



# Onondaga County Planning Board

February 26, 2020

SYRACUSE-ONONDAGA COUNTY PLANNING AGENCY  
CONFERENCE ROOM, 1100 CIVIC CENTER  
421 MONTGOMERY STREET  
SYRACUSE, NEW YORK

## I. ATTENDANCE

### MEMBERS PRESENT

Daniel Cupoli - via Facetime  
James Corbett - via Skype  
David Skeval  
Jim Stelter  
Marty Voss

### STAFF PRESENT

Dan Kwasnowski  
Megan Costa  
Allison Bodine  
Robin Coon

### GUESTS PRESENT

## II. CALL TO ORDER

The meeting was called to order at 11:00 AM on February 26, 2020.

## III. MINUTES & OTHER BUSINESS

Minutes from February 5, 2020 were submitted for approval. Marty Voss made a motion to accept the minutes. Jim Stelter seconded the motion. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.

## IV. ACTIONS ON GML SECTION 239 REFERRALS

### Summary

S-20-6	TMarPB	No Position	S-20-7	TCicTB	No Position With Comment
S-20-8	TSkaPB	No Position	S-20-9	TDewPB	No Position With Comment
Z-20-33	CSyrPB	No Position With Comment	Z-20-34	TGedZBA	Modification
Z-20-35	CSyrPB	No Position	Z-20-36	CSyrZA	Modification
Z-20-37	TClaTB	No Position With Comment	Z-20-38	TClaPB	Modification
Z-20-39	CSyrZA	No Position	Z-20-40	CSyrPB	Disapproval
Z-20-41	CSyrPB	No Position With Comment	Z-20-42	TCicPB	Modification
Z-20-43	TCamPB	Modification	Z-20-44	TCamPB	Modification
Z-20-45	TCicPB	Modification	Z-20-46	TCicPB	Modification
Z-20-47	TClaPB	Modification	Z-20-48	TCicZBA	No Position
Z-20-49	CSyrZA	No Position With Comment	Z-20-50	TMarTB	No Position
Z-20-51	CSyrPB	No Position With Comment	Z-20-52	TCicTB	No Position With Comment
Z-20-53	TTulTB	No Position	Z-20-54	TTulTB	No Position With Comment
Z-20-55	TSkaZBA	No Position	Z-20-56	TVanPB	Modification
Z-20-57	TVanPB	Modification	Z-20-58	TVanPB	Modification
Z-20-59	TVanZBA	Modification	Z-20-60	TDewPB	Modification
Z-20-61	TDewPB	No Position With Comment	Z-20-62	VMinVB	No Position With Comment
Z-20-63	VMinVB	No Position With Comment	Z-20-64	TDewPB	Modification



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # S-20-6

- 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 PRELIMINARY SUBDIVISION from the Town of Marcellus Planning Board at the request of Mario Gutierrez for the property located at 4735 Howlett Hill Road; 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 Howlett Hill Road (Route 40), a county highway; and
- WHEREAS, the applicant is proposing to combine two properties into one new lot, Lot 4735 (1.90 acres), in a Residential (R1) zoning district; and
- WHEREAS, the site is located along Howlett Hill Road, a county road, with surrounding residential land uses; aerial imagery shows both parcels are vacant; and
- WHEREAS, per the submitted subdivision plan, the two parcels will be combined into one lot, Lot 4375 (1.90 acres); no development plans are indicated; and
- WHEREAS, ADVISORY NOTE: any proposed or future driveways onto Howlett Hill Road will require highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, the site is located in an area that has access to public drinking water and is outside of the Onondaga County Sanitary District; no drinking water or wastewater services are proposed; and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); 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 and may consequently be acted on solely by the referring board.

**The motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # S-20-7

- 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 PRELIMINARY & FINAL SUBDIVISION from the Town of Cicero Planning Board at the request of Anthony Melfi for the property located at 6 Brodhead Drive; 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 the municipal boundary between the Town of Cicero and Oswego County; and
- WHEREAS, the applicant is proposing to subdivide a 17.7-acre parcel into two new lots, Lot 1 (17.7 acres) and Lot 2 (20,495 sf), in order to construct a one-family residence on Lot 2; and
- WHEREAS, the Board is concurrently reviewing a zone change referral (Z-20-52) as part of the proposed project; and
- WHEREAS, the site is located on the southern shore of Oneida Lake near Maple Bay; surrounding land uses include lakefront residential and a marina; and
- WHEREAS, aerial imagery and the submitted subdivision plan show the site contains an existing three-story house with an attached garage, situated near the Oneida Lake shoreline at the northern side of the site and surrounded by roughly 2 acres of maintained lawn; the remainder of the site is forested; and
- WHEREAS, per the plan, the site is served by a 60' ingress and egress easement containing Brodhead Road, a private drive, that intersects with West Murray Drive, a local road, on the western side of the adjacent marina; Brodhead Road also serves the lakefront residential lots east of the site; and
- WHEREAS, the subdivision plan shows proposed Lot 2 (20,495 sf) will be a roughly rectangular-shaped lot (100.64' x 205') adjacent to the existing house; this area appears to be forested and would have access to Brodhead Road and 94.3' of the Oneida Lake shoreline; proposed Lot 1 (17.7 acres) will contain the existing house and the remainder of the wooded lands and shoreline; and
- WHEREAS, per the local application and referral notice, the requested zone change would change the zoning of proposed Lot 2 from General Commercial to Residential (R-10) to allow for construction of a single-family home; no plans for the proposed residence are included; and
- WHEREAS, per the Town zoning code, the area, yard and bulk regulations for a single-family residential use in the R-10 district include the following: a minimum lot area of 9,800 sf, minimum building line of 70 feet, minimum lot depth of 125 feet, front and rear yard setbacks of 30 feet each, a total side yard setback of 15 feet with a minimum of 6 feet for one side, and a maximum coverage of 25%; per the subdivision plan, proposed Lot 2 appears to meet the lot area requirements of the R-10 district and provides enough buildable area to meet yard regulations; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Brewerton Wastewater Treatment Plant service area; new municipal connections to the existing drinking water and wastewater infrastructure are proposed for the new house;

ADVISORY NOTES: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the Onondaga County Department of Water Environment Protection (WEP), the site contains a county-owned trunk sewer that crosses the northern side of the site, just behind the existing house and at the rear of proposed Lot 2; there is also a town-owned sewer line that follows Brodhead Road and intersects with the trunk sewer behind the existing house; ADVISORY NOTE: per WEP, no permanent structures are permitted within the County easement; any other work within the County easement, such as driveways, must be coordinated with WEP; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the entirety of the site is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the Town of Cicero has established a Floodplain Zone overlay "to allow Oneida Lake and streams and tributaries flowing into said lake to carry abnormal flows of water in times of flood, to prevent encroachments into the floodplains of these waterways which will unduly increase flood heights and damage, and to prevent excessive property damage as well as a potential threat to the health and safety in the area of greatest flood hazard"; and

WHEREAS, GIS mapping shows more than 12 acres at the rear of the site may contain state and/or federal wetlands; proposed Lot 2 appears to be located entirely within the state wetland area or it's 100' adjacent 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, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); ADVISORY NOTE: the applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; 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 Planning Board should require a conceptual plan for the proposed

residence, which demonstrates a viable site design that meets zoning and flood ordinance requirements, to be considered as part of the subdivision review process and prior to approval of the action.

2. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.

3. Given the site's location within a floodplain and its proximity to Oneida Lake and sensitive wetland areas, any future development of proposed Lot 2 should retain as much existing tree cover as possible and minimize impervious surface coverage.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # S-20-8

- 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 PRELIMINARY SUBDIVISION from the Town of Skaneateles Planning Board at the request of Kenan 2012 Family Trust for the property located at 3406 West Lake Road; 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 the municipal boundary between the Town of Skaneateles and the Village of Skaneateles; and
- WHEREAS, the applicant is proposing to subdivide a 1.87-acre parcel into two 0.7- and 1.1-acre lots in Rural and Farming (RF) and Lake Watershed Overlay (LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-20-55) as part of the proposed project; and
- WHEREAS, the site is located on the western shore of Skaneateles Lake at the municipal boundary between the Town and Village of Skaneateles; surrounding land uses are residential; and
- WHEREAS, the submitted subdivision plan dated February 4, 2020 shows the site has frontage on West Lake Road, a state road, and consists of three parcels, two within the Village boundary and one in the Town; subdivision and area variance referrals (Z-20-55, S-20-8) for the proposed action were only received from the Town of Skaneateles; and
- WHEREAS, per the plan, the site collectively contains a two-story house and a carriage house, which are connected by a covered sidewalk and occur around a driveway circle on the front half of the site; on the rear half of the site, there is an existing cottage building and a two-story boat house on the shoreline connected to an underground garage by a paver patio and series of sidewalks; farther north along the shoreline, the site contains a storage building with steps to the waterfront and a dock area; and
- WHEREAS, per the plan, the site has an existing driveway onto West Lake Road, which serves the house and runs the length of the southern lot line to also serve the rear boat house and patio area; there is a 30' wide right-of-way associated with the driveway; and
- WHEREAS, the subdivision plan shows the Town parcel to include the southern half of the site; the parcel will be divided into two lots, 0.7 and 1.1 acres in size, which when combined with the adjacent Village parcels are shown to create proposed Lots 1 (4.2 acres) and 2 (1.7 acres); proposed Lot 1 contains the front half of the site, including the West Lake Road frontage, the house and carriage house, and the portion of the shoreline that has the dock area, steps, and storage building; proposed Lot 2 contains the remaining shoreline and the

cottage, underground garage, paver patio, and boathouse; per the local application, there will be no physical or operational changes to the site; and

WHEREAS, a preliminary review of the proposed actions, provided by the Town, indicates that the existing Town parcel does not meet lot frontage (108 feet where 200 feet is required) or lake frontage (114 feet where 200 feet is required) requirements; subdivision of the lot into 0.7- and 1.1-acre parcels would create additional non-conformities with regards to the minimum lot size (2 acres) requirements in the RF zoning district; the area variance request is intended to provide relief for lot size; and

WHEREAS, the site is served by public drinking water and Village sewers; no changes to the existing infrastructure are proposed; and

WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed; a letter to the Town Code Enforcement Officer from the City of Syracuse Department of Water, dated January 24, 2020, indicates the Department has reviewed the applicant's proposal and has no comments regarding the proposed subdivision and area variance actions; and

WHEREAS, the subdivision plan shows proposed Lot 1 has a combined impermeable coverage of 11.6% based on existing development; considered separately, the portion of the lot in the Village has 8.6% impermeable coverage and the Town portion has 20.3%; likewise, proposed Lot 2 has a combined impermeable coverage of 12.0%, with 12.3% in the Village and 11.6% in the Town; no physical changes to either lot are proposed; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

WHEREAS, 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 and may consequently be acted on solely by the referring board.

**The motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # S-20-9

- 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 SUBDIVISION from the Town of DeWitt Planning Board at the request of Mark V. Weiss for the property located at 6803 Manlius Center Road; 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 Manlius Center Road (Route 290), a state highway; and
- WHEREAS, the applicant is proposing to combine four parcels into one new lot, New Lot 1 (9.409 acres), in an Industrial zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-20-60) as part of the proposed project; the Board is also reviewing a site plan referral (Z-20-61) from the same applicant to allow for storage and equipment display for Tracey Road Equipment on a parcel to the east; and
- WHEREAS, the site is located along Manlius Center Road, a state road, in an industrial node bound by I-481 to the west, CSX rail lines to the north and Butternut Creek to the east; aerial imagery and the submitted subdivision plan show the site has additional frontage on Claymaster Drive, a private road that serves several industrial parcels to the east; and
- WHEREAS, per the subdivision plan, there is a large existing building for Tracey Road Equipment at the front of the site with asphalt parking along the east side of the building; there is an existing driveway onto Claymaster Drive that serves the parking area and more than 250' of additional, unrestricted access; the site appears to have additional access to a private road on the opposite side of the building; this adjacent parcel appears to be owned by CSX and contain a railroad track; a large gravel lot is shown at the rear of the building, which is contiguous with an adjacent parcel and enclosed by a chain link fence; the area appears to be used for outdoor equipment storage;  
ADVISORY NOTE: per the New York State Department of Transportation, no access to Manlius Center Road will be permitted, nor is any shown in the proposed plans; and
- WHEREAS, the subdivision plan shows New Lot No. 1 (9.409 acres) to be the combination of the four existing parcels, which is intended to facilitate construction of the two proposed additions; the submitted Layout Plan & Site Details dated February 14, 2020 shows one addition (27,692 sf) will be constructed at the rear of the building and the other (2,304 sf) will be at the front, southeast corner; per the local application, the larger addition will provide new garage space for repairing construction equipment; the smaller addition will add office space for the Tracey Road Equipment facility; and
- WHEREAS, two Environmental Assessment Forms (EAF), both dated February 4, 2020, were included with the referral materials, one EAF for each action; the EAFs indicate 0.92 acres of the site will be disturbed by the proposed project and



existing and proposed drainage patterns will remain the same, utilizing existing catch basins and with sheet flow moving in the same direction as it currently does; the EAF notes that the places where the building additions will be constructed are currently concrete, hard packed gravel and/or asphalt; ADVISORY NOTE: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; and

WHEREAS, the site is served by Town drinking water and public sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, 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 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

WHEREAS, GIS mapping shows the rear half of the site may contain state wetlands, including the proposed rear addition; there is also an area of potential federal wetlands at the northeast corner of the site; ADVISORY NOTE: the applicant is advised to 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; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that a significant amount of the site is located in the 100-year floodplain, including the existing building and proposed rear addition, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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, the site may contain the Northern long-eared bat or Indiana bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and aerial imagery shows there are no wooded areas on the site; 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:

While the Board offers no position with regards to the subdivision action, the

following comments are intended for the project as a whole:

1. The New York State Department of Transportation has determined that the applicant must contact the Department to discuss any required traffic data for the proposed project. To further meet Department requirements, the applicant should submit a lighting plan for any new lighting on the site. 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.

2. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-33

- 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 SPECIAL PERMIT from the City of Syracuse Planning Commission at the request of Xue Fang Jiang for the property located at 727 South Crouse Avenue; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of SUNY Upstate Medical Center; and
- WHEREAS, the applicant is requesting a special permit to establish a restaurant (Kung Fu Tea) in a portion of "The Marshall" building in a Business, Class A (BA) zoning district; and
- WHEREAS, the Board previously offered no position with comment for project site review (Z-16-443) and final subdivision (S-17-3) referrals to combine two lots to create the subject parcel, demolish two commercial structures and construct an 8-story, 160,000 square foot mixed-use building, The Marshall, with 168 dwelling units and 6 storefronts; in 2018, the Board offered no position with comment for two special permit referrals (Z-18-176, Z-18-344) to establish restaurants, Blaze Pizza and The Halal Guys, in two of the storefronts; the proposed restaurant, Kung Fu Tea, under review with this referral is intended for one of the remaining storefronts; and
- WHEREAS, the site is located within a densely developed and highly-walkable mixed-use area at the core of the University Hill district/neighborhood; surrounding land uses are retail and service, residential, medical and university related buildings; various parking structures and lots are provided in the district, and bus service is accessible; and
- WHEREAS, the submitted Site Layout Plan dated March 17, 2017 shows The Marshall occupies almost the entirety of the site, with the exception of a 25' wide concrete private access aisle at the front of the building; the submitted First Floor plan dated June 6, 2018 shows 8 retail spaces on the first floor of the building; and
- WHEREAS, the floor plan shows the Kung Fu Tea restaurant will occupy 1,187 sf of retail space, formerly "Retail C"; per the local application, the tenant space will be modified per the submitted floor plans; no other external or site modifications are proposed, except signage; and
- WHEREAS, per the local application, proposed hours of operation will be 9:30am to 12:30am, seven days a week; proposed signage will include a wall-mounted sign (2.5' x 10') located on the south face of the building; and
- WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse Proposed Zoning Map dated December 2019, the proposed zoning for the lot is Mixed

Use Urban Core (MX-4), which would act to “provide for pedestrian-friendly, transit-supportive areas of higher-density residential development and a well-integrated mix of nonresidential uses”; and

WHEREAS, per the City of Syracuse zoning ordinance, restaurants are permitted in the BA district, but require a special permit where the restaurant or its off-street parking spaces are within 500’ of a district where restaurants are not permitted; the site is just south of parcels zoned Residential, Class B (RB) and Residential, Class C (RC); per the ReZone Syracuse Consolidated Draft dated March 2018, restaurants greater than 1,000 sf are a permitted use in the proposed MX-4 district, and similar buffer restrictions requiring a special permit do not seem to be included; and

WHEREAS, per the referral notice, the site is served by public drinking water and sewers; the site is located in the Metropolitan Wastewater Treatment Plant service area; per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);

ADVISORY NOTES: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; 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; and

WHEREAS, the site is located near the Walnut Park Historic District which is listed on the National Register of Historic Places (per EAF Mapper); 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:

While the Board has no comments related specifically to the requested special permit, the Board restates prior comments to the City related to development in the University Hill area as a whole:

1. Given the volume and density of recently proposed and completed projects in the University Hill area, the Onondaga County Department of Water Environment Protection (WEP) recommends that the City assess sewage capacity on a project level basis. A sewer flow study, to be completed by applicants or City staff, in consultation with WEP's Flow Control office, would assess anticipated flow and capacity impacts from the tie-in location of new projects to the Metropolitan Wastewater Treatment Plant.

2. The Board supports the multi-modal urban development activity within the University Hill area. To ensure continued mobility and access where parking is limited, the Board would like to see the universities, hospitals, developers, the City of Syracuse, and other partners work toward a comprehensive, updated Transportation Demand Management plan to coordinate a shared network of transportation options for University Hill workers, students and visitors.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-34

- 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 SPECIAL PERMIT from the Town of Geddes Zoning Board of Appeals at the request of Stern Development for the property located at 3400 West Genesee Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of West Genesee Street (Route 5), a state highway east of Westlind Road and a county road west of Westlind Road, and the municipal boundary between the Town of Geddes and the Town of Camillus; and
- WHEREAS, the applicant is requesting a special permit to allow a drive-thru ATM facility as part of a proposed Chase Bank on a 0.79-acre parcel in a Commercial A: Shopping Area zoning district; and
- WHEREAS, in 2019, the Board recommended modification of the site plan referral (Z-19-297) associated with this project; the Board cited OCDOT requirements for access, traffic, lighting and drainage, a site plan review by NYSDOT, coordination with the USACE and/or NYSDEC regarding impacts to Geddes Brook or any wetland areas, and coordination with the neighboring municipality, Camillus, to establish an access easement for future access; the referral notice notes that the site plan submitted with this special permit referral has been modified from the previous iteration; modifications appear to include a change in building orientation and relocation of parking to one side and the rear of the building, a slight increase in parking (26 spaces to 32), relocation of the proposed Westlind Road access to the adjacent parcel to the north, which will provide shared access to the rear shopping center and proposed bank, and integration of the standalone ATM with the building; and
- WHEREAS, the site is located at the northwest corner of the signalized intersection of West Genesee Street, a county-owned road in this location, and Westlind Road, a local road; West Genesee Street is under state jurisdiction east of Westlind Road and the traffic signal at the intersection is owned by the NYS Department of Transportation; West Genesee Street is a highly commercialized corridor with big box retail uses in the Fairmount hamlet; and
- WHEREAS, the submitted survey map dated May 2, 2019 shows the site contains an existing one-story building with a gas canopy and fuel pump islands, all to be removed, and two existing driveways onto West Genesee Street; the site consists of two parcels, one on either side of the boundary between the Towns of Geddes and Camillus; the western parcel, located in Camillus, appears to occur almost entirely within a 100' Niagara Mohawk Power Corporation easement; the survey map also shows Geddes Brook, a class C(T) stream, runs through a wooded area along Westlind Road; there is a wetland delineation that corresponds with the brook area, which was completed by Terrestrial

Environmental Specialists, Inc. on April 23, 2019; it is not clear if the wetland boundary is under state or federal jurisdiction or has been confirmed by the US Army Corps of Engineers or NYS Department of Environmental Conservation;

ADVISORY NOTE: streams classified by the NYS Department of Environmental Conservation (DEC) as AA, A, B, C(T), or C(TS) are subject to the stream protection provisions of the Department's Protection of Waters Program; and

WHEREAS, the submitted Site Plan dated January 24, 2020 shows the proposed building (3,028 sf), Chase Bank, with asphalt parking (32 spaces) at the rear and west side of the building; a proposed ATM on the east side of the building with adjacent drive-thru and bypass lanes; the local application indicates the drive-thru will allow vehicle stacking for more than 5 vehicles and serve an ATM and not a teller window, allowing for 24-7 service; the plan shows a proposed crosswalk from the front of the building to a proposed sidewalk which will extend along West Genesee Street across the western half of the site; portions of the proposed parking occur on the Camillus parcel; a separate referral from the Town of Camillus was not submitted for the project; and

WHEREAS, per the Site Plan, the eastern driveway on West Genesee Street will be removed and the western driveway will be converted to a right-in, right-out only access; a bridge over Geddes Brook is proposed to allow for a new driveway onto Westlind Road; the driveway on Westlind Road will occur on the adjacent parcel to the north and also serve the adjacent commercial properties; the previous site plan referral (Z-19-297) indicated that abutments of the bridge would be installed in the adjacent area but outside of the associated floodway; it appears a portion of the wooded area along Westlind Road and the brook will be removed for the new access road and bridge; the Onondaga County Department of Transportation has reached out to the Town to offer incorporating West Genesee Street modifications into the County's 2010 federal aid project in this area;

ADVISORY NOTE: the proposed driveway onto West Genesee Street requires highway access and work permits from the Onondaga County Department of Transportation; any additional work in the county right-of-way will be subject to a work permit; and

WHEREAS, a lighting plan was included with the referral materials and shows pole-mounted light fixtures around the perimeter of the parking lot, building-mounted light fixtures at the front entrance, and recessed lighting on the ATM canopy; the Site Plan shows a proposed freestanding sign in a landscape bed adjacent to the right-in, right-out driveway; and

WHEREAS, a Traffic Impact Study dated August 2019 was included with the referral materials for Z-19-297 and indicated the proposed development is projected to generate 33 primary trips and 29 pass-by trips during the weekday evening peak hour and 42 primary trips and 38 pass-by trips during the Saturday midday peak hours; the projected traffic generation of the bank is less than the peak hour trips generated by the current gas station use; hours of operation will be Monday through Friday from 8:30am to 6pm and Saturday 9am to 2pm; and

WHEREAS, per the submitted (EAF) dated October 30, 2019, 0.9 acres of the site will be disturbed by the proposed project; the Site Plan shows a proposed stormwater management area between the drive-thru and West Genesee Street; the EAF notes stormwater runoff will be conveyed to Geddes Brook; no additional information regarding stormwater was included;

ADVISORY NOTE: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Westside Pump Station service areas; per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);

ADVISORY NOTES: per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects, and the applicant must contact Plumbing Control to ensure appropriate permits are obtained; the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; 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 applicant is also advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that a significant portion of the site, including portions of the proposed development, is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); and

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

1. The applicant is required to coordinate West Genesee Street access plans with the Onondaga County Department of Transportation. To further meet Department requirements, the applicant must contact the Department regarding any additional traffic data requirements, submit a copy of the lighting plan for review, and contact the Department regarding drainage plans to show that the proposed development would not create additional



stormwater runoff into the county's drainage system. 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.

2. The applicant must continue to coordinate with the New York State Department of Transportation, to include submitting a copy of the site plan to 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. Any work impacting the state's traffic signal equipment will be subject to a highway work permit.

3. The Town must ensure all necessary permits and approvals are obtained from the New York State Department of Environmental Conservation for any work impacting Geddes Brook, a protected stream, prior to, or as a condition of, municipal approval.

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. Any necessary permits must 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.

5. The Town of Geddes shall require the applicant to grant an access easement on the western boundary of the site to the Town of Camillus for future access to the neighboring parcels.

The Board also offers the following comments:

1. Given that the project occurs in both the Town of Geddes and the Town of Camillus, a coordinated review by both municipalities is strongly advised. In particular, both Towns should review access management strategies in coordination with the Onondaga County Department of Transportation, including looking at traffic flow, dedicated access easements, and cross-connections to the adjacent commercial properties in this area. The project has been reviewed as a whole by the County Planning Board with this GML 239 referral and will not require additional referral from the Town of Camillus.

2. The Towns should also work together to improve stormwater management in this area, and in particular, minimize impacts in the floodplain and to Geddes Brook.

3. Any necessary permissions for work within the Niagara Mohawk Power Corporation easement should be obtained prior to, or as a condition of, municipal approval.

4. As this is a prominent corner location, the applicant is encouraged to provide additional landscaping along West Genesee Street and explore options for pedestrian connections on the eastern half of the site and across Westlind Road.

5. Given the presence of Geddes Brook on the site, the applicant is encouraged to 1) provide additional stream buffering, 2) minimize impervious

surface coverage, and 3) utilize green infrastructure (plantings, rain gardens, etc.) wherever possible to reduce stormwater and protect stormwater quality. For more information on stormwater management and opportunities to incorporate green infrastructure elements into project plans, contact the Onondaga County Save the Rain program at 315-435-2260 or visit <http://savetherain.us>.

6. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.

7. The Board commends the Town and applicant on the revised site design and the rear access drive in particular. Given the opportunities for shared parking that are created by the shared access, the applicant is encouraged to reduce parking and densify the site layout to further minimize impervious surface coverage on the site and provide additional space for stormwater management and snow storage.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-35

- 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 THREE-MILE LIMIT from the City of Syracuse Planning Commission at the request of Ryan Cabiles for the property located at 601 Church Street; and
- WHEREAS, the site is located within three miles of the City of Syracuse and subject to the extra-territorial jurisdiction of the City of Syracuse under the three-mile limit rule and the site is located within 500 feet of State Fair Boulevard (Route 80), a county highway; and
- WHEREAS, the applicant is proposing to combine two properties into one new lot, New Lot 1 (15,600 sf), in a Residential zoning district; and
- WHEREAS, the site is located at the intersection of Church Street and Dubiel Avenue, both local roads, in a residential neighborhood in the Lakeland area; and
- WHEREAS, the submitted Re-Subdivision Plan dated October 18, 2019 shows the site contains an existing two-story house and a detached garage; there is an existing u-shaped driveway with two access points onto Dubiel Avenue; the remainder of the site is maintained lawn; and
- WHEREAS, per the plan, the re-subdivision was approved by the Town Code Enforcement Officer on January 16, 2020; this subdivision action was not reviewed by the County Planning Board; per the Town Code, this re-subdivision is classified as a simple subdivision action, which is approved administratively and not subject to referral under GML 239; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and
- WHEREAS, the project is within 2,000 feet of a site (ID: 734025) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and
- WHEREAS, the site may contain Indiana Bat or Northern Long-eared Bat, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from the plans it appears that no trees will be removed as part of the proposed project; and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); 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 and may consequently be acted on solely by the referring board.

**The motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-36

- 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 PROJECT SITE REVIEW from the City of Syracuse Zoning Administration at the request of Nathan Bliss for the property located at 2775 Erie Boulevard East; 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 Erie Boulevard East (Route 5), a state highway; and
- WHEREAS, the applicant is proposing construction of a new 42,000 sf medical office building and associated amenities on a 4.65-acre parcel in an Industrial, Class A (IA) zoning district; and
- WHEREAS, in 2018, the Board offered no position with comment for a project site review referral (Z-18-368) to demolish the existing vacant building on the subject site, which has since taken place; and
- WHEREAS, the site is located along a state-owned portion of Erie Boulevard East, a highly commercialized corridor with a mix of roadside commercial and large retail establishments; the submitted survey map dated October 17, 2019 shows the footprint of the demolished building surrounded almost entirely by asphalt; there are three existing driveways on Erie Boulevard, one of which appears to be separated into entrance/exit lanes by a concrete median; turning movements at this section of Erie Boulevard are restricted to right-in and right-out by a landscaped median; and
- WHEREAS, the submitted Site Layout Plan shows the Crouse Medical Office Building, a two-story 42,000 sf building with an interior courtyard, will be constructed at the center of the site; staff parking is shown on the east side of the building and visitor parking is shown on the west, connected by one-way drives at the front and rear of the building; there are parallel parking spaces for temporary drop-off or waiting along the front drive; an exterior patio and a staff patio are shown at the rear of the building; per the local application, the building will provide outpatient services for Crouse Hospital; and
- WHEREAS, per the Site Layout Plan, the three existing driveways will be consolidated into two driveways, one each near the eastern and western lot lines; the easterly driveway will provide entrance-only access at Erie Boulevard and the westerly driveway will be exit-only; a proposed sidewalk is shown along Erie Boulevard, continuing through the driveways and connecting to a proposed sidewalk network around the building and parking areas via a pedestrian crosswalk; per the Central New York Regional Transportation Authority (CENTRO), Erie Boulevard has public transit service and bus stops are located at the front of the site; the Site Layout Plan shows a proposed concrete slab for a bus stop and notes "shelter to be considered and provided by others";
- ADVISORY NOTE: any work within the state right-of-way is subject to a work

permit from the NYS Department of Transportation; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 27, 2020, proposed lighting will include building- and pole-mounted light fixtures to illuminate the parking lot and walkways; a lighting plan was included with the referral materials; the local application indicates proposed signage will include a wall-mounted sign (4' x 19'-6") on the front of the building and a ground sign (5'-10" x 10'-9.5") at the front of the site, adjacent to the easterly driveway; per the EAF, proposed hours of operation will be Monday through Friday from 4am to 8:30pm and Saturday and Sunday from 6am to 12pm; and

WHEREAS, per the EAF, 4.08 acres of the site will be physically disturbed by the proposed project; stormwater runoff will be collected on-site via stormwater management facilities and conveyed to the existing separate storm sewer on Erie Boulevard; the Site Grading, Drainage, and Utility Plan shows an underground detention area at the southeast corner of the building with storm sewer lines generally occurring around the perimeter of the parking areas; the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which are maintained by the Department of Water Environment Protection in this area;

ADVISORY NOTES: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; per the EAF, anticipated water demand and liquid waste generation are each estimated at 2,000 gallons per day; per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);

ADVISORY NOTES: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; 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; and

WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse Proposed Zoning Map dated December 2019, the proposed zoning for this lot is Commercial (CM), which would act to "provide appropriate areas that permit the development and continued use of land for commercial and service uses characterized by frequent visits of customers and clients in high volumes"; and

WHEREAS, the site is located along a stretch of Erie Boulevard which will undergo a large New York State Department of Transportation (NYSDOT) project to install bicycle, pedestrian, and roadway enhancements to accommodate the Empire State Trail; designs for the project are currently being finalized and all applicants and municipalities are advised to coordinate with NYSDOT on site planning within the right-of-way along this portion of Erie Boulevard; and

WHEREAS, per the EAF, the project will encroach into the 100-foot buffer of a potential

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state wetland area on the adjacent parcel; an Article 24 Freshwater Wetlands Permit will be obtained from the NYS Department of Environmental Conservation;

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; any confirmed wetlands or buffers should be shown on the plans for the site; and

WHEREAS, the project is within 2,000 feet of a site (ID: C734103) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); the site may also contain the Northern Long-eared Bat, or its associated habitat, 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

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); a letter from the NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) dated October 17, 2019 indicates the OPRHP was contacted regarding the proposed project and their Office has determined that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impact by this project; 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 is required to coordinate Erie Boulevard access plans with the New York State Department of Transportation. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), traffic data, and a copy of the 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.
2. 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.

The Board also offers the following comments:

1. The Board encourages provision of high quality transit accommodations in this location, and advises the City and applicant to work in coordination with the Central New York Regional Transportation Authority (CENTRO) regarding

any plans for public transit accommodations on-site. The City and applicant are encouraged to also consult recent studies by the Syracuse Metropolitan Transportation Council (SMTTC) for further recommendations in this regard.

2. To improve safety, pedestrian comfort, and aesthetics on this highly developed corridor, the applicant is encouraged to set the proposed sidewalks farther back from the curb line to allow for the addition of a planting strip and street trees along the Erie Boulevard frontage.

3. Given plans for the Empire State Trail, the applicant is advised to coordinate any right-of-way treatments with the New York State Department of Transportation to ensure consistency with any plans for the Erie Boulevard corridor.

4. Additional landscaping on the site is encouraged to improve site aesthetics, reduce stormwater runoff, and screen parking areas.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**





J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-37

- 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 ZONE CHANGE from the Town of Clay Town Board at the request of MVAH Holding, LLC (Trey Barbour) for the property located at 8396 Morgan Road; 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 the site is located within 500 feet of Morgan Road (Route 46), a county highway; and
- WHEREAS, the applicant is requesting a zone change from Residential Agricultural (RA-100) to Residential Apartment (R-APT) for 6.91 acres of a 35-acre parcel to facilitate construction of a 48-unit apartment complex; and
- WHEREAS, the site is located along Morgan Road, a county road, northeast of I-481 and south of the intersection with NYS Route 31; surrounding land uses include a single-family residential neighborhood and a 33-acre dairy farm west across Morgan Road and low-density residential and forestland on the east side of the road; and
- WHEREAS, the submitted survey map dated November 26, 2019 shows the 34.9-acre lot contains an existing church, which occurs at the southwestern corner of the lot; there is parking at the front and back of the building, a rear play area, and an existing driveway onto Morgan Road; this developed area is surrounded by maintained lawn and occupies roughly 3 acres of the site; aerial imagery shows the remainder of the site, including the portion currently zoned R-APT, is forested or wetland;
- ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Morgan Road must meet Department requirements; and
- WHEREAS, the survey map indicates that a subdivision is intended as part of the proposed project and will divide the site into 2 new lots; one lot (15.71 acres) will include the north half of the site and the second lot (19.19 acres) will include the remaining lands and the church development; the County Planning Board has not reviewed a subdivision referral as part of the project; and
- WHEREAS, the submitted Zoning Change Map shows the proposed 15.71-acre lot is currently split zoned, with R-APT zoning occurring on 8.8 acres on the north half of the lot and RA-100 on the remaining 6.91 acres; the requested zone change would place the entirety of the 15.71-acre lot in the R-APT zoning district; the proposed 19.19-acre lot is RA-100 and will remain as such; and
- WHEREAS, the zone change would allow a proposed apartment project, which is shown in the submitted Site Plan to include (2) 3-story, 24-unit buildings, parking at the front and side of each building (96 spaces total), a rear dumpster enclosure, and sidewalks from the parking areas to the building entrances;

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the apartments will provide (12) one-bedroom units, (24) two-bedroom units, and (12) three-bedroom units; there is a proposed driveway onto Morgan Road; ADVISORY NOTE: the proposed driveway onto Morgan Road requires highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and

WHEREAS, GIS mapping shows the site may be encumbered by state and federal wetlands; the survey map shows a NYSDEC wetland boundary and 100' adjacent area, which cover a significant portion of the new lot; wetland limits are based on a wetland delineation performed by Terrestrial Environmental Specialists, Inc. on November 6, 2019; it is not clear if these wetland boundaries have been confirmed by the NYSDEC; the submitted Environmental Assessment Form (EAF) dated January 28, 2019 notes the average depth to bedrock is >6.5' and average depth to water table is 3'; and

WHEREAS, the centerline of Mud Creek runs along the rear lot line; current FEMA Flood Insurance Rate Maps (FIRM) indicate that the rear of the site is located within the 100-year floodplain and more restrictive floodway associated with Mud Creek, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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, the proposed apartment project appears to be outside the floodplain, floodway, and wetland areas, though a portion of the parking, driveway and stormwater management area are within the 100' wetland buffer; the EAF indicates reclamation/mitigation is proposed and will meet the requirements of the NYSDEC; and

WHEREAS, per the EAF, the proposed project will disturb 3.0 acres of the site; stormwater will be collected on-site via a network of catch basins and underground pipes and a proposed stormwater management area, shown in the Site Plan to occur at the rear of the apartment buildings; stormwater will ultimately discharge to the on-site wetlands and creek;

ADVISORY NOTES: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to the next phase of development; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant service area; new municipal connections to the drinking water and sewer infrastructure are proposed; per the EAF, anticipated drinking water demand will be 11,616 gallons per day and anticipated wastewater will be 10,560 gallons per day; ADVISORY NOTES: prior to the next phase of development, the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; the Onondaga County Department of Water Environment Protection asks that the applicant also

contact the Department's Flow Control office early in the planning process to determine sewer availability and capacity; and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from aerial imagery it appears that some significant wooded areas on site will be removed for the apartment project;

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

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper);

ADVISORY NOTE: the applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; 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 for the next phase of development:

1. The applicant will be required to coordinate Morgan Road access plans with the Onondaga County Department of Transportation. To further meet Department requirements, the applicant must also submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), traffic data, and a 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.

2. 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.

3. Given the proximity of the development to potential wetlands and Mud Creek and its associated floodplain and floodway, the applicant is encouraged to 1) retain as much existing tree cover as possible, 2) densify the site layout to reduce the area of disturbance and overall impermeable surface coverage, and 3) utilize green infrastructure (roof gardens, rain gardens, etc.) wherever possible to reduce stormwater and protect stormwater quality. For more information on stormwater management and opportunities to incorporate green infrastructure elements into project plans, contact the Onondaga County Save the Rain program at 315-435-2260 or visit <http://savetherain.us>.

4. The applicant is encouraged to provide additional landscaping to screen any front yard parking and improve the aesthetics of the site.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-38

- 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 Clay Planning Board at the request of Frank V. Carioti / Vari-Tech, LLC for the property located at 4545 Wetzel 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 Wetzel Road (Route 252), a county highway; and
- WHEREAS, the applicant is proposing construction of a 24' x 40' metal storage building on a 0.94-acre parcel in an Industrial (I-1) zoning district; and
- WHEREAS, the Board recently reviewed an area variance referral (Z-19-396) for front and side yard setback variances as part of the proposed project; in 2019, the Board offered no position with comment for a zone change referral (Z-19-221) proposing a zone change from Industrial (I-1) to One-Family Residential (R-40) for 6 parcels totaling 4.85 acres, all of which are in the immediate vicinity of the subject parcel; the Board encouraged the Town to consider the potential conflicts between continued residential uses within an industrial and commercial business park; the Board also reviewed a recent special permit referral (Z-19-379) for expansion of a recycling facility at Barrett Paving Materials, Inc., located south across the street from the subject parcel; and
- WHEREAS, the site is located along Wetzel Road, a county road, in the Woodard Industrial Park of the Town of Clay; surrounding land uses are a mix of industrial and residential with large tracts of vacant forestland in the immediate area; the site is one of four parcels, under common ownership, containing an existing industrial operation, Vari-Tech, which collectively includes two existing buildings and a large gravel outdoor storage area; and
- WHEREAS, the submitted Site Plan dated October 28, 2019 shows the site is the easternmost Vari-Tech parcel and contains one of the existing one-story metal buildings, a portion of the contiguous gravel storage area, and an existing, gated chain link fence at the front of the parcel, all to remain; collectively, the Vari-Tech facility has four existing driveways onto Wetzel Road, one of which occurs on the subject parcel;
- ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Wetzel Road must meet Department requirements; per the Onondaga County Department of Transportation, no parking, loading, or servicing of vehicles in the right-of-way, or backing of vehicles into the right-of-way, is permitted; and
- WHEREAS, per the Site Plan, the proposed metal building (24' x 40') will be constructed in an asphalt area at the rear of the existing building, adjacent to two existing sheds; no other site improvements are proposed; and
- WHEREAS, the Site Plan notes that the previous variance requests were approved by the Town on January 13, 2020, reducing the front yard setback from 200 feet to

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95.8 feet, the west side yard setback from 25 feet to 0.8 feet, and the east side yard setback from 25 feet to 15.4 feet; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Wetzel Road Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and no tree clearing is proposed as part of the project; 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:

The applicant must contact the Onondaga County Department of Transportation to coordinate access to Wetzel Road to ensure the existing driveways serving Vari-Tech meet the Department's commercial driveway standards. 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.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J. Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-39

- 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 PROJECT SITE REVIEW from the City of Syracuse Zoning Administration at the request of 124B, LLC for the property located at 122-124 & 128-130 Burnet Avenue; 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 Route 690 and Route 81, both state highways; and
- WHEREAS, the applicant is proposing interior and exterior renovations on existing vacant commercial buildings on 0.5 acres in a Commercial, Class A zoning district; and
- WHEREAS, the Board recently offered no position for a referral (Z-20-24) to subdivide the parcel west across Decker Street into two new lots, separating the existing multi-family building and rear parking onto separate lots; the referral materials indicated the subdivision was intended to provide on-site parking for a new business; and
- WHEREAS, the site is located in the City's Northside neighborhood just north of the I-81/I-690 interchange; the elevated section of I-81 in this area is nearing the end of its useful life; discussions regarding the fate of I-81 have been ongoing and have identified several project alternatives; the Draft Environmental Impact Statement that has been prepared as part of the I-81 Viaduct Project environmental review process identifies parcels that may be impacted by one of the project alternatives, and this parcel does not appear to be one of them; and
- WHEREAS, the submitted survey map dated June 15, 2019 shows the site is bound by Burnet Avenue, Decker Street, and Brown Street, all city streets; the site contains a series of connected buildings ranging from one to four stories and an 11-space tarvia parking lot with access onto Burnet Avenue; there is an existing concrete sidewalk along Burnet Avenue and a sidewalk extension from the front of the site to the entrances on the side of the building; and
- WHEREAS, per the local application, Flower City Glass will be using 10,540 sf of the existing building, previously used for a woodworking shop, for storage of metal and glass windows and parts and 3,036 sf, previously used for retail sale of cabinets, for office space for the business; interior renovations will include new office partitions; and
- WHEREAS, the submitted elevation drawings show exterior improvements will include a new overhead door on the north side of the building and a new curb cut on Burnet Avenue; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the

existing infrastructure are proposed;

ADVISORY NOTE: given the change of use, the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, 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; and

WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse Proposed Zoning Map dated December 2019, the proposed zoning for the lots is Mixed Use Office (MX-2), which would act to "provide for a pedestrian-friendly, transit-supportive mix of medium- to higher-density residential uses and nonresidential uses that offer goods and services to surrounding neighborhoods"; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: V00502, B00003, C734111) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site may contain the Peregrine Falcon, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); 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 and may consequently be acted on solely by the referring board.

**The motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**





J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-40

- 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 SPECIAL PERMIT from the City of Syracuse Planning Commission at the request of Raymond Garzia for the property located 621 & 641 South West Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of South West Street, a state arterial; and
- WHEREAS, the applicant is requesting to modify an existing special permit to establish parking and a new driveway for an existing motor vehicle repair and sales business on two lots totaling 7,803 square feet in a Commercial, Class A (CA) zoning district; and
- WHEREAS, the Board is concurrently reviewing an other authorization referral (Z-20-41) to combine the two lots into one as part of the proposed project; in 2011, the Board offered no position with comment for a special permit referral (Z-11-239) to operate an auto repair business on one of the subject parcels; in 2014, the Board offered no position for a project site review referral (Z-14-225) to demolish a vacant commercial building located on one of the subject parcels; and
- WHEREAS, the site is located in the City's Westside neighborhood at the intersection of South West Street, a state road, and McCormick Avenue, a one-way city street; per aerial imagery and the submitted re-subdivision plan dated December 2, 2019, the site parallels South West Street, but has frontage on a service road that is owned by the City, per the NYS Department of Transportation (NYSDOT); the service road has one-way access to vehicles and is separated from the front of the site by an existing sidewalk, protected bike lanes, and on-street parallel parking, which were recently installed by the City and NYSDOT and are part of the Onondaga Creekwalk extension; and
- WHEREAS, aerial imagery and the re-subdivision plan show the site consists of two parcels, one vacant and one containing an existing one-story building for Pee Wee's Automotive, an auto repair and sales shop; there is an existing curb cut on the service road, occurring in front of a garage door at the front of the building; there is asphalt parking and an existing curb cut onto McCormick Avenue at the rear of the building; per the re-subdivision plan, the two lots will be combined into New Lot 10A (7,803 sf); and
- WHEREAS, the local application indicates the applicant would like to use the vacant land for parking vehicles and establish a curb cut on the service road to allow for exit-only access from the site; a curb cut in this location would result in the loss of an on-street parking space; aerial imagery shows this vacant land is currently grass and already appears to be used for vehicle parking; it is not clear if this area will be paved and striped as part of the proposed project; and

WHEREAS, per the local application, hours of operation are 8am to 5pm, 6 days a week with a maximum of 2 employees on site at one time; there will be no changes to the existing building or signage; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and

WHEREAS, per the City zoning code, used motor vehicle sales and heavy duty motor vehicle repair are special permit uses in the CA zoning district; this application is modifying an existing special permit; the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse Proposed Zoning Map dated December 2019, the proposed zoning for the lots is Mixed Use Transition (MX-3), which would act to “provide for pedestrian-friendly, transit-supportive areas of higher-density residential development and compatible nonresidential uses, such as offices and supporting commercial uses”; per the draft zoning ordinance, heavy automobile repair will not be permitted in the MX-3 zoning district; automobile sales will be permitted upon issuance of a special use permit; and

WHEREAS, the project is within 2,000 feet of a site (ID: 734042) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends that said application be DISAPPROVED for the following REASON(S):

The Board does not endorse granting additional access to the South West Street service road as the site has an existing curb cut on the service road and access to McCormick Avenue given the combination of lots. Furthermore, additional access to the service road would create conflicts with the existing bicycle and pedestrian accommodations and on-street parking, which were recently established and are part of the Onondaga Creekwalk extension.

**The motion was made by James Corbett and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-41

- 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 OTHER AUTHORIZATION from the City of Syracuse Planning Commission at the request of Raymond Garzia for the property located 621 & 641 South West Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review authorizations which a referring body may issue under the provisions of any zoning ordinance or local law the site is located within 500 feet of South West Street, a state arterial; and
- WHEREAS, the applicant is proposing to combine two properties to create New Lot 10A (7,803 square feet) in a Commercial, Class A zoning district; and
- WHEREAS, the Board is concurrently reviewing a special permit referral (Z-20-40) to modify an existing special permit for the motor vehicle repair and sales business on the site; in 2011, the Board offered no position with comment for the original special permit (Z-11-239); in 2014, the Board offered no position for a project site review referral (Z-14-225) to demolish a vacant commercial building located on one of the subject parcels; and
- WHEREAS, the site is located in the City's Westside neighborhood at the intersection of South West Street, a state road, and McCormick Avenue, a one-way city street; per aerial imagery and the submitted re-subdivision plan dated December 2, 2019, the site parallels South West Street, but has frontage on a service road that is owned by the City, per the NYS Department of Transportation (NYSDOT); the service road has one-way access to vehicles and is separated from the front of the site by an existing sidewalk, protected bike lanes, and on-street parallel parking, which were recently installed by the City and NYSDOT and are part of the Onondaga Creekwalk extension; and
- WHEREAS, aerial imagery and the re-subdivision plan show the site consists of two parcels, one vacant and one containing an existing one-story building for Pee Wee's Automotive, an auto repair and sales shop; there is an existing curb cut on the service road, occurring in front of a garage door at the front of the building; there is asphalt parking and an existing curb cut onto McCormick Avenue at the rear of the building; per the re-subdivision plan, the two lots will be combined into New Lot 10A (7,803 sf); and
- WHEREAS, the local application indicates the applicant would like to use the vacant land for parking vehicles and establish a curb cut on the service road to allow for exit-only access from the site; a curb cut in this location would result in the loss of an on-street parking space; aerial imagery shows this vacant land is currently grass and already appears to be used for vehicle parking; it is not clear if this area will be paved and striped as part of the proposed project; and
- WHEREAS, per the local application, hours of operation are 8am to 5pm, 6 days a week with a maximum of 2 employees on site at one time; there will be no changes

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to the existing building or signage; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and

WHEREAS, per the City zoning code, used motor vehicle sales and heavy duty motor vehicle repair are special permit uses in the CA zoning district; this application is modifying an existing special permit; the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse Proposed Zoning Map dated December 2019, the proposed zoning for the lots is Mixed Use Transition (MX-3), which would act to “provide for pedestrian-friendly, transit-supportive areas of higher-density residential development and compatible nonresidential uses, such as offices and supporting commercial uses”; per the draft zoning ordinance, heavy automobile repair will not be permitted in the MX-3 zoning district; automobile sales will be permitted upon issuance of a special use permit; and

WHEREAS, the project is within 2,000 feet of a site (ID: 734042) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); 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:

While the Board offers no position with regard to the proposed resubdivision, the Board recommends disapproval of the concurrent special permit modification for the following reason:

The Board does not endorse granting additional access to the South West Street service road as the site has an existing curb cut on the service road and access to McCormick Avenue given the combination of lots. Furthermore, additional access to the service road would create conflicts with the existing bicycle and pedestrian accommodations and on-street parking, which were recently established and are part of the Onondaga Creekwalk extension.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-42

- 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 Cicero Planning Board at the request of Cindy Stone for the property located at 9360 Bartel 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 Bartel Road (Route 166), a county highway; and
- WHEREAS, the applicant is proposing to convert an existing pole barn into a dog grooming and boarding facility on a 4.374-acre parcel in an Agricultural zoning district; and
- WHEREAS, the site is located along Bartel Road, a county road, in northern Cicero; surrounding land uses include county parklands, the Oneida Shores Park, to the north and west, single-family residential to the south and west, and undeveloped, forested and agricultural lands; and
- WHEREAS, the submitted Site Plan – Existing Features dated March 17, 2013 shows the site contains an existing one-story house and a detached metal building, both set back more than 150' from Bartel Road; there is a pond in front of the metal building and an existing gravel and blacktop driveway onto Bartel Road; ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Bartel Road must meet Department requirements; and
- WHEREAS, the local application indicates the existing metal building, a 2,600 sf pole barn, will be renovated for a dog grooming and boarding facility, Pampered Paws, to include 25 kennels, a dedicated entranceway, and space for grooming; the submitted Site Plan – Proposed Features dated February 5, 2020 shows site improvements will include new gravel to square off parking around the pole barn and parking striping for 4 spaces on-site; and
- WHEREAS, per the Site Plan – Proposed Features proposed signage will include a double-sided, externally-lit sign (18 sf) on 4" x 4" PVC-sleeved posts, located at the front of the site and adjacent to the driveway; and
- WHEREAS, per the local application, grooming services will be available by appointment only Monday through Friday from 7:30am to 3pm; boarding services will be offered Monday through Sunday from 8am to 10am and 4pm to 6pm; there will be a maximum of 2 employees on-site at one time; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Brewerton Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; the Site Plan – Proposed Features notes dog waste will be included in weekly residential trash pickup, and the projected daily wastewater increase is 40 gallons per day; and
- WHEREAS, the Site Plan – Existing Features shows a potential wetland area at the rear of

the site, which is labeled “NYSDEC Freshwater Wetlands” and “A.C.O.E. Freshwater Wetlands;” a 100’ wetland buffer is also shown; the existing structures appear to be partially located in the buffer; no additional information regarding confirmation of the wetland boundaries was included with the referral materials; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the rear of the site is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); 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:

The applicant must contact the Onondaga County Department of Transportation to coordinate requirements for the existing driveway on Bartel Road, in order to satisfy commercial driveway standards. To further meet Department requirements, the applicant must submit ITE Trip Generation traffic figures and a gap analysis at AM/PM peak hours for the proposed project. 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.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J. Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-43

- 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 Camillus Planning Board at the request of Rocklyn 3800, LLC / wellNOW Urgent Care for the property located at 3800 West Genesee 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 West Genesee Street (Route 98 / Old Route 5) and Onondaga Road, both county roads, and New York State Route 173, a state highway; and
- WHEREAS, the applicant is proposing to demolish a vacant commercial building and construct a 50' x 70' wellNow urgent care facility on a 0.47-acre parcel in a Commercial (C-3) zoning district; and
- WHEREAS, in 2019, the Board offered no position with comment for a zone change referral (Z-19-334) to change the zoning of the rear residential lot from Residential (R-3) to Commercial (C-3), citing concerns over continued encroachment of commercial zoning deeper into residential portions of neighborhoods; per the Town Zoning Code, the zone change was approved by the Town in December 2019; the Onondaga County Department of Finance Office of Real Property Services indicates the rear residential lot was purchased by the owner of the subject parcel in September 2019, though the parcel does not appear to be included with this project; and
- WHEREAS, the site is located in the Fairmount neighborhood along the highly commercialized West Genesee Street corridor; land uses farther to the north and south of the corridor are primarily suburban residential housing; and
- WHEREAS, aerial imagery and the submitted Existing Conditions and Demolition Plan dated January 16, 2020 show the corner parcel has frontage on West Genesee Street, a county road, and Hunt Avenue, a local road, and contains an existing commercial building, a vacant ice cream stand, that is surrounded by asphalt, all to be demolished; the site has unrestricted access to Hunt Avenue that runs almost the entire length of the frontage; there is an existing concrete sidewalk and an existing driveway on West Genesee Street, to remain; ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on West Genesee Street must meet Department requirements; and
- WHEREAS, the local application indicates the proposed wellNOW urgent care facility will be relocated to the new site from a shopping plaza farther east on West Genesee Street; per the submitted Site Plan dated January 16, 2020, the proposed building (3,500 sf) will be set back 67'-8" from the county right-of-way and 11'-10" from the rear lot line, shared with an adjacent auto repair shop and a residential lot; and
- WHEREAS, the Site Plan shows there will be asphalt parking (29 spaces total, where 24

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are required) between the building and both road frontages and on the north side of the building, adjacent to the residential lot under common ownership; a proposed retaining wall is shown along the northern lot line, occurring 2' from the adjacent house; there will also be concrete sidewalks along two sides of the building, providing access from the parking lot to the front entrance; a dumpster enclosure is shown at the northwest corner of the building, roughly 11' from a neighboring residential lot; and

WHEREAS, the Site Plan shows a proposed driveway onto Hunt Avenue; which will replace the unrestricted access; existing asphalt along the Hunt Avenue frontage will be removed and converted to grass; and

WHEREAS, proposed signage is shown in the Site Plan and elevation drawings to include a 6'-6" tall monument sign near the West Genesee Street/Hunt Avenue intersection and three wall-mounted signs, one each on the south, west, and east elevations of the building;

ADVISORY NOTE: per the Onondaga County Department of Transportation, signage is not permitted in the county right-of-way and must not obstruct sight distance; and

WHEREAS, the referral materials include a photometric plan, which shows proposed lighting to include three light poles with fixtures mounted at 25', situated around the perimeter of the parking lot;

ADVISORY NOTE: per the Onondaga County Department of Transportation, no glare or spillover onto adjacent properties or the county right-of-way will be permitted; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 10, 2020, the proposed project will disturb 0.47 acres of the site; stormwater discharges will be directed to existing catch basins and to the right-of-way;

ADVISORY NOTE: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; new municipal connections to the drinking water and sewer infrastructure are proposed;

ADVISORY NOTES: per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects, and the applicant must contact Plumbing Control to ensure appropriate permits are obtained; the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity for the new use; the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer;



and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), West Genesee Street has public transit service and bus stops are located at the corner of Hunt Avenue and West Genesee Street, across from the site; 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:

The applicant must contact the Onondaga County Department of Transportation to coordinate requirements for the existing driveway on West Genesee Street, in order to satisfy commercial driveway standards. To further meet Department requirements, the applicant must contact the Department to discuss any required traffic or drainage data and submit a copy of the lighting plan for Department 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.

The Board also offers the following comments:

1. Given the residential nature of the adjacent parcels to the north and west, the applicant is advised to eliminate the row of parking at the rear of the site, relocate the dumpster enclosure, and provide substantial landscape buffering along any shared boundaries with residential neighbors.
2. To improve walkability and access to public transit in this area, the Town and applicant are encouraged to install a sidewalk along the Hunt Avenue frontage, extend sidewalks from the road frontages to the building, and install a crosswalk across Hunt Avenue.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J. Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-44

- 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 Camillus Planning Board at the request of B.M.R. Properties for the property located at 3253 Milton Avenue; 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 Milton Avenue (Route 63), a county highway and Route 5, a state highway; and
- WHEREAS, the applicant is proposing construction of a 2,400 square foot addition to an existing building on a 4.24-acre parcel in a Commercial (C-2) zoning district; and
- WHEREAS, the site is located along a county-owned portion of Milton Avenue, just south of the interchange for NYS Routes 695 and 5; the site abuts residential uses to the south and commercial uses to the east and west; and
- WHEREAS, aerial imagery shows the site contains an existing multi-tenant commercial building, including a child care center, salon, and a butcher shop; there is a large asphalt parking lot at the front of the building with an existing full access driveway onto Milton Avenue;  
ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Milton Avenue must meet Department requirements; and
- WHEREAS, the submitted Site Plan and Floor Plan show the proposed addition will provide a new play area for the child care center, K2 Center of Camillus, and will be constructed at the rear of the existing building; a new paved parking area is also shown at the rear of the building, providing 15 new spaces; the Site Plan shows an existing concrete area enclosed by a fence at the rear of the building and notes the fence will be modified as necessary; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection (WEP), there is a county-owned trunk sewer crossing the rear of the site; the Site Plan shows a 20' wide easement to the county, with a portion of the new paved area encroaching into the easement;  
ADVISORY NOTE: per WEP, no permanent structures are permitted within the County easement; any other work within the County easement, such as paved parking, must be coordinated with WEP; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Westside Pump Station service areas; additional connections to the drinking water and sewer infrastructure are proposed;  
ADVISORY NOTES: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity for the expanded use; the applicant is advised to contact OCWA's Engineering Department to determine

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

E-mail Address: [countyplanning@ongov.net](mailto:countyplanning@ongov.net)

the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, 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; and

WHEREAS, aerial imagery also shows Geddes Brook, a class C(T) stream, runs along the western side of the site;

ADVISORY NOTE: streams classified by the NYS Department of Environmental Conservation (DEC) as AA, A, B, C(T), or C(TS) are subject to the stream protection provisions of the Department's Protection of Waters Program; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the entirety of the site is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the site also contains a portion of the floodway associated with Geddes Brook; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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, the project is within 2,000 feet of a site (ID: V00665) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); 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 contact the Onondaga County Department of Transportation to discuss any required traffic data. 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.
2. The Town must ensure that no construction of permanent structures occurs which may encroach into the county sanitary sewer easement or affect the county infrastructure. The applicant must contact the Onondaga County Department of Water Environment Protection (WEP) Flow Control Division for any infrastructure-related disturbance of land (including the proposed parking area) within the county easement prior to, or as a condition of, municipal

approval.

The Board also offers the following comments:

1. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.
2. Given the proximity of the development to Geddes Brook and its associated floodplain and floodway, the applicant is encouraged to 1) establish a vegetated stream buffer, 2) reduce impermeable surfaces, and 3) utilize green infrastructure (roof gardens, rain gardens, etc.) wherever possible to reduce stormwater and protect stormwater quality.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-45

- 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 Cicero Planning Board at the request of Serenity Living in the Hamlet, LLC for the property located at 9592, 9598 & 9610 Brewerton 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 Brewerton Road (Route 11), a state highway and Bartel Road (Route 166), a county highway; and
- WHEREAS, the applicant is proposing construction of an eight (8) unit apartment building with related parking and renovation and re-use of an existing mixed commercial / residential use building on three parcels totaling 3.008 acres in a General Commercial (GC) zoning district with Hamlet Gateway Overlay; and
- WHEREAS, the site is located in the Brewerton hamlet with a mix of surrounding land uses, including residential and commercial; the submitted Site Plan – Existing Features dated November 15, 2018 shows the site has frontage on Brewerton Road (US Route 11) and contains an existing one-story, multi-tenant commercial building with asphalt on either side of the building, and two existing two-story houses, both to be demolished, along the northern lot line; the site has unrestricted access from the commercial parking areas to Brewerton Road and an existing driveway serving the houses, which also connects to the commercial parking lot; aerial imagery shows the rear half of the site is maintained lawn and has a treed buffer separating it from the adjacent residential lots; and
- WHEREAS, the submitted Site Plan – Proposed Features dated November 15, 2018 shows the two houses will be replaced by a new two-story apartment building with (8) 2-bedroom units; a proposed parking lot (29 spaces) is shown at the rear and southern sides of the new building; there will be a new 24' wide driveway on Brewerton Road, to replace the existing access to the houses; ADVISORY NOTE: the proposed driveway onto Brewerton Road requires highway access and work permits from the NYS Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, per the Site Plan – Proposed Features, the existing commercial building will be renovated with a second floor and have (2) 2-bedroom units on the second floor and (3) commercial tenant spaces at the front of the first floor; the building has two existing first floor apartments at the rear of the building, to remain; the submitted elevation drawings show exterior improvements to the building will include new storefronts, awnings, and signage illuminated by gooseneck light fixtures for each of the tenant spaces; and
- WHEREAS, the Site Plan shows a 16-space parking lot on the south side of the mixed-use building; the parking configuration appears to restrict access to Brewerton

Road, though it is not clear if the existing asphalt at the front of the building or on the north side of the building will be removed as part of the proposed project; per the plan, there is a proposed concrete sidewalk along Brewerton Road;

ADVISORY NOTE: any work within the state right-of-way is subject to a work permit from the NYS Department of Transportation; and

WHEREAS, per the local application, hours of operation for commercial uses will be Monday through Saturday 8am to 9pm; there will be a maximum of 12 employees on site at one time; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 21, 2020, 0.89 acres of the site will be disturbed; no additional information regarding stormwater management was provided;

ADVISORY NOTE: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Brewerton Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed;

ADVISORY NOTES: per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects, and the applicant must contact Plumbing Control to ensure appropriate permits are obtained; the Onondaga County Department of Water Environment Protection asks that the applicant also contact the Department's Flow Control office to determine sewer availability and capacity for the new use; the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: V00036, 734112) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site may contain the Indiana Bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from the plans it appears that no trees will be removed as part of the proposed project; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); 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:

Per the New York State Department of Transportation, only one access point on Brewerton Road will be permitted. The applicant must contact the Department to coordinate access plans. Any mitigation as may be determined by the Department must be reflected on the project plans prior to, or as a condition of, municipal approval.

The Board also offers to following comments:

1. The applicant is encouraged to locate as much parking at the rear of the existing and proposed building as possible and convert any unused asphalt to grass or landscaping.
2. A robust right-of-way treatment is advised for this important gateway area within the Brewerton hamlet. Specific recommendations include extending the sidewalk to the buildings and providing landscaping to screen any front yard parking, improve the aesthetics of the site, and enhance walkability. The applicant is also encouraged to provide architectural detailing or landscaping along building facades that are highly visible from Brewerton Road.
3. Per the New York State Department of Transportation, the municipality is advised to ensure appropriate access agreements are in place for any shared driveways on Brewerton Road.
4. The applicant is encouraged to consult with the Town to ensure the project plans conform to the design standards and planning goals of the Hamlet Gateway zoning district and Brewerton Revitalization project.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-46

- 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 Cicero Planning Board at the request of Milton Real Properties of Massachusetts, LLC for the property located at 7285 & 7309 Eastman 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 Northern Boulevard (Route 82), a county highway; and
- WHEREAS, the applicant is proposing construction of a 75,000 sf Caterpillar sales and service facility with associated improvements on two parcels totaling 19.75 acres in an Industrial zoning district; and
- WHEREAS, the site is located at the intersection of Northern Boulevard, a county road, and Eastman Road, a local road, in a transitional area in the Town of Cicero; the immediate area consists of industrial land uses, including Riccelli Northern ready-mix concrete plant to the north, a structural steel fabricator to the east, and a construction equipment supplier, a towing service, and a distribution service south across Eastman Road; land uses transition to residential farther west of the site and there are large tracts of undeveloped, wooded lands or wetlands that transition to the Cicero Swamp to the northeast; and
- WHEREAS, aerial imagery shows the site contains an existing one-story house, a shed, and an existing driveway onto Eastman Road; the remainder of the site is fallow farm land and contains several wooded areas; a Proposed Tree Clearing Limits plan shows 2.6 acres of trees will be removed as part of the proposed project; per the local application, the grade of the entire project area will also be raised by 4-6 feet; and
- WHEREAS, the local application indicates the proposed project will include construction of a 75,000 sf building for a heavy equipment sales and service facility, Milton CAT, an 11,500 sf wash bay, three equipment display areas, totaling 138,500 sf, and parking for 121 vehicles; the submitted Site Layout Plan shows the new building to generally occur at the center of the site with parking at the front and along one side of the building; one display area is shown at the southwest corner of the site, adjacent to the Northern Boulevard/Eastman Road intersection; there is a large display area shown at the northwest corner of the site and a smaller one will be established along the eastern lot line; the site appears to be generally surrounded by asphalt; and
- WHEREAS, per the Site Layout Plan, there is a 150' wide easement to the Niagara Mohawk Power Corporation and a transmission line on the east side of the site; all proposed development appears to be outside the easement area, except for a gravel access road leading to the small display area on the other side of the transmission line; and



- WHEREAS, per the Site Layout Plan, there is a proposed full access driveway onto Eastman Road and right-in and right-out access is proposed for Northern Boulevard, which is a divided highway with a 55 mph posted speed limit; the Onondaga County Department of Transportation has offered to coordinate a review with the applicant on design strategies to accommodate their access needs;  
ADVISORY NOTE: the proposed access to Northern Boulevard requires highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; all existing or proposed driveways on Northern Boulevard must meet Department requirements; and
- WHEREAS, a lighting plan was included with the referral materials and shows 46 wall-mounted light fixtures, to be mounted around the perimeter of the buildings, and 54 pole-mounted light fixtures with a mounting height of 20'; pole-mounted light fixtures will be situated around the parking and display areas; and
- WHEREAS, per the local application, proposed hours of operation will be Monday through Saturday from 7am to 5pm; there will be a maximum of 20 employees on site at one time; and
- WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 31, 2020, the proposed project will disturb 13.4 acres of the site; the submitted Site Grading and Drainage Plan dated November 1, 2019 shows two proposed underground stormwater detention areas, one (80' x 150') near the Eastman Road driveway and one (150' x 300') under the large display area;  
ADVISORY NOTES: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and
- WHEREAS, the site has access to public drinking water and is proposing a new connection to the drinking water infrastructure;  
ADVISORY NOTE: the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and
- WHEREAS, the site is located in the Onondaga County Sanitary District in a location with no access to sewers; a sewer extension is proposed, which would extend public sewerage from a residential neighborhood to the west, along Eastman Road and across Northern Boulevard to the site; the existing public sewerage ultimately flows to the Oak Orchard Wastewater Treatment Plant via the Davis Road Pump Station; per the Onondaga County Department of Water Environment Protection, these sewers are located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);  
ADVISORY NOTES: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; per the Onondaga County Department of Water Environment Protection, the applicant must develop a 1

gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; per the Onondaga County Department of Transportation, any proposed work within the county right-of-way, including the proposed sewer line extension, is subject to highway work permits from the Department; and

WHEREAS, the submitted Existing Conditions Plan shows delineated state and federal wetland areas on the site; per the local application, a Jurisdictional Determination was issued by the US Army Corps of Engineers (USACE) on August 22, 2019; state and federal wetlands in this area are associated with Cicero Swamp, a 5,000-acre NYSDEC designated and managed Wildlife Management Area (WMA); a letter from a representative for the applicant to the NYS Department of Environmental Conservation (NYSDEC) and USACE, dated January 10, 2020, indicates the project will disturb 0.72 acres of federal wetlands; as such, the applicant is requesting a Section 404 Permit from the USACE and an Individual Section 401 Water Quality Certification from the NYSDEC; the letter notes there will be no impacts to state wetlands; the applicant intends to mitigate proposed wetland impacts by purchasing 1.1 credits, based on a 1.5:1 ratio, from the Ducks Unlimited New York In-Lieu Fee Program, which would facilitate a wetland restoration project in the Oneida River service area; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); the referral materials include a Phase I Cultural Resource Investigations Report dated December 16, 2019, which states that “[w]hile the physiographic context of the project area suggests the possibility of encountering archaeological materials, shovel testing produced no evidence of prehistoric occupation or historical significance;” a letter dated December 20, 2019 from the NYS Historic Preservation Office (SHPO) to a representative for the applicant, included with the referral, also notes that SHPO finds no historic properties, including archaeological and/or historic resources, will be affected by the project; 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. Per the Onondaga County Department of Transportation, no access to Northern Boulevard will be permitted. The applicant is required to modify the site plans to eliminate the proposed access. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), traffic data, and a 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.
2. Any extension of the public wastewater infrastructure must be approved by the Onondaga County Health Department and Onondaga County Department of Water Environment Protection prior to municipal approval of the site plan.

The Board also offers the following comments:

1. The proposed project contemplates a significant extension of public sewers along Eastman Road, and crossing Northern Boulevard, to be owned and

maintained by the Town in perpetuity. The Town is encouraged to assess the necessity of sewers in this location, system capacity analysis, and the long-term costs and benefits to taxpayers of such an extension, particularly given that the proposed use would not require extensive wastewater accommodations. The Board encourages a buildout analysis of the Northern Boulevard corridor and consideration of long-term land use planning goals for this area prior to sewer approval, to ensure a cohesive and cost-effective development and infrastructure strategy for this transitional area.

2. Onondaga County Department of Transportation and Syracuse-Onondaga County Planning Agency staff offer to convene a coordinated review meeting with the applicant and the Town to further discuss the project and access plans.

3. Given the wetland areas on site and proximity of the development to the Cicero Swamp, the applicant is encouraged to 1) retain as much as existing tree cover as possible, 2) reduce impermeable surfaces, and 3) utilize green infrastructure (roof gardens, rain gardens, etc.) wherever possible to reduce stormwater and protect stormwater quality.

4. Any necessary permissions for work within the Niagara Mohawk Corporation easement should be obtained prior to, or as a condition of, municipal approval.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J. Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-47

- 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 Clay Planning Board at the request of Chick-fil-A for the property located at 4000 (3974) NYS Route 31; 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 NYS Route 31 and NYS Route 481, both state highways, and Soule Road, a state highway north of the 481 interchange and a county highway south of the interchange; and
- WHEREAS, the applicant is proposing construction of a 5,000 sf restaurant with drive-thru and associated parking on a 1.2-acre leased portion of a 14.9-acre parcel in a Regional Commercial (RC-1) zoning district; and
- WHEREAS, in 2019, the Board concurrently reviewed special permit (Z-19-339) and area variance (Z-19-340) referrals as part of the proposed project; previously, the Board reviewed concurrent site plan (Z-13-195) and area variance (Z-13-189) referrals to build a Longhorn Steakhouse Restaurant on the subject parcel; the Board recommended disapproval of the Longhorn Steakhouse project given a temporary suspension of new sewer connections within the Oak Orchard Wastewater Treatment Plant service area, which has since been lifted; and
- WHEREAS, the site is located along the highly commercialized NYS Route 31 corridor, with surrounding commercial, restaurants and big box retail uses; the site abuts an undeveloped, forested parcel to the south and part of the NYS Route 481 highway system to the east; and
- WHEREAS, aerial imagery shows the 14.9-acre parcel contains a large multi-tenant retail building, including Raymour & Flanigan and Burlington, and three outbuildings for Smokey Bones, Uno, and LongHorn Steakhouse restaurants, all part of the Raymour & Flanigan shopping plaza; each outbuilding is surrounded by its own associated parking area and there is a large parking lot separating the multi-tenant building from the outbuildings; the shopping plaza is served by a full access, dual exit driveway onto Route 31 that has an existing traffic signal; there is also a cross-connection to the adjacent commercial lots with additional access to Carling Road, a local road to the west that outlets at another signalized intersection with Route 31; and
- WHEREAS, the submitted survey map dated December 21, 2018 shows a 1.180-acre lease area, which includes the vacant Uno's restaurant and parking to the west of the building; per the Site Concept Plan dated December 9, 2019, the existing outbuilding will be demolished; the proposed 5,000 sf building, a Chick-fil-A restaurant, is shown to be constructed towards the southwest corner of the lease area with parking on the east side of the building; access to Route 31 will remain as is with no additional access to Route 31 proposed; proposed

concrete sidewalks and crosswalks are shown to provide access from the building entrance to the existing sidewalks along Route 31; some proposed work will occur outside the lease area, to realign a drive aisle and reconfigure existing parking areas, for better access to the drive-thru lanes and restaurant parking; and

WHEREAS, per the Site Plan, the restaurant will have a drive-thru with two lanes for ordering, transitioning to a single lane for pickup; the plan indicates stacking space will be available for 22 cars; the submitted Environmental Assessment Form (EAF) dated January 31, 2020 indicates proposed hours of operation will be Monday through Saturday from 6:30am to 12am; and

WHEREAS, the submitted Project Narrative dated October 25, 2019 (revised February 6, 2020) indicates that ITE Trip Generation traffic figures were compared for the proposed and existing uses; 72 vehicle trips during the Saturday peak hour are anticipated for a Fast-Food Restaurant with Drive Through Window and 118 seats, including an adjustment based on a 50% pass-by-trip rate; compared to 48 vehicle trips generated by the existing use, a 6,400 sf High-Turnover (Sit Down) Restaurant; the referral materials also include a Technical Letter dated January 22, 2020 that provides a drive-thru trip generation and queueing assessment for two existing Chick-fil-A restaurants, one in Greece, NY and one in Cicero, NY; based on this assessment, the letter concludes that “there is sufficient on-site storage for the projected vehicle queues under typical conditions, post opening month(s);” and

WHEREAS, the submitted elevation drawings and sign plan show the 3 proposed wall signs (58.75 sf each) with one occurring on the north, south, and drive-thru elevations of the building; another wall sign, the Chick-fil-A logo, is proposed for the non-drive-thru elevation; the Site Concept Plan notes that variances, as reviewed in Z-19-340, are anticipated for maximum lot coverage, minimum accessory setback from highway, minimum accessory setback, and parking space size; and

WHEREAS, the EAF states 1.53 acres of the site will be disturbed by the proposed project; stormwater will be collected in a network of catch basins and discharge to the existing stormwater management system for the shopping center as it does today;

ADVISORY NOTE: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; the applicant and municipality are encouraged to consider the use of green infrastructure, such as rain gardens and permeable pavement, to further reduce stormwater runoff and improve stormwater quality; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant service area; the proposed restaurant will connect to the existing drinking water and sewer connections; ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow

prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects, and the applicant must contact Plumbing Control to ensure appropriate permits are obtained; and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from aerial imagery it appears that there are no wooded areas on the site; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); 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:

The New York State Department of Transportation has determined that the applicant must submit a copy of the traffic data for review and contact the Department to coordinate any additional traffic data requirements for the proposed project. To further meet Department requirements, the applicant must submit a 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.

The Board also offers the following comment:

1. The Town is encouraged to work with the applicant and the owner of the shopping plaza to extend the proposed sidewalk and crosswalk network to better facilitate pedestrian circulation throughout the entire shopping plaza.
2. The Board advises the applicant to work with the shopping plaza to secure access agreements and easements for shared parking and driveways.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-48

- 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 AREA VARIANCE from the Town of Cicero Zoning Board of Appeals at the request of Eric Mills for the property located at 6253 Lakeshore Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Lakeshore Road (Route 123), a county highway; and
- WHEREAS, the applicant is requesting an area variance to reduce the rear yard setback from 30' to 5.24' to allow for construction a 16' x 24' accessory shed on a 0.517-acre parcel in a Residential (R-15) zoning district; and
- WHEREAS, the site is located along Lakeshore Road, a county road, in a residential neighborhood; the submitted survey map shows the site contains an existing one-story house with an attached garage and a rear patio; and
- WHEREAS, the survey map shows the proposed shed (24' x 16') is currently under construction at the rear of the property; the shed will be 5.24' from the rear lot line where the rear yard setback requirement in the R-15 zoning district is 30'; per the Town zoning code, an approved ancillary structure, such as a shed, would be permitted within 3' of the rear lot line if the structure does not exceed 192 sf in size; the proposed shed is 384 sf; and
- WHEREAS, a letter from the applicant to the Town Zoning Board of Appeals, dated February 1, 2020, notes that a building permit was issued to allow construction of the shed before it was discovered that the project does not meet the setback requirement; a frost protected slab on grade with footings has already been constructed for the shed, making relocation of the shed difficult; and
- WHEREAS, per the survey map, there is an existing asphalt drive onto Lakeshore Road; no changes to access are proposed;  
ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Lakeshore Road must meet Department requirements; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Brewerton Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); 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 and may consequently be acted on solely by the referring board.

**The motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**





J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-49

- 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 PROJECT SITE REVIEW from the City of Syracuse Zoning Administration at the request of Smith Building, LLC for the property located at 500 Erie Boulevard; 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 Route 690 and Route 81, both state highways; and
- WHEREAS, the applicant is proposing façade alterations and site improvements to establish a mixed use building on a 0.25-acre parcel in a Central Business District - Office & Service (Restricted) (CBD-OSR) zoning district; and
- WHEREAS, in 2019, the Board offered no position with comment for an area variance referral (Z-19-369) to allow residential apartments on the first floor of the existing building as part of the proposed project; and
- WHEREAS, the site is located in Downtown Syracuse near the I-81 and I-690 interchange; the elevated section of I-81 in this area is nearing the end of its useful life; discussions regarding the fate of I-81 have been ongoing and have identified several project alternatives; per the NYS Department of Transportation, this parcel may be impacted by one of the project alternatives, which could result in property acquisitions; and
- WHEREAS, the submitted survey map dated June 13, 2019 shows the site has frontage on Erie Boulevard East, South Townsend Street, and East Water Street, all city streets, and contains an existing 3-6-story building, the Smith Restaurant Supply building; and
- WHEREAS, the submitted floor plans show the mixed-use building will have (2) first floor store areas, and (38) apartment units, including (7) first floor apartments; per the local application, the proposed mixed-use project will include a minimum of 37 affordable apartments; the commercial uses have not been finalized, but are anticipated to include retail, office and/or fitness uses; per the City Zoning Ordinance, first floor residential uses are not permitted in the CBD-OSR zoning district; the area variance request reviewed in referral Z-19-369 was approved on January 9, 2020 to allow for the first floor dwelling units; and
- WHEREAS, per the submitted Layout Plan dated January 20, 2020, site improvements will include installing grass and sidewalks around the building to better delineate the parcel's existing access and parking areas; the small existing parking area on the north side of the building will be reduced to a 3-space parking lot, "Parking A," with a delineated driveway onto Erie Boulevard East in place of the current, unrestricted access; the rear parking area, "Parking B," will be reconfigured to provide 5 on-site parking spaces with a delineated driveway onto East Water Street, which appears to occur in the place of an existing curb cut; the existing perpendicular parking on the East Water Street

frontage, which currently requires backing into the right-of-way, will be converted to a curbed pull-off area for 4 on-street parallel parking spaces, “Parking C”; and

WHEREAS, the Concept Plan shows a proposed addition at the rear of the building for a new stairway and elevator; there is a waste enclosure adjacent to Parking B and new street trees are shown along the East Water Street and Erie Boulevard East frontages; and

WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse Proposed Zoning Map dated December 2019, the proposed zoning for this lot is Mixed Use Transition (MX-3), which would act to “provide for pedestrian-friendly, transit-supportive areas of higher-density residential development and compatible nonresidential uses, such as offices and supporting commercial uses”; the proposed zoning under ReZone appears to permit ground-floor residential units subject to certain standards intended to provide privacy and an enhanced streetscape; and

WHEREAS, the site is located along a stretch of East Water Street that is part of plans for a large New York State Department of Transportation (NYSDOT) project to install bicycle, pedestrian, and roadway enhancements to accommodate the Empire State Trail; designs for the project are currently being finalized and all applicants and municipalities are advised to coordinate with NYSDOT on site planning within the right-of-way that may impact the Empire State Trail plans; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed;  
ADVISORY NOTE: prior to the next phase of development, the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);  
ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, 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 will be required to develop a 1 gallon to 1 gallon sanitary flow offset plan/project for the proposed project in coordination with the municipal engineer; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated November 11, 2019, the subject site will undergo remediation as required by NYS standards; the project is also within 2,000 feet of multiple sites (IDs: V00502, B00003, C734111) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site may contain the peregrine falcon, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); 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 City and applicant are advised to consider the potential property impacts to this site and neighboring sites that any major changes to the Interstate 81 and Interstate 690 configuration may have prior to City approval and applicant investment.
2. Modifications along East Water Street should be carefully coordinated with the City to ensure the proposed project will not negatively impact plans for the Empire State Trail in this area.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-50

- 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 Marcellus Town Board at the request of Town of Marcellus 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 No. A-2020 entitled "Town of Marcellus General Code"; and
- WHEREAS, proposed Local Law No. A-2020 is intended "to provide for the codification of the local laws, ordinances and certain resolutions of the Town of Marcellus into a municipal code to be designated the 'Code of the Town of Marcellus'; and
- WHEREAS, the local law notes that "[i]n compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Town of Marcellus, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made," with the exception of the following nomenclature changes: (1) "building inspector" has been changed to "code enforcement officer," (2) the "Parks and Recreation Law/Department" has been changed to "Parks, Recreation and Historic Preservation Law/Department," (3) "state board" has been changed to "Commissioner of Taxation and Finance," and (4) "specified anatomical activities" has been changed to "specified anatomical areas"; and
- WHEREAS, the local law indicates "certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation"; a redline version of the code updates show such minor revisions were made to Chapter 6 Appearance Tickets, Chapter 28 Defense and Indemnification, Chapter 35 Ethics, Code of, Chapter 68 Animals, Chapter 75 Brush, Grass and Weeds, Chapter 82 Burning, Open, Chapter 90 Construction Codes, Uniform, Chapter 98 Electrical Standards, Chapter 105 Fees, Chapter 119 Games of Chance, Chapter 144 Notification of Defects, Chapter 159 Peddling and Soliciting, Chapter 168 Sewers, Chapter 175 Snowmobiles, Chapter 181 Solid Waste, Chapter 193 Stormwater Management and Erosion and Sediment Control, Chapter 205 Subdivision of Land, and Chapter 212 Taxation; and
- WHEREAS, specific revisions relating the land use and zoning include text amendments to Chapter 20 Boards, Commissions and Committees, which make all provisions of state law relating to Planning Board or Zoning Board of Appeals members, also applicable to alternate members; and
- WHEREAS, other revisions relating the land use and zoning include text amendments to Chapter 137 Mobile Home, Mobile Home Parks and Recreational Equipment clarifying that no premises may be used for a mobile home park prior to issuance of a special permit, and a special permit may not be issued without a

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public hearing; and

WHEREAS, other revisions relating the land use and zoning include text amendments to Chapter 235 Zoning, which contains a specific provision requiring storage containers and dumpsters to be located at least 20 feet from any street line or highway right-of-way and in no event closer than the front building line and provided the same are adequately shielded from view; 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 and may consequently be acted on solely by the referring board.

**The motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-51

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 OTHER AUTHORIZATION from the City of Syracuse Planning Commission at the request of 715 ESFU, LLC & One Forman Park, LLC for the property located at 718-726 East Washington Street and 715-723 East Fayette Street; and

WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review authorizations which a referring body may issue under the provisions of any zoning ordinance or local law and the site is located within 500 feet of Route 81, a state highway; and

WHEREAS, the applicant is proposing to combine eight parcels into two new lots, New Lot 1A (30,615.43 sf) and New Lot 1B (32,710.49 sf), in a Business, Class A (BA) zoning district; and

WHEREAS, the site is located in the City's Eastside neighborhood; aerial imagery and the submitted re-subdivision plan show the site has frontage on East Washington Street, East Fayette Street, and Forman Avenue, all city streets, and contains a contiguous gravel parking lot and a semi-permanent parking attendant booth enclosed by a chain link fence; there are existing sidewalks on East Washington Street and East Fayette Street and two curb cuts, one each on East Fayette Street and Forman Avenue; and

WHEREAS, per the plan, the re-subdivision will create New Lot 1A (30,615.43 sf) on the west side of the site and New Lot 1B (32,710.49 sf) on the east side; no plans for the new lots were indicated; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; there are no existing water or wastewater services and none are proposed; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and

WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse Proposed Zoning Map dated December 2019, the proposed zoning for the lots is Mixed Use Central Business District (MX-5), which would act to "provide for areas of highest-density, transit-supportive residential development, maximum building heights, minimal parking, and the greatest range and mix of uses"; and

WHEREAS, the site is adjacent to the Peoples' African Methodist Episcopal Zion Church which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: B00003, V00502, C734111) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site may contain the Peregrine Falcon, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); 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 advises the City Planning Commission to request additional information regarding any future development plans for the proposed lots, to be considered as part of the subdivision review process.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J. Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-52

- 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 ZONE CHANGE from the Town of Cicero Town Board at the request of Anthony Melfi for the property located at 6 Brodhead Drive; 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 the site is located within 500 feet of the municipal boundary between the Town of Cicero and Oswego County; and
- WHEREAS, the applicant is proposing a zone change on proposed Lot 2 (20,495 sf) from General Commercial (GC) to Residential (R-10) in order to construct a one-family residence; and
- WHEREAS, the Board is concurrently reviewing a preliminary and final subdivision referral (S-20-7) as part of the proposed project; and
- WHEREAS, the site is located on the southern shore of Oneida Lake near Maple Bay; surrounding land uses include lakefront residential and a marina; and
- WHEREAS, aerial imagery and the submitted subdivision plan show the site contains an existing three-story house with an attached garage, situated near the Oneida Lake shoreline at the northern side of the site and surrounded by roughly 2 acres of maintained lawn; the remainder of the site is forested; and
- WHEREAS, per the plan, the site is served by a 60' ingress and egress easement containing Brodhead Road, a private drive, that intersects with West Murray Drive, a local road, on the western side of the adjacent marina; Brodhead Road also serves the lakefront residential lots east of the site; and
- WHEREAS, the subdivision plan shows proposed Lot 2 (20,495 sf) will be a roughly rectangular-shaped lot (100.64' x 205') adjacent to the existing house; this area appears to be forested and would have access to Brodhead Road and 94.3' of the Oneida Lake shoreline; proposed Lot 1 (17.7 acres) will contain the existing house and the remainder of the wooded lands and shoreline; and
- WHEREAS, per the local application and referral notice, the requested zone change would change the zoning of proposed Lot 2 from General Commercial to Residential (R-10) to allow for construction of a single-family home; no plans for the proposed residence are included; and
- WHEREAS, per the Town zoning code, the area, yard and bulk regulations for a single-family residential use in the R-10 district include the following: a minimum lot area of 9,800 sf, minimum building line of 70 feet, minimum lot depth of 125 feet, front and rear yard setbacks of 30 feet each, a total side yard setback of 15 feet with a minimum of 6 feet for one side, and a maximum coverage of 25%; per the subdivision plan, proposed Lot 2 appears to meet the lot area requirements of the R-10 district and provides enough buildable area to meet yard regulations; and



WHEREAS, the site is served by public drinking water and sewers and is located in the Brewerton Wastewater Treatment Plant service area; new municipal connections to the existing drinking water and wastewater infrastructure are proposed for the new house;

ADVISORY NOTES: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the Onondaga County Department of Water Environment Protection (WEP), the site contains a county-owned trunk sewer that crosses the northern side of the site, just behind the existing house and at the rear of proposed Lot 2; there is also a town-owned sewer line that follows Brodhead Road and intersects with the trunk sewer behind the existing house; ADVISORY NOTE: per WEP, no permanent structures are permitted within the County easement; any other work within the County easement, such as driveways, must be coordinated with WEP; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the entirety of the site is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the Town of Cicero has established a Floodplain Zone overlay "to allow Oneida Lake and streams and tributaries flowing into said lake to carry abnormal flows of water in times of flood, to prevent encroachments into the floodplains of these waterways which will unduly increase flood heights and damage, and to prevent excessive property damage as well as a potential threat to the health and safety in the area of greatest flood hazard"; and

WHEREAS, GIS mapping shows more than 12 acres at the rear of the site may contain state and/or federal wetlands; proposed Lot 2 appears to be located entirely within the state wetland area or it's 100' adjacent 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, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); ADVISORY NOTE: the applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; 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 Town Board should require a conceptual plan for the proposed

residence, which demonstrates a viable site design that meets zoning and flood ordinance requirements, to be considered as part of the zone change review process and prior to approval of the action.

2. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.

3. Given the site's location within a floodplain and its proximity to Oneida Lake and sensitive wetland areas, any future development of proposed Lot 2 should retain as much existing tree cover as possible and minimize impervious surface coverage.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-53

- 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 Tully Town Board at the request of Town of Tully Town Board 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 No. 1, 2020 Town of Tully, NY Solar Energy System Law; and
- WHEREAS, in 2016, the Board reviewed a local law referral (Z-16-235) to amend the Town of Tully Zoning Code by replacing the existing small-scale solar energy system regulations with a more comprehensive set of regulations, which was approved locally but does not seem to have been incorporated into the Town's zoning code; and
- WHEREAS, the proposed Local Law No. 1, 2020 Statement of Purpose notes "[t]his Solar Energy Local Law is adopted to advance and protect the public health, safety, and welfare of the Town by creating regulations for the installation and use of solar energy-generating systems and equipment"; specific objectives of the law are to 1) take advantage of a safe, abundant, renewable and non-polluting energy resource, 2) decrease electricity costs to residential and commercial property owners, 3) increase employment and business development, 4) mitigate impacts of solar energy systems on important environmental and protected resources, and 5) maintain the rural character of the Town; and
- WHEREAS, per the proposed regulations, solar energy systems are classified as Tier 1, Tier 2, or Tier 3; Tier 1 includes roof-mounted and building-integrated systems, and are subject to a permit from the Town Code Officer; Tier 2 includes ground-mounted systems, and are subject to Town Planning Board site plan review and issuance of a special use permit; Tier 3 includes any system not listed in Tiers 1 or 2, and are subject to Town Planning Board site plan review and filing of an advisory report, and subsequent Town Board review and issuance of a special use permit; and
- WHEREAS, Tier 1, roof-mounted and building-integrated systems, will be permitted in all zoning districts and subject to certain design requirements for roof mounting; Tier 2, ground-mounted systems, will also be permitted in all zoning districts in the Town; they will be prohibited in front yards, and must comply with the bulk regulations, including lot coverage, of the zoning district in which it is located; ground-mounted systems will only be permitted on lots greater than 20,000 sf in size and will have height limitations of 10' in the R-1, R-2 and R-3 zoning districts and 15' in the A-1, A-2, B-1, Industrial and Commercial districts; and
- WHEREAS, Tier 3 systems will be permitted in all zoning districts; however, Tier 3 systems in an R-1, R-2, or R-3 zoning district will only be permitted on lots 100 acres

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or greater; regulations for Tier 3 systems include lighting and signage requirements for safety and decommissioning requirements; additionally, these systems must be setback at least 100 feet from all property lines, may not exceed 15' in height, and may not exceed 75% lot coverage; and

WHEREAS, per the proposed regulations, solar energy systems exceeding 10 acres shall be required to conduct a visual assessment of the visual impacts of the system on public roadways and adjacent properties and must submit a screening and landscaping plan to minimize visual impacts; and

WHEREAS, the proposed regulations have guidelines for Tier 3 systems located on areas of Prime Farmland and/or Farmland of Statewide Importance, which includes considerations for the Town Board special permit review, implementation of the construction requirements of the NYS Department of Agriculture and Markets, and development and implementation of a vegetation management plan to establish perennial vegetation and beneficial foraging habitat; and

WHEREAS, in preparation of the proposed solar regulations, the Town of Tully has been coordinating with the Syracuse-Onondaga County Planning Agency, the Central New York Regional Planning and Development Board (CNY RPDB) Energy Management office, and the NYS Energy Research and Development Authority (NYSERDA); and

WHEREAS, ADVISORY NOTE: any access to proposed commercial solar farms located on state or county roads must meet the commercial requirements of the New York State or Onondaga County Department of Transportation, respectively; 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 and may consequently be acted on solely by the referring board.

**The motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-54

- 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 SPECIAL PERMIT from the Town of Tully Town Board at the request of Riehlman, Shafer & Shafer for the property located at 397 NY-281; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of Route 281 and Route 81, both state highways, Meeting House Road (Route 134) and Lake Road (Route 134), both county roads, the municipal boundary between the Town of Tully and the Village of Tully, and a farm operation located in a NYS Agriculture District; and
- WHEREAS, the applicant is requesting a special permit to allow construction of a 180 kW AC ground-mounted solar array on an 8.65-acre parcel in a Commercial zoning district; and
- WHEREAS, the Board is also reviewing a local law referral (Z-20-53) to incorporate a new Solar Energy System Law into the Town Code; and
- WHEREAS, the vacant parcel is located just south of the municipal boundary between the Town and Village with surrounding low density commercial and industrial uses and agricultural lands; the site and several nearby parcels are enrolled in NYS Agricultural District 4 and appear to contain some active farmland; the referral materials did not include an Agricultural Data Statement; and
- WHEREAS, the submitted survey map and Site Plan show the site has frontage on NYS Route 281 and abuts I-81 to the west; two rows of proposed solar arrays are shown parallel to the southern lot line with the closest row occurring 30' from the property boundary; the Site Plan shows a proposed 16' wide gravel driveway onto Route 281, which has already been issued a permit from the NYS Department of Transportation; and
- WHEREAS, per the local application, the system will be located on 1.4 acres of the site and the racking will be driven piles, using no concrete; the solar array is intended for personal use on a commercial campus owned by the applicant; the submitted Description of Proposed Project notes the solar arrays will have a maximum height of 10'; and
- WHEREAS, the referral materials include a Decommissioning Plan outlining procedures for removal of the ground-mounted solar system when it reaches the end of its operational life; and
- WHEREAS, per the submitted Storm Water Management Plan, installation of the project does not include clearing or grubbing in exceedance of 1 acre; as such, completion of a Stormwater Pollution Prevention Plan (SWPPP) is not intended, but standard required construction erosion and sediment controls (E&S) will be implemented;
- ADVISORY NOTE: per the NYS Department of Transportation, additional

stormwater runoff into the state's drainage system is prohibited; and

WHEREAS, the site does not have existing drinking water or wastewater services and is located outside of the Onondaga County Sanitary District; no drinking water or wastewater services are proposed for the solar project; and

WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers and the Cortland-Homer-Preble sole source aquifer (SSA), supplying at least 50% of the drinking water consumed in the overlying area (per EAF Mapper); and

WHEREAS, ADVISORY NOTE: any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on or within 500 feet of a property within a NYS Certified Agricultural District is required by the NYS Agricultural and Markets Law to include an Agricultural Data Statement; and

WHEREAS, 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:

The applicant is encouraged to provide landscaping along the southern lot line to buffer the solar array from the adjacent commercial use.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J. Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-55

- 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 AREA VARIANCE from the Town of Skaneateles ZBA at the request of Kenan 2012 Family Trust for the property located at 3406 West Lake Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of the municipal boundary between the Town of Skaneateles and the Village of Skaneateles; and
- WHEREAS, the applicant is requesting an area variance to subdivide a 1.87-acre parcel into 0.7- and 1.1-acre lots where the minimum lot size is 2 acres in Rural and Farming (RF) and Lake Watershed Overlay (LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a preliminary subdivision referral (S-20-8) as part of the proposed project; and
- WHEREAS, the site is located on the western shore of Skaneateles Lake at the municipal boundary between the Town and Village of Skaneateles; surrounding land uses are residential; and
- WHEREAS, the submitted subdivision plan dated February 4, 2020 shows the site has frontage on West Lake Road, a state road, and consists of three parcels, two within the Village boundary and one in the Town; subdivision and area variance referrals (Z-20-55, S-20-8) for the proposed action were only received from the Town of Skaneateles; and
- WHEREAS, per the plan, the site collectively contains a two-story house and a carriage house, which are connected by a covered sidewalk and occur around a driveway circle on the front half of the site; on the rear half of the site, there is an existing cottage building and a two-story boat house on the shoreline connected to an underground garage by a paver patio and series of sidewalks; farther north along the shoreline, the site contains a storage building with steps to the waterfront and a dock area; and
- WHEREAS, per the plan, the site has an existing driveway onto West Lake Road, which serves the house and runs the length of the southern lot line to also serve the rear boat house and patio area; there is a 30' wide right-of-way associated with the driveway; and
- WHEREAS, the subdivision plan shows the Town parcel to include the southern half of the site; the parcel will be divided into two lots, 0.7 and 1.1 acres in size, which when combined with the adjacent Village parcels are shown to create proposed Lots 1 (4.2 acres) and 2 (1.7 acres); proposed Lot 1 contains the front half of the site, including the West Lake Road frontage, the house and carriage house, and the portion of the shoreline that has the dock area, steps, and storage building; proposed Lot 2 contains the remaining shoreline and the cottage, underground garage, paver patio, and boathouse; per the local

application, there will be no physical or operational changes to the site; and  
WHEREAS, a preliminary review of the proposed actions, provided by the Town, indicates that the existing Town parcel does not meet lot frontage (108 feet where 200 feet is required) or lake frontage (114 feet where 200 feet is required) requirements; subdivision of the lot into 0.7- and 1.1-acre parcels would create additional non-conformities with regards to the minimum lot size (2 acres) requirements in the RF zoning district; the area variance request is intended to provide relief for lot size; and

WHEREAS, the site is served by public drinking water and Village sewers; no changes to the existing infrastructure are proposed; and

WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed; a letter to the Town Code Enforcement Officer from the City of Syracuse Department of Water, dated January 24, 2020, indicates the Department has reviewed the applicant's proposal and has no comments regarding the proposed subdivision and area variance actions; and

WHEREAS, the subdivision plan shows proposed Lot 1 has a combined impermeable coverage of 11.6% based on existing development; considered separately, the portion of the lot in the Village has 8.6% impermeable coverage and the Town portion has 20.3%; likewise, proposed Lot 2 has a combined impermeable coverage of 12.0%, with 12.3% in the Village and 11.6% in the Town; no physical changes to either lot are proposed; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); 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 and may consequently be acted on solely by the referring board.

**The motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**





J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-56

- 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 Van Buren Planning Board at the request of Seneca Neighborhood / Brolex Properties for the property located at 7360 State Fair Boulevard; 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 New York State Route 48, a state highway, and the municipal boundary between the Town of Van Buren and the Town of Lysander; and
- WHEREAS, the applicant is proposing Phase 1 of a residential development on an 88.07-acre parcel in a Planned Unit Development (PUD) zoning district; and
- WHEREAS, the Board has reviewed a number of recent referrals regarding the Seneca Neighborhood PUD, a proposed residential development for this former golf course parcel; in 2019, the Board recommended modification of a preliminary subdivision (S-19-70), which would subdivide the subject parcel into 172 residential parcels, citing NYS Department of Transportation requirements for access, drainage, traffic and lighting and required approvals for extension of the public wastewater infrastructure; previously, the Board offered no position with comment for a zone change referral (Z-19-151) to create, and approve a development plan for, the Seneca Neighborhood PUD; then the Board reviewed a local law referral (Z-19-227) to revise the approved development plan (Z-19-227), reducing the number of lots from 193 to 172; in 2016, the Board offered no position with comment for concurrent final subdivision (S-16-31) and area variance (Z-16-185) referrals to subdivide an existing house from the golf course parcel and reduce the front and side yard setbacks for the existing house, both of which were approved locally; and
- WHEREAS, aerial imagery shows the site has frontage on State Fair Boulevard (NYS Route 48) and Van Ness Road, a local road, and contains the former Seneca Golf Club; the site is in an area with mixed commercial and residential uses along Route 48 and abuts single-family residential lots to the north and south; there is a single, existing driveway serving the golf course; and
- WHEREAS, plans submitted with the previous subdivision referral (S-19-70) showed the Seneca Neighborhood PUD to include 16 patio home lots ranging in size from 12,427 sf to 26,204 sf, 72 duplex home lots ranging in size from 6,330 sf to 14,766 sf, and 84 standard home lots ranging in size from 10,682 sf to 47,716 sf, with two fairly large standard home lot outliers, 115,352 sf and 140,910 sf; the plans showed the patio home lots at the northern end of the site, along with the cluster of duplex home lots; the standard home lots occur on the southern half of the site; all of the proposed building lots have frontage on at least one of the five proposed internal roads; HOA Property #1 is shown at the northeast corner of the site and HOA Property #2 is shown at the southern

end of the site; each appears to include some existing vegetation and a proposed stormwater management area; and

WHEREAS, per the submitted plan dated September 25, 2019 (revised February 10, 2020), Phase 1 of the residential development will include the creation of 19 of the 84 standard home lots, installation of a portion of the proposed road network, and installation of water mains and hydrants, sanitary sewer lines and manholes, and storm sewers and catch basins; a 20' wide proposed sidewalk easement is shown along Route 48; and

WHEREAS, the plan shows the 19 standard home lots, proposed Lots 147 to 165, at the southwest corner of the site and ranging in size from 12,800 sf to 61,567 sf, which differs slightly from what was shown in the previous subdivision review; the lots all have frontage on either Bloomfield Street or Lexi Lane, both of which are proposed as part of the Seneca Neighborhood PUD; three of the lots have additional frontage on Route 48; per the plan, Lexi Lane will end in a cul-de-sac and Bloomfield Street will extend from Route 48 to a Temporary Turnaround & Easement; previous plans for the PUD indicate Bloomfield Street will serve additional lots in future phases; and

WHEREAS, the plan shows a typical lot layout to include a house with an attached garage and a driveway with public water and sewer lines extending from the right-of-way to the house; no additional information regarding development of each lot was included; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated September 5, 2019, which was also included with the subdivision referral (S-19-70), states 80 acres of the site will be disturbed by the proposed project; stormwater runoff will be directed to two on-site retention/detention basins; both of the storm areas were shown in the full subdivision plans to occur on the proposed HOA properties, which will presumably provide maintenance and stewardship for the facilities; for Phase 1, three of the lots are shown to abut one of the HOA properties; it is not clear if stormwater facilities will be established on the HOA property as part of the Phase 1 development;

ADVISORY NOTES: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, the site is currently served by public drinking water and an individual septic system; the site is located in the Baldwinsville-Seneca Knolls Wastewater Treatment Plant service area; the referral materials for the zone change and local law reviews (Z-19-151, Z-19-227) indicated that a sewer line extension would be necessary to supply the project and total anticipated drinking water and total anticipated liquid waste generation would each be 41,000 gallons per day; it is unknown if a pump station is required to serve the project; ADVISORY NOTE: should a pump station be required, the operational and long-term repair/replacement costs of pump stations serving a limited residential tax base can be excessive, and the County Department of Water Environment Protection encourages cost-benefit analyses, high quality construction standards, and assurances such as performance bonds/maintenance guarantees as part of the development review process; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the northeast

and southeast corners of the site are located within the 100-year floodplain of the Seneca River, which may require elevation of structures and other mitigation; GIS mapping shows the site may also contain state and/or federal wetland areas, including a riverine wetland associated with a creek on the north side of the parcel; this area is not part of Phase 1; the full subdivision plan also showed the floodplain and wetland areas to occur primarily on the proposed HOA properties; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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; ADVISORY NOTE: the applicant is advised to 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; and

WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); the site may contain the Indiana bat or bald eagle, or their associated habitats, which have 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

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper), and the site is just west of the Seneca River which is part of the historic Erie Canalway National Heritage Corridor; ADVISORY NOTE: the applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; and

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

The municipality and the applicant must continue to coordinate Route 48 access requirements with the New York State Department of Transportation.

The Board reiterates the following comments from prior reviews of the PUD,  
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for consideration:

1. The Board recommends revising the development plan for the Planned Unit Development (PUD) district to better meet the objectives of the Town's zoning code. To more fully embrace the purpose and intent of a PUD, the applicant is encouraged to explore opportunities to conserve natural resources on the site, including preservation of mature trees, cluster residential lots to provide larger areas of meaningful open space areas for habitats and/or neighborhood use, such as a trail network adjacent to the creek and wetland areas, incorporate a mix of neighborhood scale commercial uses and amenities, minimize infrastructure networks and related costs, and establish a sidewalk network to create a positive pedestrian environment within the community.
2. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure wherever possible. For more information on stormwater management and opportunities to incorporate green infrastructure elements into project plans, contact the Onondaga County Save the Rain program at 315-435-2260 or visit <http://savetherain.us>.
3. The Onondaga County Department of Water Environment Protection advises the Towns of Lysander, Van Buren and the Village of Baldwinsville to work cooperatively to identify an allocation strategy for the limited remaining capacity within the county system, given potential constraints at the Baldwinsville-Seneca Knolls Wastewater Treatment Plant, and to ensure capacity is used for the most beneficial land uses for the communities and the region, especially job creating entities.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-57

- 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 Van Buren Planning Board at the request of Riccelli Northern, LLC for the property located at 6900 Van Buren 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 Herman Road (Route 216), Van Buren Road (Route 106) and Walters Road (Route 221), all county roads, the New York State Thruway, a state highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to expand the aggregate processing and storage area of an existing bituminous concrete plant, Riccelli Northern, on a 42.9-acre parcel in a Planned Industrial District (PID) zoning district; and
- WHEREAS, in 2016, the Board recommended modification of site plan referral (Z-16-317) to accommodate construction of a new bituminous concrete plant to replace an existing plant on the subject parcel; the Board cited coordination with the Onondaga County Department of Transportation to ensure the existing driveway meets commercial driveway standards; previously, the Board offered no position on zone change (Z-08-186) and site plan (Z-09-115) referrals to construct a hot mix asphalt facility and portable rock crusher on the site; and
- WHEREAS, the site is located in a suburban fringe area characterized with a variety of land uses, including commercial and industrial properties, agricultural uses, including neighboring parcels enrolled in the Agricultural District, and scattered residential; the site is near the New York State Thruway and Interstate 690 access points to the north; an Agricultural Data Statement was not included with the referral materials; and
- WHEREAS, aerial imagery and the Plant Site and Utility Plan dated September 2, 2016, revised February 7, 2020, show the site has frontage on Van Buren Road, a county road, and contains existing asphalt plant related facilities, including aggregate loading bins and conveyance system, a control operations building, a motor control center building, truck scale and loading dock, a utility pad with mixers, and a large aggregate storage and processing area, all encircled by a 40' wide gravel access road and generally occurring within a cleared area surrounded by trees and brush; and
- WHEREAS, the Plant Site and Utility Plan shows the proposed aggregate processing and storage area will be located near the southwest corner of the site, at the outskirts of the access road; a proposed belt crusher location is shown with the new aggregate processing and storage area; there is an alternative proposed belt crusher location within the existing aggregate processing and storage area; and
- WHEREAS, per aerial imagery, the site has an existing long gravel driveway onto Van Buren Road, to remain;

ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Van Buren Road must meet Department requirements; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 30, 2020, 2.0 acres of the site will be disturbed by the proposed project; the referral materials include a Storm Water Pollution Prevention Plan (SWPPP) dated September 2016, revised February 2020, that indicates the site is broken into three separate watersheds based on the site's rolling topography; there are existing infiltration basins in the north and south watersheds, with water quality and quantity from the west watershed being handled by the north basin;

ADVISORY NOTES: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, per the Onondaga County Department of Finance Office of Real Property Services, the site is served by an individual well and septic system; no changes to the existing infrastructure are proposed; and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from plans it appears that some trees will be removed as part of the proposed project;

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

WHEREAS, ADVISORY NOTE: any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on or within 500 feet of a property within a NYS Certified Agricultural District is required by the NYS Agricultural and Markets Law to include an Agricultural Data Statement; 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:

The applicant must contact the Onondaga County Department of Transportation to coordinate requirements for the existing driveway on Van Buren Road, in order to satisfy commercial driveway standards, which will require paving the portion of the driveway in the county right-of-way. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) 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.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-58

- 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 Van Buren Planning Board at the request of DG New York CS, LLC for the property located at 6719 Pottery 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 Herman Road (Route 216) and Pottery Road (Route 164), both county highways, the New York State Thruway, a state highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing construction of a 3 MW AC ground-mounted solar farm on a 23.1-acre portion of a 32.99-acre parcel in an Industrial (IND-A) zoning district; and
- WHEREAS, the Board is concurrently reviewing a special permit referral (Z-20-59) as part of the proposed project; in 2017, the Board recommended modification of a site plan referral (Z-17-164) for a 2,000 kW ground-mounted photovoltaic solar energy facility on 10 acres of the subject site, which was approved but never constructed; and
- WHEREAS, the site is located at the intersection of Herman Road and Pottery Road, both county roads; surrounding land uses are primarily agricultural, residential, and commercial with active farmland nearby and on the site that is enrolled in NYS Agricultural District 3; and
- WHEREAS, the submitted Existing Conditions plan dated December 6, 2019 shows the site contains an existing one-story building, a detached garage, and an asphalt parking lot at the southeastern corner of the lot, to remain; there is an existing asphalt driveway connecting the parking lot to Pottery Road; the site is otherwise covered by an agricultural field and wooded lands;  
ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Pottery Road must meet Department requirements; and
- WHEREAS, per the submitted Site Plan dated December 6, 2019, the project area will be 23.1 acres in size and replace the existing farm field; the solar PV arrays will be enclosed by a perimeter security fence with a 24' double swing gate allowing access to Pottery Road via a proposed 20' gravel access road; within the enclosure, there will also be three concrete pads, one each for the additional solar equipment, including an inverter with transformer, battery energy storage containers, and electrical equipment;  
ADVISORY NOTE: the proposed driveway onto Pottery Road requires highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, per the Site Plan, electricity will be conveyed directly to the National Grid system via 5 proposed utility poles on the site and an overhead electrical line



to an existing 13.2kV overhead pole line along Pottery Road; a Coordinated Electric System Interconnected Review report was included with the referral materials and finds that the proposed interconnection to National Grid's Electric Power System is feasible at 3 MW; any future increase would have to be studied again; and

WHEREAS, the referral materials include a Decommissioning Plan, which states that the structures and foundations will be removed at the end of the project's operation by the owner or operator no more than 150 days after the date of discontinued operation; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 27, 2020, 16 acres of the site will be disturbed by the proposed project; sheet flow from solar panels will infiltrate the ground surface or be directed to existing wetland, drainage and/or swale areas;

ADVISORY NOTES: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, per the referral notice, the site is served by public drinking water and an individual septic system; no drinking water or wastewater services are proposed for the solar energy system;

ADVISORY NOTE: per the Onondaga County Health Department, any changes to the existing use that would increase wastewater flow on the site should be coordinated with the Department to ensure the existing septic system can appropriately handle any additional flow; and

WHEREAS, the Site Plan shows two delineated wetland areas, which are both outside the existing and proposed development of the site, and notes "delineated wetlands data obtained from Tetra Tech on October 23, 2019"; the local application indicates the applicant is working with the US Army Corps of Engineers (USACE) to receive a determination of no permit required; per the Town zoning code, solar farms are not permitted in wetlands as identified/defined by the USACE or NYS DEC; and

WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and the submitted Tree Clearing Plan shows 0.39 acres of wooded land will be cleared as part of the proposed project; per the local application, the applicant has conducted an Indiana bat habitat assessment and is consulting with the US Fish and Wildlife Service (USFWS); the local application notes that coordination with the NYS Department of Environmental Conservation (DEC) will also be conducted; 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:

The applicant must contact the Onondaga County Department of Transportation to coordinate requirements for the proposed driveway on

Pottery Road, in order to satisfy commercial driveway standards, which will require paving the portion of the driveway in the county right-of-way. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) 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.

The Board also offers the following comments:

1. The installation of solar energy systems on active or prime farmland should be designed to minimize disruption to existing and future agricultural operations by avoiding configurations that fragment farm fields and production, siting solar systems in more remote areas with marginal soils and less productive lands, minimizing disturbance of topsoil, soil erosion and compaction during construction, requiring maintenance and reuse of disturbed topsoil on the same site, planting pollinator-friendly and native species between solar panels, using lands around solar panels as pasture for grazing, installing ground mounted solar systems that do not require footings, allowing for small animal movement through fencing, and avoiding nearby wetlands or floodplains.
2. The applicant is encouraged to provide landscaping around the perimeter of the solar farm to minimize visual impacts to residential landowners across Pottery Road and Herman Road from the site.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-59

- 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 SPECIAL PERMIT from the Town of Van Buren Zoning Board of Appeals at the request of DG New York CS, LLC for the property located at 6719 Pottery Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of Herman Road (Route 216) and Pottery Road (Route 164), both county highways, the New York State Thruway, a state highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting a special permit to allow construction of a 3 MW AC ground-mounted solar farm on a 23.1-acre portion of a 32.99-acre parcel in an Industrial (IND-A) zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-20-58) as part of the proposed project; in 2017, the Board recommended modification of a site plan referral (Z-17-164) for a 2,000 kW ground-mounted photovoltaic solar energy facility on 10 acres of the subject site, which was approved but never constructed; and
- WHEREAS, the site is located at the intersection of Herman Road and Pottery Road, both county roads; surrounding land uses are primarily agricultural, residential, and commercial with active farmland nearby and on the site that is enrolled in NYS Agricultural District 3; and
- WHEREAS, the submitted Existing Conditions plan dated December 6, 2019 shows the site contains an existing one-story building, a detached garage, and an asphalt parking lot at the southeastern corner of the lot, to remain; there is an existing asphalt driveway connecting the parking lot to Pottery Road; the site is otherwise covered by an agricultural field and wooded lands;  
ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Pottery Road must meet Department requirements; and
- WHEREAS, per the submitted Site Plan dated December 6, 2019, the project area will be 23.1 acres in size and replace the existing farm field; the solar PV arrays will be enclosed by a perimeter security fence with a 24' double swing gate allowing access to Pottery Road via a proposed 20' gravel access road; within the enclosure, there will also be three concrete pads, one each for the additional solar equipment, including an inverter with transformer, battery energy storage containers, and electrical equipment;  
ADVISORY NOTE: the proposed driveway onto Pottery Road requires highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, per the Site Plan, electricity will be conveyed directly to the National Grid

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system via 5 proposed utility poles on the site and an overhead electrical line to an existing 13.2kV overhead pole line along Pottery Road; a Coordinated Electric System Interconnected Review report was included with the referral materials and finds that the proposed interconnection to National Grid's Electric Power System is feasible at 3 MW; any future increase would have to be studied again; and

WHEREAS, the referral materials include a Decommissioning Plan, which states that the structures and foundations will be removed at the end of the project's operation by the owner or operator no more than 150 days after the date of discontinued operation; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 27, 2020, 16 acres of the site will be disturbed by the proposed project; sheet flow from solar panels will infiltrate the ground surface or be directed to existing wetland, drainage and/or swale areas;

ADVISORY NOTES: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, per the referral notice, the site is served by public drinking water and an individual septic system; no drinking water or wastewater services are proposed for the solar energy system;

ADVISORY NOTE: per the Onondaga County Health Department, any changes to the existing use that would increase wastewater flow on the site should be coordinated with the Department to ensure the existing septic system can appropriately handle any additional flow; and

WHEREAS, the Site Plan shows two delineated wetland areas, which are both outside the existing and proposed development of the site, and notes "delineated wetlands data obtained from Tetra Tech on October 23, 2019"; the local application indicates the applicant is working with the US Army Corps of Engineers (USACE) to receive a determination of no permit required; per the Town zoning code, solar farms are not permitted in wetlands as identified/defined by the USACE or NYS DEC; and

WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and the submitted Tree Clearing Plan shows 0.39 acres of wooded land will be cleared as part of the proposed project; per the local application, the applicant has conducted an Indiana bat habitat assessment and is consulting with the US Fish and Wildlife Service (USFWS); the local application notes that coordination with the NYS Department of Environmental Conservation (DEC) will also be conducted; 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:

The applicant must contact the Onondaga County Department of

Transportation to coordinate requirements for the proposed driveway on Pottery Road, in order to satisfy commercial driveway standards, which will require paving the portion of the driveway in the county right-of-way. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) 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.

The Board also offers the following comments:

1. The installation of solar energy systems on active or prime farmland should be designed to minimize disruption to existing and future agricultural operations by avoiding configurations that fragment farm fields and production, siting solar systems in more remote areas with marginal soils and less productive lands, minimizing disturbance of topsoil, soil erosion and compaction during construction, requiring maintenance and reuse of disturbed topsoil on the same site, planting pollinator-friendly and native species between solar panels, using lands around solar panels as pasture for grazing, installing ground mounted solar systems that do not require footings, allowing for small animal movement through fencing, and avoiding nearby wetlands or floodplains.

2. The applicant is encouraged to provide landscaping around the perimeter of the solar farm to minimize visual impacts to residential landowners across Pottery Road and Herman Road from the site.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-60

- 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 Mark V. Weiss for the property located at 6803 Manlius Center 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 Manlius Center Road (Route 290), a state highway; and
- WHEREAS, the applicant is proposing to construct two separate additions (27,692 sf and 2,304 sf) to an existing 55,000 sf building on 9.70 acres in an Industrial zoning district; and
- WHEREAS, the Board is concurrently reviewing a subdivision referral (S-20-9) as part of the proposed project; the Board is also reviewing a site plan referral (Z-20-61) from the same applicant to allow for storage and equipment display for Tracey Road Equipment on a parcel to the east; and
- WHEREAS, the site is located along Manlius Center Road, a state road, in an industrial node bound by I-481 to the west, CSX rail lines to the north and Butternut Creek to the east; aerial imagery and the submitted subdivision plan show the site has additional frontage on Claymaster Drive, a private road that serves several industrial parcels to the east; and
- WHEREAS, per the subdivision plan, there is a large existing building for Tracey Road Equipment at the front of the site with asphalt parking along the east side of the building; there is an existing driveway onto Claymaster Drive that serves the parking area and more than 250' of additional, unrestricted access; the site appears to have additional access to a private road on the opposite side of the building; this adjacent parcel appears to be owned by CSX and contain a railroad track; a large gravel lot is shown at the rear of the building, which is contiguous with an adjacent parcel and enclosed by a chain link fence; the area appears to be used for outdoor equipment storage;  
ADVISORY NOTE: per the New York State Department of Transportation, no access to Manlius Center Road will be permitted, nor is any shown in the proposed plans; and
- WHEREAS, the subdivision plan shows New Lot No. 1 (9.409 acres) to be the combination of the four existing parcels, which is intended to facilitate construction of the two proposed additions; the submitted Layout Plan & Site Details dated February 14, 2020 shows one addition (27,692 sf) will be constructed at the rear of the building and the other (2,304 sf) will be at the front, southeast corner; per the local application, the larger addition will provide new garage space for repairing construction equipment; the smaller addition will add office space for the Tracey Road Equipment facility; and
- WHEREAS, two Environmental Assessment Forms (EAF), both dated February 4, 2020, were included with the referral materials, one EAF for each action; the EAFs

indicate 0.92 acres of the site will be disturbed by the proposed project and existing and proposed drainage patterns will remain the same, utilizing existing catch basins and with sheet flow moving in the same direction as it currently does; the EAF notes that the places where the building additions will be constructed are currently concrete, hard packed gravel and/or asphalt; ADVISORY NOTE: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; and

WHEREAS, the site is served by Town drinking water and public sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, 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 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

WHEREAS, GIS mapping shows the rear half of the site may contain state wetlands, including the proposed rear addition; there is also an area of potential federal wetlands at the northeast corner of the site; ADVISORY NOTE: the applicant is advised to 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; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that a significant amount of the site is located in the 100-year floodplain, including the existing building and proposed rear addition, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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, the site may contain the Northern long-eared bat or Indiana bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and aerial imagery shows there are no wooded areas on the site; 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:

The New York State Department of Transportation has determined that the

applicant must contact the Department to discuss any required traffic data for the proposed project. To further meet Department requirements, the applicant should submit a lighting plan for any new lighting on the site. 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.

The Board also offers the following comment:

The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**





J. Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-61

- 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 Mark V. Weiss for the property located at 6815 Manlius Center 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 Manlius Center Road (Route 290), a state highway; and
- WHEREAS, the applicant is proposing to utilize an existing site for equipment display and sales on a 1.56-acre parcel in an Industrial zoning district; and
- WHEREAS, the Board is also reviewing concurrent site plan (Z-20-60) and subdivision (S-20-9) referrals from the same applicant to combine four lots into one and build two additions (27,692 sf and 2,304 sf) to an existing building for Tracey Road Equipment on lands west of the site; in 2005, the Board offered no position for a site plan referral (Z-05-13) to install an insulated overhead door on the subject building; and
- WHEREAS, the site is located along Manlius Center Road, a state road, in an industrial node bound by I-481 to the west, CSX rails lines to the north and Butternut Creek to the east; aerial imagery and the submitted survey map show the site has additional frontage on Butternut Drive, a local cul-de-sac that intersects Manlius Center Road at an existing traffic signal; and
- WHEREAS, per the survey map, there is an existing building set towards the front of the site with parking at the front and east sides of the building; the rear half of the site is covered by gravel/asphalt and provides additional parking and outdoor storage space; the site has two access points onto Butternut Drive and the gravel area appears to be contiguous with two parcels to the west, allowing for additional access via Claymaster Drive, a private road;  
ADVISORY NOTE: per the New York State Department of Transportation, no access to Manlius Center Road will be permitted, nor is any shown in the proposed plans; and
- WHEREAS, per the local application, site plan approval is sought to allow the site to be used for equipment display and sales for Tracey Road Equipment; the building will be used for parts storage; no site modifications are proposed; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated February 4, 2020 indicates existing drainage patterns will remain the same utilizing existing catch basins and with sheet flow moving in the same direction as it currently does;  
ADVISORY NOTE: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; no

changes to the existing infrastructure are proposed; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, 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 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

WHEREAS, GIS mapping shows the rear half of the site may contain state wetlands;

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, current FEMA Flood Insurance Rate Maps (FIRM) indicate that a significant amount of the site is located in the 100-year floodplain, including the existing building, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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, the site may contain the Northern long-eared bat or Indiana bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and aerial imagery shows there are no wooded areas on the site; 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 municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-62

- 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 Village of Minoa Village Board at the request of Village of Minoa 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 the site is located within 500 feet of Schepps Corners Road (Route 55 / Minoa Bridgeport Road / North Main Street), a county highway, and the municipal boundary between the Village of Minoa and the Town of Manlius; and
- WHEREAS, the applicant is proposing Local Law No. 2 of 2020 to amend the Village Zoning Map to reflect a zone change request for two parcels from Residential (R-A) to Commercial (C); and
- WHEREAS, the Board is concurrently reviewing a zone change referral (Z-20-63) for the associated zone change; and
- WHEREAS, the site is located along Schepps Corners Road, a county road, adjacent to Minoa Elementary School; other surrounding land uses include residential, athletic fields, a cemetery, and undeveloped, wooded areas; and
- WHEREAS, aerial imagery and the submitted survey map show the site contains an existing one-story house and three garage structures, one of which is a vacant auto body shop; there is a u-shaped driveway with two access points onto Schepps Corners Road that serve both the house and former commercial use; this area is surrounded by an acre of maintained lawn; the remainder of the site appears to be wooded; and
- WHEREAS, per the local application, the proposed zone change from R-A to C is intended to allow for additional development on the site; the Village zoning code indicates single-family dwellings, retail stores, banking or office buildings, undertaking establishments, schools, churches, libraries, municipal buildings, public parks or playgrounds, restaurants, hospitals, nursing homes, bakeries, pet shops, veterinary hospitals, personal service shops, professional offices, and residential living units are permitted uses in the C district; special permit uses include commercial garages; proposed Local Law No. 2 of 2020 will amend the Village Zoning Map to reflect the requested zone change; and
- WHEREAS, the submitted Schematic Conceptual Layout Plan dated January 30, 2020 shows a proposed 9,300 sf retail building with a front parking lot and additional parking on the side of the building (62 spaces total); there are two proposed driveways onto Schepps Corners Road and a future connection from the new drive aisle to the existing structures, though it is not clear what is intended for the existing development; the plan also shows a "Conceptual Future Layout" at the rear of the retail building and existing structures; this additional development includes (3) two-story apartment buildings (8 units each) around a greenspace area, parking at the front of each building, and

access to the proposed drive aisles; a proposed monument sign is shown at the front of the site; and

WHEREAS, the Schematic Conceptual Layout Plan shows a proposed stormwater mitigation basin and stormwater water quality basin at the rear of the existing development; the conceptual future layout appears to include additional stormwater facilities; no additional information regarding stormwater management for the site was included;

ADVISORY NOTES: drainage in this area is owned by the Village of Minoa; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to future development; and

WHEREAS, the site is served by public drinking water and Village sewers; drinking water and wastewater services for the proposed development would be provided by the existing infrastructure;

ADVISORY NOTE: the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the rear half of the site is located within the 100-year floodplain, which may require elevation of structures and other mitigation; a portion of the proposed development appears to be in the floodplain; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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 the rear half of the site may contain state wetlands; a portion of the proposed development appears to be located in the potential wetland area and/or its adjacent 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, the site is located over, or immediately adjoining, a principal aquifer (per EAF Mapper); and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from aerial imagery it appears that some wooded areas would have to be cleared for the proposed development;

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

WHEREAS, 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:

The Board offers the following comments for the next phase of development:

1. The Village and applicant are encouraged to consider opportunities for denser, Village-scaled development on this site. Specific recommendations include promoting mixed-use character by integrating the proposed uses into multi-story buildings to allow for first floor commercial tenants and upper floor residential or office uses, locating buildings closer to the road with shared parking at the rear, and enhancing walkability in this area by providing pedestrian accommodations, such as sidewalks along Schepps Corners Road and throughout the site and crosswalks and/or connections to the nearby school and athletic fields.
2. Prior to the next phase of development, the applicant will be required to coordinate access plans with the Onondaga County Department of Transportation, which will require consolidating existing and proposed driveways to minimize the number of access points to Schepps Corners Road. To further meet Department requirements, the applicant will be required to submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), traffic data, and a lighting plan for Department review. The applicant is encouraged to contact the Department early in the planning process to coordinate project requirements.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**



J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-63

- 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 ZONE CHANGE from the Village of Minoa Village Board at the request of Village of Minoa 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 the site is located within 500 feet of Schepps Corners Road (Route 55 / Minoa Bridgeport Road / North Main Street), a county highway, and the municipal boundary between the Village of Minoa and the Town of Manlius; and
- WHEREAS, the applicant is proposing a zone change on two parcels from Residential (R-A) to Commercial (C) to allow for proposed construction of a 9,300 sf retail store and associated improvements; and
- WHEREAS, the Board is concurrently reviewing a local law referral (Z-20-62) to amend the zoning map to reflect the proposed zone change; and
- WHEREAS, the site is located along Schepps Corners Road, a county road, adjacent to Minoa Elementary School; other surrounding land uses include residential, athletic fields, and a cemetery and undeveloped, wooded areas; and
- WHEREAS, aerial imagery and the submitted survey map show the site contains an existing one-story house and three garage structures, one of which is a vacant auto body shop; there is a u-shaped driveway with two access points onto Schepps Corners Road that serve both the house and former commercial use; this area is surrounded by an acre of maintained lawn; the remainder of the site appears to be wooded; and
- WHEREAS, per the local application, the proposed zone change from R-A to C is intended to allow for additional development on the site; the Village zoning code indicates single-family dwellings, retail stores, banking or office buildings, undertaking establishments, schools, churches, libraries, municipal buildings, public parks or playgrounds, restaurants, hospitals, nursing homes, bakeries, pet shops, veterinary hospitals, personal service shops, professional offices, and residential living units are permitted uses in the C district; special permit uses include commercial garages; proposed Local Law No. 2 of 2020 will amend the Village Zoning Map to reflect the requested zone change; and
- WHEREAS, the submitted Schematic Conceptual Layout Plan dated January 30, 2020 shows a proposed 9,300 sf retail building with a front parking lot and additional parking on the side of the building (62 spaces total); there are two proposed driveways onto Schepps Corners Road and a future connection from the new drive aisle to the existing structures, though it is not clear what is intended for the existing development; the plan also shows a "Conceptual Future Layout" at the rear of the retail building and existing structures; this additional development includes (3) two-story apartment buildings (8 units each) around a greenspace area, parking at the front of each building, and

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

E-mail Address: [countyplanning@ongov.net](mailto:countyplanning@ongov.net)

access to the proposed drive aisles; a proposed monument sign is shown at the front of the site; and

WHEREAS, the Schematic Conceptual Layout Plan shows a proposed stormwater mitigation basin and stormwater water quality basin at the rear of the existing development; the conceptual future layout appears to include additional stormwater facilities; no additional information regarding stormwater management for the site was included;

ADVISORY NOTES: drainage in this area is owned by the Village of Minoa; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to future development; and

WHEREAS, the site is served by public drinking water and Village sewers; drinking water and wastewater services for the proposed development would be provided by the existing infrastructure;

ADVISORY NOTE: the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the rear half of the site is located within the 100-year floodplain, which may require elevation of structures and other mitigation; a portion of the proposed development appears to be in the floodplain; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five 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 the rear half of the site may contain state wetlands; a portion of the proposed development appears to be located in the potential wetland area and/or its adjacent 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, the site is located over, or immediately adjoining, a principal aquifer (per EAF Mapper); and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from aerial imagery it appears that some wooded areas would have to be cleared for the proposed development;

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

WHEREAS, 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:

The Board offers the following comments for the next phase of development:

1. The Village and applicant are encouraged to consider opportunities for denser, Village-scaled development on this site. Specific recommendations include promoting mixed-use character by integrating the proposed uses into multi-story buildings to allow for first floor commercial tenants and upper floor residential or office uses, locating buildings closer to the road with shared parking at the rear, and enhancing walkability in this area by providing pedestrian accommodations, such as sidewalks along Schepps Corners Road and throughout the site and crosswalks and/or connections to the nearby school and athletic fields.
2. Prior to the next phase of development, the applicant will be required to coordinate access plans with the Onondaga County Department of Transportation, which will require consolidating existing and proposed driveways to minimize the number of access points to Schepps Corners Road. To further meet Department requirements, the applicant will be required to submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), traffic data, and a lighting plan for Department review. The applicant is encouraged to contact the Department early in the planning process to coordinate project requirements.

**The motion was made by Marty Voss and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**





J.Ryan McMahon II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 26, 2020

OCPB Case # Z-20-64

- 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 Mike Goodfellow for the property located at Woodchuck Hill and Jamesville 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 Jamesville Road (Route 7), a county highway, and Interstate Route 481, a state highway; and
- WHEREAS, the applicant is proposing construction of a 36,640 sf mixed-use building, underground parking and associated site improvements on 5 parcels totaling 3.58 acres in Office and Professional (O&P) and Mixed-Use Village II zoning districts; and
- WHEREAS, the Board recently offered no position for a final subdivision referral (S-19-42) for a lot line adjustment, resulting in 0.503 acres of conveyed lands, and offered no position for an associated three-mile limit referral (Z-19-362), which included the lot line adjustment and a resubdivision to combine four lots into one; the recent lot line adjustment and resubdivision have been approved locally and created the subject parcel; and
- WHEREAS, previously, the Board recommended modification of a preliminary subdivision referral (S-16-46) to subdivide three of the subject parcels and a right-of-way to create three reconfigured lots, citing traffic data and drainage requirements for full build out of the three parcels; the referral materials indicated the site was generally proposed to include three new commercial buildings, each with their own parking, access off Old Woodchuck Road, and stormwater accommodations; and
- WHEREAS, the site is located just south of I-481 near the Jamesville Quarry and is bound by the I-481 ramp system to the north, Jamesville Road, a county road, to the west, Woodchuck Hill Road, a local road, to the south, and lands owned by Niagara Mohawk Power Corporation and containing overhead utility lines to the east; aerial imagery shows the site was recently cleared and is undeveloped; and
- WHEREAS, per the submitted Graphic Site Plan dated February 12, 2020, the proposed mixed-use project will include a 4-story, u-shaped building with a 36,640 sf footprint and 144,000 sf of total space; the building will parallel the Jamesville Road frontage and have a front yard setback of at least 63' from the county right-of-way; on-site parking is shown on the east side of the building, providing parking for 180 vehicles; basement parking for 89 vehicles will be available in the building and accessed at the northern and southern ends of the building; the submitted floor plans show two first floor commercial lease spaces (20,885 sf and 15,755 sf) and second, third and fourth floor residential

(78 units); and

WHEREAS, per the Graphic Site Plan, there will be concrete sidewalks for access from the parking lot to the front of the building, a full access driveway is shown on Woodchuck Hill Road that appears to mostly occur in the Town right-of-way in the place of an existing driveway; per the plan, the applicant is exploring options to obtain a portion of the Town right-of-way lands between the site and Woodchuck Hill Road, which appears to include part of the proposed access and parking for the site; proposed landscaping is shown to include new trees along all road frontages, landscape beds around the perimeter of the building, and curbed landscape islands in the parking lot;  
ADVISORY NOTE: per the Onondaga County Department of Transportation (OCDOT), no access to Jamesville Road will be permitted, nor is it shown to be proposed; OCDOT also notes that any landscaping must not obstruct sight distance; and

WHEREAS, per the local application, the proposed development does not meet parking requirements, proposing 269 spaces where 280 are required, or building height restrictions, proposing 54 feet where a maximum of 50 feet is permitted; an area variance referral has not been reviewed by the County Planning Board; the Graphic Site Plan shows an area on the adjacent Niagara Mohawk parcel labeled "National Grid Revocable Easement Parking +69 Cars," which does not appear to be included in the parking count; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated February 13, 2020, 3.56 acres of the site will be disturbed by the proposed action; stormwater runoff will be collected from building roofs and pavement areas and directed to on-site stormwater facilities shown in the Graphic Site Plan to include a long narrow stormwater management area along the south side of the building and a subsurface stormwater facility under the northeast corner of the parking lot;  
ADVISORY NOTES: per the Onondaga County and New York State Departments of Transportation, additional stormwater runoff into the county's or state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, the site is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area and has access to drinking water provided by the Town; new connections to the public drinking water or sewer infrastructure are proposed as part of the project;  
ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);  
ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, the applicant must develop a 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

WHEREAS, the site may contain the Indiana bat or Northern long-eared bat, or their

associated habitats, which have been listed by the state or federal government as 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

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper);  
ADVISORY NOTE: the applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; 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 Onondaga County Department of Transportation (OCDOT) has determined that the applicant must contact the Department to discuss any required traffic data for the proposed project. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and a lighting plan for Department 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.
2. The applicant must also submit a copy of any traffic data provided to OCDOT to the New York State Department of Transportation for review. To further meet the State's requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and a lighting plan. 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.

The Board also offers the following comment:

The Board finds that the proposed project may have potential environmental impacts, which should be reviewed under the State Environmental Quality Review Act (SEQRA). Given the proximity of the site to a heavy industrial land use and an interstate highway without a buffer, the Town is advised to undertake a comprehensive assessment of air quality and noise in the surrounding area to ensure a satisfactory community environment for any new residential uses, per GML §239-1 2(h), and account for impacts from the nearby quarry operations and associated truck traffic and dust.

**The motion was made by Marty Voss and seconded by Jim Stelter. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.**