

**Syracuse Planning Commission**

**Application for THREE-MILE LIMIT SUBDIVISION REVIEW**

City Hall Commons • Room 101 • 201 E. Washington Street • Syracuse, NY 13202-1426 • 315-448-8640

For Office Use:    
Filing Date Case#

*Please Print or Type Information:*

**SUBDIVISION INFORMATION:**

TITLE OF SUBDIVISION:   
ADDRESS of subdivision:   
TOWN of:   
TAX MAP NUMBER(S):   
ZONING DESIGNATION:

**APPLICANT INFORMATION:**

NAME:  PHONE:   
MAILING ADDRESS:

**CONTACT PERSON:** (If someone other than applicant is to be contacted to answer questions)

NAME:  PHONE:

**REASON FOR REQUEST:** *(Please be specific regarding use of each lot; i.e. two-family house, yard area, grocery store, etc.)*

**APPROVAL INFORMATION:**

APPROVED by Town or Village as a  Preliminary Plan  
 Final Plan on Date:

**DECLARATION:**

I understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York. I declare that, subject to the penalties of perjury, any statements made on this application and any attachments are the truth and to the best of my knowledge correct. I also understand that any false statements and/or attachments presented knowingly in connection with this application will be considered null and void.

**CURRENT PROPERTY OWNER SIGNATURE**

As listed on the City of Syracuse Tax Assessment Roll. If not listed as the owner on the current rolls, please include a proof of ownership, for example, a copy of the deed. Attorney's signing on behalf of the owner must include a one page letter describing the legal representative arrangement. Architects, engineers, contractors, tenants, etc. cannot sign on behalf of the property owner. If property owner is a Corporation or an Organization, then the person signing must provide verification they are a member of such, and can sign on the owners behalf.



Dec. 26, 2019

**CURRENT PROPERTY OWNER SIGNATURE**

**DATE**

Joshua S. Werbeck, Esq., Attorney for Applicants

**Please legibly PRINT SIGNATURE NAME and TITLE**

**REQUIRED SUBMITTALS FOR THREE MILE LIMIT APPLICATIONS**

NOTE: All applications must contain the following information before being considered complete. Any incomplete applications will be returned.

**APPLICATION:** Completely filled out

**SHORT ENVIRONMENTAL ASSESSMENT FORM:** Completely filled out and signed

**SUBDIVISION MAPS:** Five (5) copies drawn by a licensed land surveyor (indicating existing and proposed lots along with their addresses and new lot numbers) Map must show complete parcel owned by applicant. *Have your land surveyor contact the County Health Department (435-6600 x 8235) prior to the drawing of your Subdivision/Resubdivision Map to find out what is required on the map.*

- Reduced copy (11"x17") must also be submitted if original maps are larger than (11x17)

NA  **APPROVAL RESOLUTION** or letter from governing municipality

NA  **Stormwater Pollution Prevention Plan (SWPPP)** must be submitted which is in accordance with NYSDEC regulations if proposed subdivision is tributary to a watershed within the City of Syracuse.

Lisa Dell, County Clerk  
401 Montgomery Street  
Room 200  
Syracuse, NY 13202  
(315) 435-2229

## Onondaga County Clerk Recording Cover Sheet

Received From :  
BOUSQUET HOLSTEIN  
110 W FAYETTE ST STE 1000  
SYRACUSE, NY 13202

Return To :  
BOUSQUET HOLSTEIN  
110 W FAYETTE ST STE 1000  
ATTN JOSHUA WERBECK  
SYRACUSE, NY 13202

Method Returned : MAIL

First PARTY 1

DIANE M WHELOCK LIVING TRUST

First PARTY 2

JLW HOLDING X LLC

Index Type : Land Records

Instr Number : 2019-00048756

Book : Page :

Type of Instrument : Deed

Type of Transaction : Deed Residential

Recording Fee: \$195.50

Recording Pages : 5

The Property affected by this instrument is situated in Dewitt, in the County of Onondaga, New York

Real Estate Transfer Tax

RETT # : 5698

Deed Amount : \$4,000.00

RETT Amount : \$16.00

Total Fees : \$211.50

State of New York

County of Onondaga

I hereby certify that the within and foregoing was recorded in the Clerk's office for Onondaga County, New York

On (Recorded Date) : 12/23/2019

At (Recorded Time) : 3:43:39 PM



Doc ID - 038286880005

*Lisa Dell*

Lisa Dell, County Clerk



This sheet constitutes the Clerks endorsement required by Section 319 of Real Property Law of the State of New York

Entered By: EKARALUNAS Printed On : 12/23/2019 At : 3:44:10PM

**WARRANTY DEED**

THIS INDENTURE is made this 17th day of December, 2019, by and between:

**DIANE M. WHEELOCK AND FRANKLIN K. WHEELOCK, AS TRUSTEES OF THE DIANE M. WHEELOCK LIVING TRUST DATED MARCH 25, 2008**, individuals with an address of 98 Lynbrook Circle, Syracuse, New York 13214 (collectively referred to herein as "**Grantor**");

and

**JLW HOLDING X, LLC**, a NYS Limited Liability Company with an address c/o Bousquet Holstein PLLC, 110 West Fayette Street, Suite 1000, Syracuse, New York 13202 (referred to herein as "**Grantee**").

**WITNESSETH**, that Grantor, in consideration of one and 00/100 Dollars (\$1.00), lawful money of the United States, paid by Grantee, does hereby grant and release unto Grantee, the heirs, successors, and assigns of Grantee forever, the real property described in **SCHEDULE A** attached hereto,

**SUBJECT** to easements and restrictions of record, if any,

**TOGETHER** with all right, title, and interest, if any, of Grantor in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of Grantor in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto Grantee, the heirs or successors and assigns of Grantee forever,

**AND** Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose,

**AND** Grantor warrants and covenants as follows:

**THAT** Grantee shall quietly enjoy the said premises;

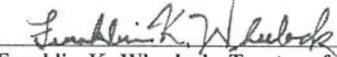
**THAT** Grantor will forever warrant the title to said premises; and

**THAT** Diane M. Wheelock and Franklin K. Wheelock are the only trustees of the Diane M. Wheelock Living Trust dated March 25, 2008 and that Diane M. Wheelock and Franklin K. Wheelock are duly authorized and empowered to execute this Warranty Deed.

DEC 18 2019

IN WITNESS WHEREOF, Grantor has duly executed this Warranty Deed the day and year first above written.

  
Diane M. Wheelock, Trustee of the Diane M. Wheelock Living Trust dated March 25, 2008

  
Franklin K. Wheelock, Trustee of the Diane M. Wheelock Living Trust dated March 25, 2008

STATE OF NEW YORK )  
COUNTY OF ONONDAGA ) SS.:

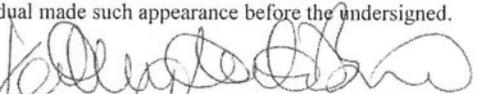
On the 17th day of December in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared DIANE M. WHEELOCK, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she/he executed the same in her/his capacity, and that by her/his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned.

  
NOTARY PUBLIC

KATHRYN ANTONACCI BROWN  
Notary Public, State of New York  
Qualified in Onondaga County, No. 01BR5021679  
My Commission Expires Dec. 6, 2021

STATE OF NEW YORK )  
COUNTY OF ONONDAGA ) SS.:

On the 17th day of December in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANKLIN K. WHEELOCK, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she/he executed the same in her/his capacity, and that by her/his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned.

  
NOTARY PUBLIC

KATHRYN ANTONACCI BROWN  
Notary Public, State of New York  
Qualified in Onondaga County, No. 01BR5021078  
My Commission Expires Dec. 6, 2021

SCHEDULE A

**ALL THAT TRACT OR PARCEL OF LAND** in the Town of DeWitt, County of Onondaga, and State of New York, being a part of Farm Lot 62 in the Town of DeWitt, and bounded and described as follows:

**BEGINNING** at a point at the northwest corner of the real property that Marilyn M. Leigh conveyed to Franklin K. Wheelock by Warranty Deed dated September 13, 1968 and recorded in the Onondaga County Clerk's Office on September 13, 1968 in Book 2386 at Page 159, which real property Franklin K. Wheelock conveyed to Diane M. Wheelock and Franklin K. Wheelock in their capacities as Trustees of the Diane M. Wheelock Living Trust dated March 25, 2008 (the "**Wheelock Parcel**"), which point is also the southwest point of Lot 66 on the plot of land known as DeWittshire "B" in the Town of DeWitt as shown on a map of DeWittshire "B" made by M.B. Palmer, C.E. and filed in the Onondaga County Clerk's Office on February 6, 1928 (the "**DeWittshire B Subdivision**"),

**THENCE** S. 76° 08' 49" E. a distance of 200 feet, along the southerly boundaries of Lots 66, 67, 68, and 69 in the DeWittshire B Subdivision and through an iron rod found in 2019 to a point,

**THENCE** S. 20° 44' 45" W. a distance of 14.48 feet to a point near an iron pipe found in 2019,

**THENCE** S. 38° 30' 48" E. a distance of 57.75 feet to a point,

**THENCE** S. 44° 13' 36" W. a distance of 32.73 feet to a point in the approximate centerline of the stream known as Meadowbrook Creek in the Town of DeWitt ("**Meadowbrook Creek**"),

**THENCE** the following courses and distances along the approximate centerline of Meadowbrook Creek, it being the intention of the parties hereto to describe the centerline of Meadowbrook Creek with the following:

1. N. 24° 02' 29" W. a distance of 16.99 feet;
2. N. 53° 23' 10" W. a distance of 16.80 feet;
3. N. 66° 10' 57" W. a distance of 34.90 feet;
4. N. 80° 57' 22" W. a distance of 23.70 feet;
5. N. 67° 24' 15" W. a distance of 36.79 feet;
6. N. 63° 29' 15" W. a distance of 57.41 feet;
7. N. 79° 00' 15" W. a distance of 28.14 feet; and
8. N. 86° 11' 22" W. a distance of 28.50 feet,

**THENCE** N. 20° 38' 06" E. a distance of 42.41 feet to the place of beginning.

**THE FOREGOING** described premises is also identified as Lot 3 in the map titled "Wheelock Subdivision" dated September 6, 2019 by Paul J. Olszewski, P.L.S., a copy of which map is attached hereto as MAP ONE.

**BEING A PORTION** of the Wheelock Parcel and containing about 0.25 acres.

**LEGEND**

- CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- IRON ROD FOUND
- IRON ROD SET
- UTILITY POLE
- NOTES

1 SUBJECT TO A WATERLINE RIGHT OF WAY TO THE VILLAGE OF EAST SYRACUSE AS DESCRIBED IN BOOK OF DEEDS 327 PAGE 156.

2 SUBJECT TO AN EASEMENT FOR POLES AND WIRES AS DESCRIBED IN BOOK OF DEEDS 591 PAGE 40.

3 SUBJECT TO A 10 FOOT WIDE SANITARY SEWER EASEMENT TO THE CITY OF SYRACUSE AS DESCRIBED IN DEED BOOK 601 PAGE 409

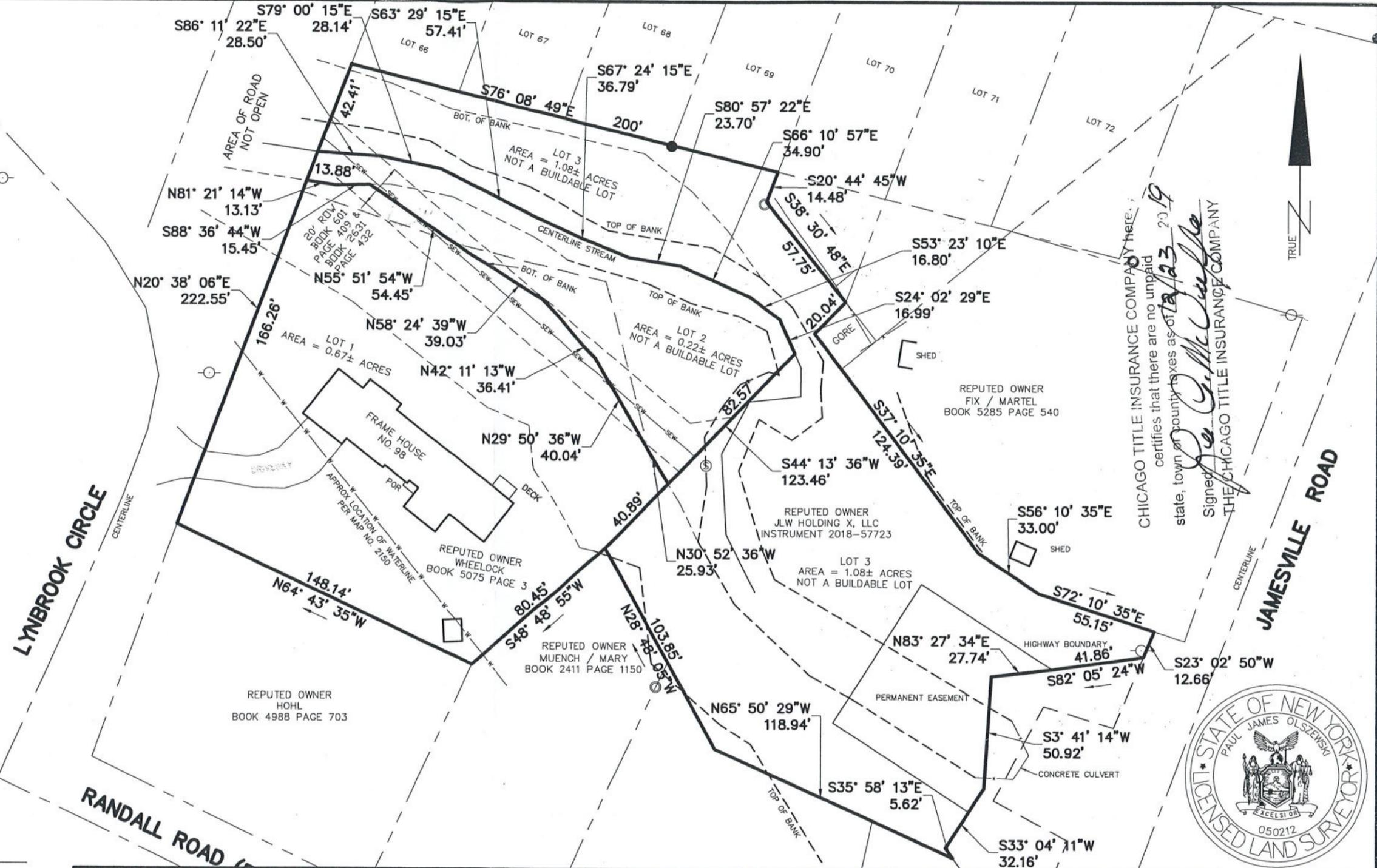
4 LOT TWO AND LOT THREE ARE BENEFITED AND BURDENED BY A DECLARATION OF RESTRICTIVE COVENANTS, CONDITIONS, AND RESTRICTIONS DATED AND EFFECTIVE DECEMBER 1, 2019 BY DIANE M. WHELOCK AND FRANKLIN K. WHELOCK, AS TRUSTEES OF THE DIANE WHELOCK LIVING TRUST DATED MARCH 28, 2008, AND JLW HOLDING X, LLC, WHICH INSTRUMENT IS RECORDED IN THE ONONDAGA COUNTY CLERK'S OFFICE.

5 LOTS 2 AND 3 ARE NOT APPROVED AS BUILDABLE LOTS.

6 THE PROPERTY HEREIN INCLUDES WETLAND AND FLOODPLAIN AREAS. SAME ARE NOT PLOTTED AS LOTS 2 AND 3 ARE NOT BUILDABLE LOTS OR OTHERWISE CONFORMING LOTS UNDER THE TOWN OF DEWITT CODE.

REFERENCE  
DEWITTSHIRE "B" PREPARED BY M.B. PALMER, C.E. FILED IN THE ONONDAGA COUNTY CLERKS OFFICE ON FEBRUARY 6, 1928 AS MAP NO. 2150.

APPROVED TOWN OF DEWITT PLANNING BOARD CHAIRMAN  
DATE: 12/17/2019 BY: [Signature]



CHICAGO TITLE INSURANCE COMPANY here certifies that there are no unpaid state, town or county taxes as of 12/23/2019  
Signed: [Signature]  
THE CHICAGO TITLE INSURANCE COMPANY



APPROVED DIANE M. WHELOCK, TRUSTEE, DIANE WHELOCK LIVING TRUST  
DATE: 12/17/19 BY: [Signature]

APPROVED FRANKLIN K. WHELOCK, TRUSTEE, DIANE WHELOCK LIVING TRUST  
DATE: 12/17/19 BY: [Signature]

APPROVED JOSHUA S. WERBECK, MANAGER, JLW HOLDING X, LLC  
DATE: 12/17/19 BY: [Signature]

HEALTH DEPARTMENT APPROVAL

ONONDAGA COUNTY DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH  
DEC 12 2019  
This Plan has been reviewed by the Onondaga County Department of Health. Subdivision approval by this Department is not required.  
[Signature], P.E.  
Bureau of Public Health Engineering

SURVEY COMPLETED WITH BENEFIT OF ABSTRACT OF TITLE PROVIDED BY VANGUARD RESEARCH AND TITLE SERVICES INC. ABSTRACT NO. OR237956 DATED 01-23-2019.

THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THIS IS AN ACCURATE MAP OF AN ACTUAL SURVEY COMPLETED 02-08-2019.

[Signature]  
PAUL J. OLSZEWSKI, P.L.S. LICENSE No. 50212

\*UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.\*  
\*COPIES FROM THE ORIGINAL OF THIS SURVEY MAP NOT MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.\*

FINAL PLAN  
WHELOCK SUBDIVISION

PART OF FARM LOT 62 TOWN OF DEWITT  
COUNTY OF ONONDAGA STATE OF NEW YORK

PAUL JAMES OLSZEWSKI, P.L.S., PLLC  
51 FENNEL STREET  
SKANEATELES NEW YORK, 13152  
315-488-5552 pjosurvey.com

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

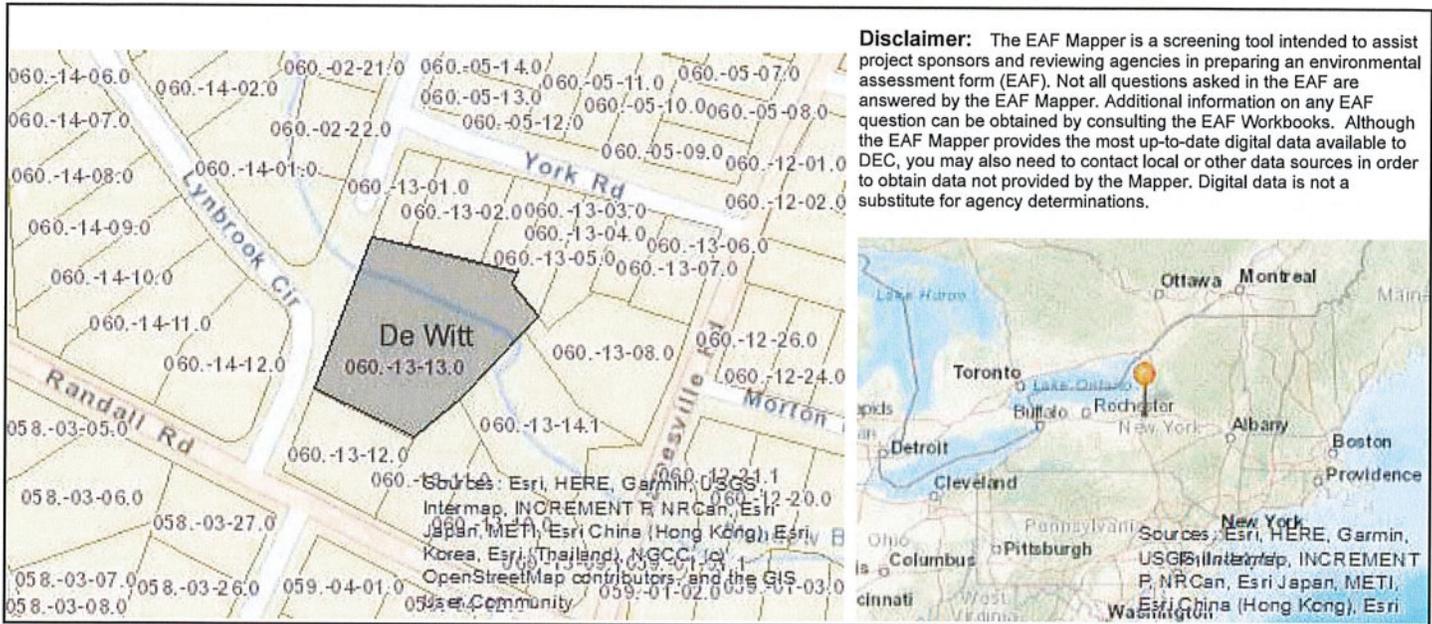
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Wheelock Subdivision			
Project Location (describe, and attach a location map): The parcel of real property commonly known as 98 Lynbrook Circle in the Town of DeWitt, County of Onondaga, and State of New York.			
Brief Description of Proposed Action: Applicant proposes to subdivide its real property into three lots: one lot at approximately street level containing a single-family residence, and two lots in a valley where Meadowbrook Creek is located with one lot on either side of Meadowbrook Creek.			
Name of Applicant or Sponsor: Diane M. Wheelock and Franklin K. Wheelock, Trustees of the Diane Wheelock Living Trust		Telephone: 315-701-6447 E-Mail: JWerbeck@BHLawPLLC.com	
Address: c/o Joshua Werbeck, Esq., Bousquet Holstein PLLC, 110 West Fayette Street			
City/PO: Syracuse		State: New York	Zip Code: 13202
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Subdivision approval from the Town of DeWitt Planning Board.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		About 1 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		About 1 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Vacant land in residential neighborhood.			
<input type="checkbox"/> Parkland			

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ The proposed action does not include any construction or change at/to the real property. Applicant proposes no new use of water. _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ The proposed action does not include any construction or change at/to the real property. Applicant proposes no new water treatment. _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ The proposed action is a subdivision of lands containing Meadowbrook Creek. Applicant does not propose a change to the waterway. _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat, Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No