

Town of Manlius  
Planning Board Meeting  
September 14, 2020  
6:30PM

1. Zoom Meeting Instructions

Documents:

[ZOOM PLANNING BOARD MEETING INSTRUCTIONS SEPTEMBER 14, 2020.PDF](#)

2. Pledge Of Allegiance

3. Approval Of Minutes - August 10, 2020

Documents:

[AUGUST 10, 2020.DOC.PDF](#)

4. Approval Of Minutes - August 24, 2020

Documents:

[AUGUST 24, 2020.PDF](#)

5. Dennis Flynn - 7418 Kirkville Road, East Syracuse, NY 13057 - Public Hearing -Special Permit And Site Plan - Dog Boarding - 7418 Kirkville Road, East Syracuse, NY 13057 Tax Map # 055.-01- 10.2

Documents:

[7418 KIRKVILLE ROAD - SPECIAL PERMIT - SITE PLAN APPLICATION AND SUPPORTING DATA.PDF](#)

6. Other Business

7. Adjournment



September 14, 2020

## Virtual Planning Board Meeting

Instructions to attend the September 14, 2020 virtual Planning Board meeting:

The easiest way to join is to go to our website [www.TownOfManlius.org](http://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/85772846324?pwd=ald0ZDJ0ZmZrWnJLd2l1MStjbmtKZz09>

Password to join when prompted:

Password: 586712

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: 857 7284 6324

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

Password: 586712

**TOWN OF MANLIUS  
PLANNING BOARD MINUTES  
August 10, 2020**

**DRAFT**

The Town of Manlius Planning Board convened with the members live streaming from their homes and in accordance with the Executive Order of the Governor to assure compliance with the Open meetings Law. Chairperson Joseph Lupia presided, and the following Members were present: Fred Gilbert, Ann Kelly, Mike LeRoy, Arnie Poltenson, Frank Mento and Richard Rossetti. Also, present were Attorney Jamie Sutphen and Town Engineer Douglas Miller.

Other persons attending the virtual meeting: Chris Danaher, Scott Dumas, Scott Freeman, Madonna Millerschinn, Jodi Hunt, Gary Mazurkowitz, Chris Bollinger, Teddy Epstein, Anthony D'Elia, Tom Douglas, Rudy Zona, Vaughn Lang, Joe Mueller.

The Pledge of Allegiance was recited.

**Minutes**

The minutes from July 27, 2020 were tabled until the next meeting.

**Chris Bollinger – 7137 East Genesee Street, Fayetteville, NY 13066**

**Public Hearing - Site Plan Amendment – Roofed Porch and Deck**

**7137 E. Genesee St. Fayetteville, NY 13066**

**Tax Map # 085.-07-11.0**

Attorney Sutphen reviewed the 11 questions in Part 2 of the EAF with the Board and the Board agreed unanimously that the action would have no, or a small impact on the environment. The EAF was filled out accordingly.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to issue a Negative Declaration under SEQR and authorized the Chairman to sign the short form EAF.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to waive the reading of the Public Hearing notice.

Member Gilbert made a motion, seconded by Member Poltenson and carried unanimously to open the Public Hearing at 6:38pm.

Hearing nothing from the Public, Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to close the Public Hearing at 6:39pm.

Member Kelly made a motion, seconded by Member LeRoy and carried unanimously to approve the Site Plan Amendment for a Roofed Deck and Porch for Chris Bollinger located at 7137 East Genesee Street, Fayetteville, NY 13066.

**Falck Renewables, One Bridge Street, Suite 11, Irvington, NY 10533**  
**Continued Public Hearing - Special Permit & Site Plan – Solar Array**  
**8507 Green Lakes Road, Fayetteville, NY 13066**  
**Tax Map # 082.-02-15.1**

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to close the Public Hearing at 6:41pm.

Attorney Sutphen stated that the question the Board needs to ultimately answer is: Will the project have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community? With this being said, Attorney Sutphen went through the Special Permit Criterion with the Board and they answered as follows:

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution? The Board said yes.
2. Does this plan protect the community from inappropriate design and other matters of scenic and aesthetic significance? The Board said yes. Member Kelly would like to see more screening for the project.
3. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? The Board said yes
4. Can any adverse impact be mitigated with compliance with reasonable conditions? The Board said no
5. Does the project conform with the Towns Planning objections, for example, do we need any kind of conditions with respect to operations and are there modifications to the development proposal or design guidelines that can attach reasonable conditions to minimize impacts? The Board said yes.

Attorney Sutphen asked the Board if there were any conditions that they wanted to place on the Special Permit? Member Kelly suggested that more screening be placed along Green Lakes Road.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to approve the Special Permit for a Solar Array located at 8507 Green Lakes Road by Falck Renewables; with the condition that screening of some kind (trees) be placed along Green Lakes Road.

Member Rossetti made a motion, seconded by Member Gilbert and carried unanimously to approve the Site Plan for a Solar array located at 8507 Green Lakes Road by Falck Renewables.

**Falck Renewables, One Bridge Street, Suite 11, Irvington, NY 10533**  
**Continued Public Hearing - Special Permit and Site Plan – Solar Array**  
**5062 North Eagle Village Road, Manlius, NY 13104**  
**Tax Map # 098.-01-15.0**

Teddy Epstein stated that he spoke to the neighbors at 5190 Townsend (Mr. Winschel) and 5212 Townsend Road (Ms. Young) regarding the view and screening from their properties. Ms. Young requested 15 Blue Spruce trees be placed on her property, and they believe that is a reasonable request. Mr. Winschel requested 100 12-Foot Blue Spruce trees; they believe that 100 trees is an unreasonable request. Ron and Beth Powell at 5090 North Eagle Village Road said that they can also see the project and are in support of it.

Chairman Lupia asked the Applicant if they were willing to plant 15 mature Blue Spruce trees? Mr. Epstein said that they would like to plant something smaller than a 12ft Blue Spruce and something more affordable.

Member Poltenson thinks that it is a great idea to put the trees on the properties of the residents that will be most affected by the project. He suggested that the Applicant call Aspinall's Landscaping and ask them what they would recommend that would be hardy and native to this part of the country.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to close the Public Hearing at 7:01pm.

Attorney Sutphen stated that the question the Board needs to ultimately answer is: Will the project have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community? With this being said, Attorney Sutphen went through the Special Permit Criterion with the Board and they answered as follows:

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution? The Board said yes.
2. Does this plan protect the community from inappropriate design and other matters of scenic and aesthetic significance? The Board said yes.
3. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? The Board said yes
4. Can any adverse impact be mitigated with compliance with reasonable conditions? The Board said yes. The viewshed and the trees that the Applicant agreed to plant.
5. Does the project conform with the Towns Planning objections, for example, do we need any kind of conditions with respect to operations and are there modifications to the development proposal or design guidelines that can attach reasonable conditions to minimize impacts? The Board said yes.

Attorney Sutphen asked the Board if there were any conditions that they wanted to

place on the Special Permit? Member Rossetti stated that he thinks there should be a number of trees be placed on the residents' property or the Applicants property, they should be planted.

Member Kelly made a motion, seconded by Member Rossetti and carried unanimously to approve the Special Permit for a Solar Array located at 5062 North Eagle Village Road by Falck Renewables; with the condition that working with the neighbors, Young and Winschels, to place Blue Spruce "mature" trees no more than 8-10 feet high and a maximum of 30 be placed on each of the nearby neighbors' property as long as the Applicant and the neighbors come to an agreement. If this cannot be done, the 30 trees would go on the property of the Applicant.

Member Rossetti made a motion, seconded by Member Gilbert and carried unanimously to approve the Site Plan for a Solar array located at 5062 North Eagle Village Road by Falck Renewables, with the condition that working with the neighbors, Young and Winschels, to place Blue Spruce "mature" trees no more than 8-10 feet high and a maximum of 30 be placed on each of the nearby neighbors' property as long as the Applicant and the neighbors come to an agreement. If this cannot be done, the 30 trees would go on the property of the Applicant.

**Sarah Williams - Village Groomer- 3370 Oran Gulf Road, Manlius, NY 13104**  
**Continued Public Hearing - Special Permit & Site Plan – Dog Grooming and**  
**Daycare – 8064 East Genesee Street, Fayetteville, NY 13066**  
**Tax Map # 090.-01-10.2**

Gary Mazurkowitz was present to represent the Applicant.

Member LeRoy made a motion, seconded by Member Rossetti and carried unanimously to close the Public Hearing at 7:31pm.

Member Rossetti asked how many parking spaces will be in the driveway. Mr. Mazurkowitz stated just 2, the others are for drop off and pick up only.

Chairman Lupia stated that the SEQR process was done at the previous meeting and asked Attorney Sutphen to go through the Special Permit Criterion with the Board.

Attorney Sutphen stated that the question the Board needs to ultimately answer is: Will the project have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community? With this being said, Attorney Sutphen went through the Special Permit Criterion with the Board and they answered as follows:

1. Is the community protected from traffic congestion conflicts, flooding and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution? The Board said yes

2. Does this plan protect the community from inappropriate design and other matters of scenic and aesthetic significance? The Board said yes
3. Does the plan ensure the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed? The Board said yes
4. Can any adverse impact be mitigated with compliance with reasonable conditions? The Board said no
5. Does the project conform with the Towns Planning objections, for example, do we need any kind of conditions with respect to operations and are there modifications to the development proposal or design guidelines that can attach reasonable conditions to minimize impacts? The Board said yes

Member Rossetti made a motion, seconded by Member Poltenson and carried unanimously to approve the Special Permit for a Dog Grooming Business located at 8064 East Genesee Street by Sarah Williams; with the following condition:

1. Hours of operation should be 7:30am to 5:30pm Monday through Friday.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to approve the Site Plan for a Dog Grooming business located at 8064 East Genesee Street by Sarah Williams.

**5538 North Burdick Street, LLC. – 125 E. Jefferson St., Syracuse, NY 13202**

**Continued Public Hearing- Site Plan**

**5538 North Burdick Street, Fayetteville, NY 13066**

**Tax Map # 086.-02-07.1**

Present for the application were Scott Dumas, Scott Freeman, Madonna Millerschein and Christian Danaher.

1. Concerned Citizen – Scott Dillingham, commercial property owner in Fayetteville
  - 
  - 1. Asked Engineer Miller about the sewage discharge daily estimate being revised by the applicant and does the Board realize the size of this project for an RM zoned parcel? Engineer Miller said as of August 3, 2020, the Town of Manlius no longer controls their sewage system, that is a function of a lease agreement that the Town has entered into with Onondaga County, so he would recommend asking Mr. Dietman for the offset plans. The offset plans are 2 to 1 and would have to be accommodated accordingly. As for what we have seen previously, the connection was a single lateral, with a 2inch force main with a manhole. In conversations with Mr. Dietman at OCWEP, there is capacity for the proposed.
  - 2. Concerns about the Stormwater retention pond being so close to the canal and a cliff on the back of the property; concerned about children being attracted to the pond. Is there a plan from preventing mishaps?

Engineer Miller said that they are currently reviewing the SWPPP and there are requirements in the NYSDEC manual for safety benches and the like. The Applicant has also provided a plan with coordination of the Site Plan, with SHIPO and the Erie Canal.

3. Concerned about the size of the project on an RM Zoned parcel.

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to close the Public Hearing at 7:31pm.

Member Poltenson asked the Applicant about screening and trees on North Burdick Street. He suggested adding Evergreen trees to block the view of the parking lot.

Attorney Sutphen reviewed the questions in Part 2 of the Long Form SEQR EAF with the Board and the Board agreed unanimously that the action would have no, or a small impact on the environment. The long Form EAF was filled out accordingly.

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to issue a Negative Declaration under SEQR and authorized the Chairman to sign the short form EAF.

Conversation ensued regarding the outside of the building, color schemes, rockwork and such. The Applicant will drop off samples to the Town Hall for Board members to look at.

Member Rossetti made a motion seconded by Member Poltenson and carried unanimously to approve the Site Plan as presented located at 5538 North Burdick Street by 5538 North Burdick Street LLC. This approval is based upon approval of the SWPPP by the Town Engineer.

**Woodland Hills Subdivision (Hoag Lane Development), 201 Solar Street,  
Syracuse, New York 13204  
SEQR Determination - Site Plan - 21-Lot Subdivision  
5290-5320 Hoag Lane, Fayetteville, NY 13066  
Tax Map # 104.-01-39.2**

Tom Douglas, Scott Freeman, Vaughn Lang, Joe Mueller and Rudy Zona were present to speak about the development.

Chairman Lupia stated that a response letter, new/amended maps and a SWPPP with a 3-page change, were received today by the Town in response to the letter sent by Miller Engineers. He also said that some of the Board members, including himself have not had time to review the response.

Attorney Sutphen said that tonight's SEQR determination would be based on what has already been submitted to the Board, not including the response that was submitted today since no one had to time to review it.

Attorney for the Applicant, Vaughn Lang spoke regarding the number of comments that were addressed by the applicant. His position was that 106 comments of the Engineer's letter contained "alternate facts", or items not in existence; 139 of the comments were repeated comments; 42 of the comments were already provided and 69 comments had already been stated as agreed or ok.

Member Rossetti asked Attorney Lang what alternative facts means? Attorney Lang said alternative facts are based upon assumptions that are not within the actual plans itself. He gave an example that the Muirfield Basin comments fail to take into account that water does not flow uphill because the comments suggested that the water flow would have an impact on the Muirfield basin.

Attorney Sutphen then reviewed each of the questions in Part 2 of the Long Form SEQR EAF with the Board.

With respect to the questions that were answered to have moderate to large impacts on the environment or otherwise were otherwise a point of debate of discussion, the following ensued.

Question 1 asks if the proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. The Board answered yes concerning bedrock on the site were discussed. Attorney Sutphen asked the Board (as part of the SEQR Determination) if the proposed action may involve construction on land where bedrock is exposed or generally within 5 feet of existing ground surface. The Board stated yes, it is a moderate to large impact. The Applicant stated that there was no bedrock. There is no evidence from any geological surveys that say there is bedrock in the area. The hired Chris Kenny, licensed Geotechnical Engineer, he stated that there is no bedrock. Chairman Lupia stated that he and Engineer Miller read in the report submitted by Kenny Geotechnical that there is bedrock on site.

Conversation ensued regarding the type of construction that could continue for over a year or in multiple phases. The Board said moderate to large. Attorney Sutphen asked what the construction was. Member Rossetti said that there is a hammerhead on the roadway and a temporary detention basin that they are going to build, he doesn't believe that it can be done in a one-year period, it will have to continue on in several phases to get the work done. Attorney Sutphen asked Engineer Miller if he agreed with Member Rossetti. Engineer Miller said it would appear so. There was discussion that there are schedules that indicate that the work can get done in less than a year, but there are caveats and the time frame needs to include that the house building that would carry on years after that. Attorney Sutphen asked that Board if it would be a small impact or a moderate to large impact. The Board said moderate to large impact.

The next question asked if the proposed action may result in increased erosion whether from physical disturbance or vegetation removal including from treatment by herbicides. The Board said moderate to large impact. Attorney Sutphen inquired about the increased erosion. Engineer Miller said it would be from the construction activities and

things like what the SEQR workbook says to look at would be any impacts to the onsite wetlands, the slopes that was addressed previously at 15%, and the request that the Applicant has in for a 5-acre disturbance.

With respect to other impacts on land, Engineer Miller had some comments regarding stormwater retention design impact; the cut and fill processes having an impact; and particularly regarding local underlying and low-lying geophysical topography and the Muirfield Basin. The Board said that these impacts were moderate to large.

Question 4 of the Long Form EAF asks about the Impact on Groundwater, specifically will the proposed action result in new or additional use of ground water or may have the potential to introduce contaminants to ground water or an aquifer. The Board said yes. Attorney Sutphen asked why the Board thought the answer was yes. Engineer Miller explained the impacts that would be unique to the direct infiltration into the Limestone Substrate, creating potential for ground water issues. The Board agreed that it would be a moderate to large impact.

Question 7 of the Long Form EAF asks about the Impact on Plants and Animals saying that will the proposed action result in a loss of flora or fauna. The Board said yes and Attorney Sutphen asked the supporting questions.

Question 15 of the Long Form EAF asks about the Impacts of Noise, Odor and Light asking if the proposed action will may result in an increase in noise, odors or outdoor lighting. The Board said yes and Attorney Sutphen went through the supporting questions. A sub-question of this section asked if the proposed action may produce sound above noise levels established by local regulation. The Board responded that impact was moderate to large impact. Attorney Sutphen inquired as to the noise level concerns. Engineer Miller said that the Applicant said that there would be noise levels above and beyond regulations during construction activities. Other impacts regarding noise are as follows: During construction there will be temporary intervals of noise exceeding ambient noise levels relating to typical construction noise activity; and/or noise in violation of the noise ordinance of the Town. The Board said that it would be a moderate to large impact.

Question 17 of the Long Form EAF asks about Consistency with Community Plans asking if the proposed action is not consistent with adopted land use plans. The Board said yes. Attorney Sutphen went through the supporting questions. Sub-question c asks if the proposed action is inconsistent with local land use plans or zoning regulations. The Board yes it would have a moderate to large impact, and it was discussed as to why the impact was moderate to large. The Board discussed that the plan is not consistent with Cluster development in the Town. Other impacts are as follows: Section 127-12 of Town of Manlius Code sets forth criterion for Cluster Development (278 Town Law) and project shows inconsistency with Site Plan due to

potential failure to preserve natural and scenic qualities of open lands and show benefit to the Town.

Question 18 of the Long Form EAF asks about the Consistency with Community Character saying that the proposed project is inconsistent with the existing community character. The Board answered that the project was inconsistent based upon the standards for Cluster development. Attorney Sutphen went through the supporting questions with the Board. Sub-question f asks if the proposed action is inconsistent with the character of the existing natural landscape. The Board said it would be a moderate to large impact. Other impacts the Board identified were based upon potential non-compliance with standards of Cluster Development.

Member Poltenson inquired as to the conventional plan and whether the Applicant cleared the trees before getting a final approval on their proposed cluster plan. The Chairman advised that said yes. There was discussion regarding the fact that the Town does not have jurisdiction over cutting of trees or clearing of land, except if the ground is disturbed; and in this instance it was determined that none of the stumps were removed and the ground was not disturbed.

Member LeRoy expressed concern that he has been here from day one and agrees that the board was given no indication that there was going to be any tree cutting for any reason.

Member Gilbert is concerned with that there will be a lot of disturbance around the big retention basin that is in the forever wild area.

A draft resolution had been prepared in advance of the meeting and circulated to Board members. Attorney Sutphen inquired as to whether all members had received the resolution in advance and had the advance opportunity to comment thereon. And all members answered in the affirmative.

Member Mento stated that he did review the resolution. He asked Town Engineer if the moderate to large impacts of the SEQR findings could be mitigated. Engineer Miller answered that it appeared the matters could be mitigated. Member Mento had reiterated his position that perhaps the Applicant and his team could sit down with the technical team representing the Town and determine a way to mitigate impacts without doing a positive SEQR declaration. However, he further stated that he understood given the nature of the evenings discussion, that such a meeting may not be productive.

Joe Mueller, JK Tobin Construction, for the developer spoke as to mitigation and stated that he was of the opinion that some of the questions are able to be mitigated.

Discussion regarding the proposed resolution ensued. Attorney Sutphen explained that that there were 7 items that need to be addressed per the proposed positive declaration; and 3-4 are significant, and the rest are smaller. The resolution was summarized for the public and applicant as the Board was already familiar with it; and parts were read verbatim the resolution. *(Please see the resolution attached to the minutes).*

After comments by the Applicant, Chairman Lupia stated his concern that this Application has been pending for more than 2 <sup>3</sup>/<sub>4</sub> years, soon to be 3. There have already been multiple meetings with the Applicant, several in the Town Offices and several at Counsels office. Chairman Lupia wants to move this matter forward so he thinks it is time to finish this part of the SEQR process. He expressed that this appears to be a Positive Declaration. Attorney Lang asked for a definitive understanding of the matters.

The Board agreed unanimously that the action would have a moderate to large impact on the environment. The Long Form EAF was filled out accordingly. *(The Long Form EAF is on file in the Planning and Development Office).*

Member Rossetti made a motion, seconded by Member LeRoy and carried unanimously to issue a Positive Declaration under SEQR and authorized the Chairman to sign the long form EAF. This motion also included the approval of the Resolution for Positive SEQRA declaration as attached hereto.

The vote on the motion was as follows:

1. Chairman Lupia     Aye
2. Member Gilbert    Aye
3. Member Kelly      Aye
4. Member LeRoy     Aye
5. Member Mento     Nay
6. Member Poltenson  Aye
7. Member Rossetti   Aye

#### **OTHER BUSINESS**

With there being no further business, Member Gilbert made a motion, seconded by Member Rossetti and carried unanimously to adjourn the Regular Meeting at 9:58pm.

Respectfully submitted,  
Lisa Beeman, Clerk

**TOWN OF MANLIUS  
PLANNING BOARD MINUTES  
August 24, 2020**

**DRAFT**

The Town of Manlius Planning Board convened in person due to an issue with the virtual platform, Zoom, Chairperson Joseph Lupia presided, and the following Members were present: Fred Gilbert, Ann Kelly, Arnie Poltenson and Richard Rossetti. Also, present were Attorney Jamie Sutphen and Town Engineer Douglas Miller.

Absent: Member LeRoy and Member Mento

Other persons attending the meeting: Dennis Flynn and Julie Merola

The Pledge of Allegiance was recited.

Chairman Lupia thanked the Board for their patience, time and dedication in getting through the last 2 Board meetings.

**Minutes**

Member Rossetti made a motion, seconded by Member Kelly and carried unanimously to approve the minutes of July 27, 2020. Member Gilbert abstained.

The minutes of August 10, 2020 were tabled.

**Dennis Flynn – 7418 Kirkville Road, E. Syracuse, NY 13057**  
**Special Permit & Site Plan - Dog Boarding –**  
**7418 Kirkville Road, E. Syracuse, NY 13057**  
**Tax Map # 055.-01-10.2**

Dennis Flynn, Applicant, discussed that he would like to Board dogs at his home. The current garage (22x32) on the property will board the dogs and there will be a fenced (200-300 feet off the road) in area out back for the dogs to run. There will be approximately 0-10 dogs in the Boarding area.

Member Rossetti asked if the garage and the garage doors were insulated? Mr. Flynn said yes. Is there heat in the garage? Yes. Is there water? Mr. Flynn said not inside, there is a garden hose on the outside of the garage that they will be using. How will the garage be cleaned? They have a special flooring and when the dog does make a mess, they pick it up immediately and use a special enzyme that helps with odor and cleans the mess.

Member Rossetti asked about refrigeration for certain dog foods or medication. Mr. Flynn said that there will be a small refrigerator in the garage space for such items.

Member Poltenson asked 2 questions:

1. How will you handle the people that say they dogs will make too much noise? Mr. Flynn said they did a study and a dog bark is about 90 decibels, about equivalent to a lawn mower. They do not feel that it will be an issue. If the dogs are outside, they are with them, they are never alone. Ms. Merola said that they are controlled with training and they know the dogs. They are given treats as a way of positive reinforcement. Barking will be minimal.
2. Is traffic going to be an issue? Mr. Flynn said its not a daycare so clients will not be dropping dogs off daily, its more of a short term/long term for when people go on vacation.

Ms. Merola stated that there is a camera system in the garage that is connected to their cell phones so they can constantly watch the dogs. They also have a public camera system so the owners of the dogs can check on their dog if they want to.

Chairman Lupia asked if there was an hour in which the dogs will not be outdoors. Ms. Merola said that the dogs will not be outside after 9pm. They will be let out at 9pm to do their business then be crated for the night. Dogs will be outside from 7am-5pm to play.

There will be no employees because it is not a daycare, it is a Dog Boarding Business.

Member Gilbert asked the applicants if, in the future, they were going to grow the business. The Applicants said no, they are downsizing as it is and will keep it that way.

Chairman Lupia asked how clients will know where they are located if there is no signage? Mr. Flynn said that there will be a small sign on the building itself, the mailbox has the address and most people will use their GPS systems to find them.

Attorney Sutphen reminded the Board that this is a Special Permit, and this is an allowed use it is subject to the special permit criterion. The Board will have to go through the criterion to make sure it fits in the zone. The Board should think about the conditions, if any, (like hours of operation) that need to be placed on the Special Use Permit.

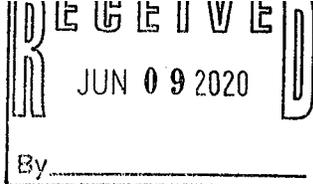
Chairman Lupia stated that this matter has been referred to the Onondaga County Planning Board and we should hear from them before the next meeting.

Member Kelly made a motion, seconded by Member Poltenson and carried unanimously to hold a Public Hearing for a Special Permit and Site Plan on September 14, 2020 at approximately 6:35pm.

With there being no further business, Member Gilbert made a motion, seconded by Member Rossetti, and carried unanimously to adjourn the Regular Meeting at 7:04pm.

Respectfully submitted,  
Lisa Beeman, Clerk

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



DATE: 6/6/2020

Tax Map # 055-01-10.2

I Dennis Flynn as applicant relative to property located at 7418 Kirkville Rd. E. Syracuse NY 13057 hereby request/apply for issuance/renewal (CIRCLE ONE) of a **SPECIAL PERMIT** from the Town of Manlius Town Board as required by the Town of Manlius Code, submit the following application and documentary evidence and/or information, including comprising the Exhibits in support of this request and certify that it is correct, true and accurate to the best of my/our knowledge and after reasonable due diligence and investigation. I further knowledge and agree that should any such evidence or information be later determined as false or not credible in any material respect, any special permit issued/renewed based thereon may be determined by the Town Board as void from the start or revocable.

Dennis Flynn  
Applicant's Signature

A 1. Owner(s) of property: Dennis Flynn

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

A 3. Present Zoning of Property: \_\_\_\_\_

A.4. Present Use of Property (describe in detail as best as reasonably possible- add additional pages as needed): Residential single family home with 3 car garage

A5 Describe property condition at present: Property is in excellent condition

B 1. Proposed use of property: Convert 3 car garage to small dog boarding operation

B 2. Anticipated number of employees, guests, customers on property:  
Customers 0-10 dropoff/pickup only, Pick up and drop off will only occur occasionally throughout week, not on a daily basis.

B 3. Hours of Proposed Operation: 8am - 9am - dropoff/pickup > 7 days per week  
6pm - 7pm - dropoff/pickup

B 4. Anticipated Automobile Parking: Existing parking lot - Drop off and pickup only.

B 5. Parking Area Buffer/Screening:

B 6. Anticipated Vehicle Traffic Volume/Flow: 0-10 cars pulling in to pick up and drop off boarding dogs. Most likely not on a daily basis since it is boarding.

B 7. Proposed Site Lighting: Existing Lighting

B 8. Anticipated noise sources, known decibel levels: Dogs barking. Dogs will be monitored at all times when outside in rear of building.

B 9. Landscape:

a) Existing landscaping: grass

b) Proposed landscaping: Existing grass

B 10. Proposed Signage: No signage

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

B 12. Specific Requirements:

Town Code (District) Requirement; Proposal:

	Town Code (District) Requirement	Proposal
Parking Spaces	7	7
Lot Coverage		
Front Yard Setback		
Side Yard Setback		
Rear Yard Setback		
Maximum Height of Building		

## EXHIBITS TO SPECIAL PERMIT APPLICATION:

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

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

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

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

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

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

TOWN OF MANLIUS

SPECIAL PERMIT APPLICATION – EXHIBIT “G”

PROFESSIONAL FEES REIMBURSEMENT AGREEMENT

As a condition of the application(s) to the Town of Manlius, its Zoning Board of Appeals, Planning Board, codes administration/planning office, and/or Town Board (the “Town”) for various zoning, land use, construction and related reviews, approvals, certificates, permits and related consideration(s) (including for any local governmental assisted funding) related to the request of Dog Boarding : (the “Application”), Dennis Flynn [name], 7418 Kirkville Rd. [legal address] (“Applicant”) relative to proposed development at E. Syracuse NY 13057 [project address], Tax Parcel # 055.-01-10.2, Manlius, New York, and related matters (the “Project”) agrees as follows:

The Application and Project may or will likely entail that the Town incur legal, engineering, architectural, administrative and related expense(s) including, without limitation, for both on staff and third party consultants involved in the consideration of the Application and Project, and including, without limitation, attendance at Zoning Board of Appeals, Planning Board, and Town Board meetings, consultation with the Applicant, its or the Town’s engineer, architect, attorney, and/or other Town officers and employees, or consultants or professional service providers, incidental to the Application from the earlier of the filing of the Application for and/or first presentation of the Project to Town, and through final completion and issuance of all Town and other governmental permits, certifications and approvals.

In connection with and consideration of the foregoing, Applicant agrees 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 Project, 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 or Project.

In connection with the foregoing, Applicant shall reimburse the Town for time spent by outside consultants and professionals at the usual rate charged by them to private clientele, or if none, then the usual rate charged to municipalities. Reimbursement for the cost of Town employees and officers shall be based upon the cost to Town for the services of such persons, including salary and fringe benefits, reduced to an hourly rate and including overtime where directly attributable to the Application or Project.

Should the Town determine, in its sole discretion, that additional services are required to represent, supervise, inspect, evaluate and/or consult, including in order to protect the rights and/or interests of the Town such as relative to an enforcement or violation proceeding, the Applicant shall likewise bear all costs associated with such services.

This Agreement shall be effective as of 6-9, 2020 The Applicant shall deposit an initial sum of \$375, and such other amounts as from time to time the Town may determine, payable to and deposited with the Town and which sum or sums shall be applied against those sums reimbursable to the Town pursuant to the terms of this Agreement (the “Deposit”). Upon completion or discontinuance of the Application and Project and payment of all fees incurred, any unused Deposit shall be returned to the Applicant.

The Applicant shall receive periodically, one or more statements detailing charges for which reimbursement has been made against the Deposit, detailing unpaid amounts, if any, and setting forth any additional Deposit required by the Town. Failure to pay any amounts due the Town of Manlius within twenty (20) days of the date of statement may result in the termination of work/services by Town relative to the Application, the non-issuance suspension or revocation of any certificates, permits or approvals, and/or denial of applications, the Town’s commencement of collection efforts, and/or the exercise of any other rights or remedies available to Town hereunder or pursuant to applicable law, including under the Town Code. No certificates, approvals or permits, including, without limitation, Certificates of Occupancy/Compliance, may be issued until all fees due hereunder are paid or sufficient Deposit for same made.

Notwithstanding any provision hereof to the contrary or otherwise, the intent of this Agreement is to subject all of those subject matter areas under applicable provisions of Federal, State, and County laws, rules and regulations whatsoever, the Town Code including as any of same may be amended from time to time, and without limitation, those provisions under Chapters 59, 63, 72, 83, 95, 96, 104, 119, 123, 125, 126, 127, 131, 147, and 155 of the Town Code to the provisions hereof; in addition any financing or funding applications incidental to the Application or Project and requiring sponsorship or support of Town, and review under the State Environmental Quality Review Act or other State or Federal environmental, historical or related laws, rules or regulations shall likewise be subject to the provisions hereof.

In addition, and notwithstanding any provisions hereof to the contrary or otherwise, any provisions of the Town Code or other laws, rules or regulations providing rights more favorable to and protective of Town shall be deemed incorporated herein by reference, and shall not be deemed superseded by less protective provisions herein.

In the event of a breach or default by Applicant, Town shall be entitled to pursue any and all legal rights and remedies pursuant to applicable law including, without limitation, the Town Code and shall be entitled to recover, in addition to any sums due, reasonable attorney's fees, costs and disbursements incurred in any such efforts.

If any part of this Agreement or the application thereof to any person or entity or circumstance is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the part of this law 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 Agreement or the application thereof to other persons, entities or circumstances. Further, in adjudging such invalid, illegal or unconstitutional provision or part thereof, the court shall attempt to modify same to a provision or part which is not illegal, invalid or unconstitutional and which best achieves the intent of such illegal, invalid or unconstitutional provision or part thereof.

The Town Supervisor has executed this agreement pursuant to a blanket Resolution adopted by the Town Board at a meeting thereof held on \_\_\_\_\_, 20\_\_, and is duly authorized and empowered to execute this instrument and enter into this Agreement on behalf of the Town of Manlius.

In the event Applicant is a closely held corporation, partnership or limited liability company, its three (3) largest principals shall be signatories to this Agreement, as joint and severable parties with Applicant and Town.

This instrument shall be executed in triplicate. At least one original shall be permanently filed, after execution thereof, in the office of the Town Clerk and one in the Code Enforcement Office.

Dated: 6-9-20 DENNIS FLYNN Dennis Flynn  
Print Applicant Name Applicant's Authorized Signature/Title

Applicant Address: 2418 KIRKVILLE RD.  
East Syracuse N.Y.

\_\_\_\_\_  
Print Applicant (Principal) Name Applicant's Principal Signature

\_\_\_\_\_  
Print Applicant (Principal) Name Applicant's Principal Signature

\_\_\_\_\_  
Print Applicant (Principal) Name Applicant's Principal Signature

TOWN OF MANLIUS

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Expected Fee: \_\_\_\_\_

TOWN OF MANLIUS  
PLANNING DEPARTMENT

INITIAL APPEARANCE APPLICATION

DATE: 6/6/2020

Name of Project: Dog Boarding / small

**Applicant must submit 12 copies of all site plans, surveys, and supporting data with the final application before a planning board meeting can be scheduled.**

Location of Project: 7418 Kirkville Rd. E. Syr. NY 13057

Type of Project:

Division of Land  Subdivision  Accessory Use  Zone Change  Site Review  Other Special Permit

Developer: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Tax Map Number(#)/s: 055.-01-10.2

Present Zoning: \_\_\_\_\_ Desired Zoning: \_\_\_\_\_

Total Acreage: 1.44 acres Total Number of Lots: 1

Property Owner/s: Dennis Flynn Phone: (315) 456 8526

Address: 7418 Kirkville Rd. E. Syr. NY Zip: 13057

Tax Map#(s): \_\_\_\_\_ Owner's Signature: \_\_\_\_\_

Dennis Flynn Printed Name: Dennis Flynn

Property Owner/s: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Tax Map#(s): \_\_\_\_\_ Owner's Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**Use next page for additional known property owners' information**

Planning Board Meeting Date Assignment: \_\_\_\_\_

Fee: \_\_\_\_\_ Paid: \_\_\_\_\_ Per:  Credit/Debit Card  Check  Cash

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <p style="text-align: center;">Dog Boarding / Small</p>			
Project Location (describe, and attach a location map): <p style="text-align: center;">7418 Kirkville Rd. E. Syr. NY 13057</p>			
Brief Description of Proposed Action: <p style="text-align: center;">Convert three car garage to small, dog boarding operation. Crating inside, play space inside and play space outside, 6 foot privacy fencing.</p>			
Name of Applicant or Sponsor: <p style="text-align: center;">Dennis Flynn</p>		Telephone: (315) 456-8526	
		E-Mail: Dennis5flynn@gmail.com	
Address: <p style="text-align: center;">7418 Kirkville Rd. E. Syr.</p>			
City/PO: <p style="text-align: center;">E. Syracuse</p>		State: <p style="text-align: center;">NY</p>	Zip Code: <p style="text-align: center;">13057</p>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.44 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.44 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Dennis Flynn</u>		Date: <u>6/6/2020</u>
Signature: <u>X Dennis Flynn</u>		

**STOP**

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.**

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

TOWN OF MANLIUS

DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit.

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

I. DENNIS FLYNN, being duly sworn, deposes and says that (s) he is:

DWNER

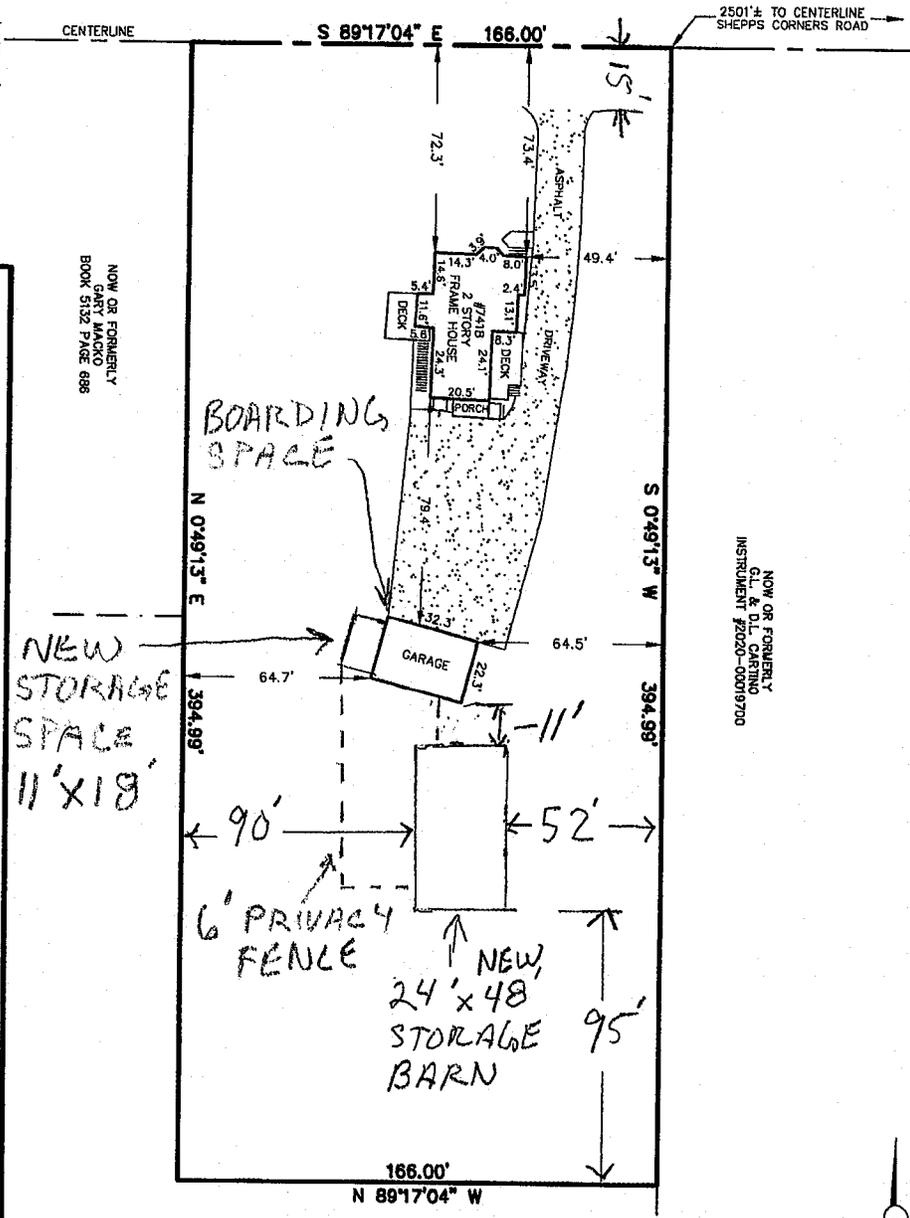
(applicant, petitioner, corporation officer, property owner, etc.)

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

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



# KIRKVILLE ROAD



NOW OR FORMERLY  
 C.L. & D.L. CARTING  
 INSTRUMENT #2020-00079700

NOW OR FORMERLY  
 GARY MAURO  
 BOOK 5137 PAGE 244

Only survey maps with the Land Surveyor's embossed seal are genuine true and correct copies of the surveyor's original work and opinion.  
 Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 2209, sub-division 2, of the New York State Education Law.  
 Certifications indicated hereon shall apply only to the persons for whom this survey was performed and on their behalf to the title insurance company governing agency and performing institution and to the assignees of the lending institution and/or subsequent owners.  
 This map may not be used in connection with a "Survey Affidavit" or similar document, statement or mechanism to obtain insurance for any subsequent or future grantees. Survey prepared without the benefit of an abstract.  
 Location surveys do not include the staking of the property corners except as shown.

<p><b>Lerner</b> LAND SURVEYORS D.P.C.</p>		<p>I HEREBY CERTIFY THAT THIS IS AN ACCURATE MAP MADE FROM AN ACTUAL SURVEY.</p>	
<p>116 SAJUNA STREET - SUITE 6                  LIVERPOOL, NEW YORK 13088                  315-451-3333                  info@lernerlandsurveyors.com</p>		<p>LICENSED LAND SURVEYOR                  DOUGLAS R. LEHR                  NYSLS 48223</p>	
<p>LOCATION SURVEY ON PART OF LOT No.34,                  TOWN OF MANLIUS</p>		<p>KNOWN AS No.7418 KIRKVILLE ROAD, TOWN OF MANLIUS,                  COUNTY OF ONONDAGA, NEW YORK</p>	
<p>FIELD DATE: 7-30-2020</p>	<p>MAP DATE: 8-3-2020</p>	<p>SCALE: DRAWN 87%                  1"=40'</p>	<p>REVISIONS:                  DRAWING No. 20-G-170                  89</p>

It's a Dog's Life Daycare, LLC  
1292 State Route 5  
Chittenango, NY 13037  
351 399-0193

August 12, 2020

Town of Manlius

We are closing our current location in Chittenango, NY. It is our intention to terminate daycare services, and become a smaller scale boarding operation. The goal is to stay low key and have dogs board with us. We expect to be boarding 1-5 dogs regularly and there are a couple of weeks a year where we could have 1-10. (Usually school break weeks).

We do not intend to put any **signage** at the road, we may do a small sign on the intended building so the owners, know where to go.

We do not intend to change our current **outdoor lighting**, which is motion detecting flood lights that light up our parking space.

**Dogs will be crated** for rest times and night time. The crates will be secured to the wall and all owners are aware that their dog has to be crate trained to use our facility.

Dog's owners have to have proof of current **Rabies, Bordetella (kennel cough) and distemper vaccinations**. Dogs will be **temperament tested**, before being allowed to use facility. We do not allow dogs that are NOT friendly with other dogs.

We intend to **spot cleanup** with enzyme spray and paper towels. Breaking down waste with enzymes, eliminates odors. Letting the dogs out into the fenced in area cuts down, if not eliminates messes inside. The flooring material is dog agility dense foam. We have been in operation just under 3 years and our current location is odor free. The flooring manufacturer recommends that we damp mop once a week. That requires 1 bucket of water.

**Waste removal** from the outdoor area will be Dog Dooty Duty, LLC. We have used their service for the time that we have been open. We pick up and bucket the waste and the removal services comes once a week to remove it. The bucket is sealed and is odor free when not placing waste in it.

**Customer traffic**, will be minimal, this is not a situation where people will be coming in and out on a daily basis. Dog's owners will be away on vacation or out of town and with the number of dogs, being so small, there really should not be an impact. In some cases, we will be picking up and dropping off the dogs from their owners.

**Noise control**, we will be outside in a privacy fenced in area out behind the intended building. We will be outside with the dogs, at all times. We monitor them and keep them from incessant barking. Inside the building is cinderblock, the foam flooring helps cut down on noise and will be placed approximately 3 feet up the walls for safety and added noise control. We tested the noise level outside of the building with riding lawn mower (blades engaged) 90 + db (above levels of dogs barking 90 db) to determine the effects of noise levels, It's very low at 50 feet from building (-30db).

**Water usage**. There is seasonal water for a hose currently at the building. The water for dogs will be brought out from the house daily. We wash the large water dispensers every day and will carry them out from the house. We will be using the **restroom** in the house.

There will be no **employees**. We are downsizing so that we can manage the dogs by ourselves. There is a total of three adult residents that will be available to handle the day to day with Julie Merola handling most of the work.

**Hours of operation** differ in that we will schedule drop off and pickup times within 7:00am and 7:00pm. Dogs potentially will be boarding 24/7. The dogs will be uncrated and spending time socializing with me 12 to 14 hours of the day. Crated when I am away.

**Wifi motion detecting cameras** with night vision will be focused on dog crates at all times. If there is continuous movement, I am notified on my cell phone. We can also access the cameras regularly to check on dogs during crated times.

**Wifi smoke detectors** will give us added safety notifying my phone if anything is detected. We have fire extinguishers.

**Heating system** is a forced air furnace, using propane for the fuel source.

We will have a fenced in area (approximately 900 sq.ft.) using a 6' privacy fence on the back side of the building. This will allow the dogs to have fresh air, they will never be unattended outside.

We have discussed our plans with our neighbors and they have no problem with it.