

Town of Manlius

Planning & Development

December 16, 2019

Town of Manlius Board

RE: Special Use Permit
David Corbett
7888 Saintsville Rd.

Tax ID #: 070-03-43.0

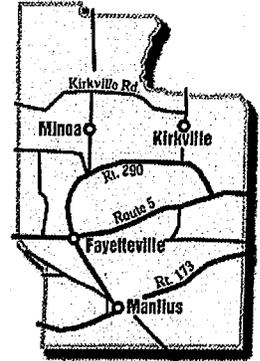
Town Board:

I visited the site relating to the Special Use Permit for 7888 Saintsville Road regarding the property belonging to David Corbett. The property has had no renovations since the last permit back in 2012. There have been no problems with the property or with any of the neighbors. After speaking with David Corbett, I recommend the Town Board approve the Special Use Permit.

Sincerely;



Randy Capriotti
Director of Code Enforcement



Edmond J. Theobald, Supervisor

Town Board - John R. Loeffler, David M. Marnell Sr., Nicholas J. Marzola, Richard Rossetti, Vincent Giordano, Karen Green

IN THE MATTER

Of

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

**RESOLUTION APPROVING
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 12th day of September, 2012, at 7:00 p.m. The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Nicholas J. Marzola	Councilor
Vincent Giordano	Councilor
Karen Green	Councilor
Sandra A. Schepp	Councilor
John R. Loeffler	Councilor
David Marnell, Sr.	Councilor

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

Theobald	<u>Aye</u>
Loeffler	<u>Aye</u>
Schepp	<u>Aye</u>

Marzola	<u>Aye</u>
Green	<u>Aye</u>
Marnell	<u>Aye</u>
Giordano	<u>Aye</u>

WHEREAS, application has been made to the Town Board of the Town of Manlius for a Special Permit for the purpose of permitting the construction of a garage/pole barn for cold storage in an Industrial District;

WHEREAS, the Planning Board of the Town of Manlius has reviewed the application and on September 10, 2012 recommended to the Town Board the granting of the requested Special Permit with the following conditions:

- a. The proposed garage/pole barn match the existing garage/pole barn in color and material;
- b. Any additional garage/pole barn set forth on the site plan submitted by the applicant be located as set forth on the site plan and match the the existing garage/pole barn in color and material;
- c. The garage/pole barn shall be for the personal use of the property owner and will not be leased or used for commercial purposes;

WHEREAS, The Town Board of the Town of Manlius held a Public Hearing on the 12th day of September, 2012, at 7:05pm, which all persons in interest and citizens desiring to be heard had an opportunity to be heard; and there was no public comment against the Project; and

WHEREAS, the Board has declared itself the lead agency on this unlisted action under SEQR and has issued a negative declaration under SEQR for the following reasons, which are set forth in more detail in the Short Environmental Assessment Form considered by the Board at its September 12, 2012 meeting: the intended use of the property fits within the zoning for the property with a special permit; the character of the property line to address any concerns by neighbors; the proposed visual and aesthetic impacts will be negligible based on the information provided by the applicant;

WHEREAS, the proposed Special Use is allowed under Town Code Section 155-17 with a special permit because it is an accessory use to a residential property;

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

WHEREAS, the Town Board may impose additional standards upon the Special Permit to preserve the general character of the neighborhood in which the proposed special use is to be placed;

WHEREAS, all other requirements of Law have been complied with;

NOW, THEREFORE, BE IT

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

1. The use possesses characteristics that will blend desirably with the neighboring properties and will secure the objectives of the Zoning Ordinance of the

Town of Manlius because the neighboring properties are vacant pasture land currently owned by a family member of the applicant.

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 Special Permit pursuant to the provisions of Section 155-27 of the Town of Manlius Code for the purpose constructing a garage/pole barn for private use of applicant related to storage of the property owners personal property, and be it further

RESOLVED, that the following conditions shall be applied to the Special Permit:

a. The proposed garage/pole barn shall match the existing garage/pole barn in color and material;

b. Any additional garage/pole barn set forth on the site plan submitted by the applicant be located as set forth on the site plan and match the existing garage/pole barn in color and material;

c. The garage/pole barn shall be for the personal use of the property owner and will not be leased or used for commercial purposes;

RESOLVED, that the Special Permit shall be issued by the Town Clerk upon the agreement in writing by the applicant to the conditions imposed by Special Permit, which is attached.

SPECIAL PERMIT

Pursuant to a Resolution of the Town Board of the Town of Manlius on the Application of DAVID CORBETT which Resolution was passed at a regular meeting of the Town Board of the Town of Manlius, held on September 12, 2012, permission is hereby granted to applicant, effective upon the mutual execution of this Permit, to construct a storage garage/pole barn at 7888 Saintsville Rd., Kirkville NY 13082 (070.-03-43.0).

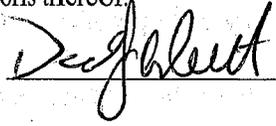
This Permit will continue in full force until terminated by the Town Board for breach of one or more of the conditions pursuant to which it is granted, and the implementation thereof will be in accordance with the following conditions:

1. The Special Permit and the uses allowed pursuant thereto shall expire in seven (7) years, on September 30, 2019 and any renewal may not be unreasonably withheld.
2. This Special Permit shall be transferable as set forth in Section 155-27(G) of the Town of Manlius Code.
3. The following conditions shall be applied to this special permit:
 - a. The proposed garage/pole barn match the existing garage/pole barn in color and material;
 - b. Any additional garage/pole barn set forth on the site plan submitted by the applicant be located as set forth on the site plan and match the existing garage/pole barn in color and material;
 - c. The garage/pole barn shall be for the personal use of the property owner will not be leased or used for commercial purposes;

The applicant, by the acceptance of this Special Permit, agrees to all of the above terms and conditions on her part to be performed, this Special Permit shall be automatically revoked.

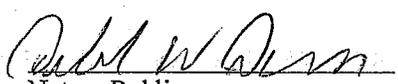

Allison Edsall, Town Clerk
Town of Manlius
Onondaga County, New York

The undersigned, on behalf of DAVID CORBETT does hereby accept the foregoing Special Permit and agrees to perform all of the terms and conditions thereof.

By: 
Name: _____
Title: _____

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

On the 13th day of September in the year 2012 before me, the undersigned, personally appeared David Corbett, personally known to me or proved to me on the bases of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

DEBORAH W. DEMMON
Notary Public, State of New York
Qualified in Onondaga County
No. 01DE6162236
Commission Expires March 5, 20 15



I, **ALLISON EDSALL**, 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 12th day of September, 2012; 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 12th day of September, 2012.

DATED: September 12, 2012
Fayetteville, New York



ALLISON EDSALL
Town Clerk of the Town of
Manlius