



# Onondaga County Planning Board

May 02, 2018

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

## I. ATTENDANCE

### MEMBERS PRESENT

Marty Voss  
Bill Fisher  
James Corbett  
Robert Antonacci  
Lisa Dell

### STAFF PRESENT

Megan Costa  
Allison Bodine  
Robin Coon

### GUESTS PRESENT

Tim Coyer

## II. CALL TO ORDER

The meeting was called to order at 11:00 AM on May 02, 2018.

## III. MINUTES & OTHER BUSINESS

Minutes from April 11, 2018 were submitted for approval. James Corbett made a motion to accept the minutes as amended. Lisa Dell seconded the motion. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.

There was a discussion about a potential new staff report / resolution format and technological needs for Planning Board meetings.

## IV. ACTIONS ON GML SECTION 239 REFERRALS

### Summary

S-18-30	TClaPB	No Position	S-18-31	TManPB	No Position With Comment
S-18-32	TFabPB	No Position With Comment	S-18-33	TSkaPB	Modification
S-18-34	TSkaPB	No Position With Comment	S-18-35	TCicPB	No Position With Comment
Z-18-125	TGedTB	Modification	Z-18-126	TSalPB	Modification
Z-18-127	TSalZBA	No Position With Comment	Z-18-128	TSalPB	Modification
Z-18-129	TClaZBA	No Position	Z-18-130	TDewPB	Modification
Z-18-131	TSkaZBA	No Position	Z-18-132	VNsyPB	No Position With Comment
Z-18-133	TClaPB	Modification	Z-18-134	TCicPB	Modification
Z-18-135	TCicPB	No Position With Comment	Z-18-136	TOnoZBA	No Position
Z-18-137	TOnoZBA	No Position	Z-18-138	TCicPB	No Position With Comment
Z-18-139	TClaPB	No Position With Comment	Z-18-140	TCicPB	No Position
Z-18-141	VSkaVB	No Position	Z-18-142	VSkaVB	No Position
Z-18-143	VSkaVB	No Position	Z-18-144	VManPB	No Position With Comment
Z-18-145	TSpaPB	No Position With Comment	Z-18-146	TPomZBA	No Position With Comment
Z-18-147	CSyrPB	No Position			



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # S-18-30

- 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 Clay Planning Board at the request of JGB Factoring GMBH, LLC for the property located at 4855 & 4875 Executive Drive; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of Henry Clay Boulevard (Route 45), a county highway, and the municipal boundary between the Town of Clay and the Town of Salina; and
- WHEREAS, the applicant is proposing to subdivide three parcels into three new parcels, Parcel A (4.838 acres), Parcel D (7.348 acres) and Parcel C (3.489 acres), in Industrial (I-1) and Regional Commercial (RC-1) zoning districts; and
- WHEREAS, in 2015, the Board recommended disapproval of a subdivision referral (S-15-28) to create two new lots from one of the subject parcels, citing that it does not support creating a landlocked parcel and a permanent legal means of access must be established for the lot; the proposed lots were reconfigured to address access concerns and the subdivision was approved by the local board, though it does not appear to have taken place; and
- WHEREAS, the site is located off Henry Clay Boulevard, a county road, in the Town of Clay and adjacent to the shared municipal boundary with the Town of Salina; surrounding land uses are a mix of commercial, industrial, residential, and office with the site abutting townhouses to the east and southeast and parcels containing offices for the County Sheriff's Department and Department of Water Environment Protection to the south; and
- WHEREAS, the submitted Final Plan dated August 4, 2017 shows the site consists of three parcels totaling just over 15 acres with frontage on Henry Clay Boulevard and Executive Drive, a local road; the two parcels at the front of the site contain two existing buildings and parking for Honda City; the rear parcels contain two existing buildings and paved areas for a manufacturing operation (Precision Systems MFG, Inc.); all site access comes from driveways onto Executive Drive; per the Onondaga County Department of Transportation, no additional access to Henry Clay Boulevard will be permitted nor is any proposed as part of the project; and
- WHEREAS, per the Final Plan, there is critical infrastructure crossing the site between the Honda City and manufacturing buildings including a Niagara Mohawk Power Corporation Easement (50' wide for overhead power lines with 25' wide trimming rights on either side), a New York Transit Co. right-of-way (20' wide for a 10" petroleum main), and an Onondaga County Water District right-of-way (66' wide for a 36" water main); additional easements for drainage, sanitary sewer, and Onondaga County Water Authority are shown to generally occur around the perimeter of the parcels; and

WHEREAS, the Final Plan shows the town-owned portion of Executive Drive to end just before a turn-a-round at the front of the manufacturing parcel; the drive is shown to extend from there to the rear manufacturing building and paved areas; per the plan, there is a Town of Clay right-of-way (to be abandoned) covering a portion of the turn-a-round; a proposed Town of Clay turn-a-round easement is shown to comprise the entire turn-a-around; and

WHEREAS, per the Final Plan, the subdivision will create three new lots from the existing parcels and include merging the two Honda City parcels into Parcel 'C' (3.489 acres) and dividing the manufacturing parcel into Parcels 'A' (4.838 acres) and 'D' (7.348 acres); the abandoned Town right-of-way appears to be combined with Parcel 'D'; in contrast to the previously reviewed subdivision (S-15-28) which also intended to create two lots from the manufacturing parcel, Parcels 'A' and 'D' are both shown to have access to Executive Drive and the proposed turn-a-round easement; 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 service area; 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 site is located over, or immediately adjoining, a principal aquifer; and

WHEREAS, per the EAF Mapper, the project is within 2,000 feet of a site in the NYS DEC Environmental Site Remediation database (734065); 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

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

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # S-18-31

- 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 Manlius Planning Board at the request of Cameron General Contractors for the property located at 3900 Medical Center Drive; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of North Burdick Street (Route 94), a county highway; and
- WHEREAS, the applicant is proposing to subdivide an 11.891-acre parcel into two new lots, Lot 3A (4.038 acres) and Lot 3B (7.854 acres), in a Restricted Agricultural (R-A) zoning district; and
- WHEREAS, in 2015, the Board recommended modification of concurrent site plan (Z-15-8) and special permit (Z-15-9) referrals to construct a three-story senior housing facility on the site, citing traffic data and work permit requirements, wastewater and drinking water service coordination, and site planning to remove front yard parking and incorporate bicycle, pedestrian and shuttle accommodations; and
- WHEREAS, the site is located along North Burdick Street, a county road, in the Town of Manlius; the site is north of the Fayetteville Towne Center shopping plaza and two auto dealerships and in front of the Northeast Medical Center; other surrounding land uses include a credit union, townhouses, and the Old Erie Canal State Park and canal trail; and
- WHEREAS, per the submitted subdivision map dated May 10, 2017, the site has additional frontage on Medical Center Drive, a local medianed road that also serves the medical complex and townhouse lots; the front of the site contains the Towne Center retirement community and the rear of the site is vacant, open space; aerial imagery also shows the site contains a sidewalk along Medical Center Drive and at the rear of the site; and
- WHEREAS, a letter from the applicant to the Town dated January 24, 2018, included with the referral materials, indicates that the subdivision was originally intended to allow for a memory care facility (which is no longer under consideration) on the rear vacant land; there is no current development proposed, however, the subdivision is still requested for finance purposes and future marketing of the property; and
- WHEREAS, the subdivision map shows the retirement community ("site under construction") includes a large, three-story building consisting of a central building and wings on either side; the building is encircled by a drive with parking at the front and rear of the building and three detached garage buildings at the outer edge of the drive circle; access to the retirement community comes from an existing driveway onto Medical Center Drive that aligns with the credit union driveway across the road; and

WHEREAS, the subdivision map shows proposed Lot 3A will contain the vacant land and Lot 3B the retirement community; the map also shows the site has a overall increase in elevation of roughly 40' from North Burdick Street to the medical complex lot; areas at the rear of the retirement community and behind a block retaining wall are shown to be especially steep with as much as a 40' incline in places; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Meadowbrook-Limestone 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 site of the proposed action may contain a species of animal (Northern long-eared 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:

The Town and applicant are advised to contact the Onondaga County Department of Transportation to discuss any required traffic and drainage data prior to future development of the vacant property.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # S-18-32

- 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 Fabius Planning Board at the request of William F. Dwyer for the property located at Penoyer Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of the municipal boundary between the Town of Fabius and the Town of Pompey, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 30.15-acre parcel into two new lots, Lot 1 (7.375 acres) and Lot 2 (22.775 acres), in an Agricultural (A-1) zoning district; and
- WHEREAS, the Board recently offered no position with comment for an area variance referral (Z-18-72) to reduce the required lot width from 300' to 30' for the two proposed lots to be created by the subdivision currently under review; the area variance was approved by the local board; 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); per the plan, the proposed subdivision will divide the existing right-of-way into two 30' rights-of-way, which is permissible given the recently approved area variance; and
- WHEREAS, an email from the Town attorney, received with the area variance referral (Z-18-72), 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 submitted Environmental Assessment Form (EAF) dated November 17, 2017 and the subdivision map, Lot 2 is intended for conveyance to Dearfield Farms in the adjacent Town of Pompey; 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; no new infrastructure is proposed as part of the subdivision; 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

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:

The Board continues to strongly discourage 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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # S-18-33

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Skaneateles Planning Board at the request of Mark Aberi for the property located at Benson 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 Benson Road (Route 117), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 7.4-acre parcel into three new lots, Lot 1 (3.2 acres), Lot 2 (2.1 acres) and Lot 3 (2.1 acres), in a Rural and Farming (RF) zoning district; and
- WHEREAS, the site is located along Benson Road, a county road, in a rural area in the Town of Skaneateles; aerial imagery shows the site is a vacant flag lot with some treed areas; the site and surrounding lands are enrolled in New York State Agricultural District 2; per the submitted Narrative dated April 2, 2018, the site was previously used for marginal agricultural crops and the surrounding lands include productive agricultural fields; and
- WHEREAS, the Sketch Plan dated March 30, 2018 shows the site has 130' of frontage on Benson Road and is partially situated behind a lot containing an existing residential dwelling; the proposed subdivision is shown to create three new lots with Lot 1 (3.2 acres) at the front of the site, with a shared driveway, and Lots 2 (2.1 acres) and 3 (2.1 acres) to be landlocked at the rear of the site; and
- WHEREAS, the Sketch Plan shows the required setbacks for each proposed lot and the resultant building envelope including a 50' rear setback affecting 3 sides of the existing parcel; and
- WHEREAS, per the Sketch Plan, a 12' wide shared driveway onto Benson Road is proposed; the driveway and a 30' wide shared drive easement will extend along the eastern lot line and end in a hammerhead at the rear of Lot 1, providing shared access to all three proposed lots; per the Narrative, the Onondaga County Department of Transportation will be contacted to confirm the location of the shared driveway; and
- WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed; and
- WHEREAS, the local application indicates that private wells and individual septic systems are proposed for the lots to be created; and
- WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) Environmental Assessment Form (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 recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

The proposed access to Benson Road 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 highway access and/or work permits.

The Board also offers the following comment(s):

1. Per the Onondaga County Department of Transportation, any existing or proposed shared driveways should have access agreements and maintenance responsibilities added to the deeds.
2. The applicant is advised to consult with the City of Syracuse Water Department prior to the next phase of development in accordance with the Skaneateles Watershed Rules and Regulations.
3. The Board encourages the applicant and Town to consider and explore opportunities to cluster the lots to further preserve assets on the site, including farmed land, agricultural soils, and tree cover. 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.
4. The Board discourages landlocked parcels and encourages the Town to consider the potential long-term effects of large-lot subdivisions 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.
5. The applicant and municipality are advised to ensure the following county, state, and/or federal regulations are met for the proposed project prior to subdivision 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. Septic System Approval – The Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service the proposed lots prior to Department endorsement of the subdivision.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # S-18-34

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Skaneateles Planning Board at the request of Christopher Graham for the property located at 4909 & 4901 Foster Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of the municipal boundary between the Town of Skaneateles and the Town of Elbridge, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide two parcels into three new lots, Lot A (2.3 acres), Lot B (2.3 acres) and Lot C (2.1 acres), in a Rural and Farming (RF) zoning district; and
- WHEREAS, in 2009, the Board offered no position for concurrent subdivision (S-09-55) and special permit (Z-09-265) referrals to subdivide a parcel into two lots, creating the subject parcels, and to construct a 1,600 sf storage building; per the submitted Narrative dated April 2, 2018, the building was never constructed and the special permit has since expired; and
- WHEREAS, the site is located along Foster Road, a local road, in a rural area in the Town of Skaneateles; the site abuts the shared municipal boundary with the Town of Elbridge and is enrolled in New York State Agricultural District 2; surrounding lands are also enrolled in the Agricultural District and appear to contain active farmland; and
- WHEREAS, the submitted Sketch Plan dated April 2, 2018 shows the site is vacant except for an existing shed; the proposed subdivision will remove a portion of the existing property line between the two parcels to create a third lot from the rear lands; Lots A and B (2.3 acres each) are shown at the front of the site; Lot C (2.1 acres) is shown to be a landlocked parcel at the rear of the site; and
- WHEREAS, the Sketch Plan shows the required setbacks for each proposed lot and the resultant building envelopes; per the Sketch Plan, the site slopes up from the road over 30' to the rear of the site and backs up to active farmland; and
- WHEREAS, per the Sketch Plan, there is an existing driveway curb cut onto Foster Road that will be extended to provide a 12' wide shared driveway along the boundary between Lots A and B; a proposed 40' wide drive right-of-way is shown along the proposed driveway; per the Narrative, access to all three proposed lots will come from the shared driveway; and
- WHEREAS, per the local application, drinking water and wastewater services for the proposed lots will be provided by individual wells and septic systems, respectively; per the Narrative, two septic system plans were approved at the time of the 2009 subdivision but never installed; one of the approved septic systems is intended for proposed Lot C; new septic systems will be designed

for Lots A and B; 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, 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:

1. The Board encourages the applicant and Town to consider and explore opportunities to cluster the lots to further preserve assets on the site, including farmed land, agricultural soils, and tree cover. 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.

2. The Board discourages landlocked parcels and encourages the Town to consider the potential long-term effects of large-lot subdivisions 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.

3. 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 the proposed lots prior to Department endorsement of the subdivision.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # S-18-35

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY & FINAL SUBDIVISION from the Town of Cicero Planning Board at the request of Pioneer Companies for the property located at East Taft 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 East Taft Road, a county highway, Interstate Route 81, a state highway, and the municipal boundary between the Town of Cicero and the Village of North Syracuse; and
- WHEREAS, the applicant is proposing to subdivide a 16.717-acre parcel into two new parcels, New Lot 1A-1 (14.328 acres) and New Lot 1A-2 (2.389 acres), in a General Commercial (GC) zoning district; and
- WHEREAS, in 2017, the Board recommended modification of a site plan referral (Z-17-462) to construct an 8,000 sf Enterprise Rent-A-Car facility on the subject site, citing coordination with North Syracuse, access, traffic, and drainage requirements, and forestland preservation; in 2016, the Board reviewed several other referrals regarding the subject site, including a large-scale zone change referral (Z-16-300) affecting approximately 400 acres of land in the Town and for which the Board recommended disapproval, a subdivision referral (S-16-95) proposing to subdivide a 19.211-acre lot into two lots, and a site plan referral (Z-16-450) proposing to construct a Nice-N-Easy gas station and convenience store on one of the newly subdivided parcels; and
- WHEREAS, per the submitted Final Plan dated March 27, 2018, the original lot, Old Lot 1 (19.211 acres), was previously recognized as one continuous lot (maintaining the existence of two individual tax parcels); it was subdivided into two parcels in the 2016 subdivision (S-16-95) creating a lot for the Nice-N-Easy gas station, shown as New Lot 1B (2.494 acres), and the 16.717-acre subject site (one lot composed of the two individual tax parcels); and
- WHEREAS, the Final Plan shows the subject site has frontage and an existing sidewalk on East Taft Road, a county road, and is located at the Town of Cicero and Village of North Syracuse municipal boundary so that the northern portion of the site is located in North Syracuse and the southern portion falls in Cicero; surrounding land uses include the recently constructed gas station and convenience store, a medical equipment repair store, and an auto dealer, all of which are located on adjacent parcels fronting on East Taft Road; the site is also adjacent to parcels containing the Airport Business Park which consists of a large asphalt parking lot and two large buildings; and
- WHEREAS, the Final Plan shows the site abuts I-81 to the northwest and a private road to the east that serves the adjacent Airport Business Park; a portion of the site falls on the east side of the private drive and contains an existing ground sign

for the Airport Business Park; the remainder of the site is shown to be vacant except for an existing pole with two billboard signs facing I-81 (approximately 125' from the road edge) and a gravel drive extending west from the private road to the billboard; and

WHEREAS, per the plan, there is a 30' Onondaga County Water Authority (OCWA) easement along the western boundary of the site, a 20' OCWA easement that crosses the center of the parcel, a 38' private sanitary sewer easement along the private road, a sign and sign access easement along the existing gravel drive and in an area surrounding the billboard, and an ingress and egress easement along the private road; per the plan, the existing sign and sign access easement are "to be abandoned and relocated as shown hereon"; and

WHEREAS, the Final Plan indicates that the site will be subdivided into two new parcels; New Lot 1A-1 (14.328 acres) is shown to contain the lands west of the private road and is intended for the proposed Enterprise Rent-A-Car facility; New Lot 1A-2 (2.389 acres) will contain the remainder of the site located across the private road from the gas station parcel; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road 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, GIS mapping shows a significant portion of the site falls within a Runway Protection Zone (RPZ) associated with the Syracuse Hancock International Airport; compatible land uses in an RPZ are dictated by the Federal Aviation Administration (FAA); the municipality is advised to adhere to the guidelines of the FAA and minimize the risk to people and property in an RPZ; and the Final Plan shows two wetland areas on the site (provided by ESI); Wetland A (0.10 acre) is located at the northern corner of the site and Wetland B (0.79 acres) extends along the western boundary; a 100' buffer is shown around Wetland B; there is a proposed conservation easement shown to encompass almost the entirety of Wetland B and its buffer area on the site; 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, a principal aquifer; 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:

1. As noted on the Final Plan, no additional access points from Old Lot 1 (or New Lots 1A-1 and 1A-2) will be permitted to East Taft Road without permission and permit from the Onondaga County Department of

Transportation.

2. The Town and applicant are advised to contact the Onondaga County Department of Transportation to discuss any required traffic and drainage data prior to future development of the proposed lots.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-125

- 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 Geddes Town Board at the request of Derek Tarolli for the property located at southwest corner of State Fair Boulevard and Smelkoff 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 State Fair Boulevard (Route 80), a county highway; and
- WHEREAS, the applicant is proposing to construct two 7,500 square foot office buildings on a vacant 1.55-acre parcel in a Commercial B zoning district; and
- WHEREAS, in 2011, the Board offered no position with comment for a special permit referral (Z-11-161) to construct a meeting hall on the site, encouraging site planning to include a buffer of landscaping or fencing along the western lot line and situate the building closer to the prevailing front yard setback line along State Fair Boulevard; and
- WHEREAS, the site is located at the intersection of State Fair Boulevard, a county road, and Smelkoff Road, a local dead end road; the site is vacant and abuts two single-family residential lots and Pope's Grove golf course; other surrounding land uses are primarily residential; and
- WHEREAS, a letter to the Town dated February 6, 2018, included with the referral materials, states the purchase of the parcel is under contract and contingent upon all necessary approvals from the Town; and
- WHEREAS, per the local application, the two one-story buildings will be constructed as shell office buildings with interior spaces to be determined by future tenants; the submitted Proposed Site Layout Plan dated April 4, 2018 shows the buildings to be oriented perpendicular to one another, with one occurring 34' from the rear lot line and the other 30.4' from the side lot line; the plan shows a proposed asphalt parking lot will be primarily located at the front of the buildings (52 parking spaces) with another 23 spaces provided along the rear lot line; and
- WHEREAS, the Proposed Site Layout Plan shows two proposed driveways (14' and 20' wide) onto Smelkoff Road; no access to State Fair Boulevard is shown and per the Onondaga County Department of Transportation, all access must come from Smelkoff Road as currently proposed; and
- WHEREAS, per the Proposed Site Layout Plan, there will be a 10' transition buffer for snow storage along the entirety of the rear lot line and a portion of the side lot line; the remainder of the side lot line is partially screened by existing trees and shrubs; and
- WHEREAS, per the submitted Environmental Assessment Form (EAF) dated April 3, 2018, 1.4 acres of the site will be disturbed by the proposed project; stormwater will



be collected on site with catch basins, treated and stored, and discharged to the existing conveyance system in the right-of-way; the submitted Proposed Grading and Utility Plan dated April 4, 2018 shows the proposed catch basins will occur throughout the parking lot and connect to an underground stormwater storage system chamber, which ultimately discharges via a proposed storm pipe to the existing catch basins along State Fair Boulevard; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and West Side Pump Station service area; proposed sanitary sewer laterals and water service lines are shown in the Proposed Grading and Utility Plan to connect the proposed buildings to the existing sanitary sewer and water lines along Smelkoff Road and State Fair Boulevard; 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 sites in the NYS DEC Environmental Site Remediation database (734076, 734040, 734081); 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 (Northern long-eared bat, 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 recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

1. 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.
2. 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 Town is advised to ensure the proposed access on Smelkoff Road is at least 75 feet from the intersection with State Fair Boulevard, as is recommended by the Onondaga County Department of Transportation.
2. The Town and applicant are advised to contact the Onondaga County Department of Transportation to discuss any required traffic data once

tenants are determined.

3. The Board recommends that a buffer of landscaping or fencing be established along the parcel boundaries shared with adjacent residential lots.

4. The Board discourages front yard parking and recommends that the buildings be located at the prevailing front yard setback line of neighboring parcels along State Fair Boulevard and the proposed parking lot be entirely located at the rear of the buildings to maintain a consistent streetscape.

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 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. 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. 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 James Corbett and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-126

- 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 Fernando A. Vona for the property located at 611 Old Liverpool 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 Old Liverpool Road, a county highway, Onondaga Lake Parkway (Route 370), a state highway, and Onondaga Lake Park, a county-owned park; and
- WHEREAS, the applicant is proposing construction of a 26-unit apartment complex with required parking and infrastructure on a 2.03-acre parcel in a Multiple-Family Residential (R-4) zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-18-127) for the proposed project; in 2017, the Board offered no position with comment for a zone change referral (Z-17-432) as part of the proposed project, which was approved locally, and encouraged options for mixed used development on the site; the Board also cited access and review requirements of the Onondaga County Department of Transportation and site design considerations, such as bicycle, pedestrian and transit accommodations and building frontage on Old Liverpool Road, for the next phase of development; and
- WHEREAS, the site is located along Old Liverpool Road, a county road, in the Town of Salina; the site is on the northern side of Onondaga Lake and separated from the shoreline by Onondaga Lake Parkway (NYS Route 370), a CSX rail line, and lands owned by Onondaga County; surrounding land uses are roadside commercial and residential; and
- WHEREAS, the submitted survey map dated February 1, 2018 shows the parcel is vacant and contains a sanitary sewer right-of-way and a right-of-way to the Town of Salina along the western lot line; and
- WHEREAS, the submitted Preliminary Layout Plan dated March 12, 2018 shows the proposed project to include a 3-story apartment building (26 units) parallel to Old Liverpool Road and set towards the rear of the site, a detached, 8-bay garage building parallel to the road front and situated at the front building line, and a second detached, 8-bay garage building perpendicular to the road front and along the side yard setback; the proposed apartment building and garage buildings are shown to occur around a central parking lot providing the required 52 parking spaces; the back of a garage building will face Old Liverpool Road; no elevation drawings were included for the proposed garages; site access will come from a proposed 24' wide driveway onto Old Liverpool Road at the eastern corner of the parcel; and
- WHEREAS, area variances are required for the project to 1) reduce the minimum lot area from 2.09 (3,500 sf per unit) to 2.03 acres, 2) increase the maximum height of the structure from 30' to 48', and 3) increase the maximum number of

dwelling units per principal structure from 10 to 26; and

WHEREAS, per the Preliminary Layout Plan, the project appears to disturb more than one acre of land; stormwater management facilities are shown to include a stormwater management area at the rear of the site, a bio-retention area in the side yard, and another bio-retention area in the center of the parking lot; and

WHEREAS, per the Preliminary Layout Plan, proposed landscaping will include two front yard landscaping beds, a landscaping bed and sidewalk along the front of the apartment building, and trees along the eastern lot line and around the stormwater management facilities; per the plan, the existing mature trees along the western lot line and rights-of-way will be retained; one of the front yard landscaping beds is shown to contain a sign; no additional signage information was included in the referral materials; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), transit service runs along Old Liverpool Road and the nearest Centro stops are located just east of the site on Old Liverpool Road, one at the corner of the parcel and the other less than 200' across the road; site design that accommodates bicycles and pedestrians fosters opportunities for transit services and facilitates safe access for transit users; and

WHEREAS, the Referral Notice indicates that new public drinking water and sewer connections are proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Ley Creek 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 the project is within 2,000 feet of a site in the NYS DEC Environmental Site Remediation database (734030); the remediation site, Onondaga Lake, experienced historical discharges of contaminants which has resulted in the contamination of lake sediments, surface water, and biota; 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 (Indiana bat), or associated habitats, listed by the state or federal government as threatened or endangered; 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:

1. The Onondaga County Department of Transportation has determined that the municipality and applicant are required to coordinate the proposed access to Old Liverpool Road with the Department. Any changes required by the Department must be reflected on a revised Site Plan prior to municipal approval.

2. 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.

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 and New York State Departments of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Departments.

4. 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. Additional landscape buffering is encouraged to provide screening for adjacent residential properties. The applicant is also advised to further develop rear landscaping in order to aid in bank stabilization and drainage, and enhance the viewshed of the lake as well as the view from Route 370, particularly as this is a critical area along the lake, and near County parklands.

2. As Old Liverpool Road is a relatively high-density, mixed-use, urban environment with significant redevelopment potential, the Town is encouraged to require a high-quality right-of-way along Old Liverpool Road with street trees and sidewalks set back from the road edge. Additional design consideration is encouraged to avoid or minimize the aesthetic impact of the garage wall facing Old Liverpool Road.

3. The Town and applicant are advised to contact the Onondaga County and New York State Departments of Transportation to coordinate right-of-way design for Old Liverpool Road and to ensure the proposed plans for this project are not in conflict with any upcoming highway projects for the area.

4. Per the Onondaga County Department of Transportation, the municipality and applicant are advised that signage and landscaping may not obstruct sight distance.

5. The Town and applicant are encouraged to reach out to the Central New York Regional Transportation Authority (CENTRO) during the planning process and consider a site design that facilitates transit accommodations, particularly as this site is intended for residential use on an existing served corridor.

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. Given the site's proximity to Onondaga Lake, the applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as

practical by reducing impermeable surfaces and utilizing green infrastructure.

8. 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.

9. 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. 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.

d. 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.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-127

- 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 Salina Zoning Board of Appeals at the request of Fernando A. Vona for the property located at 611 Old Liverpool 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 Old Liverpool Road, a county highway, Onondaga Lake Parkway (Route 370), a state highway, and Onondaga Lake Park, a county-owned park; and
- WHEREAS, the applicant is requesting area variances for minimum lot area requirements and the maximum height of structures and maximum number of dwelling units allowed in a Multiple-Family Residential (R-4) zoning district to allow for construction of a 26-unit apartment complex on a 2.07-acre parcel; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-18-126) for the proposed project; in 2017, the Board offered no position with comment for a zone change referral (Z-17-432) as part of the proposed project, which was approved locally, and encouraged options for mixed used development on the site; the Board also cited access and review requirements of the Onondaga County Department of Transportation and site design considerations, such as bicycle, pedestrian and transit accommodations and building frontage on Old Liverpool Road, for the next phase of development; and
- WHEREAS, the site is located along Old Liverpool Road, a county road, in the Town of Salina; the site is on the northern side of Onondaga Lake and separated from the shoreline by Onondaga Lake Parkway (NYS Route 370), a CSX rail line, and lands owned by Onondaga County; surrounding land uses are roadside commercial and residential; and
- WHEREAS, the submitted survey map dated February 1, 2018 shows the parcel is vacant and contains a sanitary sewer right-of-way and a right-of-way to the Town of Salina along the western lot line; and
- WHEREAS, the submitted Preliminary Layout Plan dated March 12, 2018 shows the proposed project to include a 3-story apartment building (26 units) parallel to Old Liverpool Road and set towards the rear of the site, a detached, 8-bay garage building parallel to the road front and situated at the front building line, and a second detached, 8-bay garage building perpendicular to the road front and along the side yard setback; the proposed apartment building and garage buildings are shown to occur around a central parking lot providing the required 52 parking spaces; the back of a garage building will face Old Liverpool Road; no elevation drawings were included for the proposed garages; site access will come from a proposed 24' wide driveway onto Old Liverpool Road at the eastern corner of the parcel; and
- WHEREAS, area variances are required for the project to 1) reduce the minimum lot area from 2.09 (3,500 sf per unit) to 2.03 acres, 2) increase the maximum height of

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the structure from 30' to 48', and 3) increase the maximum number of dwelling units per principal structure from 10 to 26; and

WHEREAS, per the Preliminary Layout Plan, the project appears to disturb more than one acre of land; stormwater management facilities are shown to include a stormwater management area at the rear of the site, a bio-retention area in the side yard, and another bio-retention area in the center of the parking lot; and

WHEREAS, per the Preliminary Layout Plan, proposed landscaping will include two front yard landscaping beds, a landscaping bed and sidewalk along the front of the apartment building, and trees along the eastern lot line and around the stormwater management facilities; per the plan, the existing mature trees along the western lot line and rights-of-way will be retained; one of the front yard landscaping beds is shown to contain a sign; no additional signage information was included in the referral materials; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), transit service runs along Old Liverpool Road and the nearest Centro stops are located just east of the site on Old Liverpool Road, one at the corner of the parcel and the other less than 200' across the road; site design that accommodates bicycles and pedestrians fosters opportunities for transit services and facilitates safe access for transit users; and

WHEREAS, the Referral Notice indicates that new public drinking water and sewer connections are proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Ley Creek 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 the project is within 2,000 feet of a site in the NYS DEC Environmental Site Remediation database (734030); the remediation site, Onondaga Lake, experienced historical discharges of contaminants which has resulted in the contamination of lake sediments, surface water, and biota; 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 (Indiana bat), or associated habitats, listed by the state or federal government as threatened or endangered; 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:

While the Board offers no position with regard to the proposed area variances, the following comments are reiterated for the project as a whole:

1. The Onondaga County Department of Transportation has determined that

the municipality and applicant are required to coordinate the proposed access to Old Liverpool Road with the Department. Any changes required by the Department must be reflected on a revised Site Plan prior to municipal approval.

2. 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.

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 and New York State Departments of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Departments.

4. 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.

5. Additional landscape buffering is encouraged to provide screening for adjacent residential properties. The applicant is also advised to further develop rear landscaping in order to aid in bank stabilization and drainage, and enhance the viewshed of the lake as well as the view from Route 370, particularly as this is a critical area along the lake, and near County parklands.

6. As Old Liverpool Road is a relatively high-density, mixed-use, urban environment with significant redevelopment potential, the Town is encouraged to require a high-quality right-of-way along Old Liverpool Road with street trees and sidewalks set back from the road edge. Additional design consideration is encouraged to avoid or minimize the aesthetic impact of the garage wall facing Old Liverpool Road.

7. The Town and applicant are advised to contact the Onondaga County and New York State Departments of Transportation to coordinate right-of-way design for Old Liverpool Road and to ensure the proposed plans for this project are not in conflict with any upcoming highway projects for the area.

8. Per the Onondaga County Department of Transportation, the municipality and applicant are advised that signage and landscaping may not obstruct sight distance.

9. The Town and applicant are encouraged to reach out to the Central New York Regional Transportation Authority (CENTRO) during the planning process and consider a site design that facilitates transit accommodations, particularly as this site is intended for residential use on an existing served corridor.

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. Given the site's proximity to Onondaga Lake, the applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure.

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 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. 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.

d. 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.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-128

- 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 506 Old Liverpool Rd., LLC for the property located at 506 Old Liverpool 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 Old Liverpool Road, a county road; and
- WHEREAS, the applicant is proposing a parking lot expansion and stormwater management improvements for an existing office building (formerly WCNY) on a 2.46-acre parcel in a C-3 zoning district; and
- WHEREAS, in 2006, the Board offered no position for a site plan referral (Z-06-168) to construct and operate a wireless telephone communications facility on the subject parcel; and
- WHEREAS, the site is located along Old Liverpool Road, a county road, in the Town of Salina; the submitted survey map dated October 22, 1974 shows the site has additional frontage on Kellars Lane, a local road; the Old Liverpool Road corridor is generally a mix of residential, commercial, and office uses; the site faces single-family residential lots across Old Liverpool Road, abuts an apartment complex and a mix of residential and commercial uses, and is located across Kellars Lane from a small shopping plaza, gas station, and residential lots; and
- WHEREAS, per the survey map, the site contains an existing one-story concrete building set back towards the rear of the site; the building is surrounded on all sides by asphalt consisting of a rear drive aisle, a front parking lot that appears to partially occur in the Kellars Lane right-of-way, and a paved parking area on the side of the building; per the survey map, the side parking area contains three microwave towers and various dishes and concrete pads, all of which appear to be enclosed by fencing and were presumably part of the previous television and broadcasting use on the site; and
- WHEREAS, aerial imagery shows there is unrestricted access to Kellars Lane and the front parking lot is separated from Old Liverpool Road by a grassed area (to be mostly removed); there is no existing or proposed access to Old Liverpool Road shown nor will it be permitted by the Onondaga County Department of Transportation; and
- WHEREAS, per the local application, the current and proposed use of the site is for offices; the proposed parking lot expansion is intended to increase the number of on-site parking spaces from 41 to 81; and
- WHEREAS, the submitted Site Layout Plan dated March 30, 2018 shows the proposed parking lot expansion (13,000 sf) will expand the front parking lot south towards Old Liverpool Road; per the Site Layout Plan, seeded lawn will be

established to delineate a driveway for the front parking lot and to locate the entirety of the parking lot on the site; additional site improvements are shown to include a concrete sidewalk at the front of the building; and

WHEREAS, the submitted Photometrics Plan dated March 30, 2018 shows proposed lighting to include four wall-mounted light fixtures on the front of the building mounted at a height of 10' and four pole-mounted light fixtures (20' tall pole) installed for parking lot lighting; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated March 29, 2018 states that stormwater will be mitigated on-site then discharged to the existing storm sewer located along Old Liverpool Road; the submitted Site Grading, Drainage, and Utility Plan - South dated March 30, 2018 shows a proposed wet swale to occur at the southwest corner of the site; and

WHEREAS, 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; 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, 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 NYS DEC Environmental Site Remediation database (734030); and

WHEREAS, the 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

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:

1. The Onondaga County Department of Transportation has determined that the applicant must complete a drainage study to meet Department requirements verifying that the proposed development would not create additional stormwater runoff into the County's drainage system and is required to first contact the Department to determine the scope of the study. The applicant must submit the drainage study to the Department for approval and complete any appropriate mitigation as may be determined by the Department.
2. The applicant must contact the Onondaga County Department of Transportation regarding proposed lighting for the project to ensure there is no glare or spillover onto adjacent properties or the county right-of-way. The lighting plan must be modified to extend light intensity estimates to the property lines and a copy of the plan must be submitted to the Department for approval.

The Board also offers the following comment(s):

1. As Old Liverpool Road is a relatively high-density, mixed-use, urban environment with significant redevelopment potential, the Town is encouraged to require a high-quality right-of-way along Old Liverpool Road with street trees and sidewalks set back from the road edge, and additional screening, such as low hedges or landscaping, for the front yard parking lot.
2. The Town and applicant are advised to contact the Onondaga County and New York State Departments of Transportation to coordinate right-of-way design for Old Liverpool Road and to ensure the proposed plans for this project are not in conflict with any upcoming highway projects for the area.
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. In particular, landscape islands in the parking lot are strongly encouraged to improve the aesthetics of the large expanse of front yard parking and provide additional stormwater benefits. 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.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-129

- 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 Charles Hafner for the property located at 7265 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 (Route 161) and West Taft Road (Route 51), both county highways, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing construction of a second dumpster enclosure with a side yard setback of 30 feet where 75 feet is required on a 20.96-acre parcel in a Regional Commercial (RC-1) zoning district; and
- WHEREAS, in 2004 and 2005, the Board recommended modification of zone change (Z-04-195), site plan (Z-05-151), and subdivision (S-05-15) referrals to construct Chuck Hafner's Garden Center on the subject parcel; and
- WHEREAS, the site is located at the intersection of West Taft Road and Buckley Road, both county roads, in the Town of Clay; the site is across West Taft Road from the North Medical Center and abuts residential lots to the north and south; the parcel is enrolled in New York State Agricultural District 3; and
- WHEREAS, per the submitted survey map dated September 9, 2008, the site contains existing structures, parking, driveways, and stormwater management facilities for Chuck Hafner's Garden Center; the survey map shows the main building, an existing frame and greenhouse building with a large retail area and additional retail/restaurant, office and utility, and storage space, situated towards the front of site, and a large growing greenhouse and pole barn on the north side of the main building; there are additional hoop type greenhouses occurring on one side of the greenhouse/barn and at the rear of the site; parking occurs at the front of the site, along West Taft Road and Buckley Road (244 spaces provided); the land between the front buildings and rear greenhouses appears to be covered by a large gravel display area and the site's stormwater management facilities (wet pond and fore bay); and
- WHEREAS, per the Town of Clay zoning ordinance, a side yard setback of 75' is required in the RC-1 zoning district; per the survey map, there is an existing dumpster enclosure on the side of the main building's retail/restaurant space that falls in the side yard setback; the proposed, additional dumpster enclosure is shown to be located across the adjacent asphalt drive from the existing enclosure and 30' from the side lot line; and
- WHEREAS, access to the site is shown in the survey map to include an existing full access driveway onto West Taft Road and two existing full access driveways onto Buckley Road, one with dual exit lanes; per the Onondaga County Department of Transportation, no additional access to West Taft Road or Buckley Road will be permitted nor is any proposed for the project; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas; 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, 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 NYS DEC Environmental Site Remediation database (734051); 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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**





JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-130

- 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 Brixmor Property Group, Inc. for the property located at 3469 Erie Boulevard East; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Erie Boulevard East (Route 5), a state highway; and
- WHEREAS, the applicant is proposing to modify a previously approved site plan in order to construct an outparcel building and end cap addition at the existing Erie Canal Centre shopping plaza located on an 11.15-acre parcel in a Business (B) zoning district; and
- WHEREAS, in 2014, the Board recommended modification of a site plan referral (Z-14-392) to renovate the existing retail building, demolish a portion of it and construct a similar end cap addition in its place, and construct a similar outparcel retail and restaurant building, citing sidewalk requirements and wastewater service coordination; the local board approved the project in 2015 and approved an amended site plan in 2017; the site plan currently under review has been amended for Phase 2B of the project, to include the construction of the endcap addition and outparcel building; and
- WHEREAS, the site is located north of Shoppingtown Mall in the Erie Boulevard East (NYS Route 5) corridor of mixed roadside commercial and large retail establishments; the submitted survey map dated September 29, 2014 shows that the site contains an existing one-story building and a large front parking lot for the Erie Canal Centre shopping plaza which currently includes Dick's Sporting Goods and Burlington Coat Factory stores; and
- WHEREAS, aerial imagery shows the site has two existing driveways onto Erie Boulevard East, with one driveway being entrance-only; turning movements at this section of Erie Boulevard are restricted to right-in and right-out by a concrete median; the site has two additional connections to Fietta Road, a local road at the rear of the site that serves the rear Marshalls shopping plaza; Fietta Road ultimately accesses Erie Boulevard East at a signalized intersection, as well as Widewaters Parkway, a local road east of the site; and
- WHEREAS, the submitted Master Site Plan dated March 30, 2018 illustrates the three phases of the project with the approximate limits of previously completed work for Phase 1 and Phase 2A generally consisting of the lands north and south of the site's full access drive, respectively; work for these completed phases has provided a total of 376 parking spaces and appears to include parking lot improvements, consisting of curbed landscape islands at the ends of each parking aisle, crosswalks throughout the site, and a concrete sidewalk along Erie Boulevard East and from the existing building to the road front; and
- WHEREAS, the submitted Phase 2B Pad Site Plans dated March 30, 2018 show the

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proposed outparcel building with retail (2,800 sf) and restaurant (2,200 sf) space, a drive-thru lane along the front and side of the building, and parking areas providing 49 total spaces at the rear and both sides of the building; the outparcel building will be located at the front of the site and set back 38.8' from Erie Boulevard East; per the plans, the recently installed concrete sidewalk is located in the state right-of-way and there are street trees at the front of the site; new curbed landscape islands are proposed and will be located at the end of the rear parking aisles and surrounding the outparcel building and immediate parking area; and

WHEREAS, the submitted Phase 2B End Cap Addition Plans dated March 30, 2018 show the proposed end cap addition (7,000 sf retail space) will be located adjacent to the existing Dick's Sporting Goods; additional site improvements are shown to include a concrete sidewalk at the front and side of the building, a rear refuse enclosure, and minimal new asphalt pavement, concrete curbing, and pavement striping for the side parking lot which will provide 41 total spaces; and

WHEREAS, per the Master Site Plan, parking available parking on-site will decrease from 486 spaces (previously approved during Phase 2A) to 466 spaces; a letter from SRF Associates to the applicant dated December 21, 2017, included with the referral materials, indicates that a Parking Space Occupancy Survey was conducted for the site; the study evaluated existing parking utilization during peak Tuesday and Saturday periods during the holiday and non-holiday season; per the letter, the survey indicates that occupancy rates ranged from 28.9% (non-holiday, peak Tuesday period) to 46.8% (holiday, peak Saturday period) during the days of study; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated March 30, 2018, 1.8 acres of the site will be disturbed by the proposed project; stormwater will be collected and treated on-site; no additional information regarding stormwater management was included in the referral materials; 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 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 NYS DEC Environmental Site Remediation database (C734108); 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 New York State Department of Transportation has determined that the applicant must complete an updated Traffic Impact Study (TIS) for full build out to meet Department requirements and is required to contact the Department to determine the scope of the study; the applicant must submit the traffic study to the Department for approval and complete any appropriate mitigation as may be determined by the Department.

2. The municipality must submit a copy of the Storm Water Pollution

Prevention Plan (SWPPP) and/or any drainage reports or studies to the New York State 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. The applicant is advised to contact the New York State Department of Transportation for any work within the right-of-way which will be subject to the issuance of a highway work permit.
2. 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.
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 applicant and municipality are advised to ensure the following county, state, and/or federal regulation is met for the proposed project:
  - 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. 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.

**The motion was made by James Corbett and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - no; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-131

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Skaneateles ZBA at the request of Kenneth Osmun for the property located at 3436 East Lake Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of East Lake Road (Route 41), a state highway, and the municipal boundary between the Town of Skaneateles and the Village of Skaneateles; and
- WHEREAS, the applicant is requesting an area variance to install a 440 square foot driveway turnaround on a 0.80-acre parcel in a Rural and Farming (RF) zoning district, which would increase impermeable surface coverage from 10% to 11.3% where 10% is the maximum allowed; and
- WHEREAS, the site is located along East Lake Road, a state road, in the Town of Skaneateles and just south of the Village; surrounding land uses are primarily residential occurring along East Lake Road and Skaneateles Lake to the west; and
- WHEREAS, the submitted survey map shows the site contains an existing frame house with two rear wood decks, pavers at the front and rear of the house, and a tarvia driveway onto East Lake Road; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated April 5, 2018 states the proposed turnaround is intended to provide better egress to East Lake Road by preventing vehicles from backing into the road; the survey map shows the 22' x 20' turnaround will be located on the north side of the existing driveway and in front of the house; and
- WHEREAS, the local application indicates that the site is an existing non-conforming lot with a lot size of 0.8 acres where 2 acres is required and 250' of frontage where 300' is required; the Town of Skaneateles zoning code prohibits increases in impermeable surface coverage on non-conforming lots and the proposed project would increase impermeable surface coverage from 10% to 11.3%, where 10% is the maximum allowed; and
- WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed; and
- WHEREAS, the site is served by individual well and septic system; no changes to the existing infrastructure are proposed; and
- WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) 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 and may consequently be acted on solely by the referring board.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-132

- 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 North Syracuse Planning Board at the request of Sunbelt Rentals for the property located at 415 East Taft 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 East Taft Road (Route 19), a county highway, and the municipal boundaries between the Village of North Syracuse, the Town of Cicero, and the Town of Clay; and
- WHEREAS, the applicant is proposing to expand an outdoor storage area and add an employee driveway for an existing equipment rental facility on a 4.82-acre parcel in a Planned Development (PD) zoning district; and
- WHEREAS, the site is located at the intersection of East Taft Road, a county road, and Gateway Park Drive, a local road, in the Village of North Syracuse; the site is at the shared municipal boundary between the Towns of Clay and Cicero and just northwest of I-81; surrounding land uses are a mix of commercial, civic (U.S. Post Office), institutional (Cicero-North Syracuse bus garage), manufacturing (Gianelli Sausage processing plant) and residential with the site abutting single-family residential lots to the north and an apartment complex and an auto store to the west; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated April 5, 2018 indicates that this is an amended site plan and now includes a smaller area of impact; no previous site plan referrals were received by the County Planning Board for this project; and
- WHEREAS, the submitted Amended Site Plan dated March 15, 2018 shows the site contains an equipment rental facility (Sunbelt Rentals) consisting of an existing building surrounded on all sides by asphalt that comprises a parking area at the front of the building and an outdoor storage area at the rear of the building; per the Amended Site Plan, the rear storage area is enclosed by a 6' high chain link fence (to be removed) and contains two existing propane tanks; there are two existing driveways onto Gateway Park Drive; there is no existing or proposed access to East Taft Road shown nor will it be permitted by the Onondaga County Department of Transportation; and
- WHEREAS, the Amended Site Plan shows the proposed expansion will extend the existing outdoor storage area 50' towards the side lot line and 90' towards the rear line; the expanded outdoor storage area will be enclosed by a proposed 6' high chain link fence with a 36' gated entrance facing the asphalt/parking area along the side of the building; a proposed driveway onto Gateway Park Drive is shown north of the existing driveways and will provide gated access to the outdoor storage area; per the EAF, the proposed driveway will be for employee access only; the proposed expansion and driveway will increase parking and drive coverage on the site by 33,974 sf; and

WHEREAS, per the EAF, 0.79 acres of the site will be disturbed by the proposed project and stormwater will be directed to the County-owned drainage system along East Taft Road; per the Onondaga County Department of Transportation, additional stormwater runoff into the County's drainage system is prohibited; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road 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, GIS mapping shows the northeastern corner of the site, which appears to be forested, may contain a portion of a state wetland (BRE-27); a letter dated March 6, 2018, included in the referral materials, indicates that a wetland review/delineation was completed by GZA GeoEnvironmental, Inc. on February 28, 2018 and the criteria for wetland resources (vegetation, hydrology, soils) were not present at the site; 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:

The applicant is encouraged to retain as much existing tree cover at the rear of the site as possible to provide buffering for adjacent residential properties.

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





JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-133

- 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 Train Hard Fitness I., LLC for the property located at 8180 Oswego 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 Oswego Road (Route 57), a county highway; and
- WHEREAS, the applicant is proposing to construct a 14,000 square foot building for a 24-hour fitness center along with parking and drainage improvements on a 2.18-acre site in a Neighborhood Commercial (NC-1) zoning district; and
- WHEREAS, in 2013, the Board offered no position with comment for a zone change referral (Z-13-76) that ultimately rezoned the parcel to its current NC-1 zoning district; and
- WHEREAS, the site is located along Oswego Road, a county road, in the Town of Clay; Oswego Road is a heavily traveled corridor containing suburban retail buildings, offices, and varied residential land uses; the submitted Existing Features plan dated February 26, 2018 shows the site has minimal rear frontage on Capricorn Drive, a local road serving an adjacent residential neighborhood, and contains an existing vacant house (to be demolished); the remainder of the site is mostly wooded and overgrown vegetation; and
- WHEREAS, the submitted Proposed Features plan dated February 26, 2018 shows the building (14,000 sf) will be located at the center of the parcel along the side yard setback line; the building is to be surrounded on the three remaining sides by parking providing 84 parking spaces; a concrete sidewalk is shown along the front, rear, and one side of the building; site access consists of a proposed 24' wide driveway onto Oswego Road, which must meet Onondaga County Department of Transportation commercial driveway standards; and
- WHEREAS, the submitted floor plan shows 2,000 sf at the front of the proposed building will provide tenant space with the remainder of the building to be used by Train Hard Fitness; no additional information regarding a potential tenant is included in the referral materials; the Proposed Features plan indicates there are no proposed outdoor uses on the site; and
- WHEREAS, the submitted Proposed Lighting and Landscaping plan dated February 26, 2018 shows proposed lighting to include four pole-mounted light fixtures (20' tall) around the edge of the parking lot and three wall-mounted light fixtures at a height of 10' over the doorways on the side and rear of the building; a proposed monument sign (28 sf) is shown at the front of the site, set back more than 70' from the centerline of Oswego Road and outside the County right-of-way; a proposed wall-mounted sign (16 sf) is to be located on the side of the building; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated April 11, 2018 states 1.9 acres of the site will be disturbed by the proposed project; stormwater runoff will be directed to on-site stormwater management facilities shown in the submitted Grading and Utility Plan dated April 4, 2018 to include a stormwater wetland along the side of the parking lot, a bio-retention area at the front of the building, and dry swale at the rear of the parking lot; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Wetzel Road Wastewater Treatment Plant service area; new drinking water and wastewater services are proposed for the project; per the EAF, anticipated water demand and liquid waste generation will be 700 gallons per day each; 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 (Indiana bat, Northern long-eared bat), or associated habitats, listed by the state or federal government as threatened or endangered; impacts to bat species are often associated with tree clearing and the EAF states half of the wooded areas on site will be removed; 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 are required to coordinate the proposed access to Oswego Road with the Department which will be determined by the availability of sight distance. Any changes required by the Department must be reflected on a revised Site Plan prior to municipal approval.
2. 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.
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.
4. 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. Per the Onondaga County Department of Transportation, the municipality and applicant are advised that signage and landscaping may not obstruct sight distance.

2. The Board encourages dedication of easement at the rear of the parcel to allow for cross-connections with adjacent uses along Oswego Road.
  3. 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.
  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 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.
- 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 James Corbett and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-134

- 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 Stephen Stasko for the property located at 9620 Brewerton Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Brewerton Road (Route 11), a state highway; and
- WHEREAS, the applicant is proposing to construct a 48' x 48' office building with associated parking on a 0.881-acre parcel in a General Commercial zoning district and Hamlet Gateway Overlay district; and
- WHEREAS, the site is located along Brewerton Road (US Route 11) in northern Cicero; aerial imagery shows the site is vacant, partially wooded and contains overgrown vegetation; the site is across Brewerton Road from the fire department; other surrounding land uses are a mix of commercial and residential; and
- WHEREAS, the submitted Site Plan dated March 15, 2018 shows the proposed project to include a two-story building set back 13' from Brewerton Road, a parking lot (12 spaces) occurring on the side of the building, and a 5' wide concrete sidewalk connecting the parking lot and rear building entrance; and
- WHEREAS, the Site Plan shows proposed access to Brewerton Road to include a 24' wide driveway, which must meet New York State Department of Transportation commercial driveway standards; and
- WHEREAS, per the submitted Environmental Assessment Form (EAF), 0.56 acres of the site will be disturbed by the proposed project; the submitted Grading and Drainage Plan dated March 15, 2018 shows proposed stormwater management facilities to include a grass swale along the proposed driveway and parking lot leading to a rear stormwater management area; and
- WHEREAS, the site has access to public drinking water and sewers and is located in the Brewerton Wastewater Treatment Plant service area; and
- WHEREAS, the site is located in Cicero's Hamlet Gateway Overlay District which is intended to create a public realm conducive to pedestrian activity and provide a transitional zone between the hamlet's vehicle-oriented land uses and the traditional downtown core; no existing or proposed sidewalks are shown on the plans for the project, but generally occur in the Hamlet area, including 200' to the north of the site; 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 NYS DEC Environmental Site Remediation database (V00036, 734112); 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; impacts to bat species are often associated with tree clearing and the plans indicate that the existing trees and vegetation will be removed; 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 recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

The New York State Department of Transportation has determined that the municipality and the applicant are required to coordinate Brewerton Road access plans with the Department. Any changes required by the Department must be reflected on a revised Site Plan prior to municipal approval.

The Board also offers the following comment(s):

1. The Board commends the building placement at the front of the parcel, the scale of the proposed building, and the infill development consistent with the setbacks and goals of the Hamlet Gateway Overlay District.

2. The Town is encouraged to require sidewalks along Brewerton Road. New York State Department of Transportation strongly recommends that any sidewalks along a state road be located within the public right-of-way. In this case, appropriation of land to the New York State Department of Transportation may be required and should be coordinated with the Department. Sidewalks in the state right-of-way must be five feet wide and continue through the driveway.

3. 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.

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

a. State Highway Access and/or Work Permit – Any new or modified

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)

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. 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 James Corbett and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-135

- 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 Vicinos Brick & Brew for the property located at 7789 Brewerton Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Brewerton Road (Route 11, North Main Street) and Route 481, both state highways, Bear Road, a county highway, and the municipal boundary between the Town of Cicero and the Village of North Syracuse; and
- WHEREAS, the applicant is proposing to open and operate a brick oven pizza restaurant in a vacant commercial building located on a 0.85-acre parcel in a General Commercial zoning district; and
- WHEREAS, in 2008, the Board recommended modification of a site plan referral (Z-08-31) proposing to construct a Tim Horton's restaurant on the site, citing traffic, drainage, and sidewalk requirements and cross-connections to adjacent parcels; and
- WHEREAS, the site is located along Brewerton Road (US Route 11) just south of I-481 in the Town of Cicero; the submitted Existing and Proposed Site Plans dated April 12, 2018 show the site contains an existing building with a drive-thru (formerly Tim Horton's and Mighty Taco); the site is located near several other existing restaurants, and other commercial and residential uses; the parcel abuts a single-family residential lot to the rear; and
- WHEREAS, the site plans show an "existing easement for future access drive" crossing the rear of the site and the adjacent parcel to the north; the site contains a partial drive (to be removed), which appears to be intended for cross-connections though it does not continue onto adjacent parcels; and
- WHEREAS, per the site plans, the existing driveway onto Brewerton Road, which must meet New York State Department of Transportation commercial driveway standards, will remain; the driveway is shown to have an entrance lane and right-out only exit lane delineated by concrete curbing; there is an existing sidewalk along the Brewerton Road frontage; and
- WHEREAS, the site plans show the parking lot will be extended farther towards the back of the parcel and provide 50 parking spaces; a proposed dumpster enclosure and concrete drive pad are shown at the rear of the parking lot; the existing drive-thru lane is shown to be replaced by lawn and a patio area for outdoor dining; the patio area will be enclosed by a 6' high solid vinyl fence (to screen adjacent parking lot) and 4' high wrought iron fence; and
- WHEREAS, the local application indicates proposed hours of operation will be 11am to 11pm with a maximum of 7 employees on site at one time; and
- WHEREAS, per the site plans, the site contains an existing pylon sign (to remain)



occurring at the front corner of the proposed patio dining area; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas; 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:

1. The Board commends the proposed reuse of the site and encourages the applicant to consider additional front yard landscaping to further buffer the proposed patio area from the road frontage.
2. The Town and applicant are encouraged to retain the existing easements at the rear of the parcel and continue to explore opportunities for cross-connections of all parcels to Bear Road and Business Avenue which may help alleviate traffic congestion along Brewerton Road and provide secondary emergency vehicle access.
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 applicant and municipality are advised to ensure the following county, state, and/or federal regulation is met for the proposed project:
  - 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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-136

- 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 Eugene & Penny O'Grady for the property located at 3012 Amber 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 Amber Road (Route 44), a county highway, a farm operation located in a NYS Agricultural District, and the municipal boundary between the Town of Onondaga and the Town of Marcellus; and
- WHEREAS, the applicant is requesting a special permit to install a 10.35 kW ground-mounted solar energy system for residential use on a 6.133-acre parcel in a Residential and Country (R-C) zoning district; and
- WHEREAS, the site is located along Amber Road, a county road, in a rural area in the Town of Onondaga; the site and surrounding lands are enrolled in New York State Agricultural District 1 and appear to contain active farmland; and
- WHEREAS, aerial imagery shows the site contains an existing house, a shed, and a driveway onto Amber Road; the house is surrounded by grassed lawn area and the rear half of the parcel is open, undeveloped space; and
- WHEREAS, per the Town of Onondaga zoning code, ground-mounted solar energy systems are permitted in the R-C district upon issuance of a special permit; and
- WHEREAS, the submitted Site Plan dated September 20, 2017 shows the proposed ground-mounted solar photovoltaic (PV) array (10.35 kW) will be set back from the road 345'-7" and located behind the existing house and shed; the array will be 90'-11" from the side lot line; and
- WHEREAS, the submitted Electrical Plan dated September 20, 2017 shows the proposed solar energy system will also include exterior PV equipment (meter and AC disconnect) on the side of the house connected by a 160' conduit in trench (minimum 24" deep), and interior PV equipment (main electrical panel); and
- WHEREAS, the site is served by individual well and septic system; no changes to the existing infrastructure are proposed; 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
- WHEREAS, any application for a special use permit, site plan approval, use variance, or

subdivision approval requiring municipal review and approval that would occur on or within 500 feet of a property within a New York State Certified Agricultural District is required by the New York State Agricultural and Markets Law to include an Agricultural Data Statement; 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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-137

- 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 Nancy A. Miller for the property located at 3907 Cherry Valley Turnpike; 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 Cherry Valley Turnpike (US Route 20), a state highway, Buckwheat Road (Route 247), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting a special permit to construct a 28' x 30' one-story addition on an existing non-conforming residence on a 4.64-acre parcel in a Residential and Country (R-C) zoning district; and
- WHEREAS, the site is located along Cherry Valley Turnpike (US Route 20) in a rural area in the Town of Onondaga; surrounding lands are enrolled in New York State Agricultural District 1 and appear to contain active farmland; and
- WHEREAS, the submitted survey map dated February 8, 2016 shows the site contains an existing frame house, a detached garage, two barn structures, two sheds, and an aboveground pool; the site has an existing u-shaped gravel driveway with two points onto Cherry Valley Turnpike; aerial imagery shows the rear and sides of the parcel are forested; and
- WHEREAS, per the Town of Onondaga zoning ordinance, a non-conforming structure or building may be altered or renovated upon issuance of a special permit; per the local application, the house was built in 1860 and is an existing non-conforming structure with a 50' front yard setback where 65' is required; and
- WHEREAS, the submitted plans dated February 7, 2018 show the proposed one-story addition (28' x 30') will be located on the side of the existing house and provide a new bedroom, bathroom, living room, and wet bar space; the addition meets the R-C district front yard setback requirements; and
- WHEREAS, the site is served by individual well and septic system; no changes to the existing infrastructure are proposed; a letter from the Onondaga County Health Department dated April 11, 2018 indicates that one of the existing bedrooms will be converted to an office so the house will remain a three-bedroom dwelling; the Department indicated no objections to the arrangements for water supply and sewage disposal; and
- WHEREAS, the survey map shows the approximate location of Gulf Brook running east-west through the rear, forested portion of the parcel; 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), or associated

habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on or within 500 feet of a property within a New York State Certified Agricultural District is required by the New York State Agricultural and Markets Law to include an Agricultural Data Statement; 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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-138

- 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 Trey Jay, LLC for the property located at 6475 & 6477 Lakeshore Road and Beach 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 Lakeshore Road (Route 123), a county highway, and the municipal boundary between the Town of Cicero and Oswego County; and
- WHEREAS, the applicant is proposing construction of a 248-unit apartment complex on three parcels totaling 24.8 acres in a General Commercial zoning district; and
- WHEREAS, in December 2017, the Onondaga County Planning Board (OCPB) recommended modification of a site plan referral (Z-17-461) for the proposed apartment project, citing wetland considerations and Onondaga County Department of Transportation (OCDOT) access, traffic, drainage and lighting requirements; the Town has requested the OCPB re-examine its recommendations, in light of subsequent information and coordination with the OCDOT; in addition, while still reflected on currently submitted site plans, the Town and applicant note that the marina improvements are no longer to be considered and are not part of the project; and
- WHEREAS, the site is located on Oneida Lake in northern Cicero at the intersection of Mud Mill Road, a local road, and Lakeshore Road, a county road; surrounding land uses are residential, with the site abutting 14 single-family residential parcels primarily to the west and south and a vacant 15-acre parcel to the east zoned for residential use; the site consists of three tax parcels including a 24-acre parcel (086.-02-25.0) containing the existing Lakeshore Marina, a vacant 0.4-acre parcel (086.-02-40.1), and a 0.4-acre parcel (086.-02-24.0) containing an existing house; a coordinated review meeting was held on December 6, 2017 by the Town of Cicero to discuss the proposed project; and
- WHEREAS, aerial imagery shows the existing 100-slip marina is situated at the northeastern corner of parcel 086.-02-25.0 with space for on-site boat storage at the rear of the marina; the parcel is shown to be otherwise open space and partially forested; the site currently has access to Lakeshore Road from two existing driveways, one of which is located at the Mud Mill Road intersection and provides access to the marina and the other is approximately 110' east of the intersection at the existing house on parcel 086.-02-24.0; the vacant 0.4-acre parcel is situated on the western side of the 24-acre parcel between two residential lots and has approximately 50' of frontage on Beach Road, a local road; and
- WHEREAS, as part of the proposed project, the existing house and driveways will be removed; the submitted Layout Plans dated November 20, 2017 show proposed access to the apartment complex will include a gated driveway 150'

east of the intersection of Mud Mill Road and Lakeshore Road and a gated driveway onto Beach Road via the 50' frontage on parcel 086.-02-40.1; the proposed apartment complex (248 units total) will consist of 14 buildings situated throughout the southern portion of the site; an internal road (Loso Drive) and sidewalks are shown in the plan to provide access to the apartment buildings and 7 detached garage buildings; there will be 395 parking spaces, including 71 garage spaces, available on the site; per the plans, the proposed sidewalk will be extended along Loso Drive to Lakeshore Road and a bus stop area at the road front; additional parking is shown along Loso Drive, including 3 spaces for short term staging/storage area for trailers and vehicles and a 30-space parking lot at the front of the site; and

WHEREAS, in its review of the previous site plan referral (Z-17-461) for the project, the OCPB included a modification from the OCDOT requiring that access to Lakeshore Road as proposed would not be permitted and must come from Mud Mill Road; a letter from GTS Consulting dated April 19, 2018 indicates that a Traffic Impact Assessment dated March 20, 2018 and a supplemental Mud Mill Road access review dated April 13, 2018 concluded that the proposed Mud Mill Road access would not be safe and preferred access would be as proposed on Lakeshore Road; the OCDOT has given conceptual approval of the proposed access on Lakeshore Road and received amended traffic data and drainage and lighting data as cited for the previous site plan referral (Z-17-461); the New York State Department of Transportation has not yet received a copy of the traffic study; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated October 12, 2017 indicates that 13.0 acres of the site will be disturbed by the proposed project; the Layout Plans show a wet pond towards the center of the site just south of the marina area and several of the northernmost buildings; per the notes from the coordinated review meeting, the storm system is designed to collect water during peak events, and include an overflow mechanism that goes across the swale and into the marina during high water events; the referral materials included a copy of the Stormwater Pollution Prevention Plan (SWPPP) dated December 18, 2017 (revised February 16, 2018) and a letter from the Town engineer indicating that the SWPPP has been reviewed and is found to be in substantial compliance with the State Pollutant Discharge Elimination System (SPDES) permit; per the EAF, the site has access to public drinking water and sewer infrastructure and is located in the Brewerton Wastewater Treatment Plant service area; anticipated drinking water demand is 72,200 gallons per day and anticipated liquid waste generation is 79,200 gallons per day; and

WHEREAS, GIS mapping shows the northern portion of the site between the proposed buildings and the lake, and areas surrounding the marina may contain federal wetlands; a wetland boundary shown on the Layout Plans is noted as being obtained from the New York State Department of Environmental Conservation (NYS DEC) Mapper; a letter dated April 19, 2018 from an attorney representing the applicant to the Town Planning Board, included in the referral materials, indicates that the existing marina and marina improvements, while still shown on the revised site plan, are not proposed to be included as part of the project at this time; the letter further notes that should the applicant propose at a future date to disturb lands that contain Federal wetland characteristics, the applicant will obtain appropriate permits from the U.S. Army Corps of Engineers; and

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



northern portion of the site, along Oneida Lake, is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the floodplain appears to encroach on the northernmost portions of the proposed apartment complex; 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

WHEREAS, a letter to the Town of Cicero Planning Board dated December 7, 2017 indicates that the NYS DEC reviewed the Town's notice of intent to serve as Lead Agency under State Environmental Quality Review (SEQR) for the proposed project; based on its review of the project, the site is located within or near record(s) of the state-listed species Lake Sturgeon which is listed as threatened in New York State, and potential impacts of the proposed project on this species should be fully evaluated pursuant to SEQR; the NYS DEC also states that the project is located within an area considered to be sensitive with regard to archaeological resources; and

WHEREAS, a letter dated November 21, 2017, received by the OCPB, indicates that residents in the surrounding area have concerns with the proposed project regarding the location of the proposed use and its compatibility with the surrounding area, the impact of the project on existing deeded rights-of-way on the site which provide lake access to several adjacent residential parcels, the traffic impact of the proposed project on infrastructure in the area that is already congested, impacts to drainage in an area that is already prone to flooding, and potential impacts to the quality of life for residents in the community; and

WHEREAS, in March 2017, the OCPB recommended Modification of a series of zone changes on 103 parcels covering 575+ acres in the Town, including rezoning the subject 24-acre parcel to General Commercial (GC) and an adjacent 15-acre vacant parcel to Residential (R-15); the OCPB recommended that the Town consider retaining the existing split zoning for these two large parcels, citing a potential mismatch between desired intensity and the land uses permitted by the proposed zoning district; the zone changes for the two parcels were approved by the Town in April 2017; and

WHEREAS, in recent years, the OCPB has also reviewed other large-scale zoning actions and recommended that the Town consider updating their comprehensive plan and including greater coordination with residents and stakeholders to fully analyze potential impacts of the proposed changes, particularly for those lots being rezoned to allow for more intensive uses; one nearby zone change of note is a 59-acre vacant parcel less than half a mile east on Lakeshore Road which was rezoned Residential (RM) allowing for higher density, and multi-family or townhouse land uses; another nearby zone change (approximately 2 miles southwest) included 18 parcels of generally undeveloped land within the Carmel Runne commercial subdivision which were rezoned to General Commercial Plus (GC+); in addition to the recent zone changes, this area has also seen several notable residential projects, including 1) a proposed 24-unit apartment complex (Oneida Bay Apartments) about a mile east on Lakeshore Road, 2) a proposed 73-lot single-family residential subdivision (Lyons Runne) on Cicero Center Road which potentially includes additional 150-lot future subdivision on an adjacent parcel, 3) an approved 49-lot subdivision in an R-10 zoning district to the south off Whiting Road, and 4) a 72-unit apartment

building at the intersection of South Bay and Lakeshore Roads for which construction appears to have started but not been completed, and the sale of the Lake Shore Yacht and Country Club, situated on two parcels totaling almost 150 acres about a mile east on Lakeshore Road; 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. While a modified marina facility is being shown on the submitted site plans, the Board acknowledges the applicant and Town's notice that no changes to the marina are included as part of the current project. As such, the Board does not offer site plan comment relative to the marina modification at this time, with the following exceptions: a) that full buildout including all phases of a proposed project should be contemplated together under SEQRA review; b) the Town should ensure that the existing site plan does not preclude operation and/or safety of the existing marina facility; and c) site plan review of any future phases not contemplated under the current referral should be referred to the County Planning Board as applicable.

2. The Town and applicant are advised to continue to coordinate with the Onondaga County Department of Transportation (OCDOT) on remaining permit requirements and final approvals regarding driveway access and stormwater. Any required mitigation should be shown on the Town approved site plan. Per the OCDOT, no additional access onto Lakeshore Road shall be permitted, and given documented safety concerns by the applicant's traffic engineer, driveways onto Mud Mill Road near the Lakeshore Road intersection are discouraged.

3. Given the potential proximity of federal wetlands to proposed improvements including roads and buildings (and future marina work), the Board advises the Town to require that current, delineated wetland boundaries, confirmed by the U.S. Army Corps of Engineers (USACE), be shown on the site plan prior to Town approval. Per USACE guidance, DEC Mapper wetland boundaries are not to be used to confirm the presence or absence of federal or state wetlands.

4. The New York State Department of Transportation requests a copy of the amended traffic data for the project.

5. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance and Floodplain overlay zone 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. Structures, roads, and other infrastructure are discouraged within the floodplain.

6. Given the proximity to Oneida Lake and the presence of floodplains and possible wetlands on site, the Board strongly encourages the municipality and applicant to also work to minimize the addition of pavement and incorporate green infrastructure where possible, in order to minimize stormwater runoff in a sensitive area. In particular, the municipality and applicant may wish to retain more of the existing, established tree cover to aid in stormwater

retention and filtering.

7. The applicant is encouraged to decrease the intensity of the proposed use of the site and consider a revised site design that provides greater buffering of adjacent residential lots, reduced encroachment into floodplains, and landscaped buffering of floodplains and wetlands on site. Screening of parking areas at the front of the site is also encouraged.

8. The Town and applicant are advised to coordinate with the North Syracuse Central School District, as well as fire and emergency service providers in the area to ensure that long-term service demands will be sufficiently met and that the proposed site design provides safe access and circulation for emergency responders.

9. In addition to a review of immediate area impacts, the Town is also encouraged to consider the cumulative development impacts that may be associated with the large scale rezoning actions and proposed projects in the Town, relative to overall community character, mobility, existing infrastructure, and natural resources of the area. The Board recommends refining comprehensive and district specific land use and infrastructure planning in concert with State and County agencies, to coordinate and facilitate development in the Town.

10. The Board encourages the Town to require an access easement to facilitate shared access to the adjacent 15-acre parcel in the event of any future development.

11. 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. 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 OCDOT.

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. Permits for Federal Wetlands – Any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site is subject to a Nationwide Permit, for permanent impacts to a wetland area less than 0.5 acres, or an Individual Permit, for permanent impacts to a wetland area greater than 0.5 acres. Following a formal wetland delineation, the municipality and/or applicant are advised to contact the USACE to determine whether permits are necessary for the proposed project and obtain any applicable permits.

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.

E. Archaeological Sensitive Areas – The applicant and/or municipality are 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.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-139

- 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 Planning Board at the request of Barrett Industries for the property located at 4530 Wetzel 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 Wetzel Road (Route 252), a county highway; and
- WHEREAS, the applicant is requesting a special permit to install an exterior storage tank as an accessory use to an existing manufacturing operation on a 65.26-acre parcel in an Industrial (I-1) zoning district; and
- WHEREAS, in 2015, the Board recommended modification of a site plan referral (Z-15-358) proposing to construct an office addition to the existing building on the subject parcel, citing access and drainage requirements; and
- WHEREAS, the site is located along Wetzel Road, a county road, in the Woodard Industrial Park of the Town of Clay; surrounding land uses are a mix of industrial and residential with large tracts of vacant forestland in the immediate area; the site is bisected into two portions by a rail line; the westerly portion of the site (19.26 acres) is vacant, forest land and the easterly portion (46 acres) contains existing buildings for Barrett Paving Materials, Inc.; and
- WHEREAS, aerial imagery shows the easterly portion of the site contains two existing buildings set towards the front of the site, a front asphalt parking lot, and an existing driveway onto Wetzel Road which appears to also provide access to the adjacent parcels for Whitacre Engineering; at the rear of the buildings there is a large gravel storage area for equipment and materials; per the Onondaga County Department of Transportation, no additional access to Wetzel Road will be permitted nor is any proposed as part of the project; and
- WHEREAS, per the submitted Environmental Assessment Form (EAF) dated April 6, 2018, the proposed 10,000-gallon tack coat aboveground storage tank (AST) and secondary containment system are intended to supply tack coat to the 1,800-gallon tanker trucks used for road construction jobs by Barrett Paving Materials, Inc.; and
- WHEREAS, the submitted Topographic Site Plan Map dated December 19, 2017 shows the proposed tank will be located in the rear gravel area, behind the existing buildings; per the Town of Clay zoning ordinance, a special permit is required for accessory exterior storage for an existing manufacturing use in the I-1 district; and
- WHEREAS, the submitted Tank Installation drawings dated July 24, 2017 show the tank shell will be installed in a containment dike on a 14' x 22' foundation pad; the tank will include stairs for access and have a roof elevation of 46'; per the local application, no additional lighting will be required for the proposed tank;

and

WHEREAS, the local application indicates that the applicant will register the tank with the New York State Department of Environmental Conservation; per the local application, any water that accumulates in the secondary containment system provided for the proposed tank shall be screened for petroleum contaminants and then discharged to the ground surface in accordance with state regulations; and

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

WHEREAS, the Topographic Site Plan Map shows the site contains all or part of 11 small wetland areas; it is not clear if these are state or federal wetlands or if they have delineated, however, none of the proposed or existing development appears to occur within the wetlands; 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 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 municipality is advised to ensure all necessary approvals are obtained from the New York State Department of Environmental Conservation regarding the storage tank.
2. The Town and applicant are encouraged to explore the possible presence of federal wetlands on the site to ensure appropriate buffering is provided for any sensitive areas on the site.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-140

- 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 J&R Lawns & Landscapes for the property located at 8076 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 (Route 14), a county highway; and
- WHEREAS, the applicant is proposing a 72' x 108' building addition for vehicle and equipment storage on an 11.47-acre parcel in an Agricultural zoning district; and
- WHEREAS, in 2013, the Board recommended modification of a site plan referral (Z-13-293) to allow an existing storage facility to include office use for the lawn care business on the subject parcel, citing access requirements, permits, and drinking water and sewage disposal accommodations; previously in 2013, the Board recommended modification of an area variance referral (Z-13-73) to reduce side yard setbacks on the parcel to allow for the proposed use; and
- WHEREAS, the site is located along Thompson Road, a county road, at the outskirts of several suburban residential neighborhoods in the Town of Cicero; the site abuts residential lots on three sides and a vacant, forested parcel to the north; the site is across Thompson Road from Gillette Road Middle School; and
- WHEREAS, the submitted survey map dated September 11, 2012 shows the site contains an existing metal sided barn at the front of the site and an existing two-story frame house at the rear of the site; aerial imagery shows the house to be surrounded by maintained lawn; the portion of the site between the barn and house appears to be unmaintained and partially treed; and
- WHEREAS, per the survey map, the metal barn has a front parking lot with an existing asphalt driveway onto Thompson Road and a gravel area at the rear of the building that appears to provide vehicle and equipment storage for the landscaping business; there is a second existing driveway (concrete) onto Thompson Road that runs along the southern lot line at the front of the site; the driveway extends to the house and provides additional access to the barn and parking and gravel areas; per the Onondaga County Department of Transportation, no additional access to Thompson Road will be permitted nor is any proposed as part of the project; and
- WHEREAS, the submitted Site Plan dated January 18, 2018 shows the proposed addition (72' x 108') will be located at the rear of the barn and replace a portion of the gravel area; the existing paver walkway on the side of the barn will be extended along the addition; one existing entry from the concrete driveway to the barn and gravel area will be replaced by grass and a second existing entry to the remaining gravel area will be widened with new stone; and

WHEREAS, additional site improvements include 3 fuel storage tanks on a 24' x 14' concrete pad and a 40' x 30' covered salt bin, shown to be located in the rear gravel area; and

WHEREAS, per the Site Plan, a recently approved stone parking lot is shown on the adjacent parcel to the north; relocated and new material storage bins are shown at the rear of the parking lot; in 2016, the Board recommended modification of a site plan referral (Z-16-356) for the proposed work on the adjacent parcel, citing traffic data requirements; and

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

WHEREAS, GIS mapping shows an area of potential state and federal wetlands just northeast of the site at the edge of the Cicero Swamp Wildlife Management Area; 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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**





JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-141

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Village of Skaneateles Village Board at the request of Village of Skaneateles 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 "Village of Skaneateles Draft Local Law #3 of 2018" to require a building permit for demolition and require site plan review for a demolition permit if certain criteria are met; and
- WHEREAS, in 2017, the Board recommended approval of a local law referral (Z-17-376) proposing to amend the Village zoning ordinance to require site plan review prior to issuance of a demolition permit; the local law was withdrawn for modification by the Village Board; and
- WHEREAS, per the submitted local law, the statement of intent and findings indicates the "Board of Trustees has determined that it is necessary to modify provisions of the Village Code relating to building permits and site plan approval applicability"; and
- WHEREAS, the proposed local law will amend Chapter 76 ("Building Construction"), Article II ("Administration and Enforcement"), Section 76-11 ("Building Permit Required") of the Village Code to specify the types of actions ("construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure") and additional installations ("fences, walls, chimneys, flues, fireplaces or solid fueled heating appliances") that require a building permit, and to clarify that no work for which a building permit is required shall commence prior to obtaining the permit; and
- WHEREAS, the proposed local law will amend Chapter 76 ("Building Construction"), Article II ("Administration and Enforcement"), Section 76-12 ("Application Procedure for Building Permits") of the Village Code to indicate that the Code Enforcement Officer shall "receive applications, approve plans and specifications, issue permits set forth in section 76-11 of this Chapter, and shall examine the premises for which such applications have been received, plans approved, or such permits have been issued"; and
- WHEREAS, the proposed local law will add the following to Chapter 225 ("Zoning"), Article II ("Site Plan Approval"), Section 225-29 ("Applicability"): "No demolition permit shall be issued until a site plan has been reviewed by the Planning Board as provided in this article with regard to a building, structure or portion thereof which meets the following criteria: A. It is 100 square feet or greater; or B. It is 50 or more years old; or C. It has a foundation."; and

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

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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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-142

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Village of Skaneateles Village Board at the request of Village of Skaneateles 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 "Village of Skaneateles Draft Local Law #4 of 2018" to establish an overlay zoning district within the existing Downtown (D) zoning district and to modify the permitted use chart accordingly; and
- WHEREAS, per the submitted local law, the statement of intent and findings indicates the "Board of Trustees has determined that it is necessary to establish a Downtown D Overlay District ("DDOD") to define additional commercial uses compatible with residential quality of life within the Village of Skaneateles"; and
- WHEREAS, the proposed local law will add a new definition to Section 225-4 ("Definitions") of the Village zoning ordinance that defines a "Restaurant, Package-Food" use as "a building or structure or portion thereof which is used for the preparation, packaging, and sale of food and beverages for off-premises consumption"; and
- WHEREAS, the proposed local law will add a ninth land use control district, Downtown D Overlay District, with the purpose of providing "for commercial uses compatible with residential quality of life and land development located in sensitive environmental and historical areas within the Village of Skaneateles"; and
- WHEREAS, per the proposed local law, the DDOD is applied with the following considerations: 1) Prevention of an irreversible loss in historic and natural resources; 2) Availability of parking; 3) Maintenance and/or improvement of residential dwellings and inviting residential quality of life; 4) Elimination of odors; 5) Minimizing of adverse impact on nearby properties from lights and noise; and 6) Control of adverse impacts on existing development; and
- WHEREAS, per the proposed local law, the DDOD will consist of "properties in Downtown D abutting Genesee Street on the north side from the center line of Jordan Street to the easterly line of Downtown D and on the south side from the alley west of 2 East Genesee Street to the easterly line of Downtown D" which appears to include 30 properties along East Genesee Street; and
- WHEREAS, the proposed local law will amend the Permitted Use Chart; permitted uses in the DDOD will include one-family, townhouse, and two-family dwellings, dwelling units above retail or office space, accessory buildings and structures, retail sales of convenience merchandise in lodging, commercial services, general business offices, personal services, private group instruction, retail

sales (less than 3,000 sf), cultural facilities, and Village or Town offices; and  
WHEREAS, conditional uses permitted in the DDOD upon issuance of a special use permit will include multifamily dwellings, bed-and-breakfasts, boathouses and similar lakeshore accessory buildings, breweries (on-premises consumption only), home occupations, outdoor storage of one large vehicle (trailer, truck, boat), supplemental apartments, day-care centers or day nursery schools, funeral homes, hospitals, hotels, marine services, public utility infrastructure, theaters, vehicular parking (as principal use), warehouses, county, state or federal care homes, county, state or federal offices, other public services not provided by the Village or Town, religious, senior citizen centers (nonresidential), and Village department structures; and

WHEREAS, additional uses in the DDOD permitted upon site plan review and approval by the Planning Board will include vehicle parking (leased to serve other uses), care homes, equipment rental, health care services, lumberyards, light manufacturing, licensed professional offices, physical fitness, restaurants (packaged food), retail sales (over 3,000 sf), education, Village-owned parking lots, and Village parks or playgrounds; and

WHEREAS, in comparison to the uses permitted in the current Downtown D zoning district of the overlay area, restaurants (without vehicular-oriented or drive-through service) would now be prohibited in the overlay district; 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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-143

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Village of Skaneateles Village Board at the request of Village of Skaneateles 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 "Village of Skaneateles Draft Local law #5 of 2018" to require impact permits to be issued by the Village Planning Board, rather than the Village Board of Trustees, and the Village Municipal Board would provide a recommendation to the Planning Board regarding issuance of the critical impact permit; and
- WHEREAS, per the submitted local law, the statement of intent and findings indicates the "Board of Trustees has determined that it is necessary to modify several provisions of the Village Code relating to critical impact uses and critical impact permits"; and
- WHEREAS, per the Village zoning code, the development or redevelopment of any lot or the structures and improvements thereon (including principal and accessory structures and signs) is defined as a critical impact use, if such lot, structures, or land use involves: A) more than 20,000 sf of cumulative floor area; B) two or more principal buildings or structures; C) a structure exceeding 45 feet in height; D) a use employing more than 20 persons at maximum shift; E) creation of more than 8 dwelling units; F) development in the Skaneateles Lake watershed, within 500' of a historical landmark or tributary, or in excess of 40,000 sf; G) a use requiring a maximum seating capacity of 100 persons or more than 10 off-street parking spaces; H) land in the Downtown D District; I) establishment of vehicular activity; J) telecommunications infrastructure; K) a restaurant use (without vehicular-oriented or drive-through service); or L) a use creating more than 400 gallons of sewer flows per day; and
- WHEREAS, the proposed local law would amend Chapter 95 ("Environmental Quality Review"), Article II ("Environmental Review Procedures", Section 95-12 ("Type I Actions") and Section 95-13 ("Type II Actions") to remove critical impact uses from the list of Type I actions and add it to the list of Type II actions in the Village code; and
- WHEREAS, the proposed local law would amend the Village zoning ordinance to require the issuance of a critical impact use permit to be approved by the Village Planning Board, rather than the Board of Trustees as is currently required; and
- WHEREAS, per the proposed local law, critical impact permits will be subject to referral to the Municipal Board; the Planning Board shall not take final action upon an application for a critical impact permit until it has received recommendations

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from the Municipal Board; 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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-144

- 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 Manlius Planning Board at the request of St. Ann's Church for the property located at 108 Academy 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 173 and Route 92, both state highways; and
- WHEREAS, the applicant is proposing demolition of an existing structure and a parking lot expansion for an existing church on two parcels totaling 2.7 acres in a Residential (R1-V) zoning district; and
- WHEREAS, the site consists of two adjacent parcels located at the intersection of NYS Route 173 and Academy Street, a local road, in the Village of Manlius; the site has rear frontage on NYS Route 92 and faces a small Village park across Academy Street; other surrounding land uses are residential, religious, and office; the site is located in the Manlius Village Historic District, which is listed on the National Register of Historic Places; and
- WHEREAS, the submitted survey map dated October 26, 1988 shows the large, church parcel contains an existing brick church (St. Ann's) at the Route 173/Academy Street intersection and an existing brick parish center at the rear of the parcel facing Route 92; there is a large, existing parking area (144 spaces) situated between the two buildings with driveway access onto Route 173, Academy Street, and Route 92; the survey map shows 27' and 10' ingress-egress easements along the east property line which appear to provide shared access and parking for an adjacent office building; and
- WHEREAS, per the submitted survey map dated January 31, 2018, the second parcel contains an existing two-story house and detached garage and has an existing driveway onto Academy Street, all to be removed for the parking lot expansion; the site has existing sidewalks along each road front; and
- WHEREAS, the submitted aerial images and parking count information indicate that current parking is insufficient for the needs of the church; there is additional on-street parking available along Route 173 and Academy Street; the submitted Sketch Plan Layout dated February 27, 2017 shows the proposed parking lot expansion will increase available parking for the church by 24 spaces; per the local application, all ADA spaces will be relocated along Academy Street where the church's only at-grade access is available; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and
- WHEREAS, 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 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 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. Landscape buffers or appropriate fencing is encouraged to screen the parking lot expansion from the adjacent residential dwellings.
2. In consideration of the proposed diagonal parking along Academy Street, the Village is advised to ensure appropriate space is available for backing of vehicles from parking spaces and to ensure safe traffic and pedestrian movements at the intersection with Route 173 and existing crosswalk.
3. The applicant and municipality are advised to ensure the following county, state, and/or federal regulation is met for the proposed project:
  - a. 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.

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





JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-145

- 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 Spafford Planning Board at the request of Joe Bongiovanni for the property located at 2765 Hardscrabble Point; 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 requesting variances to decrease the rear yard setback and increase an existing nonconforming structure by more than 10% to allow for construction of a 203 square foot addition to a residential structure on a 1.15-acre parcel in a Skaneateles Lake (SL) zoning district; and
- WHEREAS, the site is located on the eastern shore of Skaneateles Lake in a rural area in the Town of Spafford; surrounding land uses include lakeside residences and wooded areas; and
- WHEREAS, the submitted survey map shows the site contains an existing one-story house on the lakeside of the parcel; there is a detached one-story garage and a shed in front of the house and an existing tarvia drive onto Hardscrabble Point, a local gravel road off East Lake Road (NYS Route 41) that serves the lakefront properties; per the survey map, there is an existing frame deck and pier at the lake shoreline; and
- WHEREAS, the submitted site plan dated February 20, 2018 shows the existing house includes a recent addition with a previously approved side yard variance; the proposed addition (203 sf) currently under review will occur on the other side of the house; the submitted floor plans show the addition will provide additional space to expand the layout of the existing kitchen, bathroom, and bedroom in the house; and
- WHEREAS, per the Town of Spafford zoning ordinance, an existing nonconforming use or structure cannot be increased by more than 10% in square footage in the SL District; the referral notice states that an area variance is sought to exceed the allowed 10% increase, however, the referral materials do not indicate how the structure is currently nonconforming; and
- WHEREAS, per the referral notice, a 22' rear yard variance is also required for the proposed addition; per the Town zoning code, a 50' setback is required along Skaneateles Lake; and
- WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed; and
- WHEREAS, the site is served by individual well and septic system; and

WHEREAS, GIS mapping shows the rear of the parcel abutting Skaneateles Lake is within the 100-year floodplain and may contain federal wetlands; location within a floodplain 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

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 a critical review of the proposed project by the Town and City of Syracuse Water Department, to include an evaluation of the potential impact of the requested variances on land, density, and drainage given that the structure has already been expanded, there have been significant lakeside improvements to the site, the site has a fairly significant slope, and lake setback variances are being sought.
2. The Skaneateles Watershed Rules and Regulations require that the applicant consult with the City of Syracuse Water Department prior to commencing this project.

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



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-146

- 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 Pompey Zoning Board of Appeals at the request of Sierra Langkammerer for the property located at 3823 Pompey Hollow 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 Pompey Hollow Road (Route 146), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting front and side yard area variances to allow for construction of a 24' x 36' two-story addition to an existing residence on a 0.85-acre parcel in a Farm (F) zoning district; and
- WHEREAS, in 2012, the Board offered no position for an area variance referral (Z-12-329) requesting side and front area variances for an addition to the existing non-conforming house on the subject parcel; and
- WHEREAS, the site is located at the intersection of Pompey Hollow Road, a county road, and Number 2 East Road, a local road, in a rural area in the Town of Pompey; the site and surrounding lands are enrolled in New York State Agricultural District 4; the surrounding area appears to contain active farmland; other nearby land uses are primarily residential; and
- WHEREAS, the submitted plan dated April 18, 2018 shows the site contains an existing one-and-a-half story house with a rear deck; and
- WHEREAS, the submitted floor plans and elevations show the proposed addition (24' x 36') will provide first floor garage and workshop space and two second floor bedrooms, bathrooms and closets; and
- WHEREAS, the setback requirements for the F district are shown on the plan indicating that the entirety of the house is located in the front yard setback; the proposed covered porch and addition are shown to be located 20.89 to 22.89' and 26.01 to 27.16', respectively, from the front of the parcel where 50' is the required front yard setback; additionally, the proposed pergola and addition are shown to be located up to 7.84' and 10.81', respectively, from the side of the parcel where a 20' is the required side yard setback; per the local application, the building was constructed prior to current zoning regulations; and
- WHEREAS, the plans show a proposed driveway onto Number 2 East Road; per the local application, the final driveway design will be coordinated with the Town; and
- WHEREAS, the site is served by individual well and septic system; 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 (Northern harrier), 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 Town and applicant are advised to coordinate the proposed driveway location with the Onondaga County Department of Transportation to ensure the driveway is located an appropriate distance from the intersection with Pompey Hollow Road.
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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**



JOANNE M. MAHONEY  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 02, 2018

OCPB Case # Z-18-147

- 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 Thai Ventures, Inc. dba Lemon Grass & Bistro Elephant for the property located at 224 (aka 294) West Jefferson 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 a county-owned WEP facility; and
- WHEREAS, the applicant is requesting a special permit to continue operation of an existing restaurant in a Central Business - General Service A (CBD-GSA) zoning district; and
- WHEREAS, the site is located in the Armory Square Historic District of Downtown Syracuse, which is listed on the National Register of Historic Places, and across the street from the Museum of Science and Technology (MOST); the submitted survey map shows the site has frontage and existing sidewalks on West Jefferson Street and Walton Street, both city streets, and contains an existing row building, known as Center Armory; Center Armory contains retail and residential units, including a tenant space occupied by the Lemon Grass and Bistro Elephant restaurant, and is bisected by a pedestrian corridor with an outdoor seating area; the restaurant faces West Jefferson Street and has additional entrances to the pedestrian corridor; 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 this lot is Mixed Used Central Business District (MX-5), which would act to “provide for areas of highest-density residential development, maximum building height, minimal parking, and the greatest range and mix of uses”; and
- WHEREAS, the local application indicates that the restaurant recently applied for its annual entertainment permit; at which time, the City discovered there was no record of having issued a special permit for the restaurant; the special permit currently under review is intended to allow for continuation of the existing restaurant; no physical or operational modifications are proposed at this time; and
- WHEREAS, per the City of Syracuse zoning ordinance, restaurants are permitted in the CBD-GSA district, but require a special permit where the restaurant or its off-street parking spaces are within 500’ of a district where restaurants are not permitted; per the ReZone Syracuse Consolidated Draft dated March 2018, restaurants greater than 1,000 sf are a permitted use in the proposed MX-5 district, and similar buffer restrictions requiring a special permit do not seem to be included; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the

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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

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 NYS DEC Environmental Site Remediation database (734060); and

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

WHEREAS, the EAF Mapper indicates that the site is substantially contiguous to the Landmark Theater, originally known as Loew's State Theater, and the South Salina Street Historic District which are both listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and

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 Robert Antonacci and seconded by Lisa Dell. The votes were recorded as follows: Marty Voss - yes; Bill Fisher - yes; James Corbett - yes; Robert Antonacci - yes; Lisa Dell - yes.**