



# Onondaga County Planning Board

March 21, 2018

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

## I. ATTENDANCE

### MEMBERS PRESENT

Douglas Morris  
Daniel Cupoli  
Robert Antonacci  
Bill Fisher  
James Corbett - via Skype  
Lisa Dell  
Marty Voss

### STAFF PRESENT

Megan Costa  
Allison Bodine  
Robin Coon

### GUESTS PRESENT

## II. CALL TO ORDER

The meeting was called to order at 11:00 AM on March 21, 2018.

## III. MINUTES & OTHER BUSINESS

Minutes from February 27, 2018 were submitted for approval. Lisa Dell made a motion to accept the minutes. Marty Voss seconded the motion. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Lisa Dell - yes; Marty Voss - yes.

The Board discussed the new publication, "Guide to Onondaga County Planning Board Referrals" created by the Syracuse-Onondaga County Planning Agency, and its distribution to local municipalities. Daniel Cupoli made a motion to endorse the publication. Lisa Dell seconded the motion. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Lisa Dell - yes; Marty Voss - yes.

## IV. ACTIONS ON GML SECTION 239 REFERRALS

### Summary

S-18-21	TLysPB	<i>No Position With Comment</i>	S-18-22	VSolPB	<i>No Position With Comment</i>
S-18-23	TVanPB	<i>No Position With Comment</i>	Z-18-70	CSyrPB	<i>No Position With Comment</i>
Z-18-71	CSyrZA	<i>Approval</i>	Z-18-72	TFabZBA	<i>No Position With Comment</i>
Z-18-73	TClaPB	<i>Modification</i>	Z-18-74	TClaTB	<i>Modification</i>
Z-18-75	CSyrPB	<i>No Position</i>	Z-18-76	CSyrPB	<i>No Position</i>
Z-18-77	TSalPB	<i>Modification</i>	Z-18-78	VBalPB	<i>No Position With Comment</i>
Z-18-79	TDewZBA	<i>No Position With Comment</i>	Z-18-80	TVanPB	<i>Modification</i>
Z-18-81	TClaZBA	<i>No Position With Comment</i>	Z-18-82	TCicPB	<i>Modification</i>
Z-18-83	TOnoZBA	<i>No Position With Comment</i>	Z-18-84	TOnoZBA	<i>No Position With Comment</i>
Z-18-85	TClaZBA	<i>No Position With Comment</i>	Z-18-86	TElbZBA	<i>No Position With Comment</i>
Z-18-87	TElbZBA	<i>No Position With Comment</i>	Z-18-88	TDewPB	<i>Modification</i>
Z-18-89	TDewPB	<i>Modification</i>	Z-18-90	CSyrZBA	<i>No Position</i>
Z-18-91	TClaZBA	<i>No Position With Comment</i>	Z-18-92	VLivPB	<i>No Position With Comment</i>
Z-18-93	VLivPB	<i>No Position With Comment</i>	Z-18-95	TLafTB	<i>No Position With Comment</i>



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # S-18-21

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the Town of Lysander Planning Board at the request of Eric Croucher for the property located at 8299 Wheaton 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 a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 99.96-acre parcel into 4 new lots, Lot 2A (90.75 acres), Lot 2B (1.84 acres), Lot 2C (1.84 acres), and Lot 2D (6.27 acres), in an Agricultural zoning district; and
- WHEREAS, the site is located in a rural area in the Town of Lysander; the site and surrounding lands are enrolled in New York State Agricultural District 3 and appear to contain active farmland; per the submitted Agricultural Data Statement, 90% of the site is currently being farmed; and
- WHEREAS, the submitted Sketch Plan dated January 18, 2018 shows the site has frontage on Wheaton Road, a local road, and contains an existing two-story house, two barn structures, and two sheds; the site has access to Wheaton Road via an existing gravel drive; and
- WHEREAS, per the submitted Environmental Assessment Form (EAF) dated January 10, 2018, proposed Lots 2B, 2C, and 2D are intended for residential building lots, and Lot 2A will contain the remainder of the site and the existing house and structures; the proposed building lots are shown on the Sketch Plan to be situated at the Wheaton Road frontage and each have a lot depth of 400'; and
- WHEREAS, the existing house is served by individual well and septic system; per the referral notice, new individual wells and septic systems are proposed for each of the proposed building lots; and
- WHEREAS, GIS mapping shows the site may contain areas of state and federal wetlands, primarily at the rear of the site along a creek that cuts through the northwest corner of Lot 2A; though two small wetland areas are also shown towards the front of Lot 2A; and
- WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that the northwest corner of Lot 2A, along the creek, 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 New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the site is located over, or immediately adjoining,

primary and principal aquifers; and

WHEREAS, per the EAF Mapper, the site of the proposed action may contain a species of animal (Bald eagle, Indiana bat), or associated habitats, listed by the state or federal government as threatened or endangered; 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 Board encourages the Town to consider the potential long-term effects of large-lot, strip subdivisions along road frontages, particularly within areas containing New York State Agricultural District properties and in farm/agricultural zoning districts, as potential conflicts with agricultural operations, changes to the rural character, increased public service demands and costs, reduction of open space and farmland, and impacts to road safety and mobility may cumulatively occur.

2. The Board encourages the applicant and Town to consider and explore opportunities to cluster the smaller lots so as to preserve frontage, reduce impacts to the remainder of the site and specifically on the agricultural land, and consolidate access on the high speed roadway. Any clustering of lots using on-site stormwater management must be coordinated early on with the Onondaga County Health Department, to ensure long-term viability of plans for wastewater management.

3. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations have been met prior to approving this subdivision:

a. Septic System Approval – The Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service proposed Lots 2B, 2C, and 2D prior to Department endorsement of the subdivision.

b. State and/or Federal Wetlands Approval – The applicant is advised to contact the U.S. Army Corps of Engineers (USACE) and/or the New York State Department of Environmental Conservation (NYS DEC) 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. The applicant is also advised to contact the USACE and NYS DEC to determine whether permits are necessary for the proposed project and obtain any applicable permits.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - abstain; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # S-18-22

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the Village of Solvay Planning Board at the request of Westvale Plaza for the property located at 2102 West Genesee Street; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of West Genesee Street (Route 5), a state highway, and the municipal boundaries between the Village of Solvay, the Town of Geddes, and the City of Syracuse; and
- WHEREAS, the applicant is proposing to create an outparcel (1.502 acres) from two parcels totaling 11.175 acres in a Commercial zoning district; and
- WHEREAS, the site is located at the intersection of West Genesee Street, a state road, and Charles Avenue, a local road, in the Village of Solvay; the site consists of two tax parcels, containing a portion of the Westvale shopping plaza and a vacant outparcel building, and is part of a commercial corridor along West Genesee Street; other surrounding land uses include the Westcott Reservoir and residential neighborhoods; and
- WHEREAS, aerial imagery shows the site also contains a large parking area at the front of the plaza, a signalized driveway onto West Genesee Street that aligns with Fay Road, and an existing driveway onto Charles Avenue at the front of the outparcel building; additional access to the shopping plaza comes from a second driveway on West Genesee Street that occurs on an adjacent parcel containing the remainder of the plaza; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated December 8, 2017 indicates the proposed subdivision is intended to facilitate the purchase and remodel of the outparcel building for an O'Reilly Auto Parts store and any site improvements required by the Village; and
- WHEREAS, the submitted subdivision map dated January 12, 2018 shows the proposed outparcel (1.502 acres) will be created from portions of the existing lots (1.407 acres from 014.-06-08.1 and 0.095 acres from 014.-06-07.0); the proposed outparcel will contain the existing vacant building, a portion of the parking lot, and the existing driveway onto Charles Avenue; 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; no changes to the existing infrastructure are indicated in the referral materials; and
- WHEREAS, the Onondaga County Department of Water Environment Protection has determined that 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 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 and 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:

Per the New York State Department of Transportation, the municipality is advised to ensure appropriate easements or agreements are in place for any shared driveways or parking.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # S-18-23

- 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 Van Buren Planning Board at the request of Kleaka / Brackley Subdivision for the property located at Commene Road West; 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 Van Buren and the Town of Lysander; and
- WHEREAS, the applicant is proposing to subdivide 0.562 acres from a 0.993-acre parcel and combine it with an adjacent 0.37-acre parcel in a Residential (R-40) zoning district; and
- WHEREAS, the site is located in a rural area in the Town of Van Buren just south of Maloney Island and the Seneca River and east of an intersecting tributary, Dead Creek; the submitted subdivision map dated July 8, 2009 shows the parcel abuts "State of New York Canal Flood Lands" to the south and four residential lots on the Seneca River to the north; the centerline of a gravel roadway, Commene Road Spur West, and a 30' right-of-way are shown to cut across the parcel, providing access to the residential lots along the river; and
- WHEREAS, aerial imagery shows the parcel is primarily forested and may contain one or two shed structures belonging to the adjacent residential lots; per the submitted Environmental Assessment Form (EAF) dated August 29, 2017, the intent of the subdivision is to allow the owner of 037.-01-46.0 to purchase the adjacent portion of the vacant parcel; and
- WHEREAS, the subdivision map shows the parcel will be divided into Lot A (0.431 acres) and Lot B (0.562 acres) to be purchased by the owner of 037.-01-46.0; per the subdivision map, Lot A and one of the other adjacent residential lots, 037.-01-47.0, are under common ownership; it is not clear if Lot A will be combined with 037.-01-47.0 as part of the proposed subdivision; and
- WHEREAS, the parcel is vacant and does not currently have drinking water or wastewater accommodations, though it does have access to public drinking water infrastructure; the existing houses on residential lots 037.-01-46.0 and 037.-01-47.0 are served by the public drinking water infrastructure and individual septic systems; no changes to the existing infrastructure are indicated in the referral materials; and
- WHEREAS, the 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 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 portion of the parcel may contain areas of federal wetlands which appear to occur mostly in forested areas on the site; the parcel also appears to be just north of a state wetland area (LYS-17, 212.7 acres); the applicant is advised to contact the U.S. Army Corps of Engineers (USACE) and/or the New York State Department of Environmental Conservation (NYS DEC) to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site, and show all confirmed wetlands on the plans for the site; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the site is located over, or immediately adjoining, primary and principal aquifers; and

WHEREAS, per the EAF Mapper, the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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. For new building lots, the Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service the property prior to Department endorsement of the subdivision. If proposed Lot A is not intended as a building lot, the Health Department advises the applicant to combine the lot with the adjacent parcel 037.-01-47.0, given that it may not meet on-site wastewater system standards for new construction.
2. The Board encourages the applicant to maintain the existing 30' right-of-way to allow for appropriate site access, and to consider relocating the existing gravel road to the right-of-way.
3. The applicant is advised against any future development of the vacant land as it located in an environmentally-sensitive area, potentially containing state and/or federal wetlands and within the 100-year floodplain. The applicant may wish to retain the existing tree cover on that land to continue providing stormwater management benefits to the area.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-70

- 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 Gage Harrnacker for the property located at 3522 James 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 the municipal boundary between the City of Syracuse and the Town of DeWitt; and
- WHEREAS, the applicant is requesting a special permit to replace the ground signage for an existing office building on a 1.23-acre parcel in a Residential, Class C (RC) zoning district; and
- WHEREAS, in 2017, the Board offered No Position With Comment for a Special Permit referral (Z-17-251) for an addition to the existing office building granted in August 2017; and
- WHEREAS, the site is located across the street from the Eastwood shopping plaza in the Eastwood neighborhood of the City of Syracuse; surrounding land uses are a mix of commercial and single-family and multi-family residential; and
- WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; according to the ReZone Syracuse draft zoning map dated June 2017, the proposed zoning for this lot is Mixed Used Neighborhood Center (MX-2), which would act to “provide for a pedestrian-focused mix of low-density residential and nonresidential uses that offer limited goods and services to surrounding neighborhoods”; and
- WHEREAS, a letter to the zoning office, included with the referral materials, justifies the need for the proposed monument sign (10’ x 11’-6”) indicating that the office building has been 75% empty for over 10 years, and in order to make it a viable rental location it must provide sufficient outdoor signage (as required by potential tenants); per the letter, the face of the building has numerous windows and limited space for signage; and
- WHEREAS, the submitted survey map dated February 24, 2016 shows that the site has frontage on James Street, a city-owned portion of State Route 290, and contains a two-story masonry office building at the front of the site with a two-story brick and stucco house behind it which has since been demolished; the survey map also shows the site has two existing driveways onto James Street that run along either side of the existing structures; a large paved parking area at the rear of the office building is separated into three segments by two retaining walls; and
- WHEREAS, there is an existing ground sign (approximately 30 sf) at the front of the office building that would be replaced by the proposed monument sign, which equates to an increase of nearly 200 sf in signage area; the dimensioned layout and elevation drawings dated February 20, 2018 show the proposed



sign to be located 23' from the front of the building and set back 7' from James Street in the same location as the existing sign; the monument sign would be two-sided and include 12 tenant spaces per side; the referral materials do not indicate if/how the sign will be lit; and

WHEREAS, the existing structures are served by public drinking water and sewers and are located in the Metropolitan Wastewater Treatment Plant service area; and

WHEREAS, the Onondaga County Department of Water Environment Protection has determined that 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 the project applicant may be required to offset any additional sanitary flow in excess of the most recent land use; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (EAF) Mapper indicates that the project is within 2,000 feet of sites listed in the NYS DEC Environmental Site Remediation database (IDs: C734138, 734032, 734064); site C734138, the Bristol-Myers Squibb Syracuse North Campus Restoration Area, is an active site in the Brownfield Cleanup Program; site 734032, the former Prestolite facility, is a completed site in the Resource Conservation and Recovery Program; and site 734064, the Roth Brothers site, is an active site in the Resource Conservation and Recovery Program; 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 encourages the applicant to reinforce the traditional character of the Eastwood neighborhood and consider reducing the scale of the proposed signage, incorporating traditional materials, and providing exterior lighting for the signage as opposed to backlighting which are more appropriate for development in suburban areas.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-71

- 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 709 North Salina Street, LLC for the property located at 709 North Salina 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 Route 81, a state highway; and
- WHEREAS, the applicant is proposing façade alterations for an existing vacant building, as part of a mixed-use building rehabilitation project in a Commercial, Class A (CA) zoning district; and
- WHEREAS, the site is located along North Salina Street, a city street, in the City's Northside neighborhood just east of I-81; this stretch of North Salina Street features similar two to three-story mixed use buildings with primarily residential, commercial, and office uses; the site is also located in the North Salina Street Historic District, which is listed on the National Register of Historic Places; and
- WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; according to the ReZone Syracuse draft zoning map dated February 2017, the proposed zoning for this lot is Mixed Use Urban Core (MX-4), which would act to "provide for pedestrian-friendly areas of higher-density residential development and a well-integrated mix of nonresidential uses"; and
- WHEREAS, the submitted survey map dated November 17, 2017 and local application indicate the site contains an existing two-story, zero lot line building with first floor bar and two second floor apartments (2 and 3 bedroom units) all of which have been vacant for 3 years; and
- WHEREAS, per the local application, the building will be gutted and renovated to allow for a first floor, not-for-profit community center for neighborhood services and a second floor, upscale apartment (three bedrooms, two bathrooms); the submitted elevations dated January 4, 2018 show proposed façade alterations to include new storefront and windows, a fabric canopy, new roof membrane, new guardrail and railing, new doors, new trim, and new siding; and
- WHEREAS, the local application indicates proposed signage would include a 3' x 5' projecting sign and use the existing sign pole on the front of the building; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; and
- WHEREAS, the Onondaga County Department of Water Environment Protection has determined that 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 New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (EAF) Mapper indicates that the project is within 2,000 feet of several sites in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (C734089, V00588, C734143, E734109); and

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

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends that said application be APPROVED.

The Board commends the applicant on the proposed renovation for its preservation of original architectural elements, good context-sensitive façade treatments, and attention to historic scale and character, particularly given the building's location in the North Salina Street Historic District.

**The motion was made by Lisa Dell and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-72

- 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 Fabius Zoning Board of Appeals at the request of William F. Dwyer for the property located at Penoyer 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 Fabius and the Town of Pompey, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting an area variance to reduce the lot width from 300' (required) to 30' (proposed) for both of the proposed lots to be created by a two-lot subdivision of a 30.15-acre parcel in an Agricultural (A-1) zoning district; and
- WHEREAS, the site is located in a rural area in the Town of Fabius and adjacent to the shared municipal boundary with the Town of Pompey; the site and surrounding lands are enrolled in New York State Agricultural District 4; per the submitted Agricultural Data Statement, the entirety of the site is currently being farmed; and
- WHEREAS, the submitted Preliminary Subdivision Plan dated November 28, 2017 shows the site consists of a 30.15-acre flag lot with a 60' right-of-way onto Penoyer Road, a local road, to be subdivided into Lot 1 (7.375 acres) and Lot 2 (22.775 acres); the Board has not received a subdivision referral yet; and
- WHEREAS, per the Town of Fabius zoning ordinance, 300' of frontage is required for all lots in the A-1 zoning district; the Preliminary Subdivision Plan shows the proposed subdivision will divide the existing right-of-way into two 30' rights-of-way, requiring a variance for both proposed lots; the local application states that the area variance is required to allow for access to both parcels; and
- WHEREAS, an email from the Town attorney indicates that current access to Penoyer Road comes from an abandoned Town road which is shown along the westerly lot line in the Preliminary Site Plan with the labels "centerline of former town road" and "excepting and reserving' rights of Donald V. Dwyer and others in former town road for ingress and egress"; per the Preliminary Site Plan, the western 30' right-of-way serves proposed Lot 2 and is indicated to also provide right-of-way to Lot 1; and
- WHEREAS, per the email, there are no plans for any development of the proposed lots; the lots will continue to be used for agriculture and hunting; and
- WHEREAS, the Onondaga County Department of Finance Office of Real Property Services indicates the parcel does not currently have drinking water or wastewater services; per the submitted Environmental Assessment Form (EAF) dated January 29, 2018, drinking water and wastewater services will be provided by an individual well and septic system, respectively, though the referral

materials indicate there are no development plans; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the site is located over, or immediately adjoining, a principal aquifer and a sole source aquifer (Cortland-Homer-Preble SSA); and

WHEREAS, per the EAF Mapper, the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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 strongly discourages the proposed layout of Lots 1 and 2. The applicant is encouraged to consider an alternative subdivision layout that retains the 60' right-of-way and includes an access easement or agreement for shared access to both proposed lots via the existing right-of-way and/or former town road. In addition, the Town and applicant are encouraged to consider the potential long-term effects of large-lot subdivisions, particularly within areas containing New York State Agricultural District properties and in farm/agricultural zoning districts, and to avoid irregularly shaped lots and the elimination of frontage in the absence of a road network.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-73

- 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 New Brooklyn Pickle Restaurant for the property located at 7175 Buckley 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 Buckley Road, a county highway, and the municipal boundary between the Town of Clay and Town of Salina; and
- WHEREAS, the applicant is proposing construction of a 5,700 square foot restaurant (Brooklyn Pickle) and associated site facilities on 3.0 acres of an 8.42-acre site in Highway Commercial (HC-1) and Residential (R-10) zoning districts; and
- WHEREAS, the Board is concurrently reviewing Special Permit (Z-18-74) and Area Variance (Z-18-91) referrals as part of the proposed project; in 2011, the Board recommended Disapproval of Subdivision (S-11-42) and Zone Change (Z-11-189, Z-11-190) referrals as part of a development proposal to create 36 single-family residential lots and 38,000 sf of commercial space from three lots, including one of the subject parcels; the Board cited reasons for disapproval to include a lack of coordination with the Town of Salina on potential inter-municipal impacts to sewer infrastructure and transportation, and inadequate access for vehicles, pedestrians, emergency responders, and school buses to the development and adjacent properties/neighborhood; and
- WHEREAS, the site consists of three parcels located along Buckley Road, a county road, in the Town of Clay, south of West Taft Road and adjacent to the North Medical Center; the site abuts several recently developed single-family residential lots to the south and has frontage on Red Barn Circle, a local road serving the residential neighborhood, all of which were created as part of the 2011 subdivision and zone change referrals; the submitted subdivision map dated February 8, 2018 shows Lots 1 (2.99 acres) and 2 (5.43 acres) to be created from the three existing parcels by a proposed lot line adjustment, with Lot 1 occurring at the northeast corner of the site and intended for the proposed project; the Board has not received a subdivision referral for the lot line adjustment; and
- WHEREAS, per the Town of Clay zoning ordinance, the HC-1 zoning district requires a minimum lot width of 200' and the Highway Overlay Zone District requires an additional 1.5 times the minimum frontage for lots along Buckley Road, a designated Type C highway; an area variance is sought to reduce the minimum required lot width from 300' to facilitate the proposed lot line adjustment and lot widths (Lot 1 – 289.98' and Lot 2 – 291.78'); and
- WHEREAS, the submitted Demolition Plan dated February 22, 2018 shows the site to contain two existing vacant structures (formerly Hafner's Red Barn Country Store and Farm Market), a front asphalt parking lot, and a rear gravel drive,

all to be demolished; the site has four existing driveways onto Buckley Road which a submitted letter from GTS Consulting dated February 16, 2018 indicates will be replaced by a single, full access roadway opposite Dolshire Road, a local road serving a residential neighborhood to the east; per the Onondaga County Department of Transportation, dual exit lanes will not be permitted for the proposed access onto Buckley Road nor are they currently shown; and

- WHEREAS, the submitted Site Plan dated February 22, 2018 shows the proposed project to include a 5,700 sf building (Brooklyn Pickle), front and side patios with pavers and outdoor seating areas, light duty asphalt parking on all sides of the building (121 spaces proposed, 57 spaces required), an area for future parking (36 spaces) at the rear of the proposed parking lot, two driveways onto the proposed full access roadway, a pedestrian crosswalk through the parking lot to a sidewalk connection to the adjacent medical center, a rear concrete dumpster pad and enclosure, and side and rear yard trees; per the Town of Clay zoning ordinance, restaurants are permitted in the HC-1 zoning district upon issuance of a special permit; and
- WHEREAS, per the GTS Consulting letter, the overall concept plan for future redevelopment of the “remaining Hafner property” (presumably proposed Lot 2 and a nearby parcel under common ownership) includes a 6,400 sf building behind the proposed Brooklyn Pickle, a 5,000 sf building south of the proposed access roadway, a 3,000 sf bank building north of Red Barn Circle, and a 5,000 sf building south of Red Barn Circle; per the letter, the three unidentified buildings are assumed to be general commercial; and
- WHEREAS, per the GTS Consulting letter, a Traffic Impact Assessment was conducted and concluded that “additional traffic generated by both the Brooklyn Pickle and future potential development will not have any significant impacts on traffic operations at the Taft Road/Buckley Road intersection” and “minor signal timing adjustments may be necessary, particularly during the evening peak hours, as development occurs”; the letter also notes that “with relatively high north/south through volumes on Buckley Road passing the site, there is potential for longer delays exiting the site driveway with the proposed Brooklyn Pickle development” and the “future development of the remaining property will compound delays”, both of which “will be internal to the site” and are “consistent with existing traffic operations in the area”; and
- WHEREAS, per the local application, the Brooklyn Pickle’s proposed hours of operation will be Monday through Saturday 9am to 8pm; the restaurant will employ 20 people, with 12 to 15 employees on site daily, and serve 500-550 patrons per day; a monument sign is shown on the Site Plan to be 25’ from the front lot line; per the Onondaga County Department of Transportation, all signage must be out of the County right-of-way (as currently shown) and may not obstruct sight distance; and
- WHEREAS, per the submitted Environmental Assessment Form (EAF) dated February 21, 2018, site lighting will include building-mounted wall packs over doors and to illuminate the parking lot and 20’ tall pole-mounted light fixtures to light the parking lot; and
- WHEREAS, the EAF states 3.0 acres of the site will be physically disturbed by the proposed project; the project will share a stormwater management basin as part of the larger redevelopment project; no additional information regarding stormwater management was included in the referral materials; and

WHEREAS, per the Onondaga County Department of Finance Office of Real Property Services, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; per the EAF, anticipated drinking water demand is 5,000 gallons per day (gpd) and anticipated liquid waste generation is 5,000 gpd; the Onondaga County Department of Water Environment Protection has determined that 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 New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project is within 2,000 feet of a site in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (734051); the site is located over, or immediately adjoining, a principal aquifer; the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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 and Town must coordinate with the Onondaga County Department of Transportation on a proposed site plan that includes access and traffic for full buildout, including approved driveway/roadway access points, potential future signal locations, and interconnections to serve the proposed development and facilitate mobility in and through adjacent developments via logical pathways.
2. The Site Plan must be revised to remove front yard parking between the building and Buckley Road, and encourages locating the building closer to the right-of-way.
3. The Onondaga County Department of Transportation has determined that the municipality and applicant must submit a copy of the Traffic Impact Assessment and contact the Department at (315) 435-3205 to discuss any additional traffic data requirements for the proposed project. Any modifications to the Site Plan required by the Department must be reflected on a revised Site Plan prior to municipal approval.
4. The municipality must submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.
5. The applicant must submit a lighting plan to be approved by the Onondaga County Department of Transportation to ensure there is no glare or spillover onto adjacent properties or the county right-of-way.
6. 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. The applicant is



advised to contact the Health Department at (315) 435-6600 to coordinate proposed wastewater services.

The Board also offers the following comment(s):

1. As Town parking requirements are significantly less than what is proposed for the project, the Town and applicant may wish to consider opportunities for shared parking as part of full build out or reducing the parking area on the site altogether.
2. The Board encourages the applicant to include a sidewalk along Buckley Road and additional sidewalks throughout the site, as well as bike racks, as part of full build out to provide pedestrian interconnections between the proposed commercial buildings and adjacent residential neighborhood and medical center. Landscaping, such as a low hedge, is advised to buffer any parking visible from the front of the site.
3. The applicant and Town are advised to complete a combined environmental assessment of full build out to minimize duplication of effort, identify shared and cumulative impacts and avoid potential perceptions of segmentation.
4. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.
5. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.
6. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine 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.
7. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations have been met prior to project approval:
  - a. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.
  - b. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. 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 offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter

confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

c. Permitting for Demolition - Per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects. The applicant must contact Plumbing Control to ensure appropriate permits are obtained.

d. State Pollutant Discharge Elimination System (SPDES) Permit – Any project that cumulatively disturbs one acre or more of land, must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity. For projects within a designated municipal storm sewer system (MS4) municipality, the applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP) and consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP). The applicant is advised that they must submit a Notice of Intent (NOI) and an MS4 SWPPP Acceptance Form (signed by the municipality) to the DEC Bureau of Water Permits. The municipality should ensure that a letter of acceptance is received from the DEC prior to issuance of a building permit.

Projects located within the Onondaga Lake watershed must include Enhanced Phosphorus Removal design criteria from the NYS Stormwater Management Design Manual in the SWPPP.

e. Archaeological Sensitive Areas – The applicant and/or municipality is advised to contact the New York State 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.

f. Notice of Public Hearing – 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.

**The motion was made by Daniel Cupoli and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-74

- 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 Clay Town Board at the request of New Brooklyn Pickle Restaurant for the property located at 7175 Buckley 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 Buckley Road, a county highway, and the municipal boundary between the Town of Clay and Town of Salina; and
- WHEREAS, the applicant is requesting a special permit to allow for the construction of a 5,700 square foot restaurant (Brooklyn Pickle) and associated site facilities on 3.0 acres of an 8.42-acre site in Highway Commercial (HC-1) and Residential (R-10) zoning districts; and
- WHEREAS, the Board is concurrently reviewing Site Plan (Z-18-73) and Area Variance (Z-18-91) referrals as part of the proposed project; in 2011, the Board recommended Disapproval of Subdivision (S-11-42) and Zone Change (Z-11-189, Z-11-190) referrals as part of a development proposal to create 36 single-family residential lots and 38,000 sf of commercial space from three lots, including one of the subject parcels; the Board cited reasons for disapproval to include a lack of coordination with the Town of Salina on potential inter-municipal impacts to sewer infrastructure and transportation, and inadequate access for vehicles, pedestrians, emergency responders, and school buses to the development and adjacent properties/neighborhood; and
- WHEREAS, the site consists of three parcels located along Buckley Road, a county road, in the Town of Clay, south of West Taft Road and adjacent to the North Medical Center; the site abuts several recently developed single-family residential lots to the south and has frontage on Red Barn Circle, a local road serving the residential neighborhood, all of which were created as part of the 2011 subdivision and zone change referrals; the submitted subdivision map dated February 8, 2018 shows Lots 1 (2.99 acres) and 2 (5.43 acres) to be created from the three existing parcels by a proposed lot line adjustment, with Lot 1 occurring at the northeast corner of the site and intended for the proposed project; the Board has not received a subdivision referral for the lot line adjustment; and
- WHEREAS, per the Town of Clay zoning ordinance, the HC-1 zoning district requires a minimum lot width of 200' and the Highway Overlay Zone District requires an additional 1.5 times the minimum frontage for lots along Buckley Road, a designated Type C highway; an area variance is sought to reduce the minimum required lot width from 300' to facilitate the proposed lot line adjustment and lot widths (Lot 1 – 289.98' and Lot 2 – 291.78'); and
- WHEREAS, the submitted Demolition Plan dated February 22, 2018 shows the site to contain two existing vacant structures (formerly Hafner's Red Barn Country

Store and Farm Market), a front asphalt parking lot, and a rear gravel drive, all to be demolished; the site has four existing driveways onto Buckley Road which a submitted letter from GTS Consulting dated February 16, 2018 indicates will be replaced by a single, full access roadway opposite Dolshire Road, a local road serving a residential neighborhood to the east; per the Onondaga County Department of Transportation, dual exit lanes will not be permitted for the proposed access onto Buckley Road nor are they currently shown; and

WHEREAS, the submitted Site Plan dated February 22, 2018 shows the proposed project to include a 5,700 sf building (Brooklyn Pickle), front and side patios with pavers and outdoor seating areas, light duty asphalt parking on all sides of the building (121 spaces proposed, 57 spaces required), an area for future parking (36 spaces) at the rear of the proposed parking lot, two driveways onto the proposed full access roadway, a pedestrian crosswalk through the parking lot to a sidewalk connection to the adjacent medical center, a rear concrete dumpster pad and enclosure, and side and rear yard trees; per the Town of Clay zoning ordinance, restaurants are permitted in the HC-1 zoning district upon issuance of a special permit; and

WHEREAS, per the GTS Consulting letter, the overall concept plan for future redevelopment of the “remaining Hafner property” (presumably proposed Lot 2 and a nearby parcel under common ownership) includes a 6,400 sf building behind the proposed Brooklyn Pickle, a 5,000 sf building south of the proposed access roadway, a 3,000 sf bank building north of Red Barn Circle, and a 5,000 sf building south of Red Barn Circle; per the letter, the three unidentified buildings are assumed to be general commercial; and

WHEREAS, per the GTS Consulting letter, a Traffic Impact Assessment was conducted and concluded that “additional traffic generated by both the Brooklyn Pickle and future potential development will not have any significant impacts on traffic operations at the Taft Road/Buckley Road intersection” and “minor signal timing adjustments may be necessary, particularly during the evening peak hours, as development occurs”; the letter also notes that “with relatively high north/south through volumes on Buckley Road passing the site, there is potential for longer delays exiting the site driveway with the proposed Brooklyn Pickle development” and the “future development of the remaining property will compound delays”, both of which “will be internal to the site” and are “consistent with existing traffic operations in the area”; and

WHEREAS, per the local application, the Brooklyn Pickle’s proposed hours of operation will be Monday through Saturday 9am to 8pm; the restaurant will employ 20 people, with 12 to 15 employees on site daily, and serve 500-550 patrons per day; a monument sign is shown on the Site Plan to be 25’ from the front lot line; per the Onondaga County Department of Transportation, all signage must be out of the County right-of-way (as currently shown) and may not obstruct sight distance; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated February 21, 2018, site lighting will include building-mounted wall packs over doors and to illuminate the parking lot and 20’ tall pole-mounted light fixtures to light the parking lot; and

WHEREAS, the EAF states 3.0 acres of the site will be physically disturbed by the proposed project; the project will share a stormwater management basin as part of the larger redevelopment project; no additional information regarding stormwater management was included in the referral materials; and

WHEREAS, per the Onondaga County Department of Finance Office of Real Property Services, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; per the EAF, anticipated drinking water demand is 5,000 gallons per day (gpd) and anticipated liquid waste generation is 5,000 gpd; the Onondaga County Department of Water Environment Protection has determined that 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 New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project is within 2,000 feet of a site in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (734051); the site is located over, or immediately adjoining, a principal aquifer; the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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 and Town must coordinate with the Onondaga County Department of Transportation on a proposed site plan that includes access and traffic for full buildout, including approved driveway/roadway access points, potential future signal locations, and interconnections to serve the proposed development and facilitate mobility in and through adjacent developments via logical pathways.
2. The Site Plan must be revised to remove front yard parking between the building and Buckley Road, and encourages locating the building closer to the right-of-way.
3. The Onondaga County Department of Transportation has determined that the municipality and applicant must submit a copy of the Traffic Impact Assessment and contact the Department at (315) 435-3205 to discuss any additional traffic data requirements for the proposed project. Any modifications to the Site Plan required by the Department must be reflected on a revised Site Plan prior to municipal approval.
4. The municipality must submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.
5. The applicant must submit a lighting plan to be approved by the Onondaga County Department of Transportation to ensure there is no glare or spillover onto adjacent properties or the county right-of-way.
6. 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. The applicant is

advised to contact the Health Department at (315) 435-6600 to coordinate proposed wastewater services.

The Board also offers the following comment(s):

1. As Town parking requirements are significantly less than what is proposed for the project, the Town and applicant may wish to consider opportunities for shared parking as part of full build out or reducing the parking area on the site altogether.
2. The Board encourages the applicant to include a sidewalk along Buckley Road and additional sidewalks throughout the site, as well as bike racks, as part of full build out to provide pedestrian interconnections between the proposed commercial buildings and adjacent residential neighborhood and medical center. Landscaping, such as a low hedge, is advised to buffer any parking visible from the front of the site.
3. The applicant and Town are advised to complete a combined environmental assessment of full build out to minimize duplication of effort, identify shared and cumulative impacts and avoid potential perceptions of segmentation.
4. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.
5. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.
6. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine 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.
7. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations have been met prior to project approval:
  - a. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.
  - b. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. 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 offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter

confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

c. Permitting for Demolition - Per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects. The applicant must contact Plumbing Control to ensure appropriate permits are obtained.

d. State Pollutant Discharge Elimination System (SPDES) Permit – Any project that cumulatively disturbs one acre or more of land, must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity. For projects within a designated municipal storm sewer system (MS4) municipality, the applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP) and consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP). The applicant is advised that they must submit a Notice of Intent (NOI) and an MS4 SWPPP Acceptance Form (signed by the municipality) to the DEC Bureau of Water Permits. The municipality should ensure that a letter of acceptance is received from the DEC prior to issuance of a building permit.

Projects located within the Onondaga Lake watershed must include Enhanced Phosphorus Removal design criteria from the NYS Stormwater Management Design Manual in the SWPPP.

e. Archaeological Sensitive Areas – The applicant and/or municipality is advised to contact the New York State 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.

f. Notice of Public Hearing – 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.

**The motion was made by Daniel Cupoli and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-75

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the City of Syracuse Planning Commission at the request of Kathy Sniezak for the property located at 724-728 (aka 738-750) Spencer 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 Route 690 and Bear Street (Route 298), both state highways; and
- WHEREAS, the applicant is proposing façade alterations as part of a renovation project to relocate a bakery to an existing building on a 0.59-acre parcel in a Lakefront zoning district; and
- WHEREAS, the site is located at the intersection of Spencer Street and Giminski Drive, both city streets, in the City's Lakefront neighborhood; surrounding land uses are a mix of office, commercial, including Harley-Davidson, and multi-family residential; and
- WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; according to the ReZone Syracuse draft zoning map dated June 2017, the proposed zoning for this lot is Mixed Used Neighborhood Center (MX-2), which would act to "provide for a pedestrian-focused mix of low-density residential and nonresidential uses that offer limited goods and services to surrounding neighborhoods"; and
- WHEREAS, the local application indicates that the existing bakery (The Cookie Connection) provides wholesale gluten free products to local grocery stores and businesses and "bake to order" items for pickup by individuals; the bakery is in negotiations with G&C Foods to distribute their products to 27 states on the east coast and requires the renovated, larger space to accommodate 4-5 additional employees and an area for supply deliveries and to have orders palletized and picked up; and
- WHEREAS, aerial imagery shows the site contains an existing one-story building with several tenant spaces, a small front parking lot (12 spaces), and a rear loading area; the site has existing access to Spencer Street via two full access driveways and has unrestricted access along Giminski Drive; on-street parking is available on Giminski Drive; and
- WHEREAS, the submitted floor plan dated February 2, 2018 shows the bakery will occupy over 4,000 sf of space in the existing building, and include a 338 sf retail space at the front of the building; exterior renovations include adding a new 12' overhead door at the rear of the building to allow for access to the rear loading area; and
- WHEREAS, the local application indicates interior renovations include installation of a 3 bay sink with grease trap and a 6' exhaust hood over 2 ovens; and
- WHEREAS, proposed signage includes a 96" x 16" wall-mounted sign on the front of the



building, which will be relocated from the bakery's current location; signage requirements in the Lakefront T5 zoning district appear to permit a single external sign (not to exceed 3' in height) on the façade of each building, per the City's zoning ordinance; it is unclear if the proposed sign will warrant a waiver given the building has an existing wall-mounted sign for an existing tenant in the building; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (EAF) Mapper indicates that the project is within 2,000 feet of several sites in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (734039, V00222, C734088, C734088A, 734020, C734136); and

WHEREAS, per the EAF Mapper, the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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 Marty Voss and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-76

- 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 Fremont First Associates for the property located 7027-7041 Manlius Center Road; 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 Manlius Center Road (New York State Route 290), a state highway; and
- WHEREAS, the applicant is proposing to subdivide a 6.52-acre parcel into two new lots, Lot 1 (5.602 acres) and Lot 2 (0.915 acres), in a Neighborhood Shopping (N-S) zoning district; and
- WHEREAS, in 2017, the Board offered No Position With Comment for the Final Subdivision referral (S-17-102) relating to this 3-mile limit review, and No Position With Comment for a concurrent Site Plan referral (Z-17-465) to convert a former Tim Horton's building to a Dunkin Donuts restaurant as part of the proposed project; in both reviews, the Board recommended a Traffic Impact Study (TIS) for full build out of the shopping plaza and outparcel to meet New York State Department of Transportation requirements and advised the Town of Manlius to ensure appropriate access agreements were in place as no additional access onto Manlius Center Road would be permitted for the proposed outparcel; and
- WHEREAS, the site is located along Manlius Center Road, a state road, in the Town of Manlius; the site is just west of the shared municipal boundary with the Town of DeWitt; surrounding land uses include residential to the north and various low density commercial and service uses along Manlius Center Road; and
- WHEREAS, the submitted subdivision map dated October 11, 2017 (revised February 22, 2018) shows the site has additional frontage on Eisenhower Avenue, a local road, and contains an existing one-story concrete block building, Fremont Plaza, set at the rear of the parcel with a large parking lot in front and an existing one-story brick outbuilding at the southeastern corner of the parcel; the site has access to Manlius Center Road from two existing full access driveways and access to Eisenhower Avenue from two existing full access driveways; the site also includes two internal drives that connect to the adjacent parcel to the east, and ultimately Kinney Drugs; and
- WHEREAS, the subdivision map shows a 15' wide water easement to OCWA at the rear of the retail plaza that appears to connect to a water and utility easement to OCWA and the Town of Manlius at the northeastern corner of the site; a 35' wide drainage and detention easement is shown along the eastern lot line where stormwater management facilities appear to be located and shared with the easterly adjoining parcels; two areas described as "appropriation for road

widening” are shown along Manlius Center Road to the east of the easterly driveway; and

WHEREAS, the proposed subdivision for the project will separate the existing outbuilding (formerly Tim Horton's) from the remainder of the site, creating Lot 1 (5.602 acres) and Lot 2 (0.915 acres); Lot 1 is shown to include the existing retail plaza and large associated front parking area, as well as the four existing driveways onto Manlius Center Road and Eisenhower Avenue; Lot 2 is shown to consist of the southeastern corner of the parcel and include one of the internal drive connections to the adjacent Kinney Drugs; the subdivision map shows 20' wide common parking area consisting of the easternmost row of parking on Lot 1 that abuts proposed Lot 2 and a portion of the front row of parking on Lot 1 to the east of the easterly driveway on Manlius Center Road; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated November 21, 2017 states that the proposed project includes renovations to the existing vacant building, formerly Tim Horton's, to allow for a Dunkin' Donuts restaurant; per the EAF, the existing site plan will remain the same, with only exterior renovations to the building proposed; and

WHEREAS, the EAF indicates that stormwater discharges will be conveyed to an existing stormwater retention area on site, which appears to be along the eastern lot line in the subdivision map; and

WHEREAS, the referral notice states that the existing building 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; the Onondaga County Department of Water Environment Protection has determined that 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 New York State Department of Environmental Conservation (NYS DEC) EAF Mapper, the site of the proposed action may contain a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered; 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 Marty Voss and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-77

- 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 Salina Planning Board at the request of Andrews Realty Holding, LLC for the property located at 103 Kuhn Road; and
- WHEREAS, General Municipal Law Section 239-1-3 allows municipalities to refer applications to the County Planning Board for informal review or technical assistance; and
- WHEREAS, the applicant is proposing exterior renovations to an existing building and site improvements on two parcels totaling 6.1 acres in an Industrial (I-1) zoning district; and
- WHEREAS, the site is located among a cluster of distribution facilities at the intersection of Kuhn Road and Hathaway Street/Cadillac Street, both local roads, in the Town of Salina; the site abuts Assumption Cemetery to the southeast; the immediate area includes various industrial, manufacturing and office land uses, transitioning to residential neighborhoods to the north, south, and east; and
- WHEREAS, the submitted survey map dated June 22, 2017 shows the site contains an existing one-story concrete building (125,200 sf) which was recently acquired by Morse Manufacturing; aerial imagery shows there are parking areas on either side of the building and a front loading area with four, fairly unrestricted access points onto Kuhn Road, a dead-end road; and
- WHEREAS, per the local application, a subdivision was applied for on 2/20/18 to create one lot, which will presumably combine the two existing lots into one; and
- WHEREAS, the submitted Layout Plan dated March 2, 2018 shows site improvements to include removing all existing asphalt on the site and replacing portions of it with heavy duty asphalt to provide side yard and some front yard parking (38 spaces) and a 20' wide rear access road; regrading the existing gravel on the site to provide additional parking (48 spaces) on the other side yard; and landscape mulch beds at the front and side of the building near the proposed employee entrance; and
- WHEREAS, per the Layout Plan, existing access to the site will be modified/delineated for three proposed asphalt driveways (25', 41', and 105' wide) and a proposed gravel driveway (undefined width) onto Kuhn Road; there will be five loading spaces/docks at the front of the building; a u-shaped site circulation path is shown for intended firetruck/box delivery truck movement through the site, with trucks entering at the first proposed driveway (25' wide), moving through the side asphalt lot, along the rear access road, through the side gravel lot, and then exiting back onto Kuhn Road at the proposed gravel driveway; and
- WHEREAS, per the submitted Exterior Elevation drawing dated March 1, 2018, building façade improvements will include a new employee entrance with awning, new

aluminum storefront doors, painting existing CMU and concrete walls, new metal accent siding, new sectional overhead doors, and a new man door; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated February 26, 2018 states that stormwater discharges will be directed to the storm sewer system owned by the Town of Salina; and

WHEREAS, the building is served by public drinking water and an individual septic system (to be disconnected and removed); a new connection to the nearby sewer system is proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station services areas; no changes to the drinking water infrastructure are proposed; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project is within 2,000 feet of two sites in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (734074, 734067); the EAF notes that the site or an adjoining property has been the subject of remediation for hazardous waste, and a limited Phase II Environmental Site Assessment was performed by GZA Geoenvironmental, Inc. dated November 2016, which indicated recommendations for the property owner; no additional information regarding the site assessment were included in the referral materials; and

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

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. The applicant is advised to contact the Health Department at (315) 435-6600 to coordinate proposed wastewater services.

The Board also offers the following comment(s):

1. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-5402 early in the process to determine sewer availability and capacity.
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. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.
3. The applicant and municipality are advised to ensure the following county, state, and/or federal regulation has been met prior to site plan approval:
  - a. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. The applicant must

develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

**The motion was made by Daniel Cupoli and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-78

- 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 Village of Baldwinsville Planning Board at the request of Daniel Manning Architect, PLLC for the property located at 36 Oswego 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 East Genesee Street (New York State Route 31/370) and Oswego Road (New York State Route 48), both state highways; and
- WHEREAS, the applicant is proposing to renovate the rear entrance to an existing building located on a 0.134-acre parcel in a Business (B-2) / Four Corners Overlay zoning district; and
- WHEREAS, the Board recommended Approval of a Site Plan referral (Z-15-109) proposing to renovate the existing four-story building for office and restaurant uses on the upper floors in 2015, which ultimately did not go before the Village Planning Board; in 2014, the Board recommended Approval of a Site Plan referral (Z-14-257) proposing to renovate the building for residential use on the upper floors; and
- WHEREAS, the site is located at the Four Corners of Baldwinsville where Oswego Street (NYS Route 48) and Genesee Street (NYS Route 370/31) intersect just north of the Seneca River; the immediate area contains primarily attached row buildings with a mix of commercial, office, and residential uses; and
- WHEREAS, the submitted floor plan and elevation drawings dated March 6, 2018 show the site contains an existing, four-story attached row building with existing concrete sidewalks on both road fronts and at the rear of the building; per the local application, the building contains first floor commercial areas (Tymeless Tattoo - 2,757 sf, office space - 1,791 sf), second floor general office space and common area (4,842 sf), third floor vacant assembly space, and fourth floor attic space/partially closed mezzanine space; and
- WHEREAS, per the local application, the site contains no means for vehicular access and/or parking; municipal parking lots are within 500' of the building and will be utilized by occupants of both commercial and residential spaces; and
- WHEREAS, the local application indicates that the proposed renovations will include installation of an interior elevator and new exterior steps, accessible ramp, and sidewalk for one of the rear entrances; the existing pedestrian access on East Genesee Street will be maintained, as will the existing entrances on Oswego Street; the existing metal guardrail at the rear of the building will be replaced by proposed ornamental steel bollards (black iron) and a chain, which appear to occur close to the property boundaries; and
- WHEREAS, the site is served by public drinking water and village sewers which ultimately flow to the Baldwinsville-Seneca Knolls Wastewater Treatment Plant; per the

referral notice, no changes to the existing infrastructure are proposed; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (EAF) Mapper indicates that the project is within 2,000 feet of a site in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (E734114, V00053, B00105); and

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

WHEREAS, the EAF Mapper indicates that the site of the proposed action may contain a species of animal (Bald eagle), or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, the EAF Mapper indicates that the site is near the Oswego-Oneida Streets Historic District and the Baldwinsville Village Hall which are both listed on the National Register of Historic Places; and

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

Per the New York State Department of Transportation, the proposed bollards will not be permitted in the State right-of-way. The Village and applicant are advised to ensure the bollards are contained entirely within the property boundaries as currently shown on the site plan.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**





JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-79

- 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 DeWitt Zoning Board of Appeals at the request of Blackacre Properties, LLC for the property located at 6511 Thompson 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 Thompson Road and New York State Route 298 (Court Street), both state highways, and Sanders Creek, a county-owned drainage channel; and
- WHEREAS, the applicant is requesting area variances for sign and building height requirements to construct a 2,250 square foot commercial/retail store (Verizon) on a 0.465-acre parcel in an Industrial zoning district; and
- WHEREAS, the Board is concurrently reviewing a Site Plan referral (Z-18-88) as part of the proposed project; in 2014, the Board reviewed six referrals as part of a larger redevelopment project to construct two new hotels on an adjacent parcel and reconfigure a portion of the adjoining McDonald's property to facilitate access to the proposed hotels; the Board recommended Modification of the Subdivision (S-14-44), Site Plan (Z-14-208, Z-14-209, Z-14-211), and Area Variance (Z-14-210, Z-14-212) referrals indicating that only temporary access via the vacant gas station parcel would be permitted, a copy of the SWPPP would be required by the New York State Department of Transportation and Onondaga County Department of Water Environment Protection, and any state and/or federal wetlands and buffers should be confirmed and shown on plans for the site, and appropriate permits obtained for any proposed development; and
- WHEREAS, the site is located along Thompson Road, a state road, just south of Carrier Circle in the Town of DeWitt; the site is across Thompson Road from the Carrier Corporation manufacturing facility and near numerous hotels, office parks, and other manufacturing sites situated along this stretch of the New York State Thruway (I-90); and
- WHEREAS, the submitted survey map dated February 22, 2018 shows the site is almost entirely covered by asphalt/broken pavement and contains a vacant gas station with a fuel canopy partially occurring on the adjacent parcel, all to be demolished; there is an existing u-shaped driveway with two access points onto Thompson Road at the front of the site, with limited access due to the median at that portion of Thompson Road; the driveway appears to occur mostly in the right-of-way and is shared with the adjacent parcel previously slated for the two proposed hotels; and
- WHEREAS, the submitted Concept Plan dated February 26, 2018 shows the site to include a proposed commercial/retail store (2,250 sf) for Verizon surrounded on three sides by landscape beds and concrete sidewalks, front and rear

parking areas providing 15 parking spaces total, a front two position bike rack, a concrete sidewalk connecting to the existing sidewalk along Thompson Road, a rear dumpster enclosure and concrete pad, a monument sign set back 10' from the front lot line, and grass around the perimeter of the site; and

WHEREAS, per the Concept Plan, site access is shown to come from a proposed right-in, right-out driveway onto Thompson Road that would replace the southern access of the existing u-shaped driveway; it is unclear what is intended for the remainder of the u-shaped driveway, and in particular the portions that fall on the adjacent hotel parcel and in the right-of-way; and

WHEREAS, the local application indicates that area variances are sought to: 1) allow for two proposed wall signs on the north face of the building where only one is permitted on a building face without direct street access; 2) increase the maximum sign area from 120 sf to 155 sf; and 3) increase the maximum building height from 12' to 21'-3"; relief from signage requirements is requested due to the orientation of the building perpendicular to Thompson Road; proposed signage is intended to face the direction from which traffic will be coming given the proposed building's location off Carrier Circle and the proposed right-in, right-out driveway; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated February 26, 2018 states that stormwater discharges will flow to the existing storm sewer within the New York State Department of Transportation right-of-way; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; the Onondaga County Department of Water Environment Protection has determined that 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 Central New York Regional Planning and Development Board led a Carrier Site Reuse Plan and subsequently the Syracuse Metropolitan Transportation Council completed a Carrier Site Access Transportation Study in 2009, in an effort to identify a future reuse plan for certain parcels formerly part of the Carrier Corporation campus, as well as to look at access and circulation opportunities for nearby parcels requiring access to Thompson Road, including that which is the subject of the current project; recommendations for access included internal access roads leading to existing or proposed signalized intersections at Thompson Road and restrictions on direct driveway access to Thompson Road; a public right-of-way has been created at a signalized intersection within the Carrier lots to facilitate future road construction; and

WHEREAS, GIS mapping shows there may be a federal wetland area to the north of the site, corresponding with Sanders Creek; and

WHEREAS, per the EAF, the applicant has hired an environmental engineer who noted this site has had extensive remedial action activities since 1991 and their findings note the regulatory agency will accept an application for no further action as long as the redevelopment follows the regulatory requirements for any soil contamination encountered; the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project is also within 2,000 feet of two sites in the NYS DEC Environmental Site Remediation database (C734113, 734043); site 734043 is listed under the State Superfund Program and is part of the Carrier, Thompson Road Plant; and

WHEREAS, per the EAF Mapper, the site is located over, or immediately adjoining, primary and principal aquifers; 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 relative to the submitted Site Plan, which the Town may wish to consider as part of the area variance review process:

1. The Town, applicant, and related property owners are encouraged to consult the recommendations from the Carrier Site Reuse Plan and the Carrier Site Access Transportation Study in reviewing proposals on this challenging portion of Thompson Road. In particular, the current site planning process should include opportunities to connect to a future road at the rear of the parcel, and at a minimum not create any new hindrances to the eventual construction of a roadway in this vicinity.

2. The applicant must continue coordinating with the New York State Department of Transportation regarding the proposed access onto Thompson Road, any traffic data requirements, and all work within the right-of-way, to include removing the existing driveway curbing and connecting the front yard and right-of-way green spaces to more clearly delineate the proposed driveway. A revised Site Plan should reflect any proposed modifications to lands within the state right-of-way.

3. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.

4. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.

5. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine 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.

6. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations have been met prior to project approval:

a. State Highway Access and/or Work Permit – Any new or modified driveways and work within the state right-of-way require a highway access and/or work permit from the New York State Department of Transportation.

b. Permitting for Demolition - Per the Onondaga County Department of

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)

Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects. The applicant must contact Plumbing Control to ensure appropriate permits are obtained.

c. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. 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 offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-80

- 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 Anthony Crisafulli for the property located at 6945 Winchell 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 Winchell Road (Route 162) and Walters Road (Route 221), both county highways, and the New York State Thruway (Route 90), a state highway; and
- WHEREAS, the applicant is proposing to expand demolition contractor operations on three parcels totaling 8.63 acres in an Industrial A (I-A) zoning district; and
- WHEREAS, in 2004, the Board offered No Position for a Special Permit referral (Z-04-88) proposing to open a motor vehicle service and repair (heavy equipment) shop on one of the subject parcels; and
- WHEREAS, the submitted Site Plan dated August 30, 2017 shows the site consists of three parcels, all with frontage on Winchell Road, a county road; the site is located just south of the New York State Thruway (I-90) and abuts a parcel containing G&C Food Distributors and an OCWA water tank; other surrounding land uses include a storage facility and a hotel across Winchell Road, the Town of Van Buren highway garage, and other various industrial uses; and
- WHEREAS, the Site Plan and submitted Environmental Assessment Form (EAF) dated July 26, 2017 indicate the demolition contractor currently occupies the center parcel which is almost entirely covered by gravel pavement for the storage of demolition materials and includes an existing building, a blacktop parking area, and an existing, gated blacktop driveway onto Winchell Road; current activities on site include a private auto mechanical shop for the company's vehicles and outdoor storage of demolition related materials such as salvage materials, stone, topsoil, etc.; and
- WHEREAS, per the Site Plan and EAF, the two adjacent parcels were purchased for the expansion of the business; the northerly parcel (Lot 1) is vacant except for an existing, gated gravel driveway onto Winchell Road that provides access to the OCWA water tower occurring on a rear adjacent parcel; the southerly parcel (Lot 2) contains an existing Quonset building (prefabricated, corrugated metal building) and part of an existing blacktop driveway that accesses Winchell Road from the adjacent parcel; and
- WHEREAS, the submitted Layout and Planting Plan dated August 27, 2017 shows site improvements for the business expansion will include parking for up to 34 trailers, trucks and pieces of equipment on Lot 1, an area labeled "contractors yard (46,840 sf) area to be graded, filled w/hardfill and topped with millings" on Lot 1, a new 30' x 30' Quonset building adjacent to the existing Quonset building on Lot 2 (both for tire storage), and an area labeled "contractors yard

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)

8,400 sf area has been graded, filled w/hardfill and topped with millings” on Lot 2; new 8’ high chain link fencing is shown at the front and side of the site, to connect to the existing chain link fence and enclose the site; and

WHEREAS, per the Layout and Planting Plan, evergreen trees will be planted along Winchell Road at the front of the contractors yards and along the gravel drive serving the water tower; and

WHEREAS, the local application indicates impervious coverage will increase from 12% (existing) to 50% (proposed) and gross floor area will increase from 8,891 sf (existing) to 9,900 sf (proposed) with the proposed project; and

WHEREAS, per the EAF, 6.1 acres of the site will be disturbed by the proposed project; stormwater discharges on-site will be conveyed through swales and on-site storage; the Layout and Planting Plan shows a forebay/bioswale and stormwater pond on Lot 1 and interceptor trenches at the front of the proposed contractors yard on Lot 2 and at the rear of the existing contractors yard; and

WHEREAS, per the Onondaga County Department of Finance Office of Real Property Services, the site is served by public drinking water and an individual septic system; no changes to the existing infrastructure are indicated in the referral materials; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the site of the proposed action may contain a species of animal (Northern long-eared bat, Indiana bat, Bald eagle), or associated habitats, listed by the state or federal government as threatened or endangered; 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. A drainage and grading plan and a copy of the Storm Water Pollution Prevention Plan (SWPPP) must be provided to the New York State Thruway Authority for review, and the municipality and applicant are advised that no increase to the amount of site drainage entering onto the Thruway as a result of this construction will be permitted.
2. The applicant must contact the Onondaga County Department of Transportation to coordinate requirements for any existing or proposed driveways on Winchell Road, in order to satisfy commercial driveway standards.
3. The municipality must submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.

The Board also offers the following comment(s):

1. Per the Onondaga County Department of Transportation, the municipality is advised to ensure appropriate access agreements are in place for the shared driveway on Winchell Road. No additional access to Winchell Road will be

permitted.

2. The applicant is advised to show an OCWA easement on all plans for the site to ensure appropriate access to the water tower is provided.
3. The Board encourages the applicant to consider providing screening at the rear of the site from the adjacent land uses.
4. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations are met for the proposed project:
  - a. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.
  - b. State Pollutant Discharge Elimination System (SPDES) Permit – Any project that cumulatively disturbs one acre or more of land, must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity. For projects within a designated municipal storm sewer system (MS4) municipality, the applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP) and consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP). The applicant is advised that they must submit a Notice of Intent (NOI) and an MS4 SWPPP Acceptance Form (signed by the municipality) to the DEC Bureau of Water Permits. The municipality should ensure that a letter of acceptance is received from the DEC prior to issuance of a building permit.

Projects located within the Onondaga Lake watershed must include Enhanced Phosphorus Removal design criteria from the NYS Stormwater Management Design Manual in the SWPPP.

**The motion was made by Daniel Cupoli and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-81

- 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 Clay Zoning Board of Appeals at the request of Laurel Springs Assisted Living / JOLU Development Co. for the property located at West Taft 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 West Taft Road and Bear Road, both county highways; and
- WHEREAS, the applicant is requesting area variances for relief from floor area, side yard setback, building height, number of floors, parking, and perimeter landscape strip requirements to allow for the proposed construction of a 30,000 square foot assisted living facility, Laurel Springs, on a 4.6-acre parcel in a Highway Commercial (HC-1) zoning district; and
- WHEREAS, in 2017, the Board recommended Modification of Site Plan (Z-17-451) and Special Permit (Z-17-452) referrals as part of the proposed project; the Board cited required coordination with the Onondaga County Department of Transportation, to ensure the proposed access meets driveway standards and submit traffic and drainage data for Department approval, and with the Onondaga County Health Department regarding sewage disposal plans; additional recommendations were included that encouraged the Town and applicant to consider appropriate landscape buffers and screening and opportunities for enhanced transit accommodations as part of the project; and
- WHEREAS, a letter dated February 13, 2018, included with the referral materials, indicates that the site plan for the proposed Laurel Springs Assisted Living Facility was previously approved and site work for the project, including stormwater, sanitary sewer, domestic water, rough site grading, and a portion of the driveway subbase, commenced in 2006; development was not completed and the site has been dormant ever since; the current site plan for the proposed project, as reviewed in Z-17-451, has been modified from the previously approved project, and includes a smaller building footprint, slight parking lot modifications, and stormwater upgrades to account for revised regulations since the original approval; and
- WHEREAS, the site is located along West Taft Road, a county road, near the intersection with Bear Road, a county road, in the Town of Clay; the site abuts single-family residential properties to the east and north, as well as a residential frontage lot along West Taft Road; other surrounding land uses include Wegmans, various medical offices, and long-term care and senior housing facilities; aerial imagery shows the site is mostly covered by overgrown vegetation; and
- WHEREAS, per the local application, area variances are requested to: 1) increase maximum gross floor area from 30,000 sf to 90,000 sf; 2) decrease side yard



setbacks from 80' (required where parcel abuts residential zone) to 78.34' (proposed west side setback) and 55.75' (proposed east side setback); 3) to increase allowable height from 35' to 38.67'; 4) increase allowable number of floors from 2 to 3; 5) decrease the number of parking spaces from 144 to 84; and 6) decrease perimeter landscape strip from 50' to 6' (proposed east side), 11' (proposed west side), and 20' (proposed rear yard); and

WHEREAS, per the local application, "the current proposal for the project has already been revised to help minimize the relief sought to the greatest extent feasible" and "since the site work including most utilities were installed previously, any other significant changes outside of building location with parking area will not be financially feasible due to the cost associated with relocating said site and storm water facilities"; the local application indicates that applicable zoning laws were revised from the time the project commenced in 2006, imposing more stringent and/or additional requirements; and

WHEREAS, the submitted Site Layout Plan dated November 13, 2017 shows the proposed building (31,000 sf) situated at the center of the site with two patio areas, a dumpster enclosure area, concrete sidewalks to the four building entrances, and an internal drive circling the proposed development area; per the Site Layout Plan, access to the site will come from a 24' wide driveway onto West Taft Road and 84 perpendicular parking spaces will be available throughout the site along the internal drive; a u-shaped entry drive and canopy are shown at the west side building entrance off the internal drive; and

WHEREAS, the elevation drawings and floor plans dated February 20, 2017, included with the Site Plan (Z-17-451) and Special Permit (Z-17-452) referrals, show the proposed building will be three stories high and include five connected building components, with the 'Main Core' separating Buildings 'A' and 'B' to the north from Buildings 'C' and 'D' to the south; the 'Main Core' is shown to include shared resident spaces, such as kitchen, dining room, library, and media room, as well as office, housekeeping, and maintenance space for the facility; the facility will include 72 apartments with Buildings 'A' and 'D' shown to each have 6 two-bedroom apartments and 12 one-bedroom apartments, and Buildings 'B' and 'C' having 18 one-bedroom apartments each; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), transit service runs along this portion of West Taft Road; the nearest Centro stop is located less than a quarter-mile east of the site at the intersection of West Taft Road and Diamond Road; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated February 26, 2018 states that 4.5 acres of the site will be disturbed by the proposed project and runoff will be collected on site, treated with bio-retention areas, managed with stormwater basins, and discharged to existing stormwater conveyance systems at the front and rear of the site; the Site Layout Plan shows bioretention areas along the east and west sides of the proposed development area and two stormwater management areas, one at the front of the site and one at the rear; and

WHEREAS, the site has access to public drinking water and sewers, and new connections to these water and wastewater services are proposed; the site is located in the Onondaga County Sanitary District in the Wetzel Road Wastewater Treatment Plant service area; and

WHEREAS, GIS mapping shows the possible presence of federal wetlands at the rear of the site which does not appear to encroach on the proposed building, internal

drive or parking areas, but may overlie the stormwater management area at the rear of the site; and

WHEREAS, per the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper, the project is within 2,000 feet of a site in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (734125), and the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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. In light of the requested setback and perimeter landscape relief, the Board recommends providing appropriate landscaping or screening along the shared boundaries with the adjacent residential lots, particularly at the rear of the parcel and around the residential lot at the front of the site.
2. The Board further encourages the municipality and applicant to consider opportunities for enhanced transit accommodations at the site to meet residents' potentially limited mobility and related transit needs, and provide additional options for employee access, particularly given the requested reduction in parking requirements. The applicant is advised to coordinate with the Central New York Regional Transportation Authority (CENTRO) regarding transit opportunities and explore a revised site design that facilitates pedestrian access from West Taft Road and throughout the site.

The Board also reiterates the following comments to be considered for the project as a whole:

1. Given the amount of time that has passed since initial approvals, the applicant must coordinate the proposed access to West Taft Road with the Onondaga County Department of Transportation to ensure that the driveway meets the Department's commercial driveway standards and complete any appropriate mitigation as may be determined by the Department.
2. The municipality must also submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.
3. The Onondaga County Department of Transportation has determined that the municipality and applicant must contact the Department at (315) 435-3205 to discuss any required traffic data for the proposed project. Any modifications to the Site Plan required by the Department must be reflected on a revised Site Plan prior to municipal approval.
4. The applicant must contact the Onondaga County Health Department regarding sewage disposal plans for the site.

5. The municipality is encouraged to consider providing a connection between this site and the adjacent Elderwood site to facilitate vehicle and pedestrian circulation between the sites and a possible connection for transit service.

6. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.

7. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.

8. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations are met for the proposed project:

a. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.

b. Federal Wetlands Approval – The applicant is advised to conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site. Any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. The applicant is also advised to contact the Corps to determine whether permits are necessary for the proposed project and obtain any applicable permits.

c. State Pollutant Discharge Elimination System (SPDES) Permit – Any project that cumulatively disturbs one acre or more of land, must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity. For projects within a designated municipal storm sewer system (MS4) municipality, the applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP) and consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP). The municipality is advised that they must sign and submit an MS4 SWPPP Acceptance Form and Notice of Intent (NOI) to the New York State Department of Environmental Conservation (NYS DEC) Bureau of Water Permits. The municipality should ensure that a letter of acceptance is received from the NYS DEC prior to issuance of a building permit.

Projects located within the Onondaga Lake watershed must include Enhanced Phosphorus Removal design criteria from the NYS Stormwater Management Design Manual in the SWPPP.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-82

- 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 EWM Holdings, LLC for the property located at 8860 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 (U.S. Route 11) and Interstate Route 81, both state highways, Sneller Road, a county road, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to use an existing vacant building for a dance studio, install paved parking and make site improvements on a 5.5-acre parcel in a General Commercial (GC) zoning district; and
- WHEREAS, in 2015, the Board recommended Disapproval of a Site Plan referral (Z-15-62) proposing to construct a new vehicle storage facility on the subject parcel, indicating that an extension of public sewerage along this segment of Route 11 was not endorsed by the Board; and
- WHEREAS, the site is located at the intersection of Brewerton Road (US Route 11) and Sneller Road, a county road, on the west side of I-81 in the Town of Cicero; surrounding land uses are a mix of low-density roadside commercial and industrial; the site abuts a parcel to the rear that is owned by National Grid and appears to contain utility lines; the submitted survey map dated February 28, 2017 shows a right-of-way to Niagara Mohawk Power Corp. at the rear of the parcel; and
- WHEREAS, per the survey map, the site contains an existing one-story frame and masonry building and a masonry shed (to be removed); there is an existing gravel lot along the front and side of the building; and there is an existing u-shaped gravel driveway with two access points, one onto Route 11 (to remain for potential future use) and one occurring at the Sneller Road/Route 11 intersection (to be removed and restored to lawn); the remainder of the site appears to be vacant; and
- WHEREAS, per the local application, the proposed project is intended to allow for a dance studio in the existing vacant building (6,700 sf); the submitted Site Plan dated February 27, 2018 shows site improvements to include paving and delineating the front and side parking areas to accommodate 30 parking spaces, adding a concrete sidewalk at the front and side of the building, and removing remaining portions of the existing gravel parking area and restoring it to lawn; and
- WHEREAS, the Site Plan shows the remaining portion of the existing gravel drive and access onto Route 11 to be disconnected from the proposed parking area by lawn; proposed access to the site will consist of a u-shaped driveway that extends around the building with both access points occurring on Sneller

Road, one in front of the building (to be asphalt) and the other at the rear of the building (to be gravel); the existing site sign along Route 11 is also shown to remain; and

WHEREAS, per the local application, proposed hours of operation will be Monday through Friday 3pm to 9pm and Saturday 8:30am to 5pm; the maximum number of employees on site will be 3; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated March 6, 2018, stormwater discharges will be directed to the ditch along Route 11; and

WHEREAS, the site is served by public drinking water and wastewater services are provided by an existing holding tank; per the referral notice, a new individual septic system is proposed as part of the project; a concrete pad septic area is shown between the building and Sneller Road; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the site of the proposed action may contain a species of animal (Indiana bat), or associated habitats, listed by the state or federal government as threatened or endangered; 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, access to Sneller Road must be at least 80 feet from the intersection of the Sneller Road and Route 11 right-of-way lines, and proposed access to Sneller Road will not be permitted as currently shown on the site plan. The applicant is advised to contact the Department at (315) 435-3205 to coordinate access. Any modifications required for Department approval must be reflected on a revised site plan prior to municipal approval.

2. Per the New York State Department of Transportation, the existing access onto Route 11 must be closed entirely or paved to meet Department commercial driveway standards. The applicant is advised to contact the Department to coordinate access requirements. Any modifications required for Department approval must be reflected on a revised site plan prior to municipal approval.

3. The applicant must submit a lighting plan and sign details to the New York State Department of Transportation to be approved by the Department. Per the New York State Department of Transportation, no glare or spillover onto adjacent properties or the State right-of-way will be permitted.

4. The New York State and Onondaga County Departments of Transportation have determined that the applicant must complete a drainage report or study or Stormwater Pollution Prevention Plan (SWPPP) to meet Departmental requirements verifying that the proposed development would not create additional stormwater runoff into highway drainage systems and is required to first contact the Departments to determine the scope of the study; the applicant must submit the drainage study to the Departments for approval and complete any appropriate mitigation as may be determined by the Departments.

The Board also offers the following comment(s):

1. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations are met for the proposed project:
  - a. Septic System Approval – The Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to municipal approval of the site plan.
  - b. State Highway Access and/or Work Permit – Any new or modified driveways and work within the state right-of-way require a highway access and/or work permit from the New York State Department of Transportation.
  - c. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.

**The motion was made by Daniel Cupoli and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-83

- 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 Onondaga Zoning Board of Appeals at the request of Michael Goodwin for the property located at 4706 Makyes 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 Makyes Road (Route 129), a county highway; and
- WHEREAS, the applicant is requesting a special permit to alter an existing non-conforming house by replacing the existing attached garage with a two-story garage and constructing an enclosed front porch on a 0.53-acre parcel in a One-Family Residential (R-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing an Area Variance referral (Z-18-84) as part of the proposed project; and
- WHEREAS, the site is located along Makyes Road, a county road, near Onondaga Hill in the Town of Onondaga; surrounding land uses are residential; and
- WHEREAS, two copies of a survey map dated August 21, 2001 were submitted with the referral materials; the survey maps show the site to contain an existing one-and-a-half-story frame house with an attached two car garage (to be demolished), rear covered patio, and rear in-ground swimming pool surrounded by concrete and enclosed by a chain link fence; one of the surveys indicates that the site contains two rear sheds, while the other survey only shows one shed; the site has an existing asphalt driveway onto Makyes Road; and
- WHEREAS, per the local application, the proposed attached garage will use the existing garage foundation and be two stories tall to provide an addition to the second floor of the existing house; the proposed project will ultimately add 576 sf of living space and change the house from 3 bedrooms, 1 ½ baths to 4 bedrooms, 2 ½ baths; the proposed covered porch (6' x 20') is to be constructed at the front of the house and intended to provide an area for children to wait for the bus; and
- WHEREAS, the survey shows the house is an existing non-conforming structure with an 18.75' side yard setback where 20' is required; per the Town of Onondaga zoning ordinance, a special permit is required to structurally alter an existing non-conforming building; the proposed project will not impact the existing side yard setback; and
- WHEREAS, an area variance is requested as part of the proposed project as the proposed covered porch will decrease the front yard setback from 37.65' (existing) to 31.65' (proposed) where 65' is required for R-1 zoning along a collector road; and
- WHEREAS, the house is served by public drinking water and individual septic system; per

the referral notice, no changes to the existing infrastructure are proposed; 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. Per the Onondaga County Department of Transportation, the existing driveway on Makyes Road must meet Department residential driveway standards.
2. The applicant and municipality are advised to ensure the following county, state, and/or federal regulation is met for the proposed project:
  - a. Septic System Approval – The Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to issuance of a building permit.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**





JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-84

- 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 Onondaga Zoning Board of Appeals at the request of Michael Goodwin for the property located at 4706 Makyes 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 Makyes Road (Route 129), a county highway; and
- WHEREAS, the applicant is requesting an area variance to decrease the front yard setback from 37.65' (existing) to 31.65' (proposed) where 65' is required to allow for construction of a proposed garage addition and enclosed front porch on an existing non-conforming house on a 0.53-acre parcel in a One-Family Residential (R-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a Special Permit referral (Z-18-83) as part of the proposed project; and
- WHEREAS, the site is located along Makyes Road, a county road, near Onondaga Hill in the Town of Onondaga; surrounding land uses are residential; and
- WHEREAS, two copies of a survey map dated August 21, 2001 were submitted with the referral materials; the survey maps show the site to contain an existing one-and-a-half-story frame house with an attached two car garage (to be demolished), rear covered patio, and rear in-ground swimming pool surrounded by concrete and enclosed by a chain link fence; one of the surveys indicates that the site contains two rear sheds, while the other survey only shows one shed; the site has an existing asphalt driveway onto Makyes Road; and
- WHEREAS, per the local application, the proposed attached garage will use the existing garage foundation and be two stories tall to provide an addition to the second floor of the existing house; the proposed project will ultimately add 576 sf of living space and change the house from 3 bedrooms, 1 ½ baths to 4 bedrooms, 2 ½ baths; the proposed covered porch (6' x 20') is to be constructed at the front of the house and intended to provide an area for children to wait for the bus; and
- WHEREAS, the survey shows the house is an existing non-conforming structure with an 18.75' side yard setback where 20' is required; per the Town of Onondaga zoning ordinance, a special permit is required to structurally alter an existing non-conforming building; the proposed project will not impact the existing side yard setback; and
- WHEREAS, an area variance is requested as part of the proposed project as the proposed covered porch will decrease the front yard setback from 37.65' (existing) to 31.65' (proposed) where 65' is required for R-1 zoning along collector road; and
- WHEREAS, the house is served by public drinking water and individual septic system; per

the referral notice, no changes to the existing infrastructure are proposed; 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. Per the Onondaga County Department of Transportation, the existing driveway on Makyes Road must meet Department residential driveway standards.
2. The applicant and municipality are advised to ensure the following county, state, and/or federal regulation is met for the proposed project:
  - a. Septic System Approval – The Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to issuance of a building permit.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-85

- 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 Clay Zoning Board of Appeals at the request of John Baldini for the property located at 9506 Horseshoe Island 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 Clay and Oswego County; and
- WHEREAS, the applicant is requesting an area variance to reduce the front yard setback from 75 feet to 48 feet to allow for the construction of a house on a 0.5-acre parcel in a Residential Agricultural (RA-100) zoning district; and
- WHEREAS, the site is located along the Oneida River on Horseshoe Island in the northern part of Clay; the submitted survey map dated March 3, 2017 shows the site has frontage on Horseshoe Island Road, a local road; surrounding land uses include other residential structures along Oneida Lake and forestland at the center of Horseshoe Island; and
- WHEREAS, the survey map shows the site to contain an existing wood frame dwelling (one-story) with a front yard setback of approximately 55 from centerline, per aerial imagery, and rear decks, a wood dock on the river, and a gravel/dirt driveway onto Horseshoe Island Road; and
- WHEREAS, per the Town of Clay zoning ordinance, a 75' front yard setback is required for parcels in RA-100; an area variance is sought to reduce the front yard setback to 48' for a proposed house; total depth of the lot is roughly 160' to 170'; and
- WHEREAS, per a phone conversation with the Town of Clay, the existing structure will be demolished as part of the proposed project and the proposed house will have the same footprint as the existing structure; and
- WHEREAS, the site is served by public drinking water and sewers; wastewater infrastructure on the site includes a pump station which connects to an existing low pressure force main that flows to the Oak Orchard Wastewater Treatment Plant; per the referral notice, no changes to the existing infrastructure are proposed; and
- WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that almost the entirety of the site, including the rear half of the house, is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the proposed house will be elevated as required by local flood ordinances, per the conversation with the Town; 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 rear portion of the parcel that abuts the Oneida River is located in the floodway; no existing or proposed development appears to occur in the floodway aside from the existing dock; and

WHEREAS, GIS mapping shows the rear of the site may contain a federal wetland area associated with the Oneida River; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (EAF) Mapper indicates that the site of the proposed action may contain a species of animal (Indiana bat, Bald eagle), or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, per the EAF Mapper, the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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 Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-86

- 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 Elbridge Zoning Board of Appeals at the request of Dan Titus for the property located at 6567 Grimes 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 Grimes Road (Route 59), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting an area variance to allow a proposed 30' x 60' pole barn to be constructed in front of an existing principal structure, which is not permitted, on a 44.07-acre parcel in an Agricultural zoning district; and
- WHEREAS, in 2010, the Board offered No Position With Comment for a Subdivision referral (S-10-87) to divide a parcel into three lots and combine one with an adjacent parcel, which created the subject site; and
- WHEREAS, the Board is concurrently reviewing an Area Variance referral (Z-18-87) from the same applicant to reduce the required minimum lot size and allow for a two-lot subdivision on a parcel across the road from the site; and
- WHEREAS, the site is located in a rural area in the Town of Elbridge, between Cross Lake and Grimes Road, a county road; surrounding lands are enrolled in New York State Agricultural District 3 and appear to contain active farmland; and
- WHEREAS, aerial imagery shows the front of the site appears to contain two open fields, one on either side of an existing structure; the rear of the site is almost entirely forested; and
- WHEREAS, per the Town of Elbridge zoning ordinance, accessory buildings must be placed behind the rear building line of the principal building; per the referral notice, the proposed pole barn (30' x 60') is to be constructed 80' in front of the rear building line of the principal structure, requiring an area variance for the project; and
- WHEREAS, the site is served by individual well and an individual septic system; no changes to the existing infrastructure are indicated in the referral materials; and
- WHEREAS, GIS mapping shows the site may contain state and federal wetlands, which appear to occur on the rear, forested half of the parcel; and
- WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that the rear, forested half 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 New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (EAF) Mapper indicates that the site is located over, or immediately adjoining, primary and principal aquifers; and

WHEREAS, the EAF Mapper indicates that the site of the proposed action may contain a species of animal (Bald eagle), or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, per the EAF Mapper, the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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. Per the Onondaga County Department of Transportation, all existing or proposed driveways on Grimes Road must meet Department residential or commercial driveway requirements.
2. The applicant and municipality are advised to ensure the following county, state, and/or federal regulation is met for the proposed project:
  - a. Septic System Approval – The Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to issuance of a building permit.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-87

- 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 Elbridge Zoning Board of Appeals at the request of Dan Titus / VanGorden Irrev. Trust for the property located at 6630 Grimes 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 Grimes Road (Route 59), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting area variances for lot size and lot width requirements to allow for a proposed two-lot subdivision of a 14.23-acre parcel creating two parcels (one lot would be 1.26 acres with a 220' width, where 3 acres with a 300' width is required) in an Agricultural zoning district; and
- WHEREAS, in 2011, the Board offered No Position With Comment for a Subdivision referral (S-11-9) to divide a parcel into two lots, which created the subject site; and
- WHEREAS, the Board is concurrently reviewing an Area Variance referral (Z-18-86) from the same applicant to allow for construction of an accessory building in front of the existing principal structure on a parcel across the road from the site; and
- WHEREAS, the site is located in a rural area in the Town of Elbridge, just south of Cross Lake and along Grimes Road, a county road; nearby lands are enrolled in New York State Agricultural District 3 and appear to contain active farmland; and
- WHEREAS, per aerial imagery, the site appears to contain an existing two-story house with three existing rear barn structures; there is an existing driveway onto Grimes Road and rear parking area serving the existing structures; the remainder of the site appears to contain orchard land; and
- WHEREAS, the local application indicates that the proposed 1.26-acre lot will contain the existing structures on the site; a drawing was included with the referral materials depicting the 1.26-acre lot, but not the full plan for the site; per an email conversation with the Town, a subdivision map has not been submitted to the Town yet and is pending the area variance approval; the local application indicates there is also a pending sale on the property; and
- WHEREAS, approximately 13 acres of the site and 750' of frontage will remain; given the zoning regulations, it appears that the proposed second lot would satisfy the Town's lot size and width requirements; and
- WHEREAS, the site is served by individual well and an individual septic system, to be contained fully on the proposed lot; no changes to the existing infrastructure are indicated in the referral materials; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (EAF) Mapper indicates that the site is located over, or immediately adjoining, primary and principal aquifers; and

WHEREAS, the EAF Mapper indicates that the site of the proposed action may contain a species of animal (Bald eagle), or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, per the EAF Mapper, the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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. Any future or proposed access to Grimes Road from the proposed lots must be coordinated with the Onondaga County Department of Transportation prior to municipal approval of the subdivision. Access will be subject to the availability of sight distance and will require an access permit from the Department.
2. The applicant is advised to include the entirety of the site in the local application, particularly for projects involving subdivisions.
3. The Town is encouraged to consider the potential impacts of subdividing farm structures from cropland, as it may lead to conflicts related to segmentation and isolation of farmlands over time.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**





JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-88

- 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 Blackacre Properties, LLC for the property located at 6511 Thompson 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 Thompson Road and New York State Route 298 (Court Street), both state highways, and Sanders Creek, a county-owned drainage channel; and
- WHEREAS, the applicant is proposing construction of a new 2,250 square foot commercial/retail store (Verizon) on a 0.465-acre parcel in an Industrial zoning district; and
- WHEREAS, the Board is concurrently reviewing an Area Variance referral (Z-18-79) as part of the proposed project; in 2014, the Board reviewed six referrals as part of a larger redevelopment project to construct two new hotels on an adjacent parcel and reconfigure a portion of the adjoining McDonald's property to facilitate access to the proposed hotels; the Board recommended Modification of the Subdivision (S-14-44), Site Plan (Z-14-208, Z-14-209, Z-14-211), and Area Variance (Z-14-210, Z-14-212) referrals indicating that only temporary access via the vacant gas station parcel would be permitted, a copy of the SWPPP would be required by the New York State Department of Transportation and Onondaga County Department of Water Environment Protection, and any state and/or federal wetlands and buffers should be confirmed and shown on plans for the site, and appropriate permits obtained for any proposed development; and
- WHEREAS, the site is located along Thompson Road, a state road, just south of Carrier Circle in the Town of DeWitt; the site is across Thompson Road from the Carrier Corporation manufacturing facility and near numerous hotels, office parks, and other manufacturing sites situated along this stretch of the New York State Thruway (I-90); and
- WHEREAS, the submitted survey map dated February 22, 2018 shows the site is almost entirely covered by asphalt/broken pavement and contains a vacant gas station with a fuel canopy partially occurring on the adjacent parcel, all to be demolished; there is an existing u-shaped driveway with two access points onto Thompson Road at the front of the site, with limited access due to the median at that portion of Thompson Road; the driveway appears to occur mostly in the right-of-way and is shared with the adjacent parcel previously slated for the two proposed hotels; and
- WHEREAS, the submitted Concept Plan dated February 26, 2018 shows the site to include a proposed commercial/retail store (2,250 sf) for Verizon surrounded on three sides by landscape beds and concrete sidewalks, front and rear parking areas providing 15 parking spaces total, a front two position bike

rack, a concrete sidewalk connecting to the existing sidewalk along Thompson Road, a rear dumpster enclosure and concrete pad, a monument sign set back 10' from the front lot line, and grass around the perimeter of the site; and

WHEREAS, per the Concept Plan, site access is shown to come from a proposed right-in, right-out driveway onto Thompson Road that would replace the southern access of the existing u-shaped driveway; it is unclear what is intended for the remainder of the u-shaped driveway, and in particular the portions that fall on the adjacent hotel parcel and in the right-of-way; and

WHEREAS, the local application indicates that area variances are sought to: 1) allow for two proposed wall signs on the north face of the building where only one is permitted on a building face without direct street access; 2) increase the maximum sign area from 120 sf to 155 sf; and 3) increase the maximum building height from 12' to 21'-3"; relief from signage requirements is requested due to the orientation of the building perpendicular to Thompson Road; proposed signage is intended to face the direction from which traffic will be coming given the proposed building's location off Carrier Circle and the proposed right-in, right-out driveway; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated February 26, 2018 states that stormwater discharges will flow to the existing storm sewer within the New York State Department of Transportation right-of-way; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; the Onondaga County Department of Water Environment Protection has determined that 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 Central New York Regional Planning and Development Board led a Carrier Site Reuse Plan and subsequently the Syracuse Metropolitan Transportation Council completed a Carrier Site Access Transportation Study in 2009, in an effort to identify a future reuse plan for certain parcels formerly part of the Carrier Corporation campus, as well as to look at access and circulation opportunities for nearby parcels requiring access to Thompson Road, including that which is the subject of the current project; recommendations for access included internal access roads leading to existing or proposed signalized intersections at Thompson Road and restrictions on direct driveway access to Thompson Road; a public right-of-way has been created at a signalized intersection within the Carrier lots to facilitate future road construction; and

WHEREAS, GIS mapping shows there may be a federal wetland area to the north of the site, corresponding with Sanders Creek; and

WHEREAS, per the EAF, the applicant has hired an environmental engineer who noted this site has had extensive remedial action activities since 1991 and their findings note the regulatory agency will accept an application for no further action as long as the redevelopment follows the regulatory requirements for any soil contamination encountered; the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project is also within 2,000 feet of two sites in the NYS DEC Environmental Site Remediation database (C734113, 734043); site 734043 is listed under the State Superfund Program and is part of the Carrier, Thompson Road Plant; and

WHEREAS, per the EAF Mapper, the site is located over, or immediately adjoining,

primary and principal aquifers; 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 continue to coordinate with the New York State Department of Transportation regarding the proposed access onto Thompson Road, any traffic data requirements, and all work within the right-of-way, to include removing the existing driveway curbing and connecting the front yard and right-of-way green spaces to more clearly delineate the proposed driveway. A revised Site Plan must reflect any proposed modifications to lands within the state right-of-way.

The Board also offers the following comment(s):

1. The Town, applicant, and related property owners are encouraged to consult the recommendations from the Carrier Site Reuse Plan and the Carrier Site Access Transportation Study in reviewing proposals on this challenging portion of Thompson Road. In particular, the current site planning process should include opportunities to connect to a future road at the rear of the parcel, and at a minimum not create any new hindrances to the eventual construction of a roadway in this vicinity.
2. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.
3. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.
4. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine 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.
5. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations have been met prior to project approval:
  - a. State Highway Access and/or Work Permit – Any new or modified driveways and work within the state right-of-way require a highway access and/or work permit from the New York State Department of Transportation.
  - b. Permitting for Demolition - Per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects. The applicant must contact Plumbing Control to ensure appropriate permits are obtained.

c. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. 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 offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

**The motion was made by Daniel Cupoli and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-89

- 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 The Nottingham Retirement Community, Inc. for the property located at 1301 Nottingham 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 Nottingham Road and Old Stonehouse Road, both county roads, and Route 481, a state highway; and
- WHEREAS, the applicant is proposing construction of two building additions and parking lot improvements to an existing retirement community, The Nottingham, on two parcels totaling 88.01 acres in a Residential 0 (R-0) zoning district; and
- WHEREAS, the site is located in the Town of DeWitt, east of the City's Skytop neighborhood and Drumlins Country Club and just north of I-481; the site has frontage on Nottingham Road, a county road, and Peck Hill Road, a local road, and abuts residential lots on three sides; and
- WHEREAS, aerial imagery shows the site to include a series of attached one and two-story buildings encircled by Nottingham Circle and West Cottage Drive, a local road network serving the facility; West Cottage Drive extends westward from the main facility and dead ends, and southward from the facility to intersect with Nottingham Road; parking is shown to include perpendicular parking spaces, small parking lots, and detached garages occurring primarily along the internal road network; the remainder of the site contains open and forested land; there is an existing gated, gravel driveway onto Peck Hill Road along the northern lot line that serves a Town water tower on an adjacent parcel to the north; and
- WHEREAS, the submitted Overall Plan dated February 26, 2018 shows the proposed two-story D-Wing Addition to be attached to one of the existing structures, labeled "Building 8", and occurring inside the internal road network with the majority of the existing facility; a proposed driveway is shown to connect the D-Wing to the adjacent parking lot and ultimately Nottingham Circle; and
- WHEREAS, per the Overall Plan, the proposed one-story Memory Care Addition is to be located across the internal road from the existing "Personal Care Building"; a proposed pedestrian bridge is shown to connect the two buildings; two new parking areas are shown on one side of the Memory Care Addition, occurring across the road from the existing "Health Care Facility" building; proposed sidewalks will connect the Memory Care Addition and new parking lots with the existing adjacent parking area and buildings across the road; per the local application, the proposed project will increase parking on-site from 276 to 334 spaces; and
- WHEREAS, the submitted floor plans dated February 26, 2018 show the D-Wing Addition

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)

to include 7 one-bedroom units, 15 two-bedroom units, and entry, lobby, and lounge areas, and the Memory Care Addition to include 18 resident rooms (343 sf each), 2 resident suites (478 sf and 524 sf), an activity room (276 sf), a living room (1,054 sf), a dining room (759 sf), a movie palace (646 sf), a family room (152 sf), staff areas (break room, serving kitchen, etc), and outdoor patio, aviary, and gardens; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated February 23, 2018 states 6.06 acres of the site will be physically disturbed by the proposed project and the project will result in a 1.59-acre overall increase in impervious area; any project that cumulatively disturbs one acre or more of land, must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity; for projects within a designated municipal storm sewer system (MS4) municipality, the applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP) and consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP); projects located within the Onondaga Lake watershed must include Enhanced Phosphorus Removal design criteria from the NYS Stormwater Management Design Manual in the SWPPP; a SWPPP was included with the referral materials, and contained copies of the Notice of Intent (NOI), MS4 SWPPP Acceptance Form, and SPDES Permit for the project; per the SWPPP, the NOI is to be signed by the owner and submitted to the NYSDEC; and

WHEREAS, per the SWPPP, proposed stormwater management practices as part of the proposed project include enlargement of an existing infiltration basin and hydrodynamic devices; the enlarged infiltration basin will receive stormwater runoff via a new forebay from the D-Wing Addition and new parking lots; runoff from the Memory Care Addition roof will be conveyed via a storm system through a hydrodynamic device into the infiltration basin because site constraints preclude use of a conventional forebay; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; the Onondaga County Department of Water Environment Protection has determined that 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, GIS mapping shows the site may contain an area of federal wetlands which does not appear to encroach on the existing or proposed development; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project site is located in or near the following natural communities: Maple-Basswood Rich Mesic Forest; per the NYS DEC, if a significant natural community is present at or near the location, a careful on-site evaluation should be done to confirm the size, status, and specific locations of those natural communities on the parcel, and to document the presence of any significant plants or wildlife; and

WHEREAS, per the EAF Mapper, the site of the proposed action may contain a species of animal (Indiana Bat, Northern long-eared bat), or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, the EAF Mapper indicates that the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; the

SWPPP includes a letter dated February 27, 2017 from the NYS Office of Parks, Recreation, and Historic Preservation stating the Office has reviewed the proposed project and determined that it will not impact any archaeological and/or historic resources listed in or eligible for the State and National Registers of Historic Places; 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 has determined that the municipality and applicant must contact the Department at (315) 435-3205 to discuss any required traffic data for the proposed project. Any modifications to the Site Plan required by the Department must be reflected on a revised Site Plan prior to municipal approval.
2. The municipality must submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.
3. The applicant must submit a lighting plan to be approved by the Onondaga County Department of Transportation to ensure there is no glare or spillover onto adjacent properties or the county right-of-way.

The Board also offers the following comment(s):

1. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.
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. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.
3. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations have been met prior to site plan approval:
  - a. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. The applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.
  - b. Federal Wetlands Approval – The applicant is advised to conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site. Any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. The applicant is

also advised to contact the Corps to determine whether permits are necessary for the proposed project and obtain any applicable permits.

c. Threatened or Endangered Species – Per the New York State Department of Environmental Conservation (NYS DEC), if a proposed project is in an area containing threatened or endangered species and/or associated habitats, 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 NYS DEC Division of Environmental Permits office.

**The motion was made by Daniel Cupoli and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**





JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-90

- 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 USE VARIANCE from the City of Syracuse Board of Zoning Appeals at the request of D-Rock Properties, LLC for the property located at 485 (aka 481-483) Lillian Avenue; 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 City of Syracuse and the Town of Dewitt; and
- WHEREAS, the applicant is requesting a use variance to maintain a two-family dwelling on a 0.17-acre parcel in a Residential, Class A-1 zoning district; and
- WHEREAS, the site is located in a residential area in the City's Eastwood neighborhood; the site abuts the municipal boundary between the City of Syracuse and Town of DeWitt; and
- WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; according to the ReZone Syracuse draft zoning map dated March 2018, the proposed zoning for the lot is Residential (R-1), which would act to "provide for neighborhoods made up of primarily single-family detached homes" where "complimentary uses such as parks, open space, schools, assemblies, minor utilities, and accessory structures may also be allowed"; and
- WHEREAS, the submitted survey map dated January 27, 2018 shows the site to contain an existing two-family, two-story house with attached garage, front porch and an asphalt driveway onto Lillian Avenue, a city street; and
- WHEREAS, per the City of Syracuse zoning ordinance, two-family dwellings are not permitted in the current RA-1 district; a two-family dwelling would also not be permitted in the proposed R-1 zoning district for the site; and
- WHEREAS, per the local application, the property was purchased in November 2009 and was functioning as a two-family home at the time; at the time of purchase, the home was appraised based on its use as a two-family house; the house continued to be used as a two-family dwelling under the assumption that the property fell under the "grandfather" clause; and
- WHEREAS, the house is currently under contract to sell contingent upon the granting of the requested use variance, which is intended to allow for the purchaser to maintain the two-family use; and
- WHEREAS, per the local application, parking on the site is provided by the two-car garage and four-car driveway and on-street parking is permitted along Lillian 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; and

WHEREAS, the Onondaga County Department of Water Environment Protection has determined that 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

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 Marty Voss and seconded by Lisa Dell. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-91

- 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 Clay Zoning Board of Appeals at the request of Red Barn / Brooklyn Pickle for the property located at 7175 Buckley 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 Buckley Road, a county highway, and the municipal boundary between the Town of Clay and Town of Salina; and
- WHEREAS, the applicant is requesting an area variance for lot width requirements to allow for a proposed lot line adjustment as part of a project to construct a 5,700 square foot restaurant (Brooklyn Pickle) and associated site facilities on 3.0 acres of an 8.42-acre site in Highway Commercial (HC-1) and Residential (R-10) zoning districts; and
- WHEREAS, the Board is concurrently reviewing Site Plan (Z-18-73) and Special Permit (Z-18-74) referrals as part of the proposed project; in 2011, the Board recommended Disapproval of Subdivision (S-11-42) and Zone Change (Z-11-189, Z-11-190) referrals as part of a development proposal to create 36 single-family residential lots and 38,000 sf of commercial space from three lots, including one of the subject parcels; the Board cited reasons for disapproval to include a lack of coordination with the Town of Salina on potential inter-municipal impacts to sewer infrastructure and transportation, and inadequate access for vehicles, pedestrians, emergency responders, and school buses to the development and adjacent properties/neighborhood; and
- WHEREAS, the site consists of three parcels located along Buckley Road, a county road, in the Town of Clay, south of West Taft Road and adjacent to the North Medical Center; the site abuts several recently developed single-family residential lots to the south and has frontage on Red Barn Circle, a local road serving the residential neighborhood, all of which were created as part of the 2011 subdivision and zone change referrals; the submitted subdivision map dated February 8, 2018 shows Lots 1 (2.99 acres) and 2 (5.43 acres) to be created from the three existing parcels by a proposed lot line adjustment, with Lot 1 occurring at the northeast corner of the site and intended for the proposed project; the Board has not received a subdivision referral for the lot line adjustment; and
- WHEREAS, per the Town of Clay zoning ordinance, the HC-1 zoning district requires a minimum lot width of 200' and the Highway Overlay Zone District requires an additional 1.5 times the minimum frontage for lots along Buckley Road, a designated Type C highway; an area variance is sought to reduce the minimum required lot width from 300' to facilitate the proposed lot line adjustment and lot widths (Lot 1 – 289.98' and Lot 2 – 291.78'); and
- WHEREAS, the submitted Demolition Plan dated February 22, 2018 shows the site to

contain two existing vacant structures (formerly Hafner's Red Barn Country Store and Farm Market), a front asphalt parking lot, and a rear gravel drive, all to be demolished; the site has four existing driveways onto Buckley Road which a submitted letter from GTS Consulting dated February 16, 2018 indicates will be replaced by a single, full access roadway opposite Dolshire Road, a local road serving a residential neighborhood to the east; per the Onondaga County Department of Transportation, dual exit lanes will not be permitted for the proposed access onto Buckley Road nor are they currently shown; and

WHEREAS, the submitted Site Plan dated February 22, 2018 shows the proposed project to include a 5,700 sf building (Brooklyn Pickle), front and side patios with pavers and outdoor seating areas, light duty asphalt parking on all sides of the building (121 spaces proposed, 57 spaces required), an area for future parking (36 spaces) at the rear of the proposed parking lot, two driveways onto the proposed full access roadway, a pedestrian crosswalk through the parking lot to a sidewalk connection to the adjacent medical center, a rear concrete dumpster pad and enclosure, and side and rear yard trees; per the Town of Clay zoning ordinance, restaurants are permitted in the HC-1 zoning district upon issuance of a special permit; and

WHEREAS, per the GTS Consulting letter, the overall concept plan for future redevelopment of the "remaining Hafner property" (presumably proposed Lot 2 and a nearby parcel under common ownership) includes a 6,400 sf building behind the proposed Brooklyn Pickle, a 5,000 sf building south of the proposed access roadway, a 3,000 sf bank building north of Red Barn Circle, and a 5,000 sf building south of Red Barn Circle; per the letter, the three unidentified buildings are assumed to be general commercial; and

WHEREAS, per the GTS Consulting letter, a Traffic Impact Assessment was conducted and concluded that "additional traffic generated by both the Brooklyn Pickle and future potential development will not have any significant impacts on traffic operations at the Taft Road/Buckley Road intersection" and "minor signal timing adjustments may be necessary, particularly during the evening peak hours, as development occurs"; the letter also notes that "with relatively high north/south through volumes on Buckley Road passing the site, there is potential for longer delays exiting the site driveway with the proposed Brooklyn Pickle development" and the "future development of the remaining property will compound delays", both of which "will be internal to the site" and are "consistent with existing traffic operations in the area"; and

WHEREAS, per the local application, the Brooklyn Pickle's proposed hours of operation will be Monday through Saturday 9am to 8pm; the restaurant will employ 20 people, with 12 to 15 employees on site daily, and serve 500-550 patrons per day; a monument sign is shown on the Site Plan to be 25' from the front lot line; per the Onondaga County Department of Transportation, all signage must be out of the County right-of-way (as currently shown) and may not obstruct sight distance; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated February 21, 2018, site lighting will include building-mounted wall packs over doors and to illuminate the parking lot and 20' tall pole-mounted light fixtures to light the parking lot; and

WHEREAS, the EAF states 3.0 acres of the site will be physically disturbed by the proposed project; the project will share a stormwater management basin as part of the larger redevelopment project; no additional information regarding

stormwater management was included in the referral materials; and

WHEREAS, per the Onondaga County Department of Finance Office of Real Property Services, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; per the EAF, anticipated drinking water demand is 5,000 gallons per day (gpd) and anticipated liquid waste generation is 5,000 gpd; the Onondaga County Department of Water Environment Protection has determined that 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 New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project is within 2,000 feet of a site in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (734051); the site is located over, or immediately adjoining, a principal aquifer; the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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 requested area variance, it reiterates the following comments to be considered for the project as a whole:

1. The applicant and Town must coordinate with the Onondaga County Department of Transportation on a proposed site plan that includes access and traffic for full buildout, including approved driveway/roadway access points, potential future signal locations, and interconnections to serve the proposed development and facilitate mobility in and through adjacent developments via logical pathways.
2. The Site Plan must be revised to remove front yard parking between the building and Buckley Road, and encourages locating the building closer to the right-of-way.
3. The Onondaga County Department of Transportation has determined that the municipality and applicant must submit a copy of the Traffic Impact Assessment and contact the Department at (315) 435-3205 to discuss any additional traffic data requirements for the proposed project. Any modifications to the Site Plan required by the Department must be reflected on a revised Site Plan prior to municipal approval.
4. The municipality must submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.
5. The applicant must submit a lighting plan to be approved by the Onondaga County Department of Transportation to ensure there is no glare or spillover

onto adjacent properties or the county right-of-way.

6. 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. The applicant is advised to contact the Health Department at (315) 435-6600 to coordinate proposed wastewater services.

7. As Town parking requirements are significantly less than what is proposed for the project, the Town and applicant may wish to consider opportunities for shared parking as part of full build out or reducing the parking area on the site altogether.

8. The Board encourages the applicant to include a sidewalk along Buckley Road and additional sidewalks throughout the site, as well as bike racks, as part of full build out to provide pedestrian interconnections between the proposed commercial buildings and adjacent residential neighborhood and medical center. Landscaping, such as a low hedge, is advised to buffer any parking visible from the front of the site.

9. The applicant and Town are advised to complete a combined environmental assessment of full build out to minimize duplication of effort, identify shared and cumulative impacts and avoid potential perceptions of segmentation.

10. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.

11. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.

12. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine 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.

13. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations have been met prior to project approval:

a. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.

b. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. 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 offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

c. Permitting for Demolition - Per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects. The applicant must contact Plumbing Control to ensure appropriate permits are obtained.

d. State Pollutant Discharge Elimination System (SPDES) Permit – Any project that cumulatively disturbs one acre or more of land, must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity. For projects within a designated municipal storm sewer system (MS4) municipality, the applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP) and consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP). The applicant is advised that they must submit a Notice of Intent (NOI) and an MS4 SWPPP Acceptance Form (signed by the municipality) to the DEC Bureau of Water Permits. The municipality should ensure that a letter of acceptance is received from the DEC prior to issuance of a building permit.

Projects located within the Onondaga Lake watershed must include Enhanced Phosphorus Removal design criteria from the NYS Stormwater Management Design Manual in the SWPPP.

e. Archaeological Sensitive Areas – The applicant and/or municipality is advised to contact the New York State 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.

f. Notice of Public Hearing – 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.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-92

- 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 Village of Liverpool Planning Board at the request of Lan Cairns for the property located at 504 Vine 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 New York State Route 370, a state highway, the state-owned portion of Oswego Street, and Vine Street, a county road; and
- WHEREAS, the applicant is proposing interior and exterior renovations to convert an existing office building into a catering kitchen (downstairs) and apartment (upstairs) on a 0.15-acre parcel in a Village Center Business (B-2) zoning district; and
- WHEREAS, the site is located along Vine Street, a county road, just north of Oswego Street and the Village's dense core of commercial, mixed-use buildings, and public parks; and
- WHEREAS, the local application indicates that the proposed renovations are intended to allow for operation of a catering kitchen in the existing building on the site; the business will be an educational commercial kitchen supporting persons of all ages that are diagnosed on the autism spectrum and offering therapeutic, skill building services and classes to students and families; prepared food will be available for pickup and limited to a private membership club; catering will be available for delivery; and
- WHEREAS, the submitted survey map dated November 14, 2017 shows the site contains an existing two-story frame building and a rear tarvia parking area enclosed by a wood wall and wood guardrail; there is an existing tarvia driveway onto Vine Street, which appears to connect at the front of the site with a driveway on the adjacent residential lot; aerial imagery shows an existing concrete sidewalk at the front of the lot; per the local application; the existing parking area has 8 parking spaces; and
- WHEREAS, per the local application and submitted floor plans dated February 1, 2018, the first and second floors of the existing building provide office space which will be converted to allow for the catering kitchen on the first floor and a second floor apartment (two bedrooms); exterior renovations will include new steps, landing, and roof for a first floor tenant entry on the driveway side of the building; interior renovations will change the first floor office use to a kitchen/prep area with service and pickup/cash out area, an office, a bathroom, a waiting room, and a new rear deck; the second floor will be converted from the three existing offices to a two-bedroom apartment; and
- WHEREAS, per the floor plans, there is an existing wall-mounted sign (42" x 36") on the front of the building to be replaced by a new wall-mounted sign (same size and location); a proposed wall-mounted, projecting sign is shown on the front of

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 building (near the corner) to include a decorative mounting bracket and double-sided, vertical oval sign (24" x 36"); and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Liverpool Pump Station service areas; the Onondaga County Department of Water Environment Protection has determined that 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 New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (EAF) Mapper indicates that the project is within 2,000 feet of two sites in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (734030, V00501); and

WHEREAS, per the EAF Mapper, the site of the proposed action may contain a species of animal (Indiana bat), or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, the EAF Mapper indicates that the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; 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 applicant is advised to contact the Department at (315) 435-3205 to ensure the existing driveway meets applicable driveway standards.
2. Should the intensity of use exceed the limited extent of that as described within the applicant letter included in the referral materials, the applicant is advised to coordinate with the Onondaga County Department of Transportation to ensure the adequacy of driveways, circulation and access.
3. The applicant and municipality are advised to ensure the following county, state, and/or federal regulation has been met prior to site plan approval:
  - a. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. 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 offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-93

- 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 Village of Liverpool Planning Board at the request of Cosimo Zavaglia / Meyer Manor for the property located at 1225 Tulip 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 Tulip Street, a county road, the New York State Thruway (Interstate Route 90), a state highway, and the municipal boundaries between the Village of Liverpool, the Town of Salina, and the Town of Clay; and
- WHEREAS, the applicant is proposing construction of a 108-unit apartment complex (Meyer Manor Apartments) on two parcels totaling 7.1 acres in a Multi-Family Residential (R-3) zoning district; and
- WHEREAS, in 2015, the Board offered No Position With Comment for a Local Law referral (Z-15-437) proposing to rezone one of the subject parcels from Single-Family Residential (R-1) to Multi-Family Residential (R-3) as part of the proposed project, which was adopted in December 2017; the Board reviewed a concurrent Site Plan referral (Z-15-442) in 2015, recommending Modification of the project to include providing drainage and lighting plans to the New York State Thruway Authority, coordinating traffic data requirements with the Onondaga County Department of Transportation, and submitting drainage and lighting plans to the Onondaga County Department of Transportation; and
- WHEREAS, the site is located just north of the New York State Thruway, along the municipal boundary between the Village of Liverpool and Town of Salina; the site consists of two vacant, forested parcels and has frontage on Tulip Street, a county road, and Donald Place, a local road that dead ends at the northern lot line; surrounding parcels (mostly within the Town of Salina) include single-family residences to the north, vacant wooded land to the northwest adjacent to outdoor recreation uses, a mix of commercial and industrial uses on the other side of Tulip Street, and a vacant wooded triangular parcel along Tulip Street and the Thruway which is zoned R-1, per village zoning maps; and
- WHEREAS, the submitted Site Layout and Utility Plan dated September 13, 2016 and floor plans show the proposed residential development to include 4 three-story apartment buildings (15 one-bedroom units and 12 two-bedroom units each), a rental office and laundry building, two connected parking areas (162 spaces total), and a dumpster enclosure; the development is shown to occur towards the front half of the site with the proposed buildings located around the outside of the parking areas; proposed sidewalks and crosswalks are located throughout the site connecting the buildings to one another and the parking areas, and ultimately connecting to the existing concrete sidewalk along the Tulip Street frontage; and
- WHEREAS, per the submitted project narrative (a letter dated February 15, 2018), the two

apartment buildings closest to the residential neighborhood to the north were designed with 50' and 45' setbacks (20' required) at the request of the Town of Salina to provide approximately a 100' buffer to adjacent homes; the submitted Landscape Plan dated September 13, 2016 shows proposed landscaping at the front of the apartment buildings, and along the site boundaries that abut neighboring residential lots; and

WHEREAS, site access is shown in the plans to include a proposed full access driveway onto Tulip Street; a letter from the Onondaga County Department of Transportation (OCDOT) dated July 19, 2017, included with the referral materials, indicates that OCDOT has reviewed the requested traffic data, SWPPP, and site plans for the proposed project and accepts the 07/05/2017 Site Plan Set, the March 2017 SWPPP, and the 02/26/2016 Traffic Impact Assessment; a permit for the proposed driveway will not be issued until the project is approved by the local board; the Traffic Impact Assessment was included with the referral materials and concludes the proposed project will have no notable impact on traffic operations in the area; per the assessment, "there are more than sufficient gaps in traffic on Tulip Street, adequate sight lines in both directions from the proposed driveway location and no operational concerns that may impact safe ingress and egress from the site" and "there are no off-site mitigation measures recommended"; and

WHEREAS, an email from the New York State Thruway Authority (NYSTA), included with the referral materials, indicates the SWPPP and plan sheets for the proposed project have been reviewed by the NYSTA; NYSTA offered the following comments for the project: 1) Building site lighting must not affect Thruway patrons, and 2) Mitigation of noise from the Thruway is the responsibility of the Developer; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated October 23, 2017, the proposed project will disturb 5.0 acres of the site and stormwater runoff will be discharged to an on-site stormwater management facility prior to discharge to Sawmill Creek, a tributary to Onondaga Lake; the Site Layout and Utility Plan shows proposed stormwater management to include swales, a forebay, and a wet pond; per the plans, the stormwater management facility will be located behind the apartment complex, towards the rear of the site; and

WHEREAS, the site has access to existing drinking water infrastructure provided by the Onondaga County Water Authority (OCWA); a letter from OCWA, included in the referral materials, indicates that the existing drinking water infrastructure along Tulip Street is in need of replacement and would be further strained by the proposed development; OCWA has independent plans to replace the water main, which will provide proper supply and adequate fire flow; per the letter, connection to the new water main for the proposed Meyer Manor Apartments must be paid for by the developer, as well as the water main installation/hydrants/services through the apartment complex and connection to Donald Place; and

WHEREAS, the site has access to public sewers that ultimately flow to the Liverpool Pump Station and Metropolitan Wastewater Treatment Plant; per the Site Layout and Utility Plan, a pump station is proposed for the Meyer Manor Apartments; the EAF indicates 16,200 gallons per day of wastewater is anticipated for the project; a private sewer line will be constructed within the project limits and connect to an existing public sewer main adjacent to the site; the Onondaga County Department of Water Environment Protection has determined that 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 submitted Aquatic Resource Delineation Report, wetland and stream delineations were completed by Environmental Solutions and Innovations, Inc. in November 2015; wetland and stream locations, as delineated, are shown on the plans for the project; the submitted Existing Topographic Survey dated September 13, 2016 shows the site to contain a wetland area (0.32 acres) along the southern lot line and an intermittent stream area rear of the site; per the Site Layout and Utility Plan, the proposed development will not encroach on the delineated wetland or stream areas; it is not clear if these delineated areas have been confirmed by the U.S. Army Corps of Engineers; and

WHEREAS, the NYS DEC Environmental Assessment Form (EAF) Mapper indicates that the site of the proposed action may contain a species of animal (Indiana bat), or associated habitats, listed by the state or federal government as threatened or endangered; a letter from the NYS DEC indicates that permits may be required for the proposed project as cutting or removal of large trees may have a significant impact on potential roost trees for bats; and

WHEREAS, per the EAF Mapper, the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archaeological site inventory; the submitted Phase I Cultural Resource Survey Report dated December 19, 2017 indicates an archaeological reconnaissance survey was conducted by the Public Archaeology Facility (PAF), at the recommendation of the NYS Office of Parks, Recreation and Historic Preservation (OPRHP); shovel test pits (STPs) were excavated in all accessible portions of the project area; crews completed 104 STPs on site and none were found to contain prehistoric artifacts; per a letter from SHPO dated January 24, 2018, included with the referral materials, the OPRHP finds the project will have no significant impact on archaeological and/or historic resources; 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 Onondaga County Department of Water Environment Protection also asks that the applicant contact the Department at (315) 435-5402 early in the planning process to determine sewer availability and capacity.

2. Per the Onondaga County Department of Water Environment Protection, for all privately owned wastewater pump stations, the municipality should require that the developer provide performance bonds and/or surety instruments (similar to condominium property management maintenance trust) to fully fund future maintenance and/or replacement costs. The municipality should also require that the developer construct the pump station and conveyances to all the standards listed in the Recommended Standards for Wastewater Facilities (2004), including performance and leak testing of the system.

3. The applicant and Village are encouraged to maintain as much existing tree cover as possible, utilize green infrastructure, and consider additional landscaping beyond what is shown on submitted plans, for screening, noise abatement, aesthetics, and to aid in stormwater retention and water quality.

For more information on green infrastructure for stormwater management, visit the Onondaga County "Save the Rain Program" website at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-2260.

4. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations are met for the proposed project:

a. County Highway Access and/or Work Permit – Any new or modified driveways and work within the county right-of-way require a highway access and/or work permit from the Onondaga County Department of Transportation.

b. Offset Plan - Per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 ([www.ongov.net/wep/uselaws.html](http://www.ongov.net/wep/uselaws.html)) where applicable. The applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer to offset new sanitary flow by the removal of extraneous flow and submit a letter confirming the acceptance of the offset plan to the Onondaga County Department of Water Environment Protection.

c. Federal Wetlands Approval – The applicant is advised that any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers. The applicant is also advised to contact the Corps to determine whether permits are necessary for the proposed project and obtain any applicable permits.

d. Threatened or Endangered Species – Per the New York State Department of Environmental Conservation (NYS DEC), if a proposed project is in an area containing threatened or endangered species and/or associated habitats, 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 NYS DEC Division of Environmental Permits office.

e. Notice of Public Hearing – 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.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 21, 2018

OCPB Case # Z-18-95

- 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 LaFayette Town Board at the request of Town of LaFayette 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 A-2018 titled "A Local law to Amend the 1970 Zoning Ordinance of the Town of LaFayette to Add a New Article Regulating Solar Energy Systems in the Town"; and
- WHEREAS, in 2016, the Board reviewed a Local Law referral (Z-16-404) proposing a six (6) month moratorium on free standing solar installations within the Town of LaFayette to allow for time to review current and possible additional local solar regulations; the Board offered No Position With Comment encouraging consultation with the CNY RPDB Energy Management office regarding best practices for regulating solar energy systems; the moratorium was executed in December 2016 and has been extended through now; and
- WHEREAS, per the Legislative Purpose and Intent section of the proposed law, the law is intended "to permit and regulate the construction of solar energy systems in the Town of LaFayette in a manner that preserves the health, safety and welfare of the Town while also facilitating the production of renewable energy"; and
- WHEREAS, the proposed local law will amend Article VIII, Section B ("Particular Definitions") of the zoning ordinance to include definitions for code enforcement officer, net-metering, qualified solar installer, solar access, solar collector, solar energy system (building-integrated, flush mounted, ground mounted, and rooftop-mounted), solar farms (solar panel, solar skyspace, and solar storage battery); and
- WHEREAS, the proposed local law will add a new Article X-A titled, "Solar Energy Systems" which is intended to "promote the effective and efficient use of solar energy systems; establish provisions for the placement, design, construction, operation and removal of such systems in order to uphold the public health, safety and welfare; and to ensure that such systems will not have a significant adverse impact on the aesthetic qualities and character of the Town"; and
- WHEREAS, per Article X-A, building-integrated solar energy systems shall be permitted in all zoning districts subject to issuance of a building permit; and
- WHEREAS, per Article X-A, rooftop-mounted solar energy systems shall be permitted in all zoning districts subject to issuance of a building permit; solar applications must include a site plan and be submitted to the Code Enforcement Officer; systems must adhere to the height requirements of the zoning district and provide adequate access and spacing for emergency responders; and

WHEREAS, per Article X-A, ground-mounted solar energy systems shall be permitted in Agricultural Residential (AR), Residential Planned Cluster (RPC), Residential Multi-Family (RM), Business (B), Industrial (I), Commercial Planned Development (CPD), and Hamlet (H) districts as an accessory use subject to the granting of a specific permit from the Zoning Board of Appeals; systems are permitted in front yards if properly screened and are subject to the area, yard, and bulk regulations of the zoning district; systems in RPC and H districts will only be permitted on lots greater than 20,000 sf and only in the rear yard; systems are restricted to a maximum height of 15' and may not exceed the ground area of the largest building on the lot; systems are prohibited in the Flood Plain (F) district; and

WHEREAS, all building-integrated, rooftop-mounted, and ground-mounted solar energy systems must be installed by a Qualified Solar Installer, may not exceed 15 kW in a residential setting and serving a residential use on a single parcel or lot, may be permitted up to 25 kW in non-residential settings, and must be maintained in good working order; systems that cease to perform their original intended function for 12 consecutive months must be completely removed or replaced; and

WHEREAS, per Article X-A, solar farms shall be a permitted use in Agricultural Residential (AR) and Industrial (I) districts subject to the granting of a specific permit from the Zoning Board of Appeals and a controlled site approval issued by the Planning Board; solar farms are subject to minimum street frontage (60 feet), lot area (15 acres), front yard setback (50 feet), rear yard setback (30 feet), and side yard setback (25 feet) regulations; Board review includes protection of scenic viewsheds, emergency shutdown and safety provisions, security, appropriate site access, and protection of plant and animal species and habitats; the submitted application must include a Stormwater Pollution Prevention Plan (SWPPP) and a full environmental assessment form, to include a visual impact analysis/visual environmental assessment form, for environmental review under SEQRA; solar farms are restricted to a maximum height of 20', must use neutral colors, materials and textures, and must be enclosed by perimeter fencing; solar farms are prohibited in the Residential Planned Cluster (RPC), Residential Multi-Family (RM), Business (B), Commercial Planned Development (CPD), Hamlet (H), and Flood Plain (F) districts; 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. Prior to enacting the proposed regulations, if it has not already done so, the Town is strongly encouraged to consult with the CNY RPDB Energy Management office (315-422-8276) regarding best practices for regulating solar energy systems, in particular to ensure a balance between adequate regulation and ease of review for the Town and applicants.
2. The Town is advised that any access to proposed large-scale 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.

**The motion was made by Daniel Cupoli and seconded by Marty Voss. The votes were recorded as follows: Douglas Morris - yes; Bill Fisher - yes; James Corbett - yes; Daniel Cupoli - yes; Robert Antonacci - yes; Lisa Dell - yes; Marty Voss - yes.**