

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF MANLIUS**

**Adopting A Negative Declaration Concerning the Twin Ponds District Plan and
Proposed Amendments to the Zoning Map of the Town of Manlius**

WHEREAS, Pursuant to Municipal Home Rule Law Section 20(4), Board Member _____ has introduced for consideration Introductory Local Law No. __ of 2023 entitled “A Local Law Adopting the Twin Ponds District Plan and Amending the Zoning Map of the Town of Manlius” (the “Proposed Local Law”); and

WHEREAS, an application has been made to the Town Board by Twin Ponds Housing LLC (the “Applicant”) for a review of a District Plan (attached to this Resolution as Exhibit A – the “District Plan”) pursuant to Town of Manlius Code Section 155-20.2 (the Planned Unit Development District “PUD”) to develop multiple-family dwelling units (approximately 375 dwelling units) for apartments, mixed-use commercial/retail and recreational use on a 52 acre vacant property located at 5440 Burdick Street, Fayetteville, NY (tax map parcel 086-02-06.1) (the “Application”); and

WHEREAS, the Applicant has also submitted to the Town Board a PUD District Map Plan that identifies the area of the District Plan, which is attached to this Resolution as Exhibit B; and

WHEREAS, this district is intended to be used primarily for multiple-family dwelling units in order to provide unique housing and outdoor recreation choices that may not be available in the other residential zoning districts within the Town; and

WHEREAS, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”), and Section 239 of the General Municipal Law, with respect to these proposed amendments to the Zoning Law.

WHEREAS, on September 13, 2023, the Town Board adopted a resolution preliminarily classifying the Proposed Local Law as a Type I Action under SEQRA and completed part two of the Full Environmental Assessment Form; and

WHEREAS, there are no other involved agencies; and

WHEREAS, the Town Board has met its obligation to refer the Proposed Local Law to Onondaga County Planning for its review pursuant to General Municipal Law Section 239; and

WHEREAS, the Town Board has met its obligation to refer the Proposed Local Law to the Town of Manning Planning Board for its review and report pursuant the Zoning Law; and

WHEREAS, the Town Board held a public hearing on September 27, 2023 to hear all persons interested in the Proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby confirms and adopts the following conclusions:

1. The Town Board hereby confirms the classification of the Proposed Local Law as a Type I Action under SEQRA (the “Action”);
2. The following impacts are expected to result from the Action, when compared against the criteria in Section 617.7 (c) of the Regulations:
 - a. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic, noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The construction of a large number of apartments has the potential to result in moderate to large traffic, flooding and drainage impacts. However, the actual details of the project will not be designed until after a District Plan is adopted. Information about future project phases is too speculative at this stage to evaluate. The Applicant will be required to prepare a site plan and seek approval from the Town Planning Board before any development may occur at the site. The process that the Town Planning Board will follow will be independent from the approval of the District Plan, will allow additional environmental review to occur and will be equally protective of the environment.

- b. There will not be a substantial chance in large quantities of vegetation or fauna removed or destroyed as the result of the Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the Action; there will not be a significant impact upon habitat areas; there are no substantial adverse impacts on any known threatened or endangered species of animal or plant, or the habitat of such species; nor are there any other significant adverse impacts to natural resources.

The construction of a large number of apartments has the potential to result in moderate to large impacts due to the removal of trees from the site. However, the actual details of the project will not be designed until after a District Plan is adopted. Information about future project phases is too speculative at this stage to evaluate. The Applicant will be required to prepare a site plan and seek approval from the Town Planning Board before any development may occur at the site. The process that the Town Planning Board will follow will be independent from the approval of the District Plan, will allow additional environmental review to occur and will be equally protective of the environment.

- c. There are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action.
 - d. The Action will not result in the creation of a material conflict with the Town’s current plans or goals as officially approved or adopted. To the contrary, the

Proposed Local Law will further these goals and is in conformance with Local Law authorizing PDD legislation consistent with this.

- e. The Action will not result in a large impact which will impair of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.
 - f. The Action will not result in a large adverse impact with respect to an increase in the use of either the quantity or type of energy resulting from the Action.
 - g. There will not be any hazard created to human health.
 - h. There will not be an irreversible change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland.
 - i. The Action will not encourage or attract large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the Action.
 - j. There will not be created a material demand for other Actions that would result in one of the above consequences.
 - k. There will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact.
 - l. There are not two or more related Actions which would have a significant impact on the environment.
3. Based upon the information and analysis above, the Action **WILL NOT** result in any significant adverse environmental impacts;
 4. The information available concerning the Action was sufficient for the Town Board to make its determination;
 5. The Town hereby approves and adopts the attached Full Environmental Assessment Form for the Action (Parts 1, 2, and 3);
 6. A Determination of Non-Significance on the proposed Action is hereby issued;
 7. The preparation of an environmental impact statement for the Action shall not be required;
 8. This Action may be considered segmented review from the Action of Site Plan approval. However, this Board finds that segmented review in this case will be no less protective of the environment, and therefore permissible, because the remaining portion of the project will be subject to a full SEQRA review before any approval or permit is issued. At the time of the Site Plan Review by the Planning

Board, and all open environmental issues and concerns will be fully discussed. The following circumstances, when considered together, justify segmentation: (i) information on future project phase(s) is too speculative; (ii) future phase(s) may not occur; and (iii) future phase(s) are functionally independent of current phase(s).

9. The Town Supervisor is hereby directed to sign the Full Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Town Board's determination;
10. This Determination of Non-Significance has been prepared in accordance with SEQRA and the Town Clerk is hereby directed to file, publish and distribute a notice of this Negative Declaration pursuant to 6 NYCRR § 617.12(a)(1);

BE IT FURTHER RESOLVED that the Town Board hereby adopts the Proposed Local Law, and that henceforth it shall be designated Local Law No. ___ of 2023; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to file the Proposed Local Law with the Secretary of State pursuant to Municipal Home Rule Law Section 27 and to make any publications required by law; and

BE IT FURTHER RESOLVED that the Proposed Local Law shall take effect immediately upon filing with the Secretary of State.

The adoption of the foregoing Resolution was moved by _____, seconded by _____, and duly put to vote, which resulted as follows:

John Deer	Voting	Aye/Nay
Sara Bollinger	Voting	Aye/Nay
Elaine Denton	Voting	Aye/Nay
Alissa Italiano	Voting	Aye/Nay
Katelyn Kriesel	Voting	Aye/Nay
William Nicholson	Voting	Aye/Nay
Heather Waters	Voting	Aye/Nay

The resolution was thereupon declared duly adopted.

Dated: October 19, 2023