Agenda

Manlius Town Board

May 22, 2019

6:30 PM

1. Pledge Of Allegiance
2. Swear In Police Officers
3. Approval Of Minutes - May 8, 2019

   Documents:

   5-8-19 FINAL DRAFT.PDF
4. Return Of Highway Securities - 530 Ft Edwards Falls Lane
5. Approval Of Abstract # 10
6. Zone Change Application -JS Penizotto Real Estate, Inc, - 4581 Enders Rd. Manlius - RM To CB

   Documents:

   PENIZOTTO- ZONE CHANGE- 4581 ENDERS ROAD- 2017.PDF
7. Correspondence/ New Business
8. Highway Superintendent
9. Planning & Development
10. Attorney
11. Town Clerk

    I. Minoa Fireworks - May 31, 2019
12. Police Chief
13. Town Board
14. Supervisor
15. Adjournment

Please silence cell phones.

MINUTES
TOWN BOARD
May 8, 2019

The Town of Manlius Town Board assembled at the Town Hall, 301 Brooklea Drive, Fayetteville, New York, with Supervisor Edmond Theobald presiding and the following Board members present:

John R. Loeffler, Councilor
Sara Bollinger, Councilor
Nicholas J. Marzola, Councilor
Vincent Giordano, Councilor
Karen Green, Councilor
Richard Rossetti, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town
Mike Crowell, Police Chief
Doug Miller, Town Engineer
Randy Capriotti, Director of Codes
Allison A. Weber, Town Clerk
Ann Oot, Town Manager

Other persons attending: Ellen & Mike McGrew, Manlius.

The Pledge of Allegiance

Supervisor Theobald, called the meeting to order at 6:30 pm. Town Clerk Weber led the Pledge of Allegiance. Supervisor Theobald welcomed everyone and thanked all for attending.

Approval of Minutes – April 24, 2019

Councilor Rossetti made a motion, seconded by Councilor Bollinger, to approve the minutes of April 24, 2019 as submitted by Town Clerk Weber.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Rossetti, Councilor Marzola, Councilor Bollinger, Councilor Giordano

Abstained: Councilor Green

Motion Carries.

Approval of Abstract # 9

Councilor Marzola made a motion, seconded by Councilor Green, to approve Abstract # 9 as submitted by Town Clerk Weber.

DRAFT

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 9 - 2019	
CODE	**FUND**	**TOTALS**
A	General Fund Townwide	$ 247,191.00
B	General Fund Town	$ 9,845.55
DA	Highway Fund Townwide	$ 59,906.10
DB	Highway Fund Town	$ 21,653.45
SL1	Overhead Lighting	$ 1,515.06
SL2	Underground Lighting	$ 2,176.10
SL3	Entry Lighting	$ 97.62
SL4	Garden Park Lighting	$ 614.25
SL5	Ratnaur Bridge Lighting	$ 2,477.04
SR1	Manlius Trash District	$ 159.41
SR2	Manlius Res Brush District	$ 159.41
SS1	Manlius Con Sewer District	$ 1,621.82

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Rossetti, Councilor Marzola, Councilor Bollinger, Councilor Giordano, Councilor Green

Nayes: 0 All in Favor. Motion Carries.

NY CLASS – Local Government Investment Pool

Supervisor Theobald presented the renewal proposal from NYCLASS. New York Cooperative Liquid Assets Securities System (NYCLASS) is a short-term, highly liquid investment fund designed specifically for the public sector and the town is currently a member.

Councilor Bollinger asked if General Funds would be invested or if the Town would target the kind of money that is invested? Supervisor Theobald stated that General Funds would be invested.

Councilor Marzola stated that the Town could set up 4 accounts to use for investing.

Councilor Marzola made a motion, seconded by Councilor Rossetti, to ratify and re-enter into a municipal cooperative agreement with NY CLASS Local Government Investment Pool and authorize the Supervisor to sign the agreement.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Rossetti, Councilor Marzola, Councilor Bollinger, Councilor Giordano, Councilor Green

Discussion ensued regarding the current rates.

Nayes: 0 All in Favor. Motion Carries.

DRAFT

Intermunicipal Agreement (IMA) with Onondaga County for Meadowbrook-Limestone Sewage Treatment Plant

Supervisor Theobald reviewed the proposed IMA with Onondaga County for the Meadowbrook-Limestone Sewage Treatment Plant.

Attorney Frateschi stated that there will be no costs associated with the IMA. Attorney Frateschi stated that if Onondaga County determines that any town sewers need to be repaired while it is undertaking the Meadowbrook-Limestone project, the IMA will control that work. Discussion ensued regarding the proposed work. Attorney Frateschi stated that initially it appears that the most immediate needs are in the City of Syracuse and the Villages.

Discussion ensued regarding the repair of the sewers associated with the Meadowbrook-Limestone Sewage Treatment Plant.

Councilor Bollinger made a motion, seconded by Councilor Rossetti to approve and authorize the Supervisor to sign the Intermunicipal Agreement (IMA) with Onondaga County for Meadowbrook-Limestone Sewage Treatment Plant.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Rossetti, Councilor Marzola, Councilor Bollinger, Councilor Giordano, Councilor Green

Nayes: 0 All in Favor. Motion Carries.

Correspondence/New Business

A) Highway Superintendent – No New Business

B) Planning & Development – No New Business

C) Attorney – No New Business

D) Town Clerk – No New Business

E) Police Chief

Chief Crowell gave the following report:

- The 2018 Town of Manlius Police Department annual report is complete and available.
- The department had a remote CALEA assessment that was successful

F) Town Board

Councilor Loeffler stated that he and other town councilors attended the annual PBA dinner.

Councilor Loeffler stated that the Planning Process Committee met with the representatives of the Onondaga County Planning Agency. Councilor Loeffler stated that the committee discussed

DRAFT

ways that the Town and County could collaborate on a planning level to identify key areas of the Town that are areas of need.

Councilor Bollinger stated that she attended the hearing in the Village of Manlius for the public hearing held by the Onondaga County Industrial Development Agency for the proposed PILOT agreement for the Willowbrook project. Councilor Bollinger stated that she spoke in opposition of the PILOT agreement along with another member of the audience.

Councilor Bollinger stated that the Arts and Crafts Society is hosting a panel discussion on the Wellington House at the Fayetteville Free Library on May 15, 2019.

G) Supervisor

Supervisor Theobald stated that the town received grant monies for the installation of security cameras at town hall and those cameras have been installed. Supervisor Theobald stated that the construction of the shed behind town hall has also begun.

Councilor Marzola made a motion, seconded by Councilor Loeffler, to accept the Supervisor's monthly report for March as presented.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Rossetti, Councilor Marzola, Councilor Giordano, Councilor Bollinger, Councilor Green

Nayes: 0 All in favor. Motion Carries.

There being no further business to come before the Board, upon motion duly made by Councilor Loeffler and seconded by Councilor Rossetti the Board voted unanimously to adjourn regular session at 6:51 PM.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Rossetti, Councilor Marzola, Councilor Giordano, Councilor Bollinger, Councilor Green

Nayes: 0 All in favor. Motion Carries.

Respectfully Submitted by:

Allison A. Weber
Town Clerk

DRAFT

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.

Attorneys at Law
www.curtinlawpc.com

Paul J. Curtin, Jr.

Brian T. Sinsabaugh

Cynthia M. Curtin *
Of Counsel

**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. Stella Renizotto, 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
Lot 2	***4581 Enders Rd***	***Penizotto, John & Stella***	***RM***	***COM 1***	***484- 1 use sm bld***	***Proposed Day Care/Preschool (Shining Stars Daycare, Inc.)***
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 1is 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, or Village Board of Trustees ☑Yes☐No	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? • **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	☑Yes☐No
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?) If Yes, identify the plan(s):	☐Yes☑No
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? If Yes, identify the plan(s):	☐Yes☑No

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Residential Multi-Use District (RM District)

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

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Commercial District B (CB District)

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
Manlius Police Department, Onondaga County Sheriff, New York State Police

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

d. What parks serve the project site?
N/A

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)? Change of Zone from RM to CB to allow for commercial uses.

b. a. Total acreage of the site of the proposed action? 1.780 acres
b. Total acreage to be physically disturbed? 0.000 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4.352 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.

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

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

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐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? ☐Yes ☑No
- Will line extension within an existing district be necessary to serve the project? ☐Yes ☑No

If Yes:

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

_____

_____

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

If Yes:

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

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

_____

_____

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

_____

_____

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

If Yes:

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

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

_____

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

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

_____

_____

- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

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

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

If Yes, identify:

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

_____

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

_____

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

_____

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

If Yes:

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

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

ii. For commercial activities only, projected number of 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:

- Monday - Friday: N/A
- Saturday: N/A
- Sunday: N/A
- Holidays: N/A

ii. During Operations:

- Monday - Friday: N/A
- Saturday: N/A
- Sunday: 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 covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	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 fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

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

iii. Distance between project and resource: _____ miles.

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

If Yes:

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

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

F. Additional Information

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

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

G. Verification

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

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

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 theTown 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 № 12323.