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**IN THE MATTER**

**Of**

**The Application of CROWN CASTLE for  
Special Permit Pursuant to Chapter 155,  
Section 155-17 and 155-27 of the Town of  
Manlius Code**

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**RESOLUTION EXTENDING  
SPECIAL PERMIT**

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the 8<sup>th</sup> day of January, 2020, at 6:30 p.m. The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

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

The following resolution was moved, seconded and adopted with the following vote:

Theobald	_____
Bollinger	_____

Deer \_\_\_\_\_  
Denton \_\_\_\_\_  
Green \_\_\_\_\_  
Kriesel \_\_\_\_\_  
Waters \_\_\_\_\_

**WHEREAS**, application has been made to the Town Board of the Town of Manlius for an extension of a Special Permit for the purpose of permitting the continuation of a cellular tower located at 5350 Townsend Road, Manlius, New York (09-02-21.0/1);

**WHEREAS**, The Town Board of the Town of Manlius held a Public Hearing on the 26<sup>th</sup> day of May, 1999, which all persons in interest and citizens desiring to be heard had an opportunity to be heard; and

**WHEREAS**, in 1999 the Board declared itself the lead agency on this unlisted action under SEQR and has issued a negative declaration under SEQR;

**WHEREAS**, the proposed Special Use is allowed under Town Code Section 155-17 with a special permit and as set forth in the resolution adopted by the Board in June 1999 and extended by resolution of the Board in May of 2010, which resolutions are incorporated herein and ratified;

**WHEREAS**, in the opinion of the members of the Town Board, the granting of the extension of the Special Permit requested by applicant will not adversely affect the health, safety, morals, and/or the general welfare of the public; and

**WHEREAS**, all other requirements of Law have been complied with and the Office of Code Enforcement is recommending the extension contemplated herein;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Manlius finds as follows:

1. The use possesses characteristics that blend desirably with the neighboring properties and will secure the objectives of the Zoning Ordinance of the Town of Manlius, including providing sufficient cellular services to Town residents.

2. The location, size of the use of and structure, nature and intensity of the operations involved, size of the site in relation to it, and the location of the site with respect to the streets giving access to it are such that it will be in harmony with the orderly development of the district.

3. The location, nature and height of the buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings or impair their value.

4. The use does not conflict with any master plan or part thereof.

5. The proposal will not significantly impair the safety of the general public nor unreasonably increase traffic congestion.

6. The proposal will not significantly increase the possibility of nuisance or noise from the site.

and be it further

**RESOLVED**, that the applicant be, and hereby is, granted a seven (7) year extension of a Special Permit (through January 1, 2026) pursuant to the provisions of Section 155-27 of the Town of Manlius Code for the purpose of maintaining a cellular tower for telecommunication devices at 5350 Townsend Road, and be it further

**RESOLVED**, that the Special Permit shall be under the same terms and conditions as were issued by the Town Clerk in in 1999 and 2010, which is attached.

**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 8<sup>th</sup> day of January, 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

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

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 8<sup>h</sup> day of January, 2020.

DATED:        January 8, 2020  
                  Fayetteville, New York

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**ALLISON WEBER**  
**Town Clerk of the Town of**  
**Manlius**