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**IN THE MATTER**

**Of**

**LOCAL LAW 2022-\_\_\_ THE APPLICATION  
OF T.H. KINSELLA, INC. FOR A CHANGE  
OF ZONE FROM RESTRICTED  
AGRICULTURE (RA) TO NATURAL  
RESOURCE REMOVAL DISTRICT (NRRD)**

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**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 \_\_\_\_<sup>th</sup> of \_\_\_\_\_, 2022, 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
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

**WHEREAS**, an application has been made to the Town Board by JMT of New York, Inc., on behalf of T.H. Kinsella, Inc. (the “Applicant”) for approval of a zone change from Restricted Agricultural (RA), to Natural Resources Removal District (NRRD) (the “Application”)

for approximately 13 acres of vacant property located adjacent to the existing 97.5 acre Life-of-Mining boundary that is currently being mined by the Applicant situated between NYS Route 5 and Salt Spring Road in the Town of Manlius, identified as part of tax map nos. 097-01-03.1, 097-01-3.2 and 097-01-03.3 (the “Property”);

**WHEREAS**, the Applicant simultaneously with this Application has requested a modification to its existing mining permit to allow mining on the Property under its New York State Department of Environmental Conservation (NYSDEC) Mined Land Reclamation (MLR) permit (NYSDEC ID 7-3138-00014 – the “NYSDEC Mining Permit”);

**WHEREAS**, the Applicant has constructed a security berm along the western boundary of the Property, that has been the subject of previous State Environmental Quality Review Act evaluation;

**WHEREAS**, the Town Board is considering this zone change under Local Law 2022-\_\_\_\_, as set forth below:

**LOCAL LAW 2022-\_\_\_\_, 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 zoning of the tax map nos. 097-01-03.1, 097-01-3.2 and 097-01-03.3 from Restricted Agricultural (RA) to Natural Resource Removal District (NRRD), which new zoning is set forth on that certain Survey dated 8-19-21, prepared by SeGuin Land Surveying, P.L.L.C Project No. 21097), for property adjacent to the existing quarried lands of T.H. Kinsella, Inc. approximately 557.30’ along said easterly line from the centerline of Salt Spring Road, which property consists of approximately 12.967 acres of vacant land and further described as follows:

See Exhibit A, Legal Description

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

**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 declares itself the Lead Agency for this Action under the State Environmental Quality Review Act (“SEQRA”), and be it further

**RESOLVED**, that the Action is considered a Type I Action under SEQRA because it is a non-residential project physical altering more than 10 acres and the Town shall notify all involved agencies of its desire to be Lead Agency; and be it further;

**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 2022-\_\_\_\_, 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 \_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2022 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 \_\_\_<sup>th</sup> day of \_\_\_\_\_ 2022; 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 \_\_\_\_ th day of \_\_\_\_\_, 2022.

**DATED: July \_\_\_\_, 2022**  
**Fayetteville, New York**

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