the Quarry Road maps you have dropped off and have the following comments:

1. Lot 1 is required to be changed to RA zoning
2. Lot 2 is required to be noted as a non-buildable lot to be kept as forever wild

Thanks,
Doug

Canaan Realty

From: Witzel, Debi <dwitzel@townofmanlius.org>
Sent: Tuesday, May 9, 2017 2:59 PM
To: canaanrealtyny@gmail.com
Cc: Doug Miller Engineer; Weber, Allison; Randy Capriotti
Subject: Zone Change Application
Attachments: Zone Change Application Packet.pdf

Good Day,

I have attached the application you requested for a zone change. We will need 12 sets of each of these: 1. Completed Zone Change Application 2. Map or picture of the property 3. Zone Change Application fee of \$300.00. If we receive the sets and fee before May 18th we will be able to put you on the agenda for the May 24th Town Board Meeting which is where you will present your preliminary plan.

Thank you
Deborah Witzel
Deputy Town Clerk



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

LEGAL DESCRIPTION

PROPOSED DESCRIPTION OF LOT 1, CNY LAND TRUST SUBDIVISION,
TOWN OF MANLIUS, ONONDAGA COUNTY, NEW YORK.

BEGINNING AT A POINT, said point being the northeast corner of Cynthia L. Griffin N/F L.4007 P.191, at a point on the centerline of Brickyard Falls Road

THENCE South 86 degrees 22 minutes 48 seconds West for a distance of 623.67 feet to a point;

THENCE South 77 degrees 56 minutes 48 seconds West for a distance of 170.15 feet to a point;

THENCE South 66 degrees 31 minutes 48 seconds West for a distance of 62.13 feet to a point;

THENCE South 85 degrees 21 minutes 48 seconds West for a distance of 109.80 feet to a point;

THENCE North 66 degrees 37 minutes 12 seconds West for a distance of 189.26 feet to a point;

THENCE North 10 degrees 28 minutes 15 seconds West for a distance of 60.21 to a point;

THENCE South 66 degrees 37 minutes 12 seconds East for a distance of 126.51 feet to a point;

THENCE North 07 degrees 13 minutes 38 seconds West for a distance of 372.16 feet to a point;

THENCE North 82 degrees 46 minutes 22 seconds East for a distance of 246.00 feet to a point;

THENCE South 07 degrees 13 minutes 38 seconds East for a distance of 400.00 feet to a point;

THENCE North 77 degrees 56 minutes 48 seconds East for a distance of 150.22 feet to a point;

THENCE North 86 degrees 22 minutes 48 seconds East for a distance of 629.84 feet to a point on the centerline of Brickyard Falls Road;

THENCE South 00 degrees 49 minutes 23 seconds East for a distance of 50.06 along the centerline of Brickyard Falls Road feet **TO THE POINT AND PLACE OF BEGINNING.**

Together with and subject to covenants, easements, and restrictions of record.

Said property Contains 3.63+-Acres
J069213 5/17/17 RMP