

Agenda
Manlius Town Board
July 8, 2020
6:30 PM

1. Virtual Meeting Instructions

Documents:

[07-08-20 ZOOM TOWN BOARD MEETING INSTRUCTIONS.PDF](#)

2. Approval Of Minutes - June 10, 2020

3. Pledge Of Allegiance

4. Approval Of Abstract # 13

5. Continuation Of Public Hearing - Zone Change Brolex Properties, LLC, Manlius NY Zone Change From R1 (Residential District) To R3 (Residential District 3) Tax Map # 101.-02-02.1

Documents:

[LOCAL LAW 2020 - ZONE CHANGE BROLEX HIGHBRIDGE ROAD.PDF](#)

6. Continuation Of Public Hearing - 3Gi Zone Change For Central New York Inland Port - From RA (Restricted Agricultural) To ID (Industrial)

7. Continuation Of Public Hearing - Proposed Local Law Delegating Special Permits To Planning Board

Documents:

[LOCAL LAW - SPECIAL PERMIT CHANGES TO PLANNING BOARD ENACTING.PDF](#)

8. Continuation Of Public Hearing - Proposed Local Law For "No Parking Signs" On Hale Rd.

Documents:

[LOCAL LAW 2020-___ NO PARKING HALE ROAD ENACTING.PDF](#)

9. Draft Resolution For Comprehensive Planning

10. Correspondence/ New Business

11. Highway Superintendent

12. Planning & Development

13. Attorney

14. Town Clerk

15. Police Chief

16. Town Manager

17. Town Board

18. Supervisor

19. Adjournment

This Meeting is being recorded and live-streamed. The recording will be broadcast live and will be posted to the Town website at www.Townofmanlius.org



July 8, 2020

Virtual Town Board Meeting

Instructions to attend the July 8th virtual board meeting:

The easiest way to join is to go to our website www.TownOfManlius.org and click on the link that is located on the homepage. You can also watch on our Facebook page by searching for "Town of Manlius"

Enter the meeting url web address as listed below:

<https://us02web.zoom.us/j/85686536485?pwd=M0VXbldObnV5ZWN1YThSbnV1ZC8zQT09>

Password to join when prompted:

Password: 820341

Enter your email address and name and join the meeting!

Join by telephone by dialing the number below:

(929) 436-2866

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

Webinar ID: 856 8653 6485

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

Password: 820341

IN THE MATTER

Of

Local Law 2020-____ the Application of Brolex Properties, LLC for a Change of Zone from R-1 to R-3

**RESOLUTION APPROVIING
ZONE CHANGE FROM R1 TO
R3**

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met virtually in regular session online, on the 8th of July, 2020, at 6:30 p.m.

The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Sara Bollinger	Councilor
John Deer	Councilor
Elaine Denton	Councilor
Karen Green	Councilor
Katelyn Kriesel	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, an application has been made to the Town Board by Brolex Properties, LLC (the “Applicant”) for approval of a zone change (the “Application”) for a portion of the property located at 7430 Highbridge Road, Fayetteville, New York from Residential 1 (R1) to Residential 3 (R3) (the “Property”), which property consists of a single home on land of approximately 22 acres, identified as tax map no. 101-02-02.1;

WHEREAS, the Town Board is considering this zone change under Local Law 2020-____, as set forth below:

**LOCAL LAW 2020-____, A LOCAL LAW AMENDING
THE ZONING MAP OF THE TOWN OF MANLIUS:**

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

Section 1. That “The Revised Zoning Ordinance of the Town of Manlius”, as amended, and the “Zoning Map of the Town of Manlius”, which by provisions of said Zoning Ordinance shall be, and the same hereby are, amended to change the zone for a portion of the following described premises from “R1” to “R3” as set forth on a certain survey map entitled Boundary Survey Map of Elinor G. Freeman Revocable Trust, Part of Lot 85 prepared by CT Male Associates, (Project Number 20.0150) dated March 10, 2020, and commonly known 7430 Highbridge Road, Fayetteville, New York, which property consists of a vacant lot of approximately 23 acres, identified as tax map no. 101-02-01.

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

WHEREAS, the Planning Board reviewed the Application for a Zone Change and discussed issues relating to this Property, including whether the R3 zone made sense considering the surrounding properties and the nature of the area, and determined (i) that the requested zone change is in keeping with other existing uses and zoning in the immediate area; (ii) changing the zoning to R3 would allow the type of use proposed by Applicant for townhouses; (iii) it is also in the best interest of the Town to change the zoning for this parcel because it will match existing development in the area and it will also allow the lot to be used in a constructive and productive use, that is of low intensity based on the size and characteristics of the lot; (iv) the topography of the lot will require that the development occur at the front portion of the property, thus leaving remaining 75% of the property undeveloped; and

WHEREAS, the Onondaga County Planning Board at its meeting on May 30, 2020, has determined that the zone change will not have a county-wide impact and that this Board has the discretion to make its decisions based on the facts and circumstances presented;

WHEREAS, the Town Board declares itself as lead agency for the project, finds this to be an Unlisted Action and based upon the application, the long environmental assessment form review, the criteria set forth in 6 NYCRR 617.7 and personal knowledge of the site, hereby issues a negative declaration pursuant to the State Environmental Quality Review Act based on the following reasons: (1) the proposed use as townhouses fits within the community character of the neighborhood; (2) such use will not generate any significant traffic or create any significant drainage problems as set forth in the engineering and traffic studies presented by the Applicant; (3) there are similar townhouses in close proximity of the Property which make the proposed zoning consistent in the area and would not have a significant aesthetic impact on the neighborhood;

WHEREAS, the Town Board has carefully considered the Planning Board's recommendation, the SEQRA determination and the proposed project as detailed by the Applicant and believes the Application for a zone change is in the best interest of the Town because it: (1) the proposed townhouses are similar to existing residential townhouses in the area; (2) the proposed buildings will have a residential "look" which is in keeping with the surrounding area and is required by the R3 zone; (4) during the site plan process the Planning Board will be able to mitigate any density, viewshed and ingress/egress problems by placing appropriate conditions for Site Plan approvals; and (5) the Town Board held a public hearing on the Application and there was not significant opposition to the zone change, although concerns were raised about traffic, which concerns were addressed by the Applicant with a traffic engineers report;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that "The Revised Zoning Ordinance of the Town of Manlius", as amended, and the "Zoning Map of the Town of

Manlius”, which by provisions of said Zoning Ordinance shall be, and the same hereby are, amended to change the zone of the following described premises that is zoned “R1” to “R3” as set forth on a certain survey map entitled Boundary Survey Map of Elinor G. Freeman Revocable Trust, Part of Lot 85 prepared by CT Male Associates, (Project Number 20.0150) dated March 10, 2020, and commonly known 7430 Highbridge Road, Fayetteville, New York, which property consists of a lot of approximately 23 acres, identified as tax map no. 101-02-01.

Premises Description:

Legal Description Attached as “Schedule A”

and be it further

FURTHER RESOLVED, that the Town Board of the Town of Manlius hereby enacts Local Law No. 2020-___ as set out above; and

RESOLVED AND ORDERED, that said Local Law shall be in full force and effect as provided by law upon the filing of this Local Law with the Secretary of State.

I, ALLISON WEBER, Town Clerk of the Town of Manlius, DO HEREBY CERTIFY that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 8th day of July 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 8th day of July, 2020.

DATED: July 8, 2020
Fayetteville, New York

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

IN THE MATTER

Of

Local Law 2020-____ the Replacing Special Use Permit law with new law delegating authority for issuing Special Use Permits from the Town Board to the Planning Board

RESOLUTION REPEALING AND REPLACING SPECIAL USE PERMIT LAW

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met virtually in regular session online, on the 8th of July, 2020, at 6:30 p.m.

The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Sara Bollinger	Councilor
John Deer	Councilor
Elaine Denton	Councilor
Karen Green	Councilor
Katelyn Kriesel	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, the existing Special Use Permit process in the Town has become cumbersome and inefficient;

WHEREAS, applications for Special Use Permits are currently referred to the Planning Board, a recommendation is made to the Town Board and if approved, the Special Use Permit goes back to the Planning Board for site plan review.

WHEREAS, the Planning Board has the experience and expertise to consider Special Use Permits through an integrated and coordinated process that includes site plan approval;

WHEREAS, authorizing the Planning Board to hear Special Use Permits will also consolidate the State Environmental Review Process by allowing the Planning Board to be Lead Agency for both the site plan and special permit;

WHEREAS, it is the desire of the Town Board that applicants for a special use permit and site plan be given the most efficient process possible without compromising the “hard look” required for such applications;

WHEREAS, the Town Board is considering Local Law 2020-____, that would streamline the planning approval process by delegating to the Planning Board the authority to review special use permits, as set forth below:

LOCAL LAW 2020-____, A LOCAL LAW REPEALING AND REPLACING Section 155-27 Special Use Permits OF THE TOWN OF MANLIUS:

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

Section 1. Repealing Section 155-27 of the Town of Manlius Code and replacing it with the following:

A. Legislative findings, intent and purpose.

(1) Special use permits are intended to allow for certain uses which are considered on their individual merits and circumstances and which may be permitted in the applicable zoning district, provided that such uses do not adversely affect the neighborhood including its character, the natural environment, and the rural, scenic and historic character. Such special uses are permitted only upon issuance of a special use permit by the Planning Board only after an evaluation is made of the compatibility of the proposed use with surrounding uses,

the suitability of the use to the site, and whether it is in harmony with the Town of Manlius Zoning Code.

(2) All special permit uses cited in the "District Regulations," in Article **III** of this Zoning Code, shall be subject to review and approval by the Planning Board in accordance with § 274-b of the Town Law and the general objectives, requirements and procedures included herein. In all cases where this Zoning Code requires such special use permit authorization, no building permit or certificate of occupancy shall be issued by the Code Enforcement Officer except upon authorization of and in full conformity with plans approved and requirements or modifications imposed by the Planning Board. In accordance with the "District Regulations," most uses requiring the issuance of a special use permit are additionally subject to site plan review and approval, as described in § **155-28** of this Zoning Code.

(3) Accessory uses or structures used in connection with a special use permit shall be subject to the same approval requirements as the principal structure or use. In authorizing any special use permit, the Planning Board shall take into consideration the public health, safety, and general welfare, and the comfort and convenience of the public in general, and pursuant to its reasonable exercise of the police powers of the Town under the Home Rule provisions of New York Constitution, Article IX, § 2, may impose conditions and restrictions on the operations of such uses within the district. The intent of the regulations is to ensure that the development and use of individual parcels is in harmony with the Zoning Code and special use permit requirements will not have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community. Such regulations are designed to:

- (a)** Protect the community from traffic congestion and conflicts, flooding, and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution;
- (b)** Protect the community from inappropriate design and other matters of scenic and aesthetic significance;
- (c)** Ensure that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed;
- (d)** That its impacts can be mitigated by compliance with reasonable conditions; and
- (e)** Ensure that new development conforms with the Town's planning goals and objectives. This shall specifically include the right and authority to condition and restrict operations reasonably as a proper exercise of the Planning Board's police powers (and not necessarily its zoning authority) for the preservation of health, safety and welfare of its residents and provided same is reasonably related to a legitimate government purpose.

(4) The Planning Board may require modifications to development proposals, submission of alternative design and layout proposals, and may attach reasonable conditions and safeguards to eliminate or minimize potential impacts as a precondition of its approval of a special use permit.

B. Special use permit application procedures.

(1) Application and fee. All special use permit applications are made to the Town Clerk in writing, on forms, and in accordance with the review procedures prescribed by this section of the Zoning Law. In order to be considered complete, a special use permit application shall be accompanied by the following:

(a) A preliminary site plan which demonstrates the overall site layout and building locations, parking areas, access and egress locations, setbacks and buffer areas, lighting, landscaping, stormwater management, signage, natural and cultural resource information as required herein, and the location and extent of existing development on adjacent parcels.

(b) Preliminary building plans and elevations illustrating existing and/or proposed building construction and alteration, including an indication of exterior materials, textures and colors.

(c) Payment or deposit of all applicable fees and costs in accordance with the Town Code and fee schedule.

(d) Either a short or full environmental assessment form (EAF), as required by SEQRA, Article 8 of the New York State Environmental Conservation Law and Title 6 Part 617 NYCRR. All applications made for lands within or contiguous to any building, structure or site listed or eligible for same individually on the State or National Register of Historic Places shall require the submission of a full EAF.

(e) Certification by the applicant, in writing and on forms provided by the Town of Manlius, that the information provided is "true and accurate to the best of my knowledge."

(f) Affidavit sworn by the applicant, on forms provided by the Town Manlius, attesting 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 thereof or making the application, and no other violation of (New York) Municipal Law § 809 shall result from such application.

(g) Execution by applicant of payment agreement, on forms provided by the Town of Manlius, agreeing to bear all cost and expense for such administrative, legal, engineering, architect and other professional and consulting assistance to the Town incidental to the application, and including that expense incurred by the

Town for Town employees and officers performing reasonable and necessary work on behalf of the Town incident to the application.

(h) Any other information deemed necessary by the Planning Board to explain the nature of the proposed use, its potential environmental impacts under SEQR, and its consistency with the standards established by this Zoning Code for special use permits.

(2) Public notice and hearing. The Planning Board shall, within 62 calendar days of the receipt of the complete application, conduct a public hearing on any such special permit application. The Planning Board, by resolution at a stated meeting, shall fix the place, date, and time of the public hearing. The Planning Board shall provide a copy of this notice of said hearing to the applicant, and at which hearing, he or she shall appear in person or by agent. The Planning Board shall additionally provide notification as follows. All notices and mailings shall be the responsibility of the applicant, shall be paid for by the applicant, shall be sent and confirmed by the applicant using certified mail, registered mail, delivery confirmation, signature confirmation, or certificate of mailing, and shall be certified to the Planning Board that compliance has timely occurred. Such notices and mailings shall be as follows:

(a) By publishing at least five calendar days prior to the date thereof a legal notice in a newspaper of general circulation in the Town,

(b) Posting. Notice shall be posted at least five days prior to the date of the hearing as follows:

[1] On the bulletin board of the Town Hall; and

[2] On the Town of Manlius website.

(c) By requiring notice of the public hearing and data regarding the substance and location of the special use permit application to the owners of all property abutting that held by the applicant and all other owners within 500 feet of the exterior boundaries of the land involved in such application or such additional distance as the Planning Board may deem advisable, or as otherwise required by state law. Notice shall be mailed via regular (first-class) mail at least 5 calendar days prior to the hearing. The foregoing notwithstanding, the failure to have notified a certain party or parties in error shall not affect the legality of the proceeding provided a good faith effort has been made and this mailing requirement substantially complied with.

(d) By providing notice of the public hearing and data regarding the substance and location of the special use permit application to all involved agencies under SEQR at least 10 calendar days prior to the hearing.

(e) If the land involved lies within 500 feet of a farm operation located in a New York State Agricultural District, such owners shall be sent at least 5 calendar days

prior to the public hearing an agricultural data statement on forms supplied by the Town of Manlius and prepared by the applicant.

(f) If the land involved in the application lies within 500 feet of the boundary of any other municipality, the applicant shall also mail at least 5 calendar days prior to the public hearing to the municipal clerk of such other municipality or municipalities a copy of the notice of the substance of every application, together with a copy of the official notice of such public hearing.

(g) The names and addresses of owners notified shall be taken as such appear on the last completed tax roll of the Town.

(h) Provided that there has been substantial compliance with these provisions, the failure to give notice in exact conformance herewith shall not be deemed to invalidate an action taken by the Planning Board in connection with granting or denying a special use permit application.

(3) Agency and consultant review. In its review, the Planning Board may consult with the Town Code Enforcement Officer, the Superintendent of Highways, the Town Historian, other local and county officials and its designated private planning and engineering consultants, in addition to representatives of county, state and federal agencies, including but not limited to the Onondaga County Departments of Health, Public Works, Planning and Development, the New York State Departments of Transportation, Health, Agriculture and Markets, Office of Parks, Recreation and Historic Preservation, Secretary of State, and Environmental Conservation, and the United States Army Corps of Engineers, United States Fish and Wildlife Service, and United States Department of Agriculture's Natural Resources Conservation Service.

(4) Required referrals

A full statement of any special use permit application, including all applicable SEQR documentation, that meets the referral requirements of §§ 239(1) and 239(m) of the General Municipal Law shall be referred prior to the public hearing to the Onondaga County Planning Board for its review. No action shall be taken by the Planning Board on such application until an advisory recommendation has been received from said county Planning Board or 30 calendar days have elapsed since the Onondaga County Planning Board received such full statement. In the event that the Onondaga County Planning Board recommends disapproval of the proposal or recommends modification thereof within such time period or at a later date prior to final action by the Planning Board, the Planning Board shall not act contrary to such disapproval or recommendation except by a vote of a majority plus one of all the members after the adoption of a resolution fully setting forth the reasons for such contrary action. Within 30 calendar days after such final action, the Planning Board shall file a report of the final action it has taken with the Onondaga County Planning Board.

(5) Waiver of Requirements. The Planning Board may waive any specific requirements set forth in this § **155-27** for the approval of a special use permit. The grant of any such waiver shall be accompanied by a written finding that compliance with the requirements is either not requisite in the interest of the public health, safety and general welfare or inappropriate to the particular special permit use. The Planning Board may, in granting waivers, incorporate such reasonable conditions as will, in its judgment, substantially secure the objectives of the requirements so waived. No waiver or modification may be deemed approved or granted by implication. All waivers and modifications must be expressly set forth in the findings of the Planning Board.

(6) Area variances. Where a proposed special use permit contains one or more features which do not comply with the special use permit regulations, application may be made to the Zoning Board of Appeals for an area variance pursuant to § **155-48** of the Zoning Code, without the necessity of a decision or determination of the Codes Enforcement Officer.

(7) Decisions. Every decision of the Planning Board with respect to a special use permit application shall be made by resolution within 62 calendar days of the close of the public hearing, which resolution shall clearly state the decision, including findings, and any modifications attached thereto. The time within which the Planning Board shall render its decision may be extended by mutual consent of the applicant and the Board. Each such decision shall be filed in the Office of the Town Clerk within five business days after such decision is rendered and a copy thereof shall also be mailed to the applicant. No time periods for decision-making in this subsection shall begin to run until the lead agency has either accepted a draft environmental impact statement as complete or adopted a negative declaration under SEQR.

(8) Reimbursable costs. Reimbursable costs incurred by the Planning Board for professional consultation fees or other extraordinary expense in connection with the review of a special use permit application shall be charged to the applicant in accordance with Chapter **96** of the Town of Manlius Code. Maximum amounts for such reimbursable costs by project type and size shall be in accordance with the fee schedule established by the Planning Board. Such reimbursable costs shall be in addition to any fees required herein under the Town Code.

(9) Effect of special use permit approval.

(a) In addition to compliance with all other applicable sections of this Zoning Code, and all other local, county and state laws, rules and regulations, no building permit shall be issued for any structure regulated by this section until such special use permit has received Planning Board approval and a copy of a resolution to that effect has been presented to the Code Enforcement Officer.

(b) No certificate of occupancy shall be issued for any structure or use of land covered by this section until the structure is completed or the land developed in strict accordance with the Planning Board resolution of special permit approval and other applicable requirements of this Zoning Law.

(c) Any use for which a special permit may be granted shall be deemed a conforming use in the district in which it is located, provided that such permit shall be deemed to affect only the lot or portion thereof for which such permit has been granted.

(d) The Planning Board may require in its resolution of approval that a special use permit shall be effective only for a specific duration and upon expiration must be renewed. Such renewal may be withheld only after public hearing and upon specific determination by the Planning Board that such conditions as may have been prescribed in conjunction with the issuance of the original permit have not been, or are no longer being, complied with. If the Code Enforcement Officer finds a violation of the special use permit, he or she may refer the application to the courts or to the Planning Board for further proceedings. In such cases, a period of 60 calendar days shall be granted for full compliance by the applicant prior to revocation of the special use permit.

(e) A special use permit shall expire if the use or uses cease for more than two years for any reason, if the applicant fails to comply with the conditions of the special use permit, or if the time limit imposed on certain Special Uses expires without renewal.

(f) The granting of a special use permit in a flood zone shall not be held to constitute a representation, guarantee or warranty of any kind by the Town of Manlius or by any official or employee thereof, or consultant thereto, regarding the practicability or safety of any structure or use or the proper functioning of the proposed facilities and plans and shall not be held to create a liability upon, or cause of action against, such public body, official or employee for any damage that may result pursuant to such development or use.

(10) Expiration of special use permit. A special use permit shall be deemed to authorize only the particular use or uses expressly specified in the permit and shall expire if the special use permit activity is not commenced and diligently pursued within six calendar months of the date of issuance of the special use permit. Upon prior written request to the Planning Board, the time period for initiation of the special permit use may be extended for a maximum period of one calendar year from its otherwise specified termination date. The Planning Board may hold a public hearing prior to granting any extensions.

(11) Revocation of special use permit. In all instances, a special use permit may be revoked by the Planning Board, after public hearing, if it is found and determined that there has been a substantial failure to comply with any of the terms, conditions, limitations and requirements imposed by said permit.

(12) Amendments to special use permits. The terms and conditions of any special use permit may be amended in the same manner as required for issuance of a special permit, following the criteria and procedures of this subsection.

(13) Relief from decisions. Any person or persons jointly or severally aggrieved by any decision of the Planning Board on a special use permit application may apply to the Supreme Court of the State of New York for relief through a proceeding under Article 78 of the Civil Practice Laws and Regulations of the State of New York. Such proceeding shall be governed by the specific provisions of Article 78, except that the action must be initiated as therein provided within 30 calendar days after the filing of the Board's decision in the Office of the Town Clerk.

C. General standards. The Planning Board shall carefully review the specific requirements set forth in this § **155-27** for the special permit uses, any applicable supplementary regulations enumerated in the Zoning Code, and the following general standards for any use requiring special use permit authorization by the Planning Board:

(1) The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to the use, and the location of the site with respect to existing and future streets and roads providing access shall be in harmony with the orderly development of the district.

(2) The location, nature and height of the buildings, walls and fences and the nature and intensity of the intended operations will not discourage the appropriate development and use of adjacent land and buildings nor impair the value thereof.

(3) All proposed traffic access ways shall be adequate but not excessive in number, adequate in width, grade, alignment and visibility, be sufficiently separated from street intersections and places of public assembly, and meet similar safety considerations.

(4) Adequate provision for safe and accessible off-street parking and loading spaces shall be provided to avoid parking in public streets of vehicles or persons connected with or visiting the use. With the exception of single-family detached dwellings, shared parking is encouraged where the peak parking demands of different uses occur at various times of the day.

Use of a widely accepted means of projecting demand for shared use, such as the Urban Land Institute's Shared Parking Report, shall be employed to demonstrate shared parking effects.

(5) All parking, service and other areas on site intended for uses or operations not typical of residential uses or activities shall be buffered or screened from the view of adjacent residential lots and streets or roadways and the general landscaping of the site shall be in character with that generally prevailing for residential uses in the neighborhood. Such landscaping shall include the preservation of existing trees to the maximum extent practicable. Roadside plantings shall be in accordance with any established design standards.

(6) All proposed buildings, structures, equipment and/or material shall be readily accessible for fire, emergency services and police protection.

(7) The character and appearance of the proposed use, buildings, structures, lighting, and/or outdoor signs shall be in general harmony with the character and aesthetic appearance of the surrounding neighborhood and consistent with the purpose and intent of the zoning district as described in the applicable Zoning Code provisions. These shall not be more objectionable to nearby properties by reason of noise, fumes, vibration or light than would the operations of any permitted principal use. In addition, they shall not adversely affect the general welfare of the inhabitants of the Town of Manlius.

(8) Except for preexisting nonconforming lots of record, the use shall meet the prescribed area and bulk requirements for the district in which it is located and as further specified in the supplementary regulations, including but not limited to setbacks, maximum height, environmental and open space standards, required off-street parking, lighting, noise, and sign regulations.

(9) The level of municipal and other services required to support the proposed activity or use is, or will be, available to meet the needs of the proposed activity or use. This consideration shall include the suitability of water supply and sanitary sewage facilities to accommodate the intended use, and protection from pollution of surface or groundwater.

(10) The proposed use shall not have an unmitigated significant adverse environmental impact as defined by the New York State Environmental Quality Review Act (SEQR). Such determination shall be made by the Planning Board or other designated lead agency.

(11) The use shall be designed and shall be carried out in a manner that protects any relevant neighborhood character, historic and natural environmental features on the site under review and in adjacent areas.

(12) The use shall be consistent with any available and relevant studies and history, and other evidence of the municipality's land use practices and policies.

(13) The Planning Board may apply any other standards to their review of the proposed use as they may see fit in order to impose additional conditions and safeguards to the special use permit as are directly related to and incidental to the proposed special use permit and which may be necessary to assure continual conformance to all applicable standards and requirements, including reasonable assurances that such conditions and safeguards can be responsibly monitored and enforced. The Planning Board's authority shall specifically include the right to condition and restrict operations reasonably as a proper exercise of the Planning Board's police powers (and not necessarily its zoning authority) for the preservation of health, safety and welfare of Town residents and provided same is reasonably related to a legitimate government purpose.

D. Additional specific standards for certain uses. In addition to the general standards stated above and the site plan review considerations stated in § **155-27C** of this Zoning Code, any specific requirements for the particular special use permits cited in this chapter shall be considered by the Planning Board in its review. Special permit uses that do not have additional specific requirements shall be reviewed using the general objectives stated hereinbefore and, acknowledging that Planning Board site plan review shall also be required, with consideration to the site plan review standards set forth at § **155-27C**.

E. Severability. If any clause, sentence, paragraph, subdivision, section or part of this section or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this section or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this section or the application thereof to other persons or circumstances. Further, in adjudging such invalid, illegal or unconstitutional provision, the court shall attempt to modify same to a provision which is not invalid, illegal or unconstitutional and which best achieves the intent of the invalid provision.

WHEREAS, the Town Board held a public hearing on Local Law 2020-___ on July 8, 2020, at which time the public had an opportunity to speak in favor and against Local Law 2020-___;

WHEREAS, the Town Board desires to delegate to the Planning Board, to the greatest extent allowed under State Law, the authority to hear and decide Special Permit applications/requests to the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts Local Law 2020-___, as set forth above in this resolution; and be it further

RESOLVED, that the Town Clerk shall file Local Law 2020-___ with the Secretary of State within 20 days of enactment by the Town Board.

I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 8th day of July 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 8th day of July, 2020.

DATED: July 8, 2020
Fayetteville, New York

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

IN THE MATTER

Of

Local Law 2020-___

**An Local Law Further Amending Chapter 139
Entitled “Vehicles & Traffic” of the Code of the
Town of Manlius.**

**RESOLUTION ENACTING
LOCAL LAW**

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 8th day of July, 2020, at 6:30 p.m.

The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Sara Bollinger	Councilor
John Deer	Councilor
Elaine Denton	Councilor
Karen Green	Councilor
Katelyn Kriesel	Councilor
Heather Waters	Councilor

Absent:

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law 2020 - ___, entitled “A Local Law Further Amending Chapter 139 entitled Vehicles & Traffic of the Code of the Town of Manlius,” the text of which is as follows:

LOCAL LAW 2020 -__ AMENDING CHAPTER 139 ENTITLED “VEHICLES & TRAFFIC” OF THE CODE OF THE TOWN OF MANLIUS

BE IT ORDAINED AND ENACTED by the Town Board of the Town of Manlius, County of Onondaga, State of New York, as follows:

Section 1. That Chapter 139-12, entitled “No Parking” of the Code of the Town of Manlius, as amended, is further amended as follows:

Name of Street	Side	Location
Hale Road	Both	From NYS Route 173 to Palmer Road

Section 2. This local law shall take upon the filing with the Secretary of State.

WHEREAS, at the recommendation of the Town Highway Superintendent, the no parking signs proposed herein are for the benefit and safety of the residents of the Town of Manlius;

WHEREAS, a public hearing was held on July 7, 2020 at which the public was given the opportunity to speak for and against Local Law 2020-__;

WHEREAS, the Town Board believes the no parking signs are in the best interest of the Town and are consistent with the no parking signs on Palmer Road;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Manlius hereby adopts Local Law 2020-__ as set forth above; and be it further

RESOLVED, that the Town Clerk shall file this local law with the New York State Department of State within twenty (20) days of the adoption of this Local Law.

I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 8th day of July 2020; 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 8th day of July, 2020.

DATED: July 8, 2020
Fayetteville, New York

ALLISON WEBER
Town Clerk of the Town of Manlius
Onondaga County, New York