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**IN THE MATTER**

**Of**

**Local Law 2023-14**

**THE APPLICATION OF BOB AMODI TO  
CONSIDER THE GARDEN PARK SENIOR  
APARTMENTS DISTRICT PLAN REVIEW  
BY THE TOWN BOARD OF THE TOWN OF  
MANLIUS AND LOCAL LAW 2023-14 TO  
CHANGE THE ZONING FROM  
COMMERCIAL A (“CA”) TO PLANNED  
UNIT DEVELOPMENT (“PUD”)**

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**RESOLUTION ADOPTING  
LOCAL LAW**

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 6<sup>th</sup> of December 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
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

**WHEREAS**, an application has been made to the Town Board by Bob Amodi by his attorney, Hancock & Estabrook LLP, the attorney for the proposed Garden Park Senior Apartments (the “Applicant”) for a review of the Garden Park Senior Apartment 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 a multiple-family dwelling units (containing 86 dwelling units) for senior apartments at the 8.77 acre vacant property located on Gramercy Circle off of Highbridge Road and adjacent to the Brookdale Memory Care Facility (tax map parcel 093-01-05.1) (the “Application” or the “Project”);

**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;

**WHEREAS**, the Town Board is also considering a zone change under Local Law 2023-14, as set forth below:

**LOCAL LAW 2023-14, A LOCAL LAW ADOPTING THE  
GARDEN PARK SENIOR APARTMENT DISTRICT PLAN  
AND 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 for the 8.77 acres of unimproved land identified as tax map no. 093-01-05.1, as further set forth on that certain Graphic PUD District Plan by Keplinger Freeman Associated, dated 8/2/23, and as set forth more particularly on Schedule A, from Commercial A (CA) to Planned Unit Development (PUD):

See Schedule A, Legal Description

Section 2. That Section 155-20.8 be amended as follows:

A. Adopted District Plans:

1. Twin Ponds – the Twin Ponds District Plan is hereby adopted pursuant to the District Plan and District Plan Map approved by the Town Board on November 1, 2023, and appended to this Chapter as Schedule 1 – “Planned Unit Development District Plans”

2. Garden Park – the Garden Park Senior Apartment District Plan is hereby adopted pursuant to the District Plan and District Plan Map approved by the Town Board on December 6, 2023, and appended to this Chapter as Schedule 1 – “Planned Unit Development District Plans”

Section 3. That Schedule 1 to Chapter 155 of the Town Code entitled “Planned Unit Development District Plans” be amended and will identify Garden Park Senior Apartment District Plan and details of said District Plans that have been approved and adopted by the Town Board under Section 155-20.2 through 155-20.7 of the Town Code.

Section 4. This local law shall take effect upon filing with the New York State Department of State.

**WHEREAS**, the Town Board held a public hearing on the Application on October 4, 2023 at which time members of the public were given the opportunity to speak both for and against Local Law 2023-14;

**WHEREAS**, the Town Board heard additional comments from the public during public comment period over several meetings that took place after the public hearing;

**WHEREAS**, in response to the concerns raised by the public and Town Board members, the Applicant has modified the District Plan to address these concerns;

**WHEREAS**, on December 6, 2023, the Town Board reviewed a written resolution prepared by the Attorney for the Town that determined that the zone change being requested will not have a significant environmental impact under SEQRA for the reasons set forth in said Resolution;

**WHEREAS**, the Town Board believes that District Plan and the zone change requested for the Project is in the best interest of the Town and hereby adopts the following FINDINGS and DETERMINATIONS:

## **FINDINGS AND DETERMINATIONS**

1. The SEQRA determination resolution approved by the Town Board on 12/6/2023 is hereby re-adopted for the reasons set forth therein and it shall serve as a basis for these FINDINGS and DETERMINATIONS.
2. The District Plan incorporates several changes requested by the Town Board after the public hearing and addresses concerns raised by the residents, including, but not limited to: (i) an agreement to provide sidewalks along the property frontage of the Project and to work with Brookdale for sidewalk construction that will bring sidewalks closer to the Village of Fayetteville making the potential for connectivity for residents of the Project, Brookdale and the large population of the Wildwood Ridge Apartment complex across the street a reality; (ii) providing diverse housing options, including higher density apartment and condominium housing which is a goal of the Town Board and Onondaga County and is identified as a significant need in the recently adopted Town Comprehensive Plan; (iii) providing family of the Brookdale residents the opportunity to live in close proximity to this facility is an important quality of life goal for the Town; (iv) setting aside short term rental or “workforce” type housing opportunities for family members of residents at Brookdale offers new housing concepts and opportunities and is an important quality of life goal for the Town; (v) the amenities proposed for the Project are unique and will provide opportunities for mixed-use type services that the Town Board has been encouraging with the PUD and other recent local law changes; (vi) the potential for a pedestrian

cross walk that would service the residents of the Wildwood Ridge Apartment complex to connect to a sidewalk along Highbridge Road will provide a traffic calming strategy that will address the concerns residents have raised about speeding on Highbridge Road;

3. Changing the zoning on the Property from CA to PUD for residential housing significantly reduces the risk of a more intense use of the Property that would be allowed in the CA zone and this is in the best interests of the Town and the neighbors of the Project.
4. The Project site as it is used today has become a dumping ground for hard fill and is unsightly and the Senior Apartment Complex will be an improvement to the site from a visual aspect based on the elevations provided by the Applicant.
5. While the proposed height of the building is 3.5 stories, the Project site is recessed when viewing it from Highbridge Road and will not appear as high from public vantage points.
6. The Project site has been an unproductive parcel for decades and the construction of the Senior Apartment Complex will turn the unproductive parcel into productive land that will pay more in taxes, fill the need for higher density housing for senior citizens, and assist Brookdale residents with providing accessible housing for their family members.

**WHEREAS**, based on the above FINDINGS and DETERMINATIONS, the Town Board desires to approve the District Plan and the Zone Change as set forth above,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, hereby approves the District Plan with the condition that access to the Project site be through Gramercy Circle (the Brookdale entrance), as recommended by the Planning Board; and

**BE IT FURTHER RESOLVED** that Local Law 2023-14 as set forth in this Resolution is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to file Local Law 2023-14 with the Secretary of State within 20 days of the adoption of this Local Law and pursuant to Municipal Home Rule Law.

**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 6<sup>th</sup> day of December 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 6th day of December 2023.

**DATED: December 6, 2023**  
**Fayetteville, New York**

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