



Onondaga County Planning Board

January 24, 2024

SYRACUSE-ONONDAGA COUNTY PLANNING AGENCY
335 MONTGOMERY STREET, 1st Floor
SYRACUSE, NEW YORK

J.Ryan McMahon, II
COUNTY EXECUTIVE

I. ATTENDANCE

MEMBERS PRESENT

Marty Voss
Mike LaFlair
Marty Masterpole
David Skeval
Don Radke

STAFF PRESENT

Dan Kwasnowski
Megan Costa
Rachel Woods

GUESTS PRESENT

II. CALL TO ORDER

The meeting was called to order at 11:03 AM on January 24, 2024.

III. MINUTES & OTHER BUSINESS

Minutes from January 3, 2024 were submitted for approval. Mike LaFlair made a motion to accept the minutes. Marty Masterpole seconded the motion. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes.

Appointments to SMTC's Policy Committee were tabled.

Megan Costa and Rachel Woods distributed materials for the annual Onondaga County Planning Federation Symposium to be held on March 13, 2024.

IV. ACTIONS ON GML SECTION 239 REFERRALS

Summary

S-24-3	CSyrPB	<i>No Position With Comment</i>	Z-24-12	CSyrPB	<i>Modification</i>
Z-24-13	TDewPB	<i>Modification</i>	Z-24-14	TVanTB	<i>No Position With Comment</i>

V. ADMINISTRATIVE REVIEWS



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: January 24, 2024

OCPB Case # S-24-3

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the City of Syracuse Planning Commission at the request of Ryan Benz for the property located at 1153-1169 West Fayette Street; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of Harbor Brook, a county-owned drainage channel; and
- WHEREAS, the applicant is proposing to subdivide a 2.8-acre parcel into two new lots, Lot A (2.65 acres) and Lot B (0.25 acres), in a Mixed-Use Transition (MX3) zoning district; and
- WHEREAS, the Board is concurrently reviewing Z-24-12 to renovate two existing buildings to house 38 dwelling units; both current referrals to this Board, the site plan review and subdivision, have been reviewed and conditionally approved by the Syracuse City Planning Commission at their 9/18/23 meeting and the subdivision was filed with the Onondaga County Clerk on 11/13/23; the Board previously recommended Modification of a special permit referral (Z-23-317) to construct a parking lot on the lot proposed by this subdivision; and
- WHEREAS, the site is located near the intersection of West Fayette Street and South Geddes Street, both local roads in the Near Westside neighborhood of the City of Syracuse; the site has frontage on West Fayette Street and is located in a mixed use area that includes George W. Fowler High School, the recently renovated Gear Factory building, and other commercial and residential lots; parcels north across the street from the site contain short line rail lines; and
- WHEREAS, aerial imagery shows the site contains an existing six-story masonry building, the Cosmopolitan Building, at the western side of the parcel and a large tarvia parking area covering the remainder of the site east of the building; there is a second smaller parking area at the rear of the building that consists of broken tarvia and crushed stone and provides an area for deliveries; there are two existing full access driveways onto West Fayette Street that provide access to the large parking lot and a third existing full access driveway onto West Fayette Street that provides access to the smaller rear parking lot; and
- WHEREAS, per the Proposed Subdivision map dated 3/25/23, the applicant is proposing to divide the parcel into two new lots, proposed Lot A to contain the six-story masonry building and most of the existing parking lot and proposed Lot B to be reconstructed into the 28-space parking lot to be utilized by the adjacent apartment building (Z-24-12); Lot A will have 466.96' of frontage on West Fayette Street and will retain direct access to West Fayette Street and access via an approximately 20'-wide a neighboring parcel to the east; Lot B will have 71.93' of frontage on West Fayette Street; and
- WHEREAS, the proposed parking lot on proposed Lot B has no existing or proposed access to public drinking water or sewer; and

1100 Civic Center, 421 Montgomery Street, Syracuse, NY 13202 (315) 435-2611, Fax (315) 435-2439

E-mail Address: countyplanning@ongov.net

WHEREAS, per the Environmental Assessment Form (EAF) dated 5/23/23, proposed Lot A is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; the referral materials did not include information regarding the future development of proposed Lot A; the Onondaga County Department of Water Environment Protection (OCDWEP) advises the applicant to design its stormwater connection to the existing catch basin rather than a new connection to Harbor Brook; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 5/23/23, 0.254 acres of the site will be disturbed by the proposed project; the adjacent lot to the west occurs over a section of channelized Harbor Brook, an Onondaga County-owned drainage channel that drains directly into Onondaga Lake; and

WHEREAS, per the EAF Mapper, the site contains waterbodies listed as water-quality impaired (Lower Harbor Brook and tributaries); aerial imagery shows Harbor Brook is channelized at the parking site and crosses the existing parking lot below ground; and

WHEREAS, the EAF Mapper indicates that the project is within 2,000 feet of multiple sites (IDs: C734160, 734022) in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board

has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT(S) in regards to the above referral:

The Board offers the following comments regarding the proposed projects located at this site and 1117 West Fayette Street:

1. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.
2. The applicant is advised to coordinate and obtain approval from the Onondaga County Department of Water Environment Protection regarding the proposed stormwater connection to the channelized portion of Harbor Brook prior to, or as a condition of, municipal approval.
3. Given the site's proximity to a channelized section of Harbor Brook, a stream and Onondaga County-owned drainage channel running under the parking lot, draining directly to Onondaga Lake, the Board encourages the applicant and municipality to ensure adequate protections are in place for this important stream and watershed. The applicant and municipality are advised to ensure stormwater quantity and quality are managed appropriately for any drainage from the site.

The motion was made by Marty Masterpole and seconded by Mike LaFlair. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes.



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: January 24, 2024

OCPB Case # Z-24-12

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the City of Syracuse Planning Commission at the request of Ryan Benz for the property located at 1117 West Fayette Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Harbor Brook, a county-owned drainage channel; and
- WHEREAS, the applicant is proposing to redevelop a vacant warehouse into a multi-unit residential apartment on a 0.46-acre parcel and establish a 28-space parking area on an adjacent 0.25-acre parcel in a Mixed-Use Transition (MX3) zoning district; and
- WHEREAS, the Board is concurrently reviewing S-24-3 to subdivide the proposed parking area from a larger parcel to the west; both current referrals to this Board, the site plan review and subdivision, have been reviewed and conditionally approved by the Syracuse City Planning Commission at their 9/18/23 meeting; the Board previously recommended Modification of a special permit referral (Z-23-317) to construct a parking lot on the proposed lot; and
- WHEREAS, the site is located near the intersection of West Fayette Street and South Geddes Street, both local roads in the Near Westside neighborhood of the City of Syracuse; the site has frontage on West Fayette Street and is located in a mixed use area that includes George W. Fowler High School, the recently renovated Gear Factory building, and other commercial and residential lots; parcels north across the street from the site contain short line rail lines; and
- WHEREAS, per the Final Survey dated 5/19/23, the site contains two 3-story buildings, one along the site's frontage on West Fayette Street and the second located behind, separated by a 25' wide courtyard and connected by a "sky bridge" walkway; an asphalt driveway is located between the buildings and the western property boundary; per aerial imagery from May 2021, the site is almost completely covered by buildings and asphalt; and
- WHEREAS, per the local application, the applicant is proposing to renovate the two existing buildings to contain 38 apartments, including 9 which will be set aside for people with developmental disabilities; a neighboring lot to the west will be subdivided to allow construction of a 28-space parking lot for use by residents; and
- WHEREAS, exterior renovations will include façade improvements, removal of a 1-story masonry building in the southwest corner of the lot, the removal of asphalt to allow installation of landscaping and pedestrian walkways, and renovation of the courtyard between buildings for patron use; the courtyard provide access to both buildings; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 5/23/23, 0.254 acres of

the site will be disturbed by the proposed project and “any discharge will be directed to existing conveyance systems”; per the property survey, there are 6 catch basins adjacent to the site, 5 located between the site and the proposed parking lot and the 6th located across West Fayette Street from the site; the lot immediately west of the parking lot occurs over a section of channelized Harbor Brook, an Onondaga County-owned drainage channel that drains directly into Onondaga Lake; the Onondaga County Department of Water Environment Protection (OCDWEP) advises the applicant to connect stormwater infrastructure to the existing catch basin rather than with a new connection to Harbor Brook; and

WHEREAS, per the referral notice, the site is served by public drinking water; the construction of 38 dwelling units will result in an increase in use; and

WHEREAS, per the referral notice, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant service area; the proposed project will result in an increase in flow;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required due to an anticipated increase in use; additionally, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, per the EAF Mapper, the site contains waterbodies listed as water-quality impaired (Lower Harbor Brook and tributaries); aerial imagery shows Harbor Brook is channelized at the parking site and crosses the existing parking lot below ground; and

WHEREAS, the EAF Mapper indicates that the project is within 2,000 feet of multiple sites (IDs: C734160, 734022) in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

1. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.
2. The applicant must coordinate and obtain approval from the Onondaga County Department of Water Environment Protection regarding the proposed stormwater connection to the channelized portion of Harbor Brook prior to, or as a condition of, municipal approval.

The Board offers the following comment:

Given the site’s proximity to a channelized section of Harbor Brook, a stream and Onondaga County-owned drainage channel running under the parking lot, draining directly to Onondaga Lake, the Board encourages the applicant

and municipality to ensure adequate protections are in place for this important stream and watershed. The applicant and municipality are advised to ensure stormwater quantity and quality are managed appropriately for any drainage from the site.

The motion was made by Marty Masterpole and seconded by Mike LaFlair. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes.



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: January 24, 2024

OCPB Case # Z-24-13

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of DeWitt Planning Board at the request of Michael Charles for the property located at 6834 Kirkville Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Kirkville Road (Route 53), a county highway, and Interstate Route 481, a state highway; and
- WHEREAS, the applicant is proposing to construct a self-storage facility on an 8.51-acre parcel in a High Tech zoning district; and
- WHEREAS, the site is located along Kirkville Road, a county highway, between Interstate 481 and a new Amazon distribution center; the site is in a transitional area between residential and commercial to the west and large, vacant wooded parcels and a large wetland area affiliated with Butternut Creek to the east; CSX railroad tracks are to the south; and
- WHEREAS, the site is a large, irregularly shaped parcel, abutting Interstate 481 and its onramps from Kirkville Road; per the Master Plan dated 12/22/23, the project area is located on the vacant, northern 8.5 acres of the lot, to be subdivided at a later date; the subdivision is not included in the current referral; the southern 23.535 acres of the lot are wooded; and
- WHEREAS, per the Site Layout Plan dated 12/22/23, the applicant is proposing construction of a self-storage facility comprised of 4 buildings totaling 92,580 sf with offices to be constructed in 5 phases; the storage complex will have a 3-story, 46,800 sf storage and office building (referred to as Buildings 1 and 2) to be constructed in 2 phases along the parcel's frontage on Kirkville Road; a drive-thru area will bisect the building with overhead doors located in the middle of the eastern and western facades; 46 parking spaces line the building's perimeter along the western, northern, and eastern sides; Buildings 3 (10,080 sf), 4 (25,050 sf), and 5 (10,650 sf) are to be storage-only buildings and located on the southern half of the project area, parallel to I-481 and Roberts Street Extension, a private road on the adjacent Amazon parcel; the site will have two full-access driveways onto Roberts Street Extension with internal roads circulating around the buildings; a waste/recycling enclosure and RV dump station will be installed at the southern end of the project area; and
- WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the western boundary and some of the southern half of the site are located within the 100-year floodplain, which may require avoidance or elevation of structures and other mitigation; the southeastern boundary of the parcel, outside of the project area, is also in the floodway, which carries a higher likelihood of flooding and required mitigation, adherence to municipal flood ordinances,

and higher insurance premiums, and development in the floodway is generally discouraged;

ADVISORY NOTE: The Onondaga County Hazard Mitigation Plan has identified flooding as one of eight primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, GIS mapping shows a large central portion of the site may contain state wetlands and/or the 100-foot state wetland buffer; delineated wetlands and the 100' buffer are indicated on the plans, per the Site Preparation Plan dated 12/22/23 the wetland boundaries were mapped in a wetland report prepared by C.T. Male Associates dated 7/18/23; that report was not included in the referral materials; per the Site Grading, Drainage and Utilities Plan dated 12/22/23, the proposed project will be located just outside of the 100' buffer, but many paved area extend to the edge of the wetland buffer;

ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a state wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 12/22/23, 5 acres of the site will be disturbed by the proposed project; per the Site Grading, Drainage and Utilities Plan, stormwater infrastructure will underneath the parking lot and internal roads, per the EAF, "stormwater will be conveyed by surface grades into a subsurface system, then outflow from site in single pipe"; per the Site Grading, Drainage and Utilities Plan, stormwater will be conveyed to a single outlet at the southwestern end of the site, located adjacent to the wetlands, inside the 100' buffer;

ADVISORY NOTE: The applicant is advised to contact the NYS Department of Environmental Conservation to confirm the presence of state wetlands and/or the 100-foot state wetland buffer on the site, and to obtain any necessary permits for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers; all confirmed wetlands should be shown on the plans for the site; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 12/22/23, a new connection to public drinking water is proposed to serve the new complex; and

WHEREAS, per the referral materials, both the office and RV dump station will connect to wastewater services; the submitted project is located within the Metropolitan Wastewater Treatment Plant and Butternut Corporate Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow; the Butternut Corporate valve and pump station belonging to the Town of DeWitt, maintained by Onondaga County Department of Water Environment Protection (OCDWEP), and its associated access road is located at the center of the site; per the Master Plan dated 12/22/23, the pump station and access road are located outside of the project area;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the

municipal engineer; the Capacity Assurance Form and approval process can now be found online:

<http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, the site may contain the Northern long-eared bat and the Indiana bat, or their associated habitats, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper)

ADVISORY NOTE: Per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental Permits office; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board

recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

1. The applicant must submit a lighting plan and a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the New York State Department of Transportation for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval. No glare or spillover onto adjacent properties or the state right-of-way will be permitted. Additional stormwater runoff into the state's right-of-way is prohibited.

2. The applicant is required to coordinate Kirkville Road access plans with the Onondaga County Department of Transportation. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), traffic data, and lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

3. The applicant must consult with the NYS Department of Environmental Conservation to determine, in writing, if an MS4 General Permit or an individual SPDES permit is required to manage stormwater on this site. The Town must ensure the appropriate permits, including any permits required under the DEC Protection of Waters Program, are obtained as necessary prior to, or as a condition of, municipal approval of the project.

4. The applicant must contact the U.S. Army Corps of Engineers and/or NYS Department of Environmental Conservation to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site. All confirmed wetlands should be shown on the plans for the site and any necessary permits should be obtained for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers prior to, or as a condition of, municipal approval of the project.

5. Any future development of the site, specifically proposed parcel "B", should not impede future access to the Butternut Corporate pump station. The current Site Plan must show permanent access easement to the Town of DeWitt and/or Onondaga County Department of Water Environment Protection for access to the pump station, particularly if future subdivision of

the site will create a landlocked parcel.

6. The Site Plan must include reference to permanent access agreements to utilize the private road on the adjacent parcel for all access to the site.

The Board also offers the following comments:

1. Given the Butternut Creek corridor is sensitive to flooding and water quality impacts, the applicant is encouraged to increase the quantity of trees and plantings on site, larger buffers between the site and sensitive wetlands, and utilize green infrastructure (e.g., permeable pavement) wherever possible to reduce stormwater and protect stormwater quality.

2. The Board recommends that remaining lands, presumably to be subdivided into a landlocked parcel, containing highly sensitive and undevelopable lands, be conveyed to the Town or a qualified land trust, to ensure adequate access to and long-term stewardship of these lands.

The motion was made by David Skeval and seconded by Don Radke. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes.



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: January 24, 2024

OCPB Case # Z-24-14

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Town of Van Buren Town Board at the request of Town of Van Buren for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law A-2024 to amend Chapter 200 (Zoning) of the Code of the Town of Van Buren to revise the regulation of solar power and energy systems in the town; and
- WHEREAS, per the proposed law, the Town is proposing this revision to the Town code because it “anticipates an increase in proposals for solar energy and battery energy systems” and would like to protect “the character of the Town, valuable farmland, and local resources” while supporting the State energy policy; and
- WHEREAS, the terms “pollinator” and “environmental manager” are defined in the proposed regulation, defining an environmental manager as an “individual possessing the skills to develop a site for use as a solar PV system and then reclaim the site restoring it”; the term “solar energy system” is defined in the current code as “a complete system” of solar collectors, equipment, devices, and “other materials, hardware or equipment” necessary to capture and convert solar radiation into usable energy; the proposed definition includes “a system of components intended for the collection, inversion, storage, and/or distribution of solar energy that directly or indirectly generates thermal, chemical, electrical, or other usable energy” including a comprehensive list of equipment, battery systems, storage, equipment, and structures; the definition of “solar energy system” also includes classifications of solar energy systems: Tier 1, Tier 2, Tier 3, and Tier 4; Tier 1 solar energy systems are defined as either building-integrated solar energy systems or roof-mounted solar energy systems; Tier 2 systems are smaller ground-mounted solar energy systems where the total area of all solar panels on a lot do not exceed 2,000 sf and do not produce more than 110% of the electricity consumed on site within the past 12 months; Tier 4 systems are “utility-scale solar energy systems” where the facility or area is principally used to convert solar energy, including systems where the “total surface area of all solar panels on the lot of more than 4,000 sf”, and are “intended to supply energy primarily into a utility grid for sale to the general public or to supply multiple users located off the site on which the solar energy system is located”; Tier 3 systems are defined as solar energy systems “not included in the list for Tier 1, Tier 2, or Tier 4 Solar Energy Systems; the proposed law does not include any regulations for Tier 3 Energy Systems; the Tiers defined in the proposed law do not have any relation to NYSERDA nomenclature; and
- WHEREAS, multiple sections of Town zoning code are to be repealed and replaced

including Chapter 200 § 200-89 “building-integrated solar energy systems”, Chapter 200 § 200-90 “rooftop-mounted solar energy systems”, Chapter 200 § 200-91 “ground-mounted solar energy systems”, and Chapter 200 §200-93 “solar farms”, replaced with sections regulating Requirements for Tier 1, Tier 2, and Tier 4 Solar Energy Systems;

WHEREAS, Tier 1 requirements regarding building-integrated and roof-mounted solar energy systems and shall be permitted in all zoning districts; building-integrated solar energy systems will require an applicable building permit; Tier 1 roof-mounted solar energy systems will require a solar/building permit with the submittal of a site survey and building roof plan, a one-line or three-line electrical diagram and specification sheets for all manufacture components to the Town Code Enforcement Officer with the requirements that all electrical diagrams are prepared by a professional engineer and appropriately marked, the roof-mounted system shall not exceed height requirements for the zoning district, the system is to mounted parallel to the roof plane with exception for flat roofs where a tilted mount may be permitted with site plan review; roof-mounted systems are also subject to provisions intended to ensure the safety of firefighters and emergency responders including ensuring access to the roof, pathways to specific areas of the roof, and providing for emergency egress from the roof; and

WHEREAS, Tier 2, ground-mounted systems, are permitted as accessory structures in zoning districts including Residence District 40 (R-40), Agriculture/Residence District (AR-80), Industrial A District (InA), Industrial B District (InB), Planned Unit Development (PUD), Planned Commercial (PCD), Planned Industrial (InP), Planned Office Development (POD), General Business District (GB), Local Business District (LB), Business/Residence Buffer District (BRB) and Rural Hamlet District (RH) and will require a solar/building permit and special use permit; tier 2 systems are prohibited in front yards and are subject to the “most restrictive area, yard and total area/lot coverage restrictions” in the zoning district where the system is to be constructed; the Town Planning Board or Zoning Board of Appeals may require further setbacks, area and yard requirements along with total area/lot coverage restrictions; lots must be 20,000sf in size or larger, the height of the solar panels may not exceed 15’, must “minimize view blockage for surrounding properties”, and the Town Zoning Board of Appeals may require screening utilizing “architectural features, earth berms, landscaping, fencing”; and

WHEREAS, a section on General Requirements for Tier 1 and Tier 2 solar energy systems details that all solar energy systems must be installed by a qualified solar installer, the power generated shall be for use by “owners, lessees, tenants, residents or other occupants of the premises” and limited to generating 25kW or less or “no more than 110% of energy consumed on site in the prior 12 months”; additional stipulations include the systems must be inspected by an appropriate electrical inspector, the connection to public utilities must be inspected by the appropriate public utility, the systems shall be kept in good working order and not present any unreasonable safety risks, all wiring and lines shall be placed underground, within walls, or similar, the system must be a neutral paint color, the design shall prevent glare or reflection onto neighboring properties, systems that cease to perform as originally intended must be removed, prior to a solar/building permit being issued, the applicant shall demonstrate “a reliable and safe method for de-energizing the solar energy system in event of an emergency, and all Tier 1 and 2 solar energy systems “shall be required to use solar panels, components and materials

made and manufactured in the United States of America”; and

WHEREAS, proposed Chapter 200 § 200-93 regulates Tier 4 solar energy systems with an extensive list of requirements and prohibitions; Tier 4 systems are permitted in Agriculture/Residence District 80 (AR-80), Industrial A District (InA), Industrial B District (InB), and Planned Industrial (InP) zoning districts with a building permit, site plan approval, special use permit, and operating permit; Lots containing Tier 4 systems must have a minimum of 100’ street frontage and minimum lot area of 15 acres; setback requirements are a 200’ front yard setback, 100’ rear yard setback, 200’ water setback, and a 100’ side yard setback except where the lot abuts a residence and the setback minimum becomes 200’; additional setbacks may be required by the Town; no action shall be taken by the Town to issue a special use permit or site plan approval until after public notice and a public hearing; and

WHEREAS, special use permit requirements for Tier 4 solar energy systems state that the system cannot be installed where it would “substantially detract from or block the view(s)” of a scenic viewshed, waterfront overlay and stream corridor as viewed from a public road or publicly owned land, Tier 4 systems cannot be on or within 1000’ of state or federal wetlands or “installed on lands situated within the Onondaga County Sanitary Sewer District”, the system must have “adequate emergency/safety measures”, an operation and maintenance plan is required, existing roadways are to be used for access to the site but should construction of a road be necessary, must be constructed to allow emergency vehicles passage, and the Tier 4 systems “shall not have significant impact on fish, wildlife, animal or plant species or their critical habitats, or other significant habitats” as determined by Town, state, and federal regulatory agencies; and

WHEREAS, Tier 4 systems site plan review submission requirements include a completed application, proof of ownership, plans and drawings of the proposed system, photographic simulations, electrical diagrams, documentation of access, a clearing or grading plan and a stormwater pollution prevention plan (SWPPP), and a sun chart; the submitted plans and drawing shall include the proposed layout, a description of all components, existing vegetation and proposed clearing and grading of all sites involved, property lines, contours at 5’-intervals, location of structures, location and elevation of the proposed system and all components, location of all transmission facilities whose transmission lines and wiring shall be buried underground, all service structures proposed as part of installation, a landscape plan showing “all existing natural land features, trees, forest cover, and all proposed changes to these features”, soil type(s) on site, and screening along any property line as may be required by the Town; additional requirements for the site plan review include the site to be enclosed by perimeter fencing, artificial lighting shall be limited and shielded from neighboring properties and roads, the system should be painted in neutral colors and conform to height restrictions of the zoning district, appropriate signage use, and “solar panels, components and materials made and manufactured in the United States of America”; and

WHEREAS, additional guidelines are provided for Tier 4 solar systems on agricultural lands including prohibiting them on “soils classified as Prime Farmland, Prime Farmland if Drained, Prime Soils, Prime Soil Lands, or Farmland of Statewide Importance; per the Onondaga County Ag Mapper, these soil classifications occur on the vast majority of parcels in the town; systems constructed on agricultural land will be in accordance (to the maximum extent practicable)

with requirements from NYS Department of Agriculture and Markets; Tier 4 systems on agricultural land will need an environmental monitor to “oversee construction, restoration, and subsequent monitoring of the agricultural lands”; applicant will maintain native vegetation, structures for overhead collection lines shall be located outside of “agricultural field boundaries”, topsoil stripped in the construction process will be stockpiled, excess concrete used in construction is not to be buried or left on the surface of active agricultural areas, and the site plan shall indicate topsoil stockpile areas; and

WHEREAS, the proposed law has restoration requirements following the construction of Tier 4 systems included decompacting to a depth of 18” and soil compaction should be no more than 250 psi; access roads are to be regraded to allow farm equipment crossing and restore original surface drainage patterns, seed all restored agricultural area with a seed mix specified by the environmental monitor, removing all construction debris from the site, site is to be monitored and remediated for at least two years, and “all concrete piers, footers, or other supports are to be removed to a depth of 48”; insurance, annual inspections, cash security, and a Decommissioning Plan and Decommissioning Cash Security are required; and

WHEREAS, a map displaying parcels where Tier 4 Solar Energy Systems would be permitted based on criteria in the proposed law: 15-acre lot size minimum, outside of the County Sanitary District, 1000’ from wetlands, 200’ from a waterway, meeting the agricultural soils requirements, and with AR-80, IndA, IndB, or IndP zoning designations shows a scattering of parcels stretching across the Town from the northwest to southeast; and
ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT(S) in regards to the above referral:


1. The draft regulations propose significant geographic limitations on the siting of commercial scale solar projects (Tier 4 as described). The Town is encouraged to explore the practical application of the proposed regulations on property within the Town, to assess the practical implication of what locations may be able to accommodate Tier 4 solar projects. The Onondaga County Department of Planning may be able to assist by providing GIS mapping services to the Town, if so desired.
2. The proposed regulations do not appear to indicate standards or procedures for Tier 3 solar energy systems.
3. The Town may wish to be consistent with NYSERDA’s Tier-based system for categorizing solar installations to avoid any confusion.

The motion was made by Marty Masterpole and seconded by Mike LaFlair. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes.

ONONDAGA COUNTY

DEPARTMENT OF PLANNING



TO: Members, City of Syracuse Planning Commission
FROM: Dan Kwasnowski, AICP Director 
Onondaga County Department of Planning (OCDOP)
DATE: 1/17/2024
RE: Administrative Review – Opus at Syracuse Subdivision
RECOMMENDATION: No Position

J. Ryan McMahon, II
County Executive

Daniel Kwasnowski, AICP
Planning Director

Per General Municipal Law, §§239-m and –n, and the Onondaga County Planning Board Rules of Procedure and Referral Policy, the Board may delegate review and recommendation on certain referral actions to the Director of the Onondaga County Department of Planning.

These actions, determined as being generally routine in nature with minimal and/or well-understood intercommunity or countywide concerns, are listed within the Rules of Procedure, and at this website: <http://www.ongov.net/planning/ocpbpreferableactions.html>.

Please contact OCDOP staff at (315)435-2611 or countyplanning@ongov.net with any questions.

CASE NUMBER: S-24-1
REFERRING BOARD: City of Syracuse Planning Commission
DATE RECEIVED: 1/3/2024
TYPE OF ACTION: Subdivision
APPLICANT: Gary Brandeis
LOCATION: 1030-60 East Genesee Street
WITHIN 500' OF: Institute for Human Performance (SUNY Upstate), a NYS facility
TAX ID(s): 048.-12-02.1
RELATED CASES: S-22-68

Project Summary:

The applicant is proposing to modify a subdivision previously approved by the City Planning Commission. The Board previously offered No Position with Comment on S-22-68 to divide one lot into two, advising the applicant to work with the City of Syracuse and Onondaga County Department of Water Environment Protection (OCDWEP) regarding their plans for the site.

The applicant is currently proposing to divide the parcel currently containing two buildings comprising the Collegian Hotel and Suites into two new lots. New Lot 1060-A will be 1.982 acres and contains the 2-story building and New Lot 1030-A will be 0.704 acres and contains the 7-story building. A driveway from East Genesee Street (NYS Route 92) marks the boundary between the proposed lots and will be entirely contained within new Lot 1030-A. The proposed changes to the previously proposed subdivision are to have an access easement for new Lot 1060-A on the main driveway and to move the rear boundary of new Lot 1030-A back approximately 25’.

Proposed Lot 1030-A will retain road access from East Genesee Street along the lot's western boundary in addition to the main driveway between buildings. Proposed Lot 1060-A will contain most of the parking lot including its two access points from Madison Street.

Per the project site review resolution dated 2/21/23 included with the referral materials, proposed Lot 1030-A will retain the existing 7-story building which will continue use as a hotel. The 2-story building on proposed Lot 1060-A will be demolished to allow construction of a 5-story 145 dwelling unit building.


Recommendation: No Position

ONONDAGA COUNTY DEPARTMENT OF PLANNING



J. Ryan McMahon, II
County Executive

Daniel Kwasnowski, AICP
Planning Director

TO: Members, Van Buren Town Board
FROM: Dan Kwasnowski, AICP Director 
Onondaga County Department of Planning (OCDOP)
DATE: 1/17/2023
RE: Administrative Review – Moratorium on Smoke Shops
RECOMMENDATION: No Position

Per General Municipal Law, §§239-m and –n, and the Onondaga County Planning Board Rules of Procedure and Referral Policy, the Board may delegate review and recommendation on certain referral actions to the Director of the Onondaga County Department of Planning. These actions, determined as being generally routine in nature with minimal and/or well-understood intercommunity or countywide concerns, are listed within the Rules of Procedure, and at this website:

<http://www.ongov.net/planning/ocpbpreferableactions.html>.

CASE NUMBER: Z-24-15
REFERRING BOARD: Town of Van Buren Town Board
DATE RECEIVED: 1/8/24
TYPE OF ACTION: Local Law
APPLICANT: Town of Van Buren
LOCATION: Townwide

Please contact OCDOP staff at (315)435-2611 or countyplanning@ongov.net with any questions.

Project Summary:

The Town of Van Buren is proposing a six month moratorium on “the establishment, creation, maintenance, advertisement and/or operation of new smoke shop uses” within the Town. The Town states there has been an “exponential increase” of smoke shop uses and the Town would like to enact or amend local zoning and laws to “properly regulate” smoke shops. The term “smoke shop” is defined within the law as any “premises dedicated to the display, sale distribution, delivery, offering, furnishing or marketing of tobacco and/or cannabis, tobacco and/or cannabis products, and/or tobacco and/or cannabis paraphernalia”. This moratorium does not apply to retail establishments where the tobacco and/or cannabis sales are ancillary such as supermarkets and convenience stores.

The moratorium will be for any Town-level approval (zoning, permits, temporary certificates, etc). The Town Board reserves the power to vary or adapt the application of this law with the application for relief, utilizing use variance criteria. Violations will be subject to fees up to \$1,000 and/or imprisonment for up to 15 days. Enforcement of this law shall be the duty of the Town of Van Buren Code Enforcement Office.

Recommendation: No Position