



Onondaga County Planning Board

September 11, 2024

Onondaga County Department of Planning
Carnegie Building
335 Montgomery Street, 1st Floor
Syracuse, New York 13202

J.Ryan McMahon, II
COUNTY EXECUTIVE

I. ATTENDANCE

MEMBERS PRESENT

Marty Voss
Marty Masterpole
Michael LaFlair
David Skeval

STAFF PRESENT

Troy Waffner
Megan Costa
Rachel Woods
Ellison McMahon

GUESTS PRESENT

II. CALL TO ORDER

The meeting was called to order at 11:00 AM on September 11, 2024.

III. MINUTES & OTHER BUSINESS

Minutes from August 21, 2024 were submitted for approval. Marty Masterpole made a motion to accept the minutes. Michael LaFlair seconded the motion. The votes were recorded as follows: Mike LaFlair - yes; Marty Masterpole - yes; Marty Voss - yes; David Skeval - yes.

IV. ACTIONS ON GML SECTION 239 REFERRALS

Summary

S-24-37	TDewPB	<i>No Position With Comment</i>	S-24-38	TOnoTB	<i>No Position With Comment</i>
Z-24-246	TDewPB	<i>No Position With Comment</i>	Z-24-247	TDewPB	<i>Modification</i>
Z-24-248	VEsyPB	<i>Modification</i>	Z-24-249	CSyrPB	<i>Modification</i>
Z-24-250	VLivVB	<i>No Position</i>	Z-24-251	TDewZBA	<i>No Position With Comment</i>
Z-24-252	TDewPB	<i>No Position With Comment</i>	Z-24-253	TOnoTB	<i>No Position With Comment</i>
Z-24-254	VJorVB	<i>No Position</i>	Z-24-255	TSalZBA	<i>Modification</i>
Z-24-256	TSalZBA	<i>Modification</i>	Z-24-258	TClaTB	<i>No Position</i>
Z-24-259	TEIbTB	<i>No Position With Comment</i>	Z-24-260	TEIbPB	<i>Modification</i>
Z-24-261	CSyrZA	<i>No Position</i>	Z-24-262	TOnoTB	<i>Modification</i>

V. ADMINISTRATIVE REVIEWS



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # S-24-37

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the Town of DeWitt Planning Board at the request of New Court Holding, LLC (Michael Silberberg) for the property located at 4075 & 4077 New Court Avenue; 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 New Court Avenue (Route 298), a state highway; and
- WHEREAS, the applicant is proposing to subdivide a 0.52-acre parcel into two new lots, New Lot A (0.24 acres) and New Lot B (0.28 acres), in an Industrial zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-24-251) for multiple variances to allow the subject parcel to be subdivided into two new lots; and
- WHEREAS, the site is located in a commercial and industrial area along New Court Avenue, a state road; the area is characterized by buildings arranged in a row with minimal side yard setbacks and parking between the buildings and New Court Avenue; CSX railroad tracks abut the rear of the site and all of the parcels along the north side of New Court Avenue in this area; and
- WHEREAS, per the Proposed Lot Line Adjustment Map dated 3/24/24, the site contains two one-story buildings aligned along the sides of the parcel with a 21.9' access road between buildings, leading to rear storage and loading areas located on separate parcels; the whole of the site is covered by buildings and asphalt; and
- WHEREAS, per the Proposed Lot Line Adjustment Map, the applicant is proposing to split the site into two new lots, each containing one of the existing building; proposed New Lot A will be 0.24 acres and will contain the northwest building and access road, labeled as a "Right-of-Way to be created between buildings"; proposed New Lot B will be 0.28 acres and will contain the southeast building; and
- WHEREAS, the applicant is proposing multiple area variances to allow the proposed subdivision; per the referral notice, Town Code requires the lots to have 50' of front yard, two side yards totaling 32' with neither less than 12', a 40' rear yard and allows for 50% maximum building coverage, 80% maximum lot coverage, and 1' of building height for every 1' of horizontal distance from the property line; extent of required variances not included in the referral materials; per the Proposed Lot Line Adjustment Map, the existing buildings and site configuration do not meet requirements for front yard, side, or rear setbacks, building height, or building and lot coverage; per GIS mapping, it appears that multiple sites within this corridor area are similarly non-conforming in regards to lot coverage, building coverage, building height, and

setbacks; the plans do not include any provisions for on-site parking; and

WHEREAS, minutes from the Town Planning Board meeting on 7/25/24 noted a discussion regarding the “existing conditions of this site and the whole area” including that “parking is essentially non-existent on the site; as is true for much of this corridor”, that a subdivision “would create additional non-conformities, requiring variances”, but the subdivision would not create noticeable changes to the operation of the site; the minutes note the Board “will likely recommend the required variance to the ZBA considering the factors discussed”; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 6/7/24, zero acres of the site will be disturbed by the proposed project and stormwater drains “into existing municipal drainage system”; and

WHEREAS, per the referral notice, the site is served by public drinking water and sewer and no changes to existing infrastructure are proposed; the submitted project is located within the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow; and

WHEREAS, the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which is maintained by the Department of Water Environment Protection in this area; and

WHEREAS, the project is within 2,000 feet of a site (ID: C734087) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

1. Plans should include legal parking agreements for both parcels to show viability of lots.
2. Area variance referrals must include extent of variances being requested. The municipality is advised to require that certain critical data be included on submitted applications and plans to facilitate and ensure effective review of proposals by boards and staff.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # S-24-38

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Onondaga Town Board at the request of Michael Harper for the property located at 4774 Cleveland 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 Makyes Road (Route 129), a county highway; and
- WHEREAS, the applicant is proposing to subdivide a 32.54-acre parcel into six new lots in a Residential (R-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-24-262) to establish five residential lots; and
- WHEREAS, the site is a large, vacant, wooded parcel located south of West Seneca Turnpike near its intersection with Onondaga Road and South Avenue; the parcel is located on a steeply sloping hillside, containing tributary streams leading to Onondaga Creek, behind the residential and commercial lots lining West Seneca Turnpike and Cleveland Road; the parcel has three connections to Cleveland Road, a local road; and
- WHEREAS, per the Woodland Hills Preliminary Plan dated 3/20/24, the applicant is proposing to subdivide the 32.54-acre site into six lots, creating five residential lots and a sixth vacant lot; a road terminating in a cul-de-sac, to be conveyed to the Town, will provide access from the site's southernmost access to Cleveland Road, a local road; five single-family homes will radiate from the cul-de-sac on lots ranging from 0.97 to 12.0 acres; per an email from the Town dated 9/3/24, the remaining lands to be new Lot 6 will remain vacant at this time and the rear boundary between proposed Lots 4 and 5 will be revised and the exact size of the proposed lots may change; per the Woodland Hills Preliminary Plan, the proposed residential lots will be Lot 1 (0.97 acres), Lot 2 (2.30 acres), Lot 3 (1.88 acres), Lot 4 (12.03 acres) and Lot 5 (9.70 acres); proposed remaining lands (proposed Lot 6, 5.66 acres) will contain the site's northern access to Cleveland Road and a ravine located in the rear of the lot; and
- WHEREAS, per the email from the Town dated 9/3/24, the applicant has acquired an adjacent parcel to the north (parcel 029.-05-40.0) and may propose garden apartments with access from West Seneca Turnpike; that proposal is not included in the current action; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 4/17/24 which incorrectly describes both the subdivision and site plan actions, zero acres of the site will be disturbed by the proposed project and stormwater will be "directed towards stormwater best management practices as defined in the SWPPP"; per the Grading, Drainage & Utilities Plan dated 7/9/24, stormwater

basins will be constructed on proposed Lots 4 and 2;
ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, a 25'-wide Onondaga County right-of-way crosses the whole of the site from west to east, connecting to Cleveland Road; per the Grading, Drainage & Utilities Plan dated 7/9/24, driveways, stormwater infrastructure, and water service will be constructed in the right-of-way; per the Grading, Drainage & Utilities Plan, the applicant is proposing a 20'-wide Drainage Access & Sanitary Easement from the existing Onondaga County right-of-way to the cul-de-sac; and

WHEREAS, per the referral notice, new connections to public drinking water are proposed to serve the development;
ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral notice, new connections to the public sewers are proposed to serve the development; the site located in the Metropolitan Wastewater Treatment Plant service area;
ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online:
<http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, GIS mapping shows a riverine federally protected class C stream (ID 895-31 per EAF Mapper) and its associated 100-year floodplain traverse the site north-south, crossing through proposed Lot 5 and the remaining lands (proposed Lot 6); the stream is shown on the plans, but wetland details are not provided; the EAF notes NYS wetland (ID SON-3) as being on a neighboring property, but does not discuss the on-site federally protected stream;
ADVISORY NOTE: The applicant is advised to conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site; any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site; the applicant is also advised to obtain any necessary permits from the Corps for any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that floodplain associated with a federally protected stream traverses the site is located within the 100-year floodplain, which may require avoidance or elevation of structures and other mitigation; the 100-year floodplain is not acknowledged or discussed on the EAF;
ADVISORY NOTE: The Onondaga County Hazard Mitigation Plan has

identified flooding as one of eight primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, the Syracuse Metropolitan Transportation Council (SMTC) has created a Sustainable Streets Guide, which includes the identification of priority sidewalk zones where the installation of sidewalks would be most beneficial; part of the site is located within a priority zone; per Google StreetView, West Seneca Turnpike and Makyes Road have some sidewalks near the northern portion of the site, but Cleveland Road does not have sidewalks in proximity to the site; per the Grading, Drainage & Utilities Plan, no sidewalks are proposed within the development; per the Central New York Regional Transportation Authority (CENTRO), West Seneca Turnpike has public transit service and bus stops are located within approximately 0.4 miles of the site's proposed road; and

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

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

The Board has No Position regarding the proposed subdivision, but offers the following requirement and comments for the development as a whole:

1. Any extension of the public wastewater infrastructure must be approved by the Onondaga County Health Department and Onondaga County Department of Water Environment Protection prior to, or as a condition of, municipal approval.
2. The Board encourages retention of tree cover via covenants or other means, to aid in stormwater management, flooding, and viewshed protection.
3. The Board encourages the municipality to require highly sensitive lands including stream corridors, steep slopes, 100-year floodplain, as well as stormwater management facilities be located on non-residential parcels an conveyed to the municipality or related stewardship entity to offer increased protection from encroachment, minimize liability for landowners, and allow for access for maintenance activities as necessary.
4. The applicant must submit a Site Plan and Storm Water Pollution Prevention Plan (SWPPP) to the Onondaga County Department of Water Environment Protection (OCDWEP) for review and approval, to ensure the proposed development activity within or near the County's critical infrastructure easement/ROW is not negatively impacted. Site Plan and SWPPP shall be submitted to the OCDWEP Collection System Director. The municipality must ensure any mitigation as may be determined by the

Department is reflected on project plans prior to, or as a condition of, municipal approval.

5. The applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the City of Syracuse Department of Engineering for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

6. To facilitate and ensure effective review of proposals by boards and staff, the OCPB encourages the municipality to require within local codes that certain critical data be included on all submitted subdivision maps and site plans, if not already doing so. Data layers to be required include waterways, wetland and floodplain boundaries. Additionally, if changes to the proposal or plans are expected, the municipality is encouraged to hold off referring the application to this Board until all changes are complete and reflected in the plans.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-246

- 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 Neal Zinsmeyer (for Neivel Plumbing) for the property located at 5841 Butternut Drive; 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 Interstate Route 481, a state highway, and a NYS Department of Transportation garage; and
- WHEREAS, the applicant is proposing to pave an existing gravel parking lot with asphalt, paint parking stripes and add granite curbing along the driveway apron on a 0.832-acre parcel in an Industrial zoning district; and
- WHEREAS, the site is in the area east of Interstate 481 along Butternut Drive, a local road, characterized by a mix of commercial and industrial enterprises interspersed with vacant wooded lots; the site is west of Butternut Creek and surrounded by State wetlands; a nearby use is a NYS DOT garage; and
- WHEREAS, the site is a triangular parcel containing a two-story building with gravel parking; the site has access to Butternut Drive on the northeastern side; and
- WHEREAS, the Site Plan dated 7/29/24 shows that approximately 26 parking spaces will be created throughout the parking lot with the front of the existing parking lot to be asphalted and the rear portion of the lot to remain gravel; a lawn/landscaped area along the southern and eastern sides of the building is to remain; granite curbing will be installed along the driveway apron; no changes to the building are currently being proposed; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 7/29/24, 0.25 acres of the site will be disturbed by the proposed project and storm water will be directed towards an existing drainage ditch along Butternut Drive; and
- WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the entire site is located within the 100-year floodplain, which may require avoidance or elevation of structures and other mitigation; floodplain presence/boundaries are not indicated on the Survey or Site Plan;
ADVISORY NOTE: The Onondaga County Hazard Mitigation Plan has identified flooding as one of eight primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, per the Topographic Survey Map dated 7/10/24, a 10'-wide right-of-way for Syracuse Suburban Gas Co. Inc. occurs along the southern portion of the site's Butternut Drive frontage; and
- WHEREAS, per the EAF form, the site is served by public drinking water and no change to

existing infrastructure or demand is expected; and

WHEREAS, per the referral notice, the existing building is served by public sewers and no change in existing infrastructure or demand is expected; the submitted project is located within the Meadowbrook-Limestone Wastewater Treatment Plant and Butternut Drive Pump Station service areas, an area designated as flow constrained and impacted by excessive wet weather flow;

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

WHEREAS, the site plan does not indicate that any additional pedestrian infrastructure/facilities will be added; and

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

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:

Given the floodplain areas on site and proximity of the development to a watercourse, the applicant is encouraged to 1) reduce impermeable surfaces, 2) utilize green infrastructure (e.g., permeable pavement), and 3) increase onsite landscaping and plantings wherever possible to reduce stormwater and protect stormwater quality.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-247

- 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 David A. Schlosser (for Coppertop Tavern) for the property located at 3220 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 renovate and rebrand an existing restaurant on a 1.25-acre parcel in a Business zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-24-252) to allow the existing restaurant building height to exceed Town Code by 6.625'; and
- WHEREAS, the Board previously recommended Modification of a site plan (Z-21-297) to allow a new outdoor seating area for the prior restaurant use (Stones Steakhouse), advising the applicant to submit a lighting plan to the New York State Department of Transportation (NYSDOT); the Board also recommended Modification of an earlier site plan referral (Z-16-175) to construct an addition offering similar requirements regarding coordinating with NYSDOT; and
- WHEREAS, the site is located along Erie Boulevard East, a highly commercialized corridor with a mix of roadside commercial and big box retail establishments; east of the site is primarily residential neighborhoods and LeMoyne College; aerial imagery shows that the rear of the site abuts several residential properties and there are existing established trees providing buffering between the lots; and
- WHEREAS, the site contains an existing one-story, 7,664 sf building with parking at the sides and rear of the building; the site has connections to adjacent commercial sites and both the site and adjacent parcels have individual driveway access to Erie Boulevard East; per aerial imagery from 5/2024 and a Location Survey dated 6/27/24 show an access road across the front of the site and the adjacent parcel to the north containing a strip mall; there is an existing concrete sidewalk along Erie Boulevard, but no sidewalk to the building; a dumpster enclosure (to be reconfigured) is located in the rear, northwest corner of the parking lot; and
- WHEREAS, the applicant is proposing interior and exterior renovations to open a new Coppertop Tavern; the proposal includes renovating the entrance to the building, adding a new gabled roof, exterior painting, signage and lighting changes, resealing and restriping the parking lot, reconstructing the dumpster enclosure, new landscaping, and installing new sidewalks along the front of the building; per the Site Plan dated 7/29/24, the footprints of the building and asphalt lot will remain unchanged; per the Location Survey dated

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E-mail Address: countyplanning@ongov.net

6/27/24, the site has an Ingress & Egress Right-of-Way on the adjacent parcel to the north to allow access to the existing parking along the north side of the restaurant; per the Site Plan, a 12/14/2016 Declaration of Easements provides for shared parking between the site and the northern parcel, providing 75 spaces;

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

WHEREAS, the applicant is proposing an area variance to allow the building to be 26'4.5" high where 19'9" is required by Town Code; and

WHEREAS, per the Site Landscape Plan dated 7/29/24, existing trees and plantings along the borders of the parking lot will remain, and new plantings will be added to the landscaping around the restaurant building; a Photometric Plan dated 7/29/24 was included with the referral materials; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 7/25/25 (presumably 7/25/24), 0.04 acres of the site will be disturbed by the proposed project and "new sidewalks and landscape areas will drain to existing, established drainage patterns";

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

WHEREAS, the site is served by municipal drinking water and public sewers and no changes to the existing infrastructure are proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow;

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

ADVISORY NOTE: The applicant is advised to contact the Onondaga County Department of Water Environment Protection (OCDWEP) Plumbing Control Division to discuss any code requirements for restaurant use of the site, including scheduling a re-inspection of the premises and obtaining the appropriate permits for all plumbing installations or modifications, both within the building and for any exterior improvements; please contact Plumbing Control Supervisor at 315-435-6614; and

WHEREAS, the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which is maintained by the Department of Water Environment Protection in this area; and

WHEREAS, the project is within 2,000 feet of a site (ID: C734108) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

1. The applicant must submit a copy of the lighting plan to the New York State Department of Transportation for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval. No glare or spillover onto adjacent properties or the state right-of-way will be permitted.
2. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.

The Board offers the following comments:

1. The municipality is encouraged to ensure appropriate access agreements are in place for the northern driveway.
2. The applicant is encouraged to add a sidewalk connection between the restaurant and the sidewalk along Erie Boulevard East.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-248

- 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 East Syracuse Planning Board at the request of Mirzet Hajdaveric for the property located at 720 Hartwell Avenue; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Hartwell Avenue and Fly Road (both Route 77), a county highway, and the municipal boundary between the Village of East Syracuse and the Town of DeWitt; and
- WHEREAS, the applicant is proposing to install an ornamental fence on a portion of a 23.8-acre parcel containing the Islamic Cultural Center of Bosniaks in a Commercial zoning district; and
- WHEREAS, the Board recommended Modification of a site plan referral (Z-24-91) to modify an existing site plan to expand the parking lot and install a sidewalk, soccer field, pavilion, and playground, advising the Town to ensure the necessary wetland disturbance permits are obtained and no negative impacts to local stormwater drainage conditions from the proposed improvements within wetlands and buffer areas and the applicant was required to submit the proposed plans to the Onondaga County Water Authority (OCWA) for review; the Board offered comments recommending the municipality be stringent regarding required data on submitted plans to ensure effective review and recommending retaining tree cover, reducing impermeable surfaces, and utilizing green infrastructure to protect wetlands, reduce stormwater, and improve stormwater quality; a previously reviewed site plan referral for this site (Z-16-361) to construct this complex advised the applicant to verify sewer accommodations, obtain necessary permits for construction within wetlands, provide a Traffic Impact Study and Stormwater Pollution Prevention Plan to Onondaga County Department of Transportation; and
- WHEREAS, the site is located in the northeastern corner of the Village of East Syracuse, between residential to the west, CSX railroad tracks to the south, and wetlands and Interstate 481 to the east; and
- WHEREAS, the site is the location of the Islamic Cultural Center of Bosniaks and contains a three-story mosque set back from the parcel's frontage on Hartwell Avenue, a 1-story building along the road, and a parking lot between the buildings with access to Hartwell Avenue; and
- WHEREAS, per Village Planning Board Minutes from 8/12/24, the applicant is requesting an area variance to allow a 6' ornamental fence with 2'x 2' brick columns (placed every 30') to be installed along the site's boundaries on the northern half of the site, including the site's frontage on Hartwell Avenue; the proposed area variance was not referred to OCPB; gates will be installed on both driveways to Hartwell Avenue; the applicant is also proposing a free-standing, double-sided sign to be placed between driveways that does not require a

variance; and

WHEREAS, the Board previously reviewed an updated Site Plan where the applicant is proposing to expand their parking area to 195 spaces which involves expanding the parking lot across the site's frontage (behind the existing storage building) and between the eastern boundary and the existing mosque and adding a second driveway to Hartwell Avenue, a county route, at the northwestern corner of the site; the applicant is also proposing the construction of a playground with adjacent pavilion, a soccer field with adjacent 40'x80' pavilion, 2 pickleball courts with basketball hoop, a shed, a picnic area, a monument and a memorial, internal sidewalks, and fencing; ADVISORY NOTE: The proposed driveways onto Hartwell Avenue require highway access and work permits from the Onondaga County Department of Transportation; and

WHEREAS, per the previously submitted Environmental Assessment Form (EAF) dated 2/23/24, 6 acres of the site will be disturbed by the project proposed by in the site plan; per the Site Layout and Planting Plan dated 7/31/24, stormwater will be directed to a basin to be constructed along the eastern parcel boundary; ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the eastern portion of the site is located within the 100-year floodplain, which may require avoidance or elevation of structures and other mitigation; from aerial imagery, it appears all existing and proposed structures are outside of the floodplain; ADVISORY NOTE: The Onondaga County Hazard Mitigation Plan has identified flooding as one of eight primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, GIS mapping shows the majority of the site may contain state and federal wetlands, which appear to include part of the mosque along with portions of the soccer field and associated pavilion and the pickleball courts; a wetland boundary is shown on the Site Layout and Planting Plan dated 7/31/24, but the dataset providing this boundary is not provided; the proposed fence appears to encroach on the wetlands; ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a state and/or federal wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation and/or the U.S. Army Corps of Engineers; ADVISORY NOTE: The NYS Department of Environmental Conservation (DEC) recommends that wetland delineations be reassessed after 5 years; delineated wetland boundaries must be confirmed by the DEC and/or the U.S. Army Corps of Engineers; and

WHEREAS, per the referral notice, the site is served by public drinking water and no changes to existing infrastructure are proposed; there is an easement belonging to OCWA crossing the property north to south; ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain

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

WHEREAS, per the referral notice, the site is served by public sewers, is located within the Metropolitan Wastewater Treatment Plant service area, and no changes to the existing infrastructure are proposed;

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

WHEREAS, the site may contain the Northern long-eared bat and Indiana bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from aerial imagery, it appears that no trees will be removed for the proposed fence and sign;

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

WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

1. The applicant must submit the proposed plans and fence installation plans to Onondaga County Water Authority (OCWA) for review. OCWA requirements include 24-hour access to OCWA infrastructure and all light poles must be outside OCWA's right-of-way. The municipality must ensure all easements and any mitigation as may be determined by the Authority are reflected on the project plans prior to, or as a condition of, municipal approval.
2. The Village must ensure applicant has obtained any necessary wetland disturbance permits and no negative impacts to local stormwater drainage conditions from the proposed improvements within wetlands and buffer areas.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-249

- 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 NOVA House for the property located at 3429 James Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of the municipal boundary between the City of Syracuse and the Town of DeWitt; and
- WHEREAS, the applicant is requesting a special permit to convert an existing 4-unit apartment house into an 8-bedroom residential care facility on a 0.24-acre parcel in a Mixed-Use Transition (MX-3) zoning district; and
- WHEREAS, the site is located in the Eastwood neighborhood of the City of Syracuse, near the municipal boundary with the Town of DeWitt; the area is characterized by a mix of residential and commercial uses along James Street, surrounded by residential; neighboring parcels include an apartment complex, a shopping plaza, multi-family residential, and single-family houses; and
- WHEREAS, the site is located at the corner of James Street and Walter Drive and contains a large house and a small asphalt parking area with a driveway onto Walter Drive, a local road; the house currently contains four apartments; per aerial imagery, a line of trees buffer the site from the adjacent residential property; and
- WHEREAS, the applicant is proposing to convert the existing building from 4 dwelling units to an 8-bedroom Residential Care Facility; the proposed work includes extensive interior renovations to result in eight sleeping rooms, bathrooms, a common living space, and office; exterior renovations include new windows, doors, siding, and roofing, construction of accessible entrances and ramps at the front and rear of the building, a new deck, and parking lot improvements including converting 3 spaces to 2 ADA-compliant spaces, sidewalks, and curbs; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 7/18/24, 0.06 acres of the site will be disturbed by the proposed project and the proposal will not create additional stormwater discharge; and
- WHEREAS, per the referral notice, the site is served by public drinking water and no changes to existing infrastructure are proposed; the proposed change in use may result in an increase in demand; and
- WHEREAS, per the referral notice, the site is served by public sewers and no changes to existing infrastructure are proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas, an area designated as flow constrained and impacted by excessive wet weather flow; the proposed change in use may result in an increase in demand; the Site Plan dated 10/2/23 shows a "septic vent" near the southwest corner of

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

WHEREAS, the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which is maintained by the Department of Water Environment Protection in this area; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734032, 734064) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024
OCPB Case # Z-24-250

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a ZONE CHANGE from the Village of Liverpool Village Board at the request of Village of Liverpool for the property located 209 Hazel Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law and the site is located within 500 feet of Second Street (Route 370), a state highway, and Oswego Street (Route 91 / Old Route 57), Tulip Street (Route 47) and Vine Street (Route 51), all county highways; and
- WHEREAS, the applicant is proposing Local Law H-2024 to amend Chapter 380 (Zoning) of the Code of the Village of Liverpool to change the zoning on a 0.336-acre parcel from Single-Family Residential (R-1) to Village Center Business (B-2); and
- WHEREAS, the site is a parcel located in the center of the Village of Liverpool; neighboring uses include multiple churches and associated parking lots, residential, a masonic lodge, and retail cannabis; and
- WHEREAS, per aerial imagery, the site appears to contain a single-family house with driveway to Hazel Street; and
- WHEREAS, the applicant is proposing to change the zoning designation of the site from Single-Family Residential (R-1) to Village Center Business (B-2); the referral materials do not include an explanation for the proposed change or how B-2 would be more suitable for the site; no changes to the site are currently proposed; and
- WHEREAS, per the Village Zoning Map dated 5/15/08, the two residential parcels to the northwest are currently in a R-1 zoning district and the remaining parcels of this block are in a B-2 zoning district, including all parcels located along Oswego Street; most parcels to east and north are in a R-1 zoning district; and
- WHEREAS, per the Village Code, the Village Center Business District (B-2) is intended to “complement the mixed use Lakeside Business District in use and design while providing greater flexibility in building design”; permitted uses within B-2 includes mixed use, retail businesses, offices, restaurants, funeral homes, community centers, religious facilities, neighborhood services, and public facilities; and
- WHEREAS, the project is within 2,000 feet of a site (ID: 734030) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and
- WHEREAS, the site is located near the Liverpool First Methodist Church which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and

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

WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-251

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of DeWitt Zoning Board of Appeals at the request of New Court Holding, LLC (Michael Silberberg) for the property located at 4075 & 4077 New Court Avenue; and

WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of New Court Avenue (Route 298), a state highway; and

WHEREAS, the applicant is requesting several area variances to allow a subdivision of a 0.52-acre parcel into two new parcels in an Industrial zoning district; and

WHEREAS, the Board is concurrently reviewing a subdivision referral (S-24-37) to divide the subject parcel into two new lots; and

WHEREAS, the site is located in a commercial and industrial area along New Court Avenue, a state road; the area is characterized by buildings arranged in a row with minimal side yard setbacks and parking between the buildings and New Court Avenue; CSX railroad tracks abut the rear of the site and all of the parcels along the north side of New Court Avenue in this area; and

WHEREAS, per the Proposed Lot Line Adjustment Map dated 3/24/24, the site contains two one-story buildings aligned along the sides of the parcel with a 21.9' access road between buildings, leading to rear storage and loading areas located on separate parcels; the whole of the site is covered by buildings and asphalt; and

WHEREAS, per the Proposed Lot Line Adjustment Map, the applicant is proposing to split the site into two new lots, each containing one of the existing building; proposed New Lot A will be 0.24 acres and will contain the northwest building and access road, labeled as a "Right-of-Way to be created between buildings"; proposed New Lot B will be 0.28 acres and will contain the southeast building; and

WHEREAS, the applicant is proposing multiple area variances to allow the proposed subdivision; per the referral notice, Town Code requires the lots to have 50' of front yard, two side yards totaling 32' with neither less than 12', a 40' rear yard and allows for 50% maximum building coverage, 80% maximum lot coverage, and 1' of building height for every 1' of horizontal distance from the property line; extent of required variances not included in the referral materials; per the Proposed Lot Line Adjustment Map, the existing buildings and site configuration do not meet requirements for front yard, side, or rear setbacks, building height, or building and lot coverage; per GIS mapping, it appears that multiple sites within this corridor area are similarly non-conforming in regards to lot coverage, building coverage, building height, and setbacks; the plans do not include any provisions for on-site parking; and

WHEREAS, minutes from the Town Planning Board meeting on 7/25/24 noted a discussion regarding the “existing conditions of this site and the whole area” including that “parking is essentially non-existent on the site; as is true for much of this corridor”, that a subdivision “would create additional non-conformities, requiring variances”, but the subdivision would not create noticeable changes to the operation of the site; the minutes note the Board “will likely recommend the required variance to the ZBA considering the factors discussed”; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 6/7/24, zero acres of the site will be disturbed by the proposed project and stormwater drains “into existing municipal drainage system”; and

WHEREAS, per the referral notice, the site is served by public drinking water and sewer and no changes to existing infrastructure are proposed; the submitted project is located within the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow; and

WHEREAS, the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which is maintained by the Department of Water Environment Protection in this area; and

WHEREAS, the project is within 2,000 feet of a site (ID: C734087) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

1. Plans should include legal parking agreements for both parcels to show viability of lots.
2. Area variance referrals must include extent of variances being requested. The municipality is advised to require that certain critical data be included on submitted applications and plans to facilitate and ensure effective review of proposals by boards and staff.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-252

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of DeWitt Zoning Board of Appeals at the request of David A. Schlosser (for Coppertop Tavern) for the property located at 3220 Erie Boulevard East; 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 Erie Boulevard East (Route 5), a state highway; and
- WHEREAS, the applicant is requesting an area variance related to the renovation and rebranding of an existing restaurant on a 1.25-acre parcel in a Business zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-24-247) to renovate an existing restaurant and parking lot; and
- WHEREAS, the Board previously recommended Modification of a site plan (Z-21-297) to allow a new outdoor seating area for the prior restaurant use (Stones Steakhouse), advising the applicant to submit a lighting plan to the New York State Department of Transportation (NYSDOT); the Board also recommended Modification of an earlier site plan referral (Z-16-175) to construct an addition offering similar requirements regarding coordinating with NYSDOT; and
- WHEREAS, the site is located along Erie Boulevard East, a highly commercialized corridor with a mix of roadside commercial and big box retail establishments; east of the site is primarily residential neighborhoods and LeMoyne College; aerial imagery shows that the rear of the site abuts several residential properties and there are existing established trees providing buffering between the lots; and
- WHEREAS, the site contains an existing one-story, 7,664 sf building with parking at the sides and rear of the building; the site has connections to adjacent commercial sites and both the site and adjacent parcels have individual driveway access to Erie Boulevard East; per aerial imagery from 5/2024 and a Location Survey dated 6/27/24 show an access road across the front of the site and the adjacent parcel to the north containing a strip mall; there is an existing concrete sidewalk along Erie Boulevard, but no sidewalk to the building; a dumpster enclosure (to be reconfigured) is located in the rear, northwest corner of the parking lot; and
- WHEREAS, the applicant is proposing interior and exterior renovations to open a new Coppertop Tavern; the proposal includes renovating the entrance to the building, adding a new gabled roof, exterior painting, signage and lighting changes, resealing and restriping the parking lot, reconstructing the dumpster enclosure, new landscaping, and installing new sidewalks along the front of the building; per the Site Plan dated 7/29/24, the footprints of the building and asphalt lot will remain unchanged; per the Location Survey dated

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

E-mail Address: countyplanning@ongov.net

6/27/24, the site has an Ingress & Egress Right-of-Way on the adjacent parcel to the north to allow access to the existing parking along the north side of the restaurant; per the Site Plan, a 12/14/2016 Declaration of Easements provides for shared parking between the site and the northern parcel, providing 75 spaces;

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

WHEREAS, the applicant is proposing an area variance to allow the building to be 26'4.5" high where 19'9" is required by Town Code; and

WHEREAS, per the Site Landscape Plan dated 7/29/24, existing trees and plantings along the borders of the parking lot will remain, and new plantings will be added to the landscaping around the restaurant building; a Photometric Plan dated 7/29/24 was included with the referral materials; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 7/25/25 (presumably 7/25/24), 0.04 acres of the site will be disturbed by the proposed project and "new sidewalks and landscape areas will drain to existing, established drainage patterns";

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

WHEREAS, the site is served by municipal drinking water and public sewers and no changes to the existing infrastructure are proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow;

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

ADVISORY NOTE: The applicant is advised to contact the Onondaga County Department of Water Environment Protection (OCDWEP) Plumbing Control Division to discuss any code requirements for restaurant use of the site, including scheduling a re-inspection of the premises and obtaining the appropriate permits for all plumbing installations or modifications, both within the building and for any exterior improvements; please contact Plumbing Control Supervisor at 315-435-6614; and

WHEREAS, the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which is maintained by the Department of Water Environment Protection in this area; and

WHEREAS, the project is within 2,000 feet of a site (ID: C734108) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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 has No Position regarding the proposed area variance, but offers the following requirement and comment regarding the redevelopment of the site:

1. The applicant must submit a copy of the lighting plan to the New York State Department of Transportation for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval. No glare or spillover onto adjacent properties or the state right-of-way will be permitted.
2. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.
3. The municipality is advised to ensure appropriate access agreements are in place for the northern driveway .
4. The applicant is encouraged to add a sidewalk connection between the restaurant and the sidewalk along Erie Boulevard East.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-253

- 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 Onondaga Town Board at the request of Taunton Fire Department for the property located at 4300 Onondaga Boulevard; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Onondaga Boulevard (Route 240), Fay Road (Route 39) and Terry Road (Route 75), all county highways, and Harbor Brook, a county-owned drainage channel; and
- WHEREAS, the applicant is proposing to construct a 25' X 40' accessory storage building on a 9.03-acre parcel in a Residential-1 (R-1) zoning district; and
- WHEREAS, the site is the home of the Taunton Fire Department and is located in a commercial node at the intersection of Onondaga Boulevard, Terry Road, and Fay Road, all county highways, and surrounded by residential; neighboring businesses include Lorenzo's Wholesale Foods, Abbott's Frozen Custard, a gas station, and a screen printing shop; and
- WHEREAS, the site is a large parcel with the Fire Department complex located along the Onondaga Boulevard frontage, backed by a parking lot, with an extensive lawn to the south, edged by woodlands; the site has a u-shaped driveway with two access points to Onondaga Boulevard and a connection at the rear of the parking lot to Abbe Drive, a local road; and
- WHEREAS, the applicant is proposing a 25'x40' building for storage of accessory equipment; per the labeled aerial photograph "Proposed Storage Building" dated 8/2024, the building will be placed along the southern side of the driveway, near the geographical center of the parcel; per the Permit Packet included with the referral materials, the storage building will have two overhead doors, be 20.13' high, and will be placed on a 4"-slab onto posts driven 3' into the ground; and
- WHEREAS, the referral packet did not include a property survey or formal site plan; there are no details regarding changes to the site, such as whether the building will have an asphalt or concrete curtain or any changes to the driveway; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 7/10/24, 0.002 acres of the site will be disturbed by the proposed project; and
- WHEREAS, GIS mapping shows a riverine federal wetland traversing the eastern side of the site, along the eastern parcel boundary; per EAF Mapper, the wetland is a federally protected class C(T) stream (ID # 895-72); wetland boundaries are not indicated in the referral materials and the EAF does not acknowledge the presence of the wetland;

ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a federal wetland requires appropriate permits from the U.S. Army

Corps of Engineers; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the 100-year floodplain and floodway for the federally protected class C(T) stream are located adjacent to the eastern boundary of the site, around the wooded area; per the referral materials, the stream and its floodplain and floodway are located outside of the project-area; boundaries to the floodplain and floodway are not indicated in the referral materials and the presence of the 100-year floodplain is not acknowledged on the EAF;

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

WHEREAS, per the referral notice, the site is served by public drinking water and sewer and per the EAF, no changes to the current infrastructure are proposed; the site is located in the Metropolitan Wastewater Treatment Plant service area; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), Fay Road has public transit service and bus stops are located within 250' of the site; there are no sidewalk connections between the site and the bus stop; 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:

To facilitate and ensure effective review of proposals by boards and staff, the OCPB encourages the municipality to uphold their own requirements by requiring submittals that fully detail present conditions and proposed work such as a property survey completed by a licensed surveyor and/or professionally certified site plan. The OCPB encourages the municipality to require within local codes that certain critical data be included on all submitted maps and site plans, if not already doing so. Data layers to be required include waterways, wetland and floodplain boundaries, steep slopes, utilities and related easements, and drinking water and wastewater infrastructure.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-254

- 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 Jordan Village Board at the request of Village of Jordan for the property located Multiple Parcels Lock Tenders Drive and Platten Drive; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law No. C-2024 to amend the Planned Development District regulations (Locktenders Landing) of the Code of the Village of Jordan to provide additional requirements for one-family detached dwelling within Locktenders Landing; and
- WHEREAS, Locktenders Landing is a residential development located off Elbridge Street (NYS Route 317,) in the southeast corner of the Village of Jordan; the development consists of 25 residential parcels located on Lock Tenders Drive and Platten Drive, surrounded by large parcels containing active agriculture and woodlands; and
- WHEREAS, the applicant is proposing changes to the existing Locktenders Landing PDD regulations, §3 “Lot and Structure Minimum Dimensional Requirements”, A. “One Family Detached Dwelling”, Subdivision 2 “Any Structure” will be amended to include paragraph “e. Minimum Habitable Space” with the following text “(i) 600 sf, first floor and 220 sf, basement or (ii) 817 sf, first floor”; habitable space is defined as “space in a building for living, sleeping, eating or cooking”, excluding “bathrooms, toilet room, closets, halls, storage or utility spaces”; and
- WHEREAS, adjacent lands to the east are enrolled in NYS Agricultural District 3 and appear to contain active farmland belonging to Eagle Point Farms, which is also encumbered by a conservation easement held by the NY Agricultural Land Trust, to maintain the land in agricultural production in perpetuity; an Agricultural Data Statement was not included in the referral materials; and
- WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); and
- WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

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

E-mail Address: countyplanning@ongov.net

has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-255

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 Zoning Board of Appeals at the request of Frank Ruffolo for the property located at 7203 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 91 / Old Route 57) and Liverpool Bypass (Route 88), both county highways, and the NYS Thruway (Route 90), a state highway; and

WHEREAS, the applicant is proposing construction of a solar facility with energy storage on three parcels totaling 19 acres in a Planned Unit Development (PUD) zoning district; and

WHEREAS, the Board is concurrently reviewing a special permit referral (Z-24-256) for this proposed solar facility; the Town previously referred and then withdrew a zone change referral to change the three parcels comprising the site into a Planned Unit Development (PUD) to allow this solar facility; the zone change was never re-referred, but appears to have been approved by the Town; and

WHEREAS, the site is comprised of three vacant, primarily wooded parcels, abutting the NYS Thruway and on/off ramps to the south and with two access points to Oswego Road to the east; the site is adjacent to commercial businesses along Oswego Road with residential neighborhoods to the north, west, and south; a Town Park (Duerr Park) is nearby to the west; and

WHEREAS, the applicant is proposing to install a 2.0 MW solar field and a standalone 5 MW energy storage system; per the Site Plan dated 8/16/24, the solar array will be installed across the middle of the site with the energy storage system (EES) installed near the front of the site, both accessed via a 20'-wide "previous access road" to Oswego Road, a county route; per the Construction Details dated 8/16/24, the solar panels will be mounted on a pole-mounted, fixed tilt racking system; utility poles will line both sides of the access road with the poles on the northern side dedicated to the EES and utility poles along the southern side dedicated to the solar array; overhead lines will connect the array and EES with the new utility poles which will connect to separate, existing utility poles located across Oswego Road;

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

WHEREAS, per the Environmental Assessment Form (EAF) dated 8/14/24, 9.53 acres of the site will be disturbed by the proposed project; per the EAF, "no impervious surface is proposed with the EES pads/panels, equipment pads, access road, etc";

ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is

advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, GIS mapping shows two areas of the site may contain federal wetlands, one coinciding with Sawmill Creek as it traverses the northern portion of the site and an additional wetland along the southern site boundary where the site abuts the NYS Thruway; per a letter from C.T. Male Associates to Frank Ruffolo, EVP Operations dated 9/15/23, C.T. Male conducted a wetland delineation in August 2023 and concluded “the site contains two perennial streams in the northern and southern extents” with adjacent wetlands and both meet qualifications to be protected and regulated by NYS Protection of Waters regulations and Water of the United States and “Any work in the site wetlands or streams should be coordinated with the Corps and the NYS DEC prior to commencement”; it appears from the Site Plan and the Oswego Road Wetland Delineation Map dated 8/29/23, that the layout of the solar array and EES was designed to avoid the wetland areas, but the delineated wetland boundary and 100’ buffer are not shown on the site plan;
ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a state and/or federal wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation and/or the U.S. Army Corps of Engineers; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the northern wetland coincides with the 100-year floodplain and floodway for Sawmill Creek, which may require avoidance or elevation of structures and other mitigation; the Site Plan does show the boundaries of the floodplain occurring outside of the limit of disturbance;
ADVISORY NOTE: The Onondaga County Hazard Mitigation Plan has identified flooding as one of eight primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, there is no existing drinking water or wastewater service to the site and per the EAF, there are no changes proposed; and

WHEREAS, the site contains minor tributaries to Onondaga Lake which is listed as a water-quality impaired waterbody (per EAF Mapper); and

WHEREAS, the site may contain the Indiana bat and Northern long-eared bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from the EAF, 8.79 acres of woodland will be cleared of trees;
ADVISORY NOTE: Per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental Permits office; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper);
ADVISORY NOTE: The applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be

submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; and

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

1. The municipality is advised to ensure the delineated wetlands (and the 100' NYS wetland buffer) have been confirmed by the U.S. Army Corps of Engineers and/or NYS Department of Environmental Conservation, all wetland boundaries and buffers are shown on plans, and the applicant has obtained any necessary permits prior to municipal approval of the proposed project.
2. The applicant is required to coordinate Oswego Road access plans with the Onondaga County Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
3. Per the Onondaga County Department of Transportation, an ingress/egress easement is in place to allow this site access via the adjacent parcel to the south (book 4770/page 857). Per OCDOT, the site plan must be revised to shown driveway access from the adjacent parcel as no new access to Oswego Road shall be permitted.
4. A drainage and grading plan must be provided to the New York State Thruway Authority (NYSTA) for review. The municipality must ensure any mitigation as may be determined by the NYSTA is reflected on the project plans prior to, or as a condition of, municipal approval. No increase to the amount of site drainage entering onto the Thruway as a result of this construction will be permitted.
5. The following information must be provided to the New York State Thruway (NYSTA) to allow the NYSTA to assess this project for potential impacts to the safety of the traveling public and operation and maintenance of the New York State Thruway. The municipality must ensure any mitigation as may be determined by the NYSTA is reflected on the project plans prior to, or as a condition of, municipal approval.
 - a. Visualization Simulations of the project to assess impacts to the Thruway.
 - b. Glint and glare hazard models for the solar panels, array support frame, and for fresh snow and/or ice accumulation on the panels. Also, consider the influence of glint and glare on passing drivers of cars and trucks at different times of the day and at night, throughout the calendar year.
 - c. Viewshed analyses of the Project from the Thruway to determine driver distraction and the proximity to hazards within the Thruway clear zone such as, bridge abutments, lane reductions, curves in the road, hills, merging vehicles, etc.
 - d. Snow drift and deposition analyses.
 - e. Erosion and sediment control plans proposed for construction and post construction activities.
 - f. Plans for the removal of existing vegetation and establishment of new vegetation.
 - g. Plans for noxious weed control during construction.

h. Please be advised if glare is reported by the traveling public on the Thruway system, the project sponsor will be asked to lock tracking panels in the 'at rest' position, parallel to the ground, until the issue causing the glare is resolved.

The Board offers the following comment:

The Board encourages the municipality to proactively enact zoning regulations for large-scale solar projects as opposed to utilizing the Planned Unit Development (PUD) zoning district classification.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-256

- 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 Salina Zoning Board of Appeals at the request of Frank Ruffolo for the property located at 7203 Oswego 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 Oswego Road (Route 91 / Old Route 57) and Liverpool Bypass (Route 88), both county highways, and the NYS Thruway (Route 90), a state highway; and
- WHEREAS, the applicant is requesting a special permit to allow construction of a solar facility with energy storage on three parcels totaling 19 acres in a Planned Unit Development (PUD) zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-24-255) for this proposed solar facility; the Town previously referred and then withdrew a zone change referral to change the three parcels comprising the site into a Planned Unit Development (PUD) to allow this solar facility; the zone change was never re-referred, but appears to have been approved by the Town; and
- WHEREAS, the site is comprised of three vacant, primarily wooded parcels, abutting the NYS Thruway and on/off ramps to the south and with two access points to Oswego Road to the east; the site is adjacent to commercial businesses along Oswego Road with residential neighborhoods to the north, west, and south; a Town Park (Duerr Park) is nearby to the west; and
- WHEREAS, the applicant is proposing to install a 2.0 MW solar field and a standalone 5 MW energy storage system; per the Site Plan dated 8/16/24, the solar array will be installed across the middle of the site with the energy storage system (EES) installed near the front of the site, both accessed via a 20'-wide "pervious access road" to Oswego Road, a county route; per the Construction Details dated 8/16/24, the solar panels will be mounted on a pole-mounted, fixed tilt racking system; utility poles will line both sides of the access road with the poles on the northern side dedicated to the EES and utility poles along the southern side dedicated to the solar array; overhead lines will connect the array and EES with the new utility poles which will connect to separate, existing utility poles located across Oswego Road;
- ADVISORY NOTE: Per the Onondaga County Department of Transportation, all existing or proposed driveways on Oswego Road must meet Department requirements; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 8/14/24, 9.53 acres of the site will be disturbed by the proposed project; per the EAF, "no impervious surface is proposed with the EES pads/panels, equipment pads, access road, etc";
- ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is

advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, GIS mapping shows two areas of the site may contain federal wetlands, one coinciding with Sawmill Creek as it traverses the northern portion of the site and an additional wetland along the southern site boundary where the site abuts the NYS Thruway; per a letter from C.T. Male Associates to Frank Ruffolo, EVP Operations dated 9/15/23, C.T. Male conducted a wetland delineation in August 2023 and concluded “the site contains two perennial streams in the northern and southern extents” with adjacent wetlands and both meet qualifications to be protected and regulated by NYS Protection of Waters regulations and Water of the United States and “Any work in the site wetlands or streams should be coordinated with the Corps and the NYS DEC prior to commencement”; it appears from the Site Plan and the Oswego Road Wetland Delineation Map dated 8/29/23, that the layout of the solar array and EES was designed to avoid the wetland areas, but the delineated wetland boundary and 100’ buffer are not shown on the site plan;
ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a state and/or federal wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation and/or the U.S. Army Corps of Engineers; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the northern wetland coincides with the 100-year floodplain and floodway for Sawmill Creek, which may require avoidance or elevation of structures and other mitigation; the Site Plan does show the boundaries of the floodplain occurring outside of the limit of disturbance;
ADVISORY NOTE: The Onondaga County Hazard Mitigation Plan has identified flooding as one of eight primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, there is no existing drinking water or wastewater service to the site and per the EAF, there are no changes proposed; and

WHEREAS, the site contains minor tributaries to Onondaga Lake which is listed as a water-quality impaired waterbody (per EAF Mapper); and

WHEREAS, the site may contain the Indiana bat and Northern long-eared bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from the EAF, 8.79 acres of woodland will be cleared of trees;
ADVISORY NOTE: Per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental Permits office; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper);
ADVISORY NOTE: The applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be

submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; and

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

1. The municipality is advised to ensure the delineated wetlands (and the 100' NYS wetland buffer) have been confirmed by the U.S. Army Corps of Engineers and/or NYS Department of Environmental Conservation, all wetland boundaries and buffers are shown on plans, and the applicant has obtained any necessary permits prior to municipal approval of the proposed project.
2. The applicant is required to coordinate Oswego Road access plans with the Onondaga County Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
3. Per the Onondaga County Department of Transportation, an ingress/egress easement is in place to allow this site access via the adjacent parcel to the south (book 4770/page 857). Per OCDOT, the site plan must be revised to shown driveway access from the adjacent parcel as no new access to Oswego Road shall be permitted.
4. A drainage and grading plan must be provided to the New York State Thruway Authority (NYSTA) for review. The municipality must ensure any mitigation as may be determined by the NYSTA is reflected on the project plans prior to, or as a condition of, municipal approval. No increase to the amount of site drainage entering onto the Thruway as a result of this construction will be permitted.
5. The following information must be provided to the New York State Thruway (NYSTA) to allow the NYSTA to assess this project for potential impacts to the safety of the traveling public and operation and maintenance of the New York State Thruway. The municipality must ensure any mitigation as may be determined by the NYSTA is reflected on the project plans prior to, or as a condition of, municipal approval.
 - a. Visualization Simulations of the project to assess impacts to the Thruway.
 - b. Glint and glare hazard models for the solar panels, array support frame, and for fresh snow and/or ice accumulation on the panels. Also, consider the influence of glint and glare on passing drivers of cars and trucks at different times of the day and at night, throughout the calendar year.
 - c. Viewshed analyses of the Project from the Thruway to determine driver distraction and the proximity to hazards within the Thruway clear zone such as, bridge abutments, lane reductions, curves in the road, hills, merging vehicles, etc.
 - d. Snow drift and deposition analyses.
 - e. Erosion and sediment control plans proposed for construction and post construction activities.
 - f. Plans for the removal of existing vegetation and establishment of new vegetation.
 - g. Plans for noxious weed control during construction.

h. Please be advised if glare is reported by the traveling public on the Thruway system, the project sponsor will be asked to lock tracking panels in the 'at rest' position, parallel to the ground, until the issue causing the glare is resolved.

The Board offers the following comment:

The Board encourages the municipality to proactively enact zoning regulations for large-scale solar projects as opposed to utilizing the Planned Unit Development (PUD) zoning district classification.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-258

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Town of Clay Town Board at the request of Town of Clay for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law No. 2 of the Year 2024 to amend Town Code Section 230-17A.(1) to exempt land use activities on properties located in Industrial II (I2) zones; and
- WHEREAS, per the Town Code, the Industrial zoning districts are “suitable for heavy commercial and/or industrial activities” and may involve “the handling storage or production of significant quantities of potentially hazardous or objectionable materials” and require “good access to transportation routes, extra attention for fire and emergency services, and may require specialized water or sanitary sewage services”; and
- WHEREAS, per the Town Code, the Industrial districts are ordered by intensity of use with Industrial 1 for “lowest intensity types of industrial land uses” and Industrial 2 “for moderate-intensity land uses that may have exterior activity, will tend to be larger in scale and may have more objectionable characteristics requiring more monitoring and mitigation measures”; and
- WHEREAS, current standards for Industrial district restricts noise as detailed in §130-17 A (1), measured at property boundaries, from “exceeding 70 decibels between 6:00 am and 10:00 pm or 60 decibels between 10:00 pm and 6:00 am” but “any land use activity on property that is entirely or partially within 500’ of a Residential Zone District shall be subject to the more restrictive noise standards of either this section or the Town of Clay Code, Chapter 152”; and
- WHEREAS, the proposed Local Law adds the following language to §130-17 A (1): “Land use activities in Industrial II (I 2) zones are specifically exempt from the more restrictive noise standard, but still must comply with the industrial noise standards contained in this Code”; and
- WHEREAS, per the Town Zoning Map dated 12/2017, I2 districts include the Micron site, two sites on Oswego Road, and one on Verplank Road, and
- WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-259

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Elbridge Zoning Board of Appeals at the request of Mattessich Iron for the property located at 1484 State Route 31; 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 State Route 31 and the NYS Thruway (Route 90), both state highways; and
- WHEREAS, the applicant is requesting an area variance to allow construction of a 12,000 sf addition with a reduced rear yard setback on a 1.67-acre parcel in an Industrial zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-24-260) to construct a 12,000 sf addition to the existing main building; and
- WHEREAS, the site is located in a rural area of the Town of Elbridge, in an area characterized by large parcels containing woodlands or active agriculture; the site is located along the southern side of NYS Route 31 and abuts the NYS Thruway to the rear; and
- WHEREAS, the site is the location of Mattessich Ironworks and contains two commercial buildings, one along the rear (southern) parcel boundary and the other in front; per aerial imagery from May 2024, parking is located along the buildings and laydown yards containing outdoor storage are located on the western and eastern sides of the site; the site is accessed by a u-shaped driveway from NYS Route 31; the referral materials cite one parcel as the location of the site plan review and area variance request, but the Ironworks site comprises three parcels: a primary parcel containing the buildings and driveways and the two parcels on either side containing outdoor storage; and
- WHEREAS, per the referral materials, the applicant is proposing to demolish the existing front building to make room for a 12,000 sf addition to be constructed on the western side of the rear building; per the Proposed Building Addition diagram dated 6/3/24 included with the referral, the addition would be utilized for manufacturing space and four overhead doors would be installed along the western façade; parking will be located along the front of the building; the referral notes the addition would allow the existing office to be expanded, creation of more production space, and create more parking for employees; no other sitework is proposed; and
- WHEREAS, the applicant is seeking an area variance for the proposed addition to allow a rear setback of 10' where a 40' rear setback is required in an Industrial zoning district; per the Proposed Building Addition diagram, the addition's rear wall continues the rear wall of the existing building; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 8/15/24, 0.2 acres of

the site will be disturbed by the proposed project and the proposal will not create additional stormwater discharge; Minutes from a 7/9/24 Town Planning Board meeting notes “behind the current building water flows off the roof and swales to the west”, that the Thruway is “much higher than their yard”, and “water flows toward Laird Road”; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the whole of the site and all neighboring parcels are located within the 100-year floodplain for White Borrom Creek, which may require avoidance or elevation of structures and other mitigation;

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

WHEREAS, GIS mapping shows the western portion of the site may contain state wetlands and/or the 100-foot state wetland buffer, which appears to include the western laydown yard; GIS mapping also shows the western parcel (not included in this referral/application) may contain federal wetlands, which appears to include the western boundary of the western laydown yard; the Survey dated 12/19/16 does not show wetland boundaries or the 100’ buffer; per EAF mapper, the NYS wetland has the DEC identification number JOR-2 and is 575.3 acres in size;

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

WHEREAS, per the 1484 Route 31 Property Survey dated 12/19/16, a New York State Electric and Gas Corp easement occurs along the site’s boundary with NYS Route 31; the exact location of the easement is not clear from the Survey; and

WHEREAS, per the referral notice, the site is served by an individual well and septic system and no changes to the existing infrastructure are proposed; and

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

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

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board 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 has No Position regarding the proposed variance, but offers the following requirements and comments regarding the project as a whole:

1. The Onondaga County Health Department's Bureau of Public Health Engineering must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to, or as a condition of,

municipal approval of the variance request.

2. The applicant is advised to contact the NYS Department of Environmental Conservation to confirm the presence of state wetlands and/or the 100-foot state wetland buffer on the site, and to obtain any necessary permits for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers. All confirmed wetlands must be shown on the plans for the site prior to, or as a condition of, municipal approval.

3. A drainage and grading plan must be provided to the New York State Thruway Authority (NYSTA) for review. The municipality must ensure any mitigation as may be determined by the NYSTA is reflected on the project plans prior to, or as a condition of, municipal approval. No increase to the amount of site drainage entering onto the Thruway as a result of this construction will be permitted.

4. To further meet NYSTA requirements, a site lighting plan must be provided for review and site lighting must be designed so as not to affect Thruway patrons. Any mitigation as may be determined by the NYSTA must be reflected on the project plans prior to municipal approval. Additionally:

- All noise mitigation shall be the sole responsibility of the owner.
- Any proposed project must maintain delineation between NYSTA right-of-way and project site.
- All exterior signage shall follow the requirements of NYSTA Advertising Device Guidelines, TAP-620, which can be found at <https://www.thruway.ny.gov/commercial/forms/tap620.pdf>

5. The municipality is advised to ensure access agreements are in place and shown on plans.

6. To facilitate and ensure effective review of proposals by boards and staff and particularly for parcels encumbered by such environmental conditions, the OCPB encourages the municipality to require within local codes that certain critical data be included on all submitted subdivision maps and site plans, if not already doing so. Data layers to be required include waterways, wetland and floodplain boundaries, steep slopes, utilities and related easements, and drinking water and wastewater infrastructure (including well locations and septic tank/field locations).

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-260

- 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 Elbridge Planning Board at the request of Mattessich Iron for the property located at 1484 State Route 31; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of State Route 31 and the NYS Thruway (Route 90), both state highways; and
- WHEREAS, the applicant is proposing construction of a 12,000 sf addition to an existing ironworks facility on a 1.67-acre parcel in an Industrial zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-24-259) to reduce the required setback to allow construction of a 12,000 sf addition; and
- WHEREAS, the site is located in a rural area of the Town of Elbridge, in an area characterized by large parcels containing woodlands or active agriculture; the site is located along the southern side of NYS Route 31 and abuts the NYS Thruway to the rear; and
- WHEREAS, the site is the location of Mattessich Ironworks and contains two commercial buildings, one along the rear (southern) parcel boundary and the other in front; per aerial imagery from May 2024, parking is located along the buildings and laydown yards containing outdoor storage are located on the western and eastern sides of the site; the site is accessed by a u-shaped driveway from NYS Route 31; the referral materials cite one parcel as the location of the site plan review and area variance request, but the Ironworks site comprises three parcels: a primary parcel containing the buildings and driveways and the two parcels on either side containing outdoor storage; and
- WHEREAS, per the referral materials, the applicant is proposing to demolish the existing front building to make room for a 12,000 sf addition to be constructed on the western side of the rear building; per the Proposed Building Addition diagram dated 6/3/24 included with the referral, the addition would be utilized for manufacturing space and four overhead doors would be installed along the western façade; parking will be located along the front of the building; the referral notes the addition would allow the existing office to be expanded, creation of more production space, and create more parking for employees; no other sitework is proposed; and
- WHEREAS, the applicant is seeking an area variance for the proposed addition to allow a rear setback of 10' where a 40' rear setback is required in an Industrial zoning district; per the Proposed Building Addition diagram, the addition's rear wall continues the rear wall of the existing building; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 8/15/24, 0.2 acres of the site will be disturbed by the proposed project and the proposal will not create additional stormwater discharge; Minutes from a 7/9/24 Town

Planning Board meeting notes “behind the current building water flows off the roof and swales to the west”, that the Thruway is “much higher than their yard”, and “water flows toward Laird Road”; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the whole of the site and all neighboring parcels are located within the 100-year floodplain for White Borrom Creek, which may require avoidance or elevation of structures and other mitigation;

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

WHEREAS, GIS mapping shows the western portion of the site may contain state wetlands and/or the 100-foot state wetland buffer, which appears to include the western laydown yard; GIS mapping also shows the western parcel (not included in this referral/application) may contain federal wetlands, which appears to include the western boundary of the western laydown yard; the Survey dated 12/19/16 does not show wetland boundaries or the 100’ buffer; per EAF mapper, the NYS wetland has the DEC identification number JOR-2 and is 575.3 acres in size;

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

WHEREAS, per the 1484 Route 31 Property Survey dated 12/19/16, a New York State Electric and Gas Corp easement occurs along the site’s boundary with NYS Route 31; the exact location of the easement is not clear from the Survey; and

WHEREAS, per the referral notice, the site is served by an individual well and septic system and no changes to the existing infrastructure are proposed; and

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

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

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

1. The Onondaga County Health Department's Bureau of Public Health Engineering must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to, or as a condition of, municipal approval of the site plan.

2. The applicant is advised to contact the NYS Department of Environmental Conservation to confirm the presence of state wetlands and/or the 100-foot state wetland buffer on the site, and to obtain any necessary permits for any proposed development or placement of fill in a wetland, or drainage of any

confirmed wetlands and buffers. All confirmed wetlands must be shown on the plans for the site prior to, or as a condition of, municipal approval.

3. A drainage and grading plan must be provided to the New York State Thruway Authority (NYSTA) for review. The municipality must ensure any mitigation as may be determined by the NYSTA is reflected on the project plans prior to, or as a condition of, municipal approval. No increase to the amount of site drainage entering onto the Thruway as a result of this construction will be permitted.

The Board has No Position regarding the proposed variance, but offers the following requirements and comments regarding the project as a whole:

4. To further meet NYSTA requirements, a site lighting plan must be provided for review and site lighting must be designed so as not to affect Thruway patrons. Any mitigation as may be determined by the NYSTA must be reflected on the project plans prior to municipal approval. Additionally:

- All noise mitigation shall be the sole responsibility of the owner.
- Any proposed project must maintain delineation between NYSTA right-of-way and project site.
- All exterior signage shall follow the requirements of NYSTA Advertising Device Guidelines, TAP-620, which can be found at <https://www.thruway.ny.gov/commercial/forms/tap620.pdf>

The Board offers the following comments:

1. The municipality is advised to ensure access agreements are in place and shown on plans.

2. To facilitate and ensure effective review of proposals by boards and staff and particularly for parcels encumbered by such environmental conditions, the OCPB encourages the municipality to require within local codes that certain critical data be included on all submitted subdivision maps and site plans, if not already doing so. Data layers to be required include waterways, wetland and floodplain boundaries, steep slopes, utilities and related easements, and drinking water and wastewater infrastructure (including well locations and septic tank/field locations).

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-261

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the City of Syracuse Zoning Administration at the request of Vincent E. Ryan for the property located at 101 North Salina Street; 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 Route 690 and Route 81, both state highways; and
- WHEREAS, the applicant is requesting a use variance to allow residential units on the first floor of a mixed-use building on a 4.14-acre parcel in a Central Business (MX-5) zoning district; and
- WHEREAS, the Onondaga County Department of Planning administratively reviewed and held No Position on a project site review referral (Z-22-277) for exterior renovations to an existing building; the Board previously offered No Position on project site review referrals (Z-21-208 and Z-14-138) to complete façade and site alterations and exterior improvements respectively; and
- WHEREAS, the site contains the 287,400 sf former Post Standard building which has been converted to house multiple commercial uses; the building is located on Clinton Square in downtown Syracuse and the building and 124-space parking lot encompass one City block; and
- WHEREAS, the applicant is proposing internal changes to the building to create 78 dwelling units, including ground-floor units, in addition to retaining commercial tenant spaces; the applicant requires a use variance to allow residential units on the ground floor in a Central Business zoning district (MX-5); per the referral materials, four partial floors will be added to an existing high-ceiling bay space to accommodate the dwelling units which will line the eastern and northern sides of the building; no exterior changes are proposed at this time; and
- WHEREAS, per the referral notice, the site is served by public drinking water and sewers and no changes to the existing infrastructure are proposed; the site is located in the Metropolitan Wastewater Treatment Plant service area; the proposed addition of 78 dwelling units is likely to result in an increase in demand/use; ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) may be required due to an anticipated increase in use; additionally, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and
- WHEREAS, the site may contain the Peregrine falcon, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered

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

E-mail Address: countyplanning@ongov.net

animal species (per EAF Mapper); and

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

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 11, 2024

OCPB Case # Z-24-262

- 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 Onondaga Town Board at the request of Michael Harper for the property located at 4774 Cleveland 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 Makyes Road (Route 129), a county highway; and
- WHEREAS, the applicant is proposing to establish five dwellings on six lots on a 32.54-acre parcel in a Residential (R-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a subdivision referral (S-24-38) to divide the site into six new lots; and
- WHEREAS, the site is a large, vacant, wooded parcel located south of West Seneca Turnpike near its intersection with Onondaga Road and South Avenue; the parcel is located on a steeply sloping hillside, containing tributary streams leading to Onondaga Creek, behind the residential and commercial lots lining West Seneca Turnpike and Cleveland Road; the parcel has three connections to Cleveland Road, a local road; and
- WHEREAS, per the Woodland Hills Preliminary Plan dated 3/20/24, the applicant is proposing to subdivide the 32.54-acre site into six lots, creating five residential lots and a sixth vacant lot; a road terminating in a cul-de-sac, to be conveyed to the Town, will provide access from the site's southernmost access to Cleveland Road, a local road; five single-family homes will radiate from the cul-de-sac on lots ranging from 0.97 to 12.0 acres; per an email from the Town dated 9/3/24, the remaining lands to be new Lot 6 will remain vacant at this time and the rear boundary between proposed Lots 4 and 5 will be revised and the exact size of the proposed lots may change; per the Woodland Hills Preliminary Plan, the proposed residential lots will be Lot 1 (0.97 acres), Lot 2 (2.30 acres), Lot 3 (1.88 acres), Lot 4 (12.03 acres) and Lot 5 (9.70 acres); proposed remaining lands (proposed Lot 6, 5.66 acres) will contain the site's northern access to Cleveland Road and a ravine located in the rear of the lot; and
- WHEREAS, per the email from the Town dated 9/3/24, the applicant has acquired an adjacent parcel to the north (parcel 029.-05-40.0) and may propose garden apartments with access from West Seneca Turnpike; that proposal is not included in the current action; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 4/17/24 which incorrectly describes both the subdivision and site plan actions, zero acres of the site will be disturbed by the proposed project and stormwater will be "directed towards stormwater best management practices as defined in the SWPPP"; per the Grading, Drainage & Utilities Plan dated 7/9/24, stormwater basins will be constructed on proposed Lots 4 and 2;

ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, a 25'-wide Onondaga County right-of-way crosses the whole of the site from west to east, connecting to Cleveland Road; per the Grading, Drainage & Utilities Plan dated 7/9/24, driveways, stormwater infrastructure, and water service will be constructed in the right-of-way; per the Grading, Drainage & Utilities Plan, the applicant is proposing a 20'-wide Drainage Access & Sanitary Easement from the existing Onondaga County right-of-way to the cul-de-sac; and

WHEREAS, per the referral notice, new connections to public drinking water are proposed to serve the development;
ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral notice, new connections to the public sewers are proposed to serve the development; the site located in the Metropolitan Wastewater Treatment Plant service area;
ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online:
<http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, GIS mapping shows a riverine federally protected class C stream (ID 895-31 per EAF Mapper) and its associated 100-year floodplain traverse the site north-south, crossing through proposed Lot 5 and the remaining lands (proposed Lot 6); the stream is shown on the plans, but wetland details are not provided; the EAF notes NYS wetland (ID SON-3) as being on a neighboring property, but does not discuss the on-site federally protected stream;
ADVISORY NOTE: The applicant is advised to conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site; any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site; the applicant is also advised to obtain any necessary permits from the Corps for any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that floodplain associated with a federally protected stream traverses the site is located within the 100-year floodplain, which may require avoidance or elevation of structures and other mitigation; the 100-year floodplain is not acknowledged or discussed on the EAF;
ADVISORY NOTE: The Onondaga County Hazard Mitigation Plan has identified flooding as one of eight primary natural hazards of local concern,

with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, the Syracuse Metropolitan Transportation Council (SMTC) has created a Sustainable Streets Guide, which includes the identification of priority sidewalk zones where the installation of sidewalks would be most beneficial; part of the site is located within a priority zone; per Google StreetView, West Seneca Turnpike and Makyes Road have some sidewalks near the northern portion of the site, but Cleveland Road does not have sidewalks in proximity to the site; per the Grading, Drainage & Utilities Plan, no sidewalks are proposed within the development; per the Central New York Regional Transportation Authority (CENTRO), West Seneca Turnpike has public transit service and bus stops are located within approximately 0.4 miles of the site's proposed road; and

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

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

1. Any extension of the public wastewater infrastructure must be approved by the Onondaga County Health Department and Onondaga County Department of Water Environment Protection prior to, or as a condition of, municipal approval.
2. The applicant must submit a Site Plan and Storm Water Pollution Prevention Plan (SWPPP) to the Onondaga County Department of Water Environment Protection (OCDWEP) for review and approval, to ensure the proposed development activity within or near the County's critical infrastructure easement/ROW is not negatively impacted. Site Plan and SWPPP shall be submitted to the OCDWEP Collection System Director. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.
3. The applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the City of Syracuse Department of Engineering for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board offers the following comment:

1. The Board encourages retention of tree cover via covenants or other means, to aid in stormwater management, flooding, and viewshed protection.
2. The Board encourages the municipality to require highly sensitive lands

including stream corridors, steep slopes, 100-year floodplain, as well as stormwater management facilities be located on non-residential parcels and conveyed to the municipality or related stewardship entity to offer increased protection from encroachment, minimize liability for landowners, and allow for access for maintenance activities as necessary.

3. To facilitate and ensure effective review of proposals by boards and staff, the OCPB encourages the municipality to require within local codes that certain critical data be included on all submitted subdivision maps and site plans, if not already doing so. Data layers to be required include waterways, wetland and floodplain boundaries. Additionally, if changes to the proposal or plans are expected, the municipality is encouraged to hold off referring the application to this Board until all changes are complete and reflected in the plans.

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

ONONDAGA COUNTY

DEPARTMENT OF PLANNING



J. Ryan McMahon, II
County Executive

Troy Waffner
Director

TO: Members, Syracuse City Planning Commission
FROM: Troy Waffner, Director *TW*
Onondaga County Department of Planning (OCDOP)
DATE: 9/5/2024
RE: Administrative Review – JHS Urban Delights Community Learning Farm
RECOMMENDATION: No Position

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

These actions, determined as being generally routine in nature with minimal and/or well-understood intercommunity or countywide concerns, are listed within the Rules of Procedure, and at this website:

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

CASE NUMBER: S-24-36
REFERRING BOARD: Syracuse City Planning Commission
DATE RECEIVED: 8/22/2024
TYPE OF ACTION: Preliminary Subdivision
APPLICANT: JHS Urban Delights Community Learning Farm
LOCATION: Lincoln Avenue, Bellevue Avenue, and Midland Avenue
WITHIN 500' OF: Midland Regional Treatment Facility
TAX ID(s): 093.-07-25.0, 093.-07-26.0, 093.-07-27.0, 093.-07-28.0, 093.-07-29.0, 093.-07-30.0, 093.-07-31.0, 093.-07-32.0, 093.-07-33.0, 093.-07-34.0, 093.-07-35.0

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

Project Summary:

The applicant is proposing to combine 12 parcels into 1 new lot in a High Density Residential (R5) zoning district in the City of Syracuse. The site is the existing location of the Urban Delights Community Learning Farm, encompassing the end of a City block with frontage on Lincoln, Midland, and Bellevue Avenues. Surrounding uses include residential, a church, and a park. Per aerial imagery, the site contains numerous raised beds, a greenhouse, and shed structures. A redesign of the community garden is proposed for the next few years with plans to install electricity in the greenhouse, replacing old raised beds with new metal ones, and installing plumbing to allow a kitchen and wash station.

The current proposal is to combine the 12 parcels comprising the community garden into proposed Lot 110A which will be 0.92 acres (40051.444 sf). There are no other proposals or referrals at this time.

Advisory Note:

This referral would be considered exempt from review by the Onondaga County Planning Board (OCPB) per the inter-municipal agreement between Onondaga County and the City, if executed. If the City would like to revisit execution of the agreement, OCDOP can provide one.

Recommendation: No Position