

Town of Manlius

Planning Board Agenda

October 23, 2023

6:30PM

1. Zoom Meeting Instructions

Documents:

[ZOOM PLANNING BOARD MEETING INSTRUCTIONS OCTOBER 23, 2023.PDF](#)

2. Pledge Of Allegiance

3. Approval Of Minutes September 11, 2023

4. Shadi & Jessica Aouad - 7147 East Genesee Street, Fayetteville, NY 13066 - Initial Presentation - Accessory Use Permit - Mental Health Counseling - Same Address - Tax Map # 085.-06-09.0

[APPLICATION AND SUPPORTING DOCUMENTATION](#)

5. Accessory Use Permit Renewal

[APPLICATION AND SUPPORTING DOCUMENTATION](#)

6. Recommendation To Town Board To Amend The RT Zone To Allow For Sales Of Cannabis

Documents:

[RT ZONE AMENDMENT.PDF](#)

7. Woodland Hills Subdivision (Hoag Lane) - 201 Solar Street, Syracuse, NY 13204 - Work Session Only - 16-Lot Subdivision - 5280 Hoag Lane, Fayetteville, NY 13066 - Tax Map # 104.-01-39.2

8. Other Business

9. Adjournment



October 23, 2023

Virtual Planning Board Meeting

Instructions to attend the October 23, 2023 virtual Planning 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/85303776524?>

Password to join when prompted:

Password: 567736

Enter your email address and name and join the meeting!

Join by telephone by dialing the number below:

1-(929) -436-2866

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

Webinar ID: 853 0377 6524

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

Password: 567736

IN THE MATTER

Of

**LOCAL LAW 2023 - ___ AMENDING
CHAPTER 155 OF THE TOWN CODE
SECTION 155-3 (DEFINITIONS) AND 155-
20.1 RESIDENTIAL TRANSITIONAL
DISTRICT (RT) TO ALLOW FOR SHORT
TERM AGRICULTURAL RETAIL
(INCLUDING CANNABIS SALES) IN THE
RESIDENTIAL TRANSITIONAL (RT)
DISTRICT AND REQUIRING AN
OPERATING PERMIT FOR SAME UNDER
CHAPTER 59 OF THE TOWN CODE**

**RESOLUTION CALLING FOR
A PUBLIC HEARING**

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, and virtually on the platform commonly referred to as Zoom, the Town Facebook page and YouTube on the 4th of October, 2023, at 6:30 p.m.

The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

John T. Deer	Supervisor
Sara Bollinger	Councilor
Elaine Denton	Councilor
Alissa Italiano	Councilor
Katelyn M. Kriesel	Councilor
William Nicholson	Councilor

(Virtual Attendee – Not Voting) Heather Allison Waters, Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, the Town Board has been approached by several cannabis growers that have inquired about short term sales of cannabis and other agricultural products in the Town;

WHEREAS, the State of New York has authorized the dispensing and on-site use of cannabis in the State and the Town of Manlius has opted into allowing such uses in the Town;

WHEREAS, the Residential Transitional District (“RT”) is the most appropriate zoning district to consider these types of short-term retail in existing buildings;

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2023 - ____, amending Chapter 155 of the Town Code entitled “Zoning” as follows:

**LOCAL LAW 2023 - ____, A LOCAL LAW AMENDING
CHAPTER 155 ENTITLED “ZONING” TO CHANGE THE
DEFINITIONS OF RETAIL TO INCLUDE
AGRICULTURAL USES, INCLUDING CANNABIS, IN THE
RT ZONING DISTRICT AND AMENDING CHAPTER 59
TO REQUIRE AN OPERATING PERMIT REGARDING
SAME:**

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

Section 1. Article I Section 3B (Definitions) of Chapter 155 of the Town Code shall be amended as follow:

§ 155-3 Definitions.

A. Except where specifically defined herein, all words in this chapter shall carry their customary meanings. Words used in the present tense include the future, and the singular includes the plural; the word "lot" includes "plot"; the word "shall" is mandatory; "occupied" or "used" shall be considered as though followed by "or intended, arranged or designed to be used or occupied"; "person" includes individual, partnership, association, corporation, company or organization. Doubt as to the precise meaning of any word used in this chapter shall be clarified by the Board of Appeals under its powers of interpretation.

B. When used in this chapter, unless otherwise expressly stated or unless the context or subject matter otherwise requires, the following terms shall have the meanings indicated:

RETAIL SALES

A commercial enterprise that provides goods directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the consumer. Examples include, but are not limited to, apparel shops, appliance sales, auto parts stores without service, bookstores, department stores, factory outlet stores, florists, gourmet/specialty food stores, grocery stores, cannabis dispensaries (not including onsite consumption) and similar agricultural and consumer goods.

Section 2. Article III of Chapter 155 of the Town Code (District Regulations) shall be amended to allow certain Farm Products to be sold retail in the Residential Transitional District (RT) as follow:

§ 155-20.1. Residential Transitional District (RT).

B. The following uses shall be permitted in a Residential Transitional (RT) District, provided that no major alterations in the exterior appearance of existing buildings shall be allowed, except in conformity with Subsection H hereof:

(2) Uses as set forth below and other uses of a substantially similar kind, upon approval of a combined site plan and accessory use permit (requiring the fee for site plan only) pursuant to Article IV, §§ 155-28 and 155-29, provided that such uses are confined to buildings existing on the effective date of this amendment:

- (a) Offices of religious and educational institutions.
- (b) Offices of physicians, surgeons, dentists, lawyers, architects, engineers, planners, real estate agents, public stenographers, mailing service without presses, telephone answering services.
- (c) Funeral homes.
- (d) Day-care center.
- (e) Care home.
- (f) Teaching of music, dance or other similar types of instruction when limited to five pupils at a time.
- (g) Bed-and-breakfast accommodations.
- (h) Dressmaker and/or tailoring.
- (i) Decorator.
- (j) Photographer.

(k) Art studio.

(l) Apartment(s) for residential use.

(m) Sale of Farm Products, including cannabis, which the Code Enforcement Officer is authorized to approve with a Operating Permit pursuant to Chapter 59 of the Town Code if there are no permanent alterations to the exterior of existing building(s) and such retail sales will for less than 30 consecutive days. Retail sales of Farm Products, including cannabis, for more than 30 consecutive days shall be approved pursuant to Section 155-28 of the Code.

Section 3. Section 59-10, entitled Operating Permits, of Chapter 59 of the Town Code shall be amended to required operating permits for the short-term sale of Farm Products as follow:

§59-10 Operating permits.

A. Operation permits required. Operating permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

(9) Other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Town Board. Any person who proposes to undertake any activity or to operate any type of building listed in this § 59-10 shall be required to obtain an operating permit prior to commencing such activity or operation, and

(10) Sale of Farm Products, including cannabis, if there are no permanent alterations to the exterior of existing building(s) and such retail sales will for less than 30 consecutive days and pursuant to Section 155-20.1B(2)(m).

Section 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

*Underline indicates New Language

WHEREAS, the Town Board desires to hear from the public on the Application;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, shall hold a Public Hearing on said proposed Local Law 2023 - ____, and that such Hearing shall be held in persona and virtually on the Internet platform commonly referred to as ZOOM, directions for attendance which will be on the Town's

Website and such hearing shall take place on the 18th day of October 2023 at approximately 6:35 p.m. and be it further


RESOLVED, that the Town Clerk shall give notice of such Public Hearing by the publication of a notice in at least one newspaper circulated in the Town, specifying the time when and the place where such Public Hearing will be held and the instructions by which the public can access the virtual meeting, and in general terms, describing the proposed Local Law. Such notice shall be published once at least five (5) days prior to the Public Hearing.

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 4th day of October 2023; 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 4th day of October, 2023.

DATED: October 4, 2023
Fayetteville, New York



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