



Onondaga County Planning Board

September 23, 2020

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

I. ATTENDANCE

MEMBERS PRESENT

Daniel Cupoli - via teleconference
James Corbett - via teleconference
Mike LaFlair - via teleconference
Marty Masterpole - via teleconference
David Skeval - via teleconference
Jim Stelter - via teleconference
Marty Voss - via teleconference

STAFF PRESENT

Dan Kwasnowski - via teleconference
Megan Costa - via teleconference
Allison Bodine - via teleconference
Robin Coon - via teleconference

GUESTS PRESENT

Robert Holdrege - via teleconference
John Legnetto - via teleconference
Michael Holdrege - via teleconference

II. CALL TO ORDER

The meeting was called to order at 11:00 AM on September 23, 2020.

III. MINUTES & OTHER BUSINESS

Minutes from September 2, 2020 were submitted for approval. David Skeval made a motion to accept the minutes. Mike LaFlair seconded the motion. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Mike LaFlair - yes; David Skeval - yes; Jim Stelter - yes.

IV. ACTIONS ON GML SECTION 239 REFERRALS

Summary

S-20-46	TMarPB	<i>No Position</i>	S-20-47	TCicPB	<i>No Position</i>
S-20-48	TPomPB	<i>No Position With Comment</i>	S-20-49	TCamPB	<i>No Position With Comment</i>
S-20-50	TCamPB	<i>Modification</i>	Z-20-255	TSkaTB	<i>Approval</i>
Z-20-256	TSkaZBA	<i>No Position</i>	Z-20-257	TSkaZBA	<i>No Position</i>
Z-20-258	CSyrPB	<i>No Position</i>	Z-20-259	CSyrPB	<i>No Position</i>
Z-20-260	TEIbPB	<i>No Position</i>	Z-20-261	TCicZBA	<i>Modification</i>
Z-20-262	TSkaPB	<i>No Position</i>	Z-20-263	TSkaPB	<i>No Position</i>
Z-20-264	TTuITB	<i>No Position</i>	Z-20-265	TDewPB	<i>Modification</i>
Z-20-266	TLafPB	<i>Modification</i>	Z-20-267	TCicZBA	<i>No Position With Comment</i>
Z-20-268	TCicZBA	<i>Modification</i>	Z-20-269	TEIbTB	<i>No Position With Comment</i>
Z-20-270	TEIbTB	<i>No Position With Comment</i>	Z-20-271	TDewPB	<i>No Position With Comment</i>
Z-20-272	VManPB	<i>No Position With Comment</i>	Z-20-273	TPomZBA	<i>No Position With Comment</i>
Z-20-274	TSkaTB	<i>Approval</i>			



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # S-20-46

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Marcellus Planning Board at the request of Dan Ramsden/Michael & Jennifer Wilcox for the property located at 2987 Cherry Valley Turnpike & Slate Hill Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of Cherry Valley Turnpike (US Route 20), a state highway, Slate Hill Road (Route 150), a county highway, and a farm operation in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide 0.97 acres from TM #019.-02-23.0 and add it to TM #019.-02-22.0, creating Lot 1 (17.80 acres) and Lot 2 (2.99 acres) in an Agricultural zoning district; and
- WHEREAS, the Board received two referrals from the Town of Marcellus for the proposed subdivision, one for each of the subject parcels, and is reviewing them as one project referral; and
- WHEREAS, the site is located at the intersection of Slate Hill Road, a county road, and Cherry Valley Turnpike (US Route 20) in a rural area in the Town of Marcellus; surrounding land uses include low-density residential and agriculture; the site and surrounding parcels are enrolled in NYS Agricultural District 2 and appear to contain active farmland; and
- WHEREAS, the submitted subdivision plan dated June 17, 2020 shows TM# 019.-02-22.0 is a residential lot (2.02 acres) with frontage on Route 20 and an existing one-story house, attached garage, in-ground pool, and a shed; TM# 019.-02-23.0 is a farm lot (18.77 acres) has frontage on both Route 20 and Slate Hill Road and appears to contain active agricultural fields; there is an existing shed on the farm lot, which appears to be owned and/or used by the residential lot; and
- WHEREAS, the subdivision plan shows an L-shaped area of land (0.97 acres) will be conveyed from the larger, farm lot (TM# 019.-02-23.0) to the residential lot (TM# 019.-02-22.0); proposed Lot 1 (17.80 acres) will include the active farmland and proposed Lot 2 (2.99 acres) will include all of the structures and the conveyed lands; no development plans are indicated; and
- WHEREAS, per the Onondaga County Department of Finance Office of Real Property Services, the existing house is served by public drinking water and an individual septic system; no changes to the existing infrastructure are proposed; the subdivision plan notes "Lot 1 is not a residential building lot"; ADVISORY NOTE: 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 proposed Lot 2 prior to Department endorsement of the subdivision; and

WHEREAS, GIS mapping shows a potential federal wetland area near the Slate Hill Road/Route 20 intersection; the wetland area appears to partially occur on both proposed lots; 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 Mike LaFlair and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # S-20-47

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY & FINAL SUBDIVISION from the Town of Cicero Planning Board at the request of Diana Plue, Esq. for the property located at 5827 McKinley 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 Sneller Road (Route 253), a county highway, and a farm operation located in a NYS Agricultural District; and

WHEREAS, the applicant is proposing to subdivide a 61.36-acre parcel into two new lots, Parcel A (4.02 acres) and Parcel B (57.33 acres), in Industrial and Agricultural zoning districts; and

WHEREAS, the Board recently recommended modification of a site plan referral (Z-20-225) to construct a 5.0 MW AC ground-mounted solar facility on 55.5 acres of the subject parcel, which is still under review locally; in its recommendations, the Board advised the applicant to consult with the US Army Corps of Engineers and NYS Department of Environmental Conservation to confirm wetland boundaries and ensure any permitting requirements are met, and recommended following best practices for wetland and habitat protections; and

WHEREAS, the site is located along McKinley Road, a local road, just east of I-81 with surrounding low-density industrial and commercial land uses; surrounding parcels also contain large areas of undeveloped land and there are single-family residential lots along McKinley Road at the front of, and across the street from, the site; the rear of the site abuts a parcel that is enrolled in NYS Agricultural District 3 and appears to contain some active farmland; and

WHEREAS, aerial imagery and the submitted subdivision plan dated July 18, 2017 show the site contains two existing buildings and a large gravel area for a construction business, situated towards the front of the site; there is unrestricted access to McKinley Road from the gravel area; the rear of the property, over 40 acres in size, is undeveloped and contains wooded areas and overgrown vegetation; and

WHEREAS, per the subdivision plan, proposed Parcel A (4.02 acres) will have 218' of frontage on McKinley Road and contain the existing buildings and a portion of the gravel area; proposed Parcel B (57.33 acres) will have 775.14' of frontage and include the remainder of the site; based on the recent site plan referral (Z-20-225), the solar farm will occupy almost the entirety of Parcel B and have a new gravel access road onto McKinley Road; and

WHEREAS, the site is served by public drinking water and an individual septic system, which is shown to occur on Parcel A near the proposed lot boundary; no changes to the existing infrastructure are proposed;

ADVISORY NOTE: the Onondaga County Health Department's Bureau of
1100 Civic Center, 421 Montgomery Street, Syracuse, NY 13202 (315) 435-2611, Fax (315) 435-2439

E-mail Address: countyplanning@ongov.net

Public Health Engineering must formally accept or approve, respectively, any existing or proposed septic system to service proposed Parcel A prior to Department endorsement of the subdivision; and

WHEREAS, GIS mapping shows potential federal wetland areas, which would be located on proposed Parcel B; 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 Mike LaFlair and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # S-20-48

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY & FINAL SUBDIVISION from the Town of Pompey Planning Board at the request of Rick & Lisa Cote for the property located at 2964 Pompey Hollow 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 Pompey Hollow Road (Route 146), a county highway, US Route 20, a state highway, the municipal boundary between Onondaga and Madison Counties, and a farm operation in a NYS agricultural district; and
- WHEREAS, the applicant is proposing to subdivide a 2.719-acre parcel into two new lots, Lot 1 (1.412 acres) and Lot 2 (1.307 acres), in a Farm zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-20-273) as part of the proposed project; and
- WHEREAS, the site is located in a rural area at the intersection of US Route 20 and Pompey Hollow Road, a county road; the site and surrounding parcels are enrolled in NYS Agricultural District 4; lands west across Pompey Hollow Road appear to contain active farmland; and
- WHEREAS, aerial imagery and the submitted subdivision plan show proposed Lot 1 (1.412 acres) will have frontage on Pompey Hollow Road and contain an existing barn and silo; proposed Lot 2 (1.307 acres) will have the remaining Pompey Hollow Road frontage and all of the Route 20 frontage; Lot 2 will contain an existing house and three barn structures; the house is served by an existing driveway onto Pompey Hollow Road;
- ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Pompey Hollow Road must meet Department requirements; any future or proposed driveways will require highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, the requested area variances are required to facilitate the proposed subdivision and include reducing the lot size from 2 acres (required) for both lots, reducing the lot depth from 250' to 199.55' and the front yard setback from 50' to 48' for Lot 1, and reducing both front yard setbacks on Lot 2 from 50' to 33.1' along Pompey Hollow Road and 39' on Route 20; and
- WHEREAS, per the local applications, the proposed subdivision is intended to allow the existing barn to be rebuilt into a single-family residence; the existing house is being run as a bed and breakfast and the new single-family residence will allow for the applicant to live next door to their business; the local application indicates this hardship is unique as a portion of the property is located in Madison County, reducing the lot area for the portions of the site that are within Pompey; the subdivision plan shows Supplemental Lots 1 and 2, which

occur in the adjacent municipality, Cazenovia, provide an additional 0.522 and 3.269 acres of land, respectively; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated June 1, 2020, there will be no development on the land located in the Town of Cazenovia; and

WHEREAS, the site is served by an individual well and septic system; a new well and septic system will presumably be required to convert the barn to a single-family dwelling;

ADVISORY NOTE: 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 the proposed lots prior to Department endorsement of the subdivision; and

WHEREAS, the site may contain the Northern harrier, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); and

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. The Board has offered the following COMMENT(S) in regards to the above referral:

1. To ensure any new access to Pompey Hollow Road will be granted and that the proposed lots meet minimum sight distance requirements, the applicant is advised to contact the Onondaga County Department of Transportation prior to municipal approval of the subdivision and submit sight distance estimates to the Department for their review.
2. Given the bed and breakfast use on proposed Lot 2, the applicant is advised to contact the Onondaga County Department of Transportation to coordinate any requirements for the existing driveway on Pompey Hollow Road, in order to satisfy commercial driveway standards.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # S-20-49

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Camillus Planning Board at the request of John Legnetto for the property located at 6422 Van Alstine 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 Warners Road (Route 57), a county highway; and
- WHEREAS, the applicant is proposing to subdivide a 14.77-acre parcel into three new lots, Lot 1 (5.00 acres), Lot 2 (5.00 acres), and Lot 3 (4.77 acres), in a Residential (R-3) zoning district; and
- WHEREAS, in 2015, the Board reviewed a preliminary subdivision referral (S-15-83) to subdivide the subject parcel into two lots, with 5 acres of vacant land to be sold; the Board indicated the referral was incomplete and advised the Town and applicant to resubmit the application; the application does not appear to have been resubmitted or locally approved; and
- WHEREAS, the site is located at the intersection of Van Alstine Road, a local road, and Warners Road, a county road, with surrounding residential and agricultural land uses; the site abuts a parcel to the south that is enrolled in NYS Agricultural District 3 and appears to be owned by Niagara Mohawk Power Corp. and contain overhead utility lines; and
- WHEREAS, the submitted subdivision plan dated September 3, 2020 shows the site contains an existing two-story house, and 4 barn/shed structures, all of which are located near the Van Alstine Road frontage; there is an existing driveway on Van Alstine Road with a gravel parking area; per the plan, proposed Lot 1 (5.00 acres) will contain all of the existing structures and the existing driveway; proposed Lots 2 (5.00 acres) and 3 (4.77 acres) will include the Warners Road frontage and appear to be vacant; Lot 2 has an additional 60.80' of frontage on Van Alstine Road at the rear of Lot 1; and
- WHEREAS, per the referral notice, the owner intends to retain Lot 1 and sell Lots 2 and 3 as vacant building lots; the submitted Sketch Plan shows proposed houses on Lots 2 and 3; and
- WHEREAS, there are two existing driveways onto Warners Road, one on each lot, shown on the subdivision plan; these driveways appear to be field drives in aerial imagery dated May 2020; per the Sketch Plan, the Lot 3 driveway will be relocated; the local application indicates the existing driveway on Van Alstine Road will remain to serve the house and Lot 1;
- ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Warners Road must meet Department requirements; any future or proposed driveways onto Warners Road require highway access and work permits from the Onondaga County Department of

Transportation and will be subject to the availability of sight distance; and
WHEREAS, the site is served by public drinking water and an individual septic system; new connections to public drinking water and septic systems are proposed for the building lots; the Sketch Plan shows proposed leach fields at the front of each lot;

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

WHEREAS, GIS mapping shows a potential federal wetland, which appears to coincide with a drainage ditch that crosses Lot 1 and the Lot 2 right-of-way; per the EAF Mapper, the drainage ditch is a tributary to Ninemile Creek, which is a classification C stream and an impaired waterbody; and

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

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from aerial imagery it appears that the site contains some wooded areas; 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 intended residential use of proposed Lots 2 and 3, the Onondaga County Department of Transportation advises the Town and applicant that new access permits will be required for the existing and proposed driveways on Warners Road. To ensure that the proposed lots meet minimum sight distance requirements, the applicant is advised to contact the Onondaga County Department of Transportation prior to municipal approval of the subdivision and submit sight distance estimates to the Department for their review.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # S-20-50

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY & FINAL SUBDIVISION from the Town of Camillus Planning Board at the request of Robert C. Holdrege for the property located at 3386 Armstrong 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 Armstrong Road (Route 164), a county highway; and
- WHEREAS, the applicant is proposing to subdivide a 9.3-acre parcel into two new lots to create a 4.9-acre building lot in a Residential (R-3) zoning district; and
- WHEREAS, in 2005, the Board recommended modification of a preliminary subdivision referral (S-05-10) to subdivide a 32-acre lot into 6 building lots, which created the subject parcel; the Board cited requirements to cluster driveways occurring on Van Buren Road and on Armstrong Road; per the Board recommendations, “[a]ny future subdivision of any proposed lots shall use the access approved through this subdivision; no additional future access shall be granted to the site as per the Onondaga County Department of Transportation”; and
- WHEREAS, the site is located along Armstrong Road, a county road, with surrounding residential land uses; the site abuts a resident development to the west, which includes roughly half-acre single-family lots; other residential uses to the north, south and east appear to be lower in density; and
- WHEREAS, per the submitted subdivision plan, the site has a 60-foot frontage on Armstrong Road and contains an existing house; there is an existing gravel driveway serving the house; per the plan, the proposed new lot (~4.9 acres) will include the wooded lands at the rear of the site; the proposed new lot is configured as a flag lot with a narrow 20' wide frontage strip leading roughly 600' to the rear portion of the parcel; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated September 15, 2020 indicates the rear parcel is intended for a proposed house of similar size to the existing one; both lots will share the existing driveway onto Armstrong Road; and
- WHEREAS, the site is served by public drinking water and an individual septic system; a new connection to public drinking water and an individual septic system is proposed for the building lot; per the EAF, septic system plans have been submitted to the Onondaga County Health Department;
- ADVISORY NOTES: 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 the proposed lots prior to Department endorsement of the subdivision; the applicant is advised to contact OCWA's Engineering Department to determine the activities and

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

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

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

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

The plan must be modified to provide two 30-foot lot frontages, one for each proposed lot, with deeded shared access and maintenance agreements shown on the filed subdivision map and provided to the Onondaga County Department of Transportation for review. No additional driveways shall be permitted on Armstrong Road.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-255

- 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 LOCAL LAW from the Town of Skaneateles Town Board at the request of Town of Skaneateles for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law 2020-C "Town of Skaneateles Proposed Zoning Law" amending Chapter 148 of the Code of the Town of Skaneateles; and
- WHEREAS, the Board is concurrently reviewing a comprehensive plan referral (Z-20-274) to amend the Skaneateles New York Joint Comprehensive Plan 2015 and add the Open Space Plan as an appendix to that document; and
- WHEREAS, per the submitted Resolution of the Town Board of the Town of Skaneateles, dated August 17, 2020, the Zoning Law was adopted on May 28, 1996, amended in its entirety on December 1, 2005, and has had portions of the law amended since that time on numerous occasions; the Town retained the services of a zoning consultant to advise on the preparation of the proposed local law, hold a series of meeting with stakeholders, and prepare draft revisions to the Zoning Law; and
- WHEREAS, most changes to the zoning code appear to be formatting in nature, which includes parsing the contents of the current dimensional and use tables into individual sections for each zoning district, providing a table of contents, and regrouping related sections, all of which are recommendations of the Town's Comprehensive Plan; additional clarity has been provided by adding, removing, and expanding/modifying definitions; and
- WHEREAS, one notable change to the Town Zoning Code includes removing the Floodplain Overlay District, which was previously listed but not shown in the Zoning Map or established in the code further; the Town Code includes a Flood Damage Prevention chapter of the Town Code which regulates floodplains; and
- WHEREAS, changes to specific district regulations in the Rural and Farming (RF) district include: increasing the maximum building footprint from 6,000 to 12,000 sf for non-residential activity; and
- WHEREAS, changes to specific district regulations in the Rural Residential (RR) district include: increasing the maximum building footprint from 4,000 to 8,000 sf for non-residential activity, and decreasing the minimum road frontage requirement for a state or county road from 300' to 200'; and
- WHEREAS, changes to specific district regulations in the Highway Commercial (HC) district include: allowing residential uses, reducing maximum lot coverage in the Lake Watershed Overlay District (LWOD) by 1/3 instead of 1/2, and increasing the maximum building footprint from 45,000 to 90,000 sf for non-

residential activity; and

WHEREAS, changes to specific district regulations in the Hamlet (HM) district include: increasing maximum lot coverage from 50% to 70% for residential lots and 60% to 80% for non-residential lots, increasing maximum impermeable surface coverage from 50% to 60% for residential lots and 50% to 70% for non-residential lots, and increasing the maximum building footprint from 2,000 to 5,000 sf for non-residential activity; and

WHEREAS, changes to specific district regulations in the Industrial/Research/Office (IRO) district include: changing the review process for residential uses from special permit to site plan, increasing maximum lot coverage from 20% to 30% for residential lots and 40% to 50% for non-residential lots, increasing maximum impermeable surface coverage from 10% to 15% for residential lots and 30% to 40% for non-residential lots, and reducing maximum lot coverage in the Lake Watershed Overlay District (LWOD) by 1/3 instead of 1/2; and

WHEREAS, new or amended provisions regarding the protection of lake quality include requiring site plan approval for shoreline improvements instead of a special permit, modifying the definition of "shared lakefront recreation" to include lake access, and requiring 15' of shoreline for each dwelling unit that shares lake access instead of 10'; and

WHEREAS, alterations or additions to nonconforming structures, up to 25%, is now permitted without a special permit; affordable housing is now a consideration in all subdivision types, which has been reduced to conventional, cluster, conservation, and flag lots, and not just open space subdivisions as previously stipulated; and

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

The Board commends the Town for updating its zoning code concurrent with the comprehensive plan revisions, in order to further align the Town's regulatory tools with the goals of the Skaneateles New York Joint Comprehensive Plan.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-256

- 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 AREA VARIANCE from the Town of Skaneateles ZBA at the request of Bonnie Dunn for the property located at 1056 Butters Farm Lane; 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 Jordan Road (Route 22), a county highway; and
- WHEREAS, the applicant is requesting area variances to reduce the rear and side yard setbacks to construct a 10' x 16' utility shed on a 0.957-acre parcel in a Rural Residential (RR) zoning district; and
- WHEREAS, the site is located just outside the Village boundary in a residential neighborhood off Jordan Road, a county road; other nearby properties include Saint Mary's Cemetery, the YMCA, and Austin Park to the south; and
- WHEREAS, the submitted survey map dated September 26, 2019 (revised August 14, 2020) shows the site has frontage on Butters Farm Lane, a local road, and contains an existing two-story house, an attached garage, a pool house, rear decks and patio, and an in-ground pool; there is an asphalt existing driveway onto Butters Farm Lane; and
- WHEREAS, the survey map shows the rear yard is partially enclosed by a chain link fence and there is a 20' wide Niagara Mohawk easement on the north side of the property; the proposed utility shed (160 sf) will be constructed outside the fenced area, occurring 35' from the west lot line where 111' is the required side yard setback and 40' from the rear lot line where 50' is required; the local application indicates these setback requirements were established in 2005 when the Butters Farm subdivision, which created the subject lot, was approved; and
- WHEREAS, per the local application, placement of the shed is based on the location of the easement and the existing septic system, which is shown to occur in the west side yard; the local application notes that an area variance was previously approved to allow the pool to occur in the rear yard; and
- WHEREAS, the site is served by public drinking water and an individual septic system; no changes to the existing infrastructure are proposed; and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-257

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Skaneateles ZBA at the request of Ray Lessaongang for the property located at 1031 Old Seneca Turnpike; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Old Seneca Turnpike (Route 133), a county highway; and
- WHEREAS, the applicant is requesting area variances to reduce the rear and side yard setbacks to construct an 18' x 30' storage barn on a 0.42-acre parcel in a Rural Residential (RR) zoning district; and
- WHEREAS, the site is located in a rural area in the Town of Skaneateles with surrounding residential and agricultural land uses; the submitted survey map dated August 5, 2020 shows the site has frontage on Old Seneca Turnpike, a county road, and contains an existing house and a detached garage; there is an existing gravel driveway onto Old Seneca Turnpike; and
- WHEREAS, the submitted Site Plan dated August 13, 2020 shows the proposed storage barn (540 sf) will be constructed adjacent to the garage and occur 14.9' from the side lot line where 29.5' is required and 18.7' from the rear lot line where 25' is required; the garage will replace a portion of the gravel drive, reducing impermeable coverage from 20.6% to 20.4%, where 15% is allowed; and
- WHEREAS, the submitted Narrative dated August 20, 2020 indicates that the reason for the proposed placement of the barn is to align with the existing driveway and make use of an area that is already level; the Area Variance Criteria notes that the lot became non-conforming with changes in the zoning law over the years since it was created and the house was built; and
- WHEREAS, the site is served by public drinking water and an individual septic system, which is shown to occur in the rear yard; no changes to the existing infrastructure are proposed; and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-258

- 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 PROJECT SITE REVIEW from the City of Syracuse Zoning Administration at the request of Rick Ruggaber for the property located at 217 Montgomery Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of the State Office Building, a state-owned parcel and building and the Carnegie Library building, a county-owned property; and
- WHEREAS, the applicant is proposing to construct a fire escape on an existing office building (Hills Building) on a 0.45-acre parcel in a Central Business District Office and Service (CBD-OS) zoning district; and
- WHEREAS, the site is located in Downtown Syracuse and is part of the Montgomery Street-Columbus Circle Historic District, which is listed on the National and State Registers of Historic Places; the site is adjacent to the former Nynex building, which is being renovated for apartments and commercial space (Z-16-107); and
- WHEREAS, the submitted survey map shows the site has frontage on East Fayette Street and Montgomery Street, both city streets, and contains an existing 10-story, zero-lot-line building, the Hills Building, with a 2-story penthouse; there are existing concrete sidewalks on both road frontages; aerial imagery and the submitted Site Plan dated August 18, 2020 show the adjacent parcel contains parking and has existing curb cuts onto East Fayette Street and Montgomery Street; and
- WHEREAS, per the local application, the existing parking spaces along the building will have to be moved 3' to accommodate the fire escape; there is an access easement with the adjacent property owner; and
- WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse Proposed Zoning Map dated December 2019, the proposed zoning for this lot is Mixed Use Central Business District (MX-5), which would act to "provide for areas of highest-density, transit-supportive residential development, maximum building heights, minimal parking, and the greatest range and mix of uses"; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734060, C734111, B00003) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site may contain the peregrine falcon, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); and

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 Mike LaFlair and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-259

- 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 THREE-MILE LIMIT from the City of Syracuse Planning Commission at the request of John Argiro for the property located at 118 Lormik Lane; and
- WHEREAS, the site is located within three miles of the City of Syracuse and subject to the extra-territorial jurisdiction of the City of Syracuse under the three-mile limit rule and the site is located within 500 feet of Terry Road (Route 75), a county highway, and the municipal boundary between the Town of Geddes and the Town of Onondaga; and
- WHEREAS, the applicant is proposing to subdivide a 7.436-acre parcel into 5 new lots, Lot 1 (1.08 acres), Lot 2 (0.44 acres), Lot 3 (0.43 acres), Lot 4 (4.95 acres), and Lot 5 (0.52 acres), in a Residential A: Single Family zoning district; and
- WHEREAS, the Board recently recommended modification of the preliminary & final subdivision referral (S-20-16) associated with this three-mile limit review; the Board cited required coordination with the Onondaga County Department of Transportation to ensure the proposed lots meet minimum sight distance requirements and noted that no permanent structures would be permitted in the county sanitary sewer easement; a letter from the Town to a representative for the applicant, dated August 13, 2020, indicates the subdivision was approved by the Town on August 11, 2020; and
- WHEREAS, the site is located in a residential neighborhood just west of the City limits and on the border with the Town of Onondaga; the submitted subdivision plan dated August 2, 2019 (revised August 30, 2020) shows the site has frontage on Lormik Lane, a local dead-end road serving a residential subdivision to the east, and Terry Road, a county road to the west; the site contains an existing house with an asphalt driveway onto Lormik Lane; aerial imagery shows the western half of the site, just over 6 acres, is vacant and undeveloped; and
- WHEREAS, the subdivision plan shows the site will be subdivided into 5 lots, intended as single-family residential properties; proposed Lot No. 1 (1.08 acres) will contain the existing house and Lormik Avenue frontage; proposed Lots No. 2 (0.44 acres, 80.01' frontage), No. 3 (0.43 acres, 80.36' frontage), and No. 5 (0.52 acres, 128.75' frontage) will each occur along Terry Road; proposed Lot No. 4 (4.95 acre) will contain all of the land between the frontage lots and have 149.01' of frontage on Terry Road; and
- WHEREAS, per the subdivision plan, the entirety of the site appears to be labeled "People of the State of New York formerly"; and
- WHEREAS, per the subdivision plan, there is an existing sanitary sewer line, which is a County-owned trunk sewer, and a 20' wide sewer easement crossing the site and running roughly parallel to Terry Road; this county sewer infrastructure and easement are shown to occur on proposed Lots 2, 3, 4, and 5 and is paralleled by a storm sewer and 30' wide drainage easement;

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ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection (WEP), no permanent structures are permitted within the County easement; any other work within the County easement must be coordinated with WEP; and

WHEREAS, no development plans were included with the referral; and

WHEREAS, the existing house is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Westside Pump Station service areas;

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

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

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer for any future development of the proposed lots; 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 Mike LaFlair and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-260

- 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 D & A Properties of Elbridge, LLC for the property located at 1125 State Route 5; 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 5 and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing construction of a 65' x 50' addition to an existing tire service facility on a 2.62-acre parcel in a Business (B-2) zoning district; and
- WHEREAS, in 2014, the Board offered no position with comment for concurrent zone change (Z-14-149) and site plan (Z-14-150) referrals to rezone a split-zoned parcel from Business (B-1 and B-2) to entirely B-2, and construct an addition on the existing tire service business; and
- WHEREAS, the site is located just east of the Village of Elbridge, with a mix of surrounding land uses; adjacent parcels contain a modular home dealer and a garden center; the site abuts parcels to the north that are enrolled in NYS Agricultural District 3 and appear to contain some active farmland; and
- WHEREAS, the submitted Site Plan dated September 2, 2020 shows the site has frontage on NYS Route 5 and contains multiple uses, with an existing building towards the front of the site that includes a hair salon and office and storage space and a second building to the rear that includes a tire service business; and
- WHEREAS, per the Site Plan, the tire service building is surrounded by gravel and asphalt that appears to provide 20 parking spaces and outdoor storage space for the business; there are 6 additional parking spaces at the front of the salon building; the Site Plan shows a dumpster location, tire trailer parking area (8' x 48') and used large tire storage area (10' x 30') at the rear of the site; and
- WHEREAS, the Site Plan shows the proposed addition (2,828 sf) to be constructed at the rear of the tire service building; two fuel tanks will be relocated to the rear of the addition; there will be new exterior dark sky compliant lights at two corners of the addition; and
- WHEREAS, per the Site Plan, there is an existing asphalt driveway onto Route 5; there are no proposed changes to access; aerial imagery shows an existing concrete sidewalk along the frontage on the site; aerial imagery shows existing signage to include two ground signs, one at the front of the site and one adjacent to the driveway and salon building; and
- WHEREAS, the site is served by public drinking water and an individual septic system, which is shown in the Site Plan to occur at the rear of the site; 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 and may consequently be acted on solely by the referring board.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-261

- 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 AREA VARIANCE from the Town of Cicero Zoning Board of Appeals at the request of Muamer Alic for the property located at 7623 East Taft Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of East Taft Road (Route 18), a county highway, and Route 298, a state highway; and
- WHEREAS, the applicant is requesting an area variance to reduce the rear yard setback from 25 feet to 16 feet to allow construction of a 17' x 35' addition to an existing used car business on a 0.405-acre parcel in a General Commercial (GC) zoning district; and
- WHEREAS, in 2011, the Board recommended modification of a site plan referral (Z-11-261) to convert a former bakery to a used car business, citing permit and access requirements for the existing driveway and approval of the existing or proposed septic system; and
- WHEREAS, the site is located at the intersection of East Taft Road, a county road, and NYS Route 298 in a pocket of low density commercial land uses; the site abuts a residential lot to the west; the surrounding area appears to be largely undeveloped, vegetated lands consisting of portions of the Cicero Swamp Wildlife Management Area; and
- WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the entirety of the site is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the submitted Site Plan – Existing Features dated June 28, 2011 shows the site contains an existing one-story building and asphalt parking along both road frontages; there is a vinyl shed and brick area, both to be demolished, at the rear of building; a gravel area is also shown at the rear of the building, which appears to encroach on the rear adjacent parcel owned by National Grid; and
- WHEREAS, the submitted Site Plan – Proposed Features dated June 26, 2020 shows the proposed addition (595 sf) to be constructed at the rear of the building; per the plan, the applicant is proposing to add an auto repair shop to the use of the property; additional site improvements include modifying parking striping to convert an existing parking space to a handicap accessible space; the total number of parking spaces will remain 24; a proposed dumpster location is

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shown adjacent to the addition; the dumpster will be bordered on three sides by a 6' tall wood fence; and

WHEREAS, per the Site Plan – Proposed Features, hours of operation are Monday through Friday 9:30AM to 6:00PM with a total of 2 employees on-site at any given time; and

WHEREAS, per the Site Plans, there is an existing 25' wide asphalt driveway onto East Taft Road; no changes to the existing driveway are proposed; and

WHEREAS, the site is served by public drinking water and an individual septic system; no changes to the existing infrastructure are proposed; and

WHEREAS, the site may contain the bald eagle, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); and

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

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

The applicant must contact the Onondaga County Health Department's Bureau of Public Health Engineering to confirm the location of the existing sewage disposal system to ensure it will not be impacted by the proposed addition.

The Board also offers the following comment:

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

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-262

- 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 Skaneateles Planning Board at the request of Keefe & Susan Gorman for the property located at 2545 East Lake Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of East Lake Road (Route 41), a state highway; and
- WHEREAS, the applicant is proposing construction of replacement shoreline stairs and deck on a 1.13-acre parcel in Rural Farming (RF) and Lake Watershed Overlay (LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a special permit referral (Z-20-263) as part of the proposed project; in 2017, the Board offered no position for concurrent site plan (Z-17-271) and special permit (Z-17-272) referrals for a previous iteration of this project; the 2017 actions were approved locally and intended to replace the shoreline stairs and deck in their current location; the current referrals under review are intending to demolish the existing stairs, deck and dock and construct new stairs and deck farther north on the site; and
- WHEREAS, the site is located on the eastern side of Skaneateles Lake in the Town of Skaneateles; lands east of the site are enrolled in the NYS Agricultural District 2 and appear to contain some active farmland; other surrounding land uses are residential; and
- WHEREAS, the submitted survey map dated March 15, 2017 shows the site has frontage on East Lake Road, a state road, and contains an existing frame house with a deck and patio, a playhouse (73 sf), and an asphalt driveway; the rear of the site, along Skaneateles Lake, consists of a steep embankment that slopes west from the top of the bank (910') to the water (865'); there is an existing staircase and deck, to be demolished, on the embankment that provide access to the water from the remainder of the site; an existing dock, to be demolished, is shown at the mean high water line; and
- WHEREAS, the submitted Zoning Plan dated September 1, 2020 shows the proposed deck (288 sf) to occur at the top of the embankment with new lake steps (156 sf) leading to the waterfront; the plan notes "steps and dock at lake by others"; the submitted Narrative dated August 31, 2020 indicates the lakefront dock and stairs will be approved by the NYS Department of Environmental Conservation (DEC); the proposed project also includes installation of "a crushed stone trench along the face of the replaced deck at the top of the bank to catch any running water and direct it down to the lake in a new trench drain that would sit on the topography surface" and a "new retaining wall along the shoreline at the staircase location", which will also be approved through the DEC; and
- WHEREAS, the Zoning Plan indicates the site is pre-existing non-conforming with a

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minimum road frontage of 174' where 300' is required, a minimum front yard setback of 15.7' where 75' is required, a minimum south side yard setback of 17.8' where 30' is required, and a maximum impermeable surface coverage of 12.1% where 10% is permitted; none of the existing non-conformities will be exacerbated by the proposed project; and

WHEREAS, the local application indicates that a special permit is required for the redevelopment of a non-conforming lot and for structures within 50' of the lake line; a site plan review is required for any construction within 200' of the lake line; and

WHEREAS, the existing house is served by an individual septic system and drinking water is obtained directly from Skaneateles Lake; no changes to the existing infrastructure are proposed; and

WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed;

ADVISORY NOTE: in accordance with the Skaneateles Watershed Rules and Regulations, applications in the Skaneateles Lake watershed are subject to all conditions and approvals of the City of Syracuse Water Department; 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 Mike LaFlair and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-263

- 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 Skaneateles Planning Board at the request of Keefe & Susan Gorman for the property located at 2545 East Lake 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 East Lake Road (Route 41), a state highway; and
- WHEREAS, the applicant is requesting a special permit to allow construction of replacement shoreline stairs and deck on a 1.13-acre parcel in Rural Farming (RF) and Lake Watershed Overlay (LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-20-262) as part of the proposed project; in 2017, the Board offered no position for concurrent site plan (Z-17-271) and special permit (Z-17-272) referrals for a previous iteration of this project; the 2017 actions were approved locally and intended to replace the shoreline stairs and deck in their current location; the current referrals under review are intending to demolish the existing stairs, deck and dock and construct new stairs and deck farther north on the site; and
- WHEREAS, the site is located on the eastern side of Skaneateles Lake in the Town of Skaneateles; lands east of the site are enrolled in the NYS Agricultural District 2 and appear to contain some active farmland; other surrounding land uses are residential; and
- WHEREAS, the submitted survey map dated March 15, 2017 shows the site has frontage on East Lake Road, a state road, and contains an existing frame house with a deck and patio, a playhouse (73 sf), and an asphalt driveway; the rear of the site, along Skaneateles Lake, consists of a steep embankment that slopes west from the top of the bank (910') to the water (865'); there is an existing staircase and deck, to be demolished, on the embankment that provide access to the water from the remainder of the site; an existing dock, to be demolished, is shown at the mean high water line; and
- WHEREAS, the submitted Zoning Plan dated September 1, 2020 shows the proposed deck (288 sf) to occur at the top of the embankment with new lake steps (156 sf) leading to the waterfront; the plan notes "steps and dock at lake by others"; the submitted Narrative dated August 31, 2020 indicates the lakefront dock and stairs will be approved by the NYS Department of Environmental Conservation (DEC); the proposed project also includes installation of "a crushed stone trench along the face of the replaced deck at the top of the bank to catch any running water and direct it down to the lake in a new trench drain that would sit on the topography surface" and a "new retaining wall along the shoreline at the staircase location", which will also be approved through the DEC; and
- WHEREAS, the Zoning Plan indicates the site is pre-existing non-conforming with a

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minimum road frontage of 174' where 300' is required, a minimum front yard setback of 15.7' where 75' is required, a minimum south side yard setback of 17.8' where 30' is required, and a maximum impermeable surface coverage of 12.1% where 10% is permitted; none of the existing non-conformities will be exacerbated by the proposed project; and

WHEREAS, the local application indicates that a special permit is required for the redevelopment of a non-conforming lot and for structures within 50' of the lake line; a site plan review is required for any construction within 200' of the lake line; and

WHEREAS, the existing house is served by an individual septic system and drinking water is obtained directly from Skaneateles Lake; no changes to the existing infrastructure are proposed; and

WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed;

ADVISORY NOTE: in accordance with the Skaneateles Watershed Rules and Regulations, applications in the Skaneateles Lake watershed are subject to all conditions and approvals of the City of Syracuse Water Department; 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 Mike LaFlair and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-264

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Town of Tully Town Board at the request of Town of Tully Town Board for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing "Local Law Establishing Rules and Regulations Governing Keyhole Development in the Town of Tully"; and
- WHEREAS, per the Purpose, Findings and Intent, "The use and enjoyment of the Town's water resources, including the inland lakes and other watercourses, as well as the lands abutting those water resources, is of significant importance to the quality of living and the economic well-being of all residents in and visitors to the Town. It is desirable to retain and maintain the physical, cultural and aesthetic characteristics of those water resources in the Town and the lands abutting them, as these lands abutting those water resources become further developed and subjected to human and mechanical influences. The purposed of the Local Law is to regulate the usage of those water resources and the lands abutting them in order to preserve and protect the health, safety and welfare of the residents of and visitors to the Town."; and
- WHEREAS, Section 280-4 Definitions will be amended to include the following new terms: access, backlot, body of water, dock, inland lake, keyhole development, shoreline frontage, shoreline lot, and shoreline structure; "shoreline" is currently defined as "the highwater mark of any lake, pond, river or permanent stream" and will be changed to read "the line where land and water meet"; and
- WHEREAS, a new section "H. Keyhole Development" will be added under Section 280-9 Supplementary Regulations; per the new section, "Development or use of one or more back lots which include access to the shoreline of an inland lake or body of water through one or more shoreline lots is prohibited unless in conformity with this Local Law"; a backlot will be defined as any lot which does not abut the shoreline of an inland lake, i.e., Song Lake, Tully Lake, Tacy Lake, or Green Lake, Crooked Lake, or any other river, lake or pond located in the Town of Tully; and
- WHEREAS, per the proposed regulations, an application for site plan review for keyhole development must include a) elevations of the existing water courses and water bodies, including county shorelines, b) proposed locations of docks and other shoreline structures, c) location and dimensions of existing and/or proposed parking areas (including indication of all spaces and method of surfacing), d) exterior lighting locations with area illumination illustrated as well as the type of fixtures and shielding to be used, and e) the location and type of any and all picnic, sports facilities, and/or playground equipment to be installed on the site; and

WHEREAS, per the proposed regulations, shoreline lots will be subject to the minimum requirements of a lot in the zoning district in which it is located; shoreline lots must have a minimum shoreline frontage of 150', measured at the high water mark, which will be increased by 50' for every additional backlot proposed to be part of the Keyhole Development; minimum lot area will be increased by 7,000 sf for each additional backlot; and

WHEREAS, per the proposed regulations, no more than (2) slips, moorings, boat hoists, and other means of watercraft anchorage will be permitted per shoreline lot; minimum shoreline frontage and minimum lot area will be increased by 50' and 7,000 sf, respectively, for every additional slip, mooring, or boat hoist to be constructed or installed as part of a Keyhole Development; and

WHEREAS, per the proposed regulations, no more than (2) docks per 150' of shoreline will be permitted; docks must comply with all state and federal statutes and regulations pertaining thereto; docks may not extend beyond a water depth of 4' and may not exceed 150' in length; minimum shoreline frontage and minimum lot area will be increased by 50' and 7,000 sf, respectively, for every additional dock to be constructed or installed as part of a Keyhole Development; and

WHEREAS, the following uses will not be permitted on shoreline lots: boat launch facilities, camping or other overnight accommodations, and the storage or display of items for sale or rent such as, but not limited to, boats, boat hoists, personal watercraft, and trailers; 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 Mike LaFlair and seconded by David Skeval. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-265

- 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 Stephen Hadley for the property located at 6706 East Seneca Turnpike; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of East Seneca Turnpike (NYS Route 173), a state highway, and the Onondaga County Department of Corrections, a county-owned facility; and
- WHEREAS, the applicant is proposing to construct an 8,000 sf storage building with associated site improvements on an 11.2-acre parcel in a Business zoning district; and
- WHEREAS, in 2007, the Board offered no position for a site plan referral (Z-07-316) to establish and operate a landscaping design and service facility on the subject parcel; and
- WHEREAS, the site is located at the intersection of East Seneca Turnpike (NYS Route 173) and Taylor Road, a local road, in an area of low density development that includes the Jamesvilles Quarry to the north and Onondaga County Department of Corrections to the west; the site abuts a cemetery to the east and residential lots to the south; and
- WHEREAS, aerial imagery shows the front of the site contains an existing building with front and rear parking and a paved athletic field; the building is served by an existing asphalt driveway onto Taylor Road and appears to contain three businesses for landscape and snow services, construction, and personal training; there is a cleared area at the rear of the site that appears to provide some additional parking and outdoor storage for the businesses; the rear area is served by an additional gravel driveway onto Taylor Road; and
- WHEREAS, the submitted plan shows the proposed two-story structure (40' x 100') will be constructed at the front of the cleared area with landscaping beds shown at the front of the storage building and between the new and existing buildings; floor plans indicate the storage building will have 5 first floor bays, which will be accessible from the rear cleared gravel area, to remain; a new gravel driveway onto Taylor Road is proposed for more direct access to the storage building; both road frontages are currently lined by trees; additional landscaping is proposed that would further screen the storage building and rear gravel area from Taylor Road; and
- WHEREAS, a sign plan was included with the referral materials showing a proposed ground sign (roughly 130" x 84") with recessed LED puck lighting; a 300-watt solar cell is shown on the back of the sign and will presumably serve the sign lighting; the plans indicate the new sign will replace the existing sign, which occurs in a landscape bed near the intersection of Taylor Road and East Seneca Turnpike; and

- WHEREAS, per the submitted Environmental Assessment Form (EAF) dated August 17, 2020, less than 2 acres will be disturbed by the proposed project; per the EAF, runoff will go to the existing on-site retention pond shown in the plans to occur at the rear of the property; the EAF notes that due to existing bedrock surface, there will be virtually no change to runoff co-efficients;
ADVISORY NOTES: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and
- WHEREAS, the site is served by public drinking water and an individual septic system; per the plan, new drinking water services are proposed for the storage building; the EAF indicates the existing septic system will be expanded to accommodate the additional use of the site; and
- WHEREAS, the site may contain the Indiana bat or Northern long-eared bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); 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:

Given the additional use of the site, 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.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-266

- 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 LaFayette Planning Board at the request of Clark Equipment Rental for the property located at US Route 11; 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 US Route 11 and Interstate 81, both state highways; and
- WHEREAS, the applicant is proposing to construct a 16,800 sf building and associated amenities for a proposed equipment rental business on a vacant 8.6-acre parcel in Business zoning district; and
- WHEREAS, the Board recently recommended modification of a site plan referral (Z-20-30) to construct a 4,000 sf dental office on the subject parcel, which was approved locally but appears to be no longer intended for the site; in 2008, the Board recommended modification of a controlled site approval referral (Z-08-156) to install six storage buildings as part of a self-storage facility on the subject parcel; the Board cited drainage, access, and lighting requirements; previously, the Board recommended modifications to concurrent preliminary subdivision (S-04-59) and site plan (Z-04-135) referrals in 2004, and a site plan referral (Z-04-183) also in 2004; and
- WHEREAS, the vacant parcel is located along US Route 11 in the Town of LaFayette; the parcel abuts I-81 to the west and is located across Route 11 from an apartment complex; other surrounding land uses include single-family residential lots, a Town park, and low-density commercial uses; per the submitted survey map dated January 7, 2020, the site drops in elevation roughly 35' from the north lot line to the south; there is a NYSDOT drainage easement area at the front of the site with a drainage pipe crossing Route 11 at this location; the survey shows a drainage swale crossing the southern half of the site from just south of the easement area to the western lot line where there is another drainage pipe that extends to I-81; and
- WHEREAS, the submitted Layout Plan dated September 10, 2020 shows the proposed building, to be occupied by Clark Equipment Rental, will be constructed on the northern half of the site; parking for shop staff and a grass/display area are shown at the front of the building and there will be 14 parking spaces on the site of the building; additional display areas are shown at the rear of the building and adjacent to Route 11; the sides of the building will be bounded by 20' wide concrete aprons and drive aisles, at least 24' in width; the outer perimeter of the developed area will be gravel with an additional 55 parking spaces; and
- WHEREAS, per the Layout Plan, the first floor of the building will be 16,800 sf, with a 1,400 sf second floor; a 6,400 sf future expansion area is shown at the front of the building; the submitted floor plans indicate the building will have an office

area, paint booth, body shop, and 6 service bays; and

WHEREAS, per the Layout Plan, there is a proposed 35' wide asphalt driveway onto Route 11; a proposed sign is shown adjacent to the driveway; no additional information regarding signage is included;
ADVISORY NOTE: the proposed driveway onto Route 11 requires highway access and work permits from the NYS Department of Transportation and will be subject to the availability of sight distance; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated September 4, 2020, stormwater will be controlled, filtered and sent to detention basins before being discharged to the existing drainage course; a full stormwater pollution prevention plan (SWPPP) is being prepared by the project engineer; the Layout Plan shows stormwater mitigation and water quality treatment areas on the south side of the development area;
ADVISORY NOTES: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, the site does not have existing drinking water or wastewater services and is located outside of the Onondaga County Sanitary District; an individual well and septic system are proposed as part of the project; the Layout Plan shows the proposed septic leach field on the south side of the developed area and a well on the north side; and

WHEREAS, GIS mapping shows a potential riverine wetland under federal jurisdiction that follows the swale across the southern half of the parcel; all of the proposed development appears to be outside the wetland area; 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 municipal approval of the site plan.
2. Per the New York State Department of Transportation (NYSDOT), any previous approvals issued by the Department for this site are no longer valid as the proposed site plan, use, and access for the site have changed. The applicant is required to coordinate Route 11 access plans with the NYSDOT. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), ITE Trip Generation traffic figures, and a lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board also offers the following comment:

Front yard landscaping is encouraged to improve the aesthetics of the site

along the Route 11 frontage and screen parking areas from view.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-267

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Cicero Zoning Board of Appeals at the request of Fred Ritter for the property located at 8502 Tuttle Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of the boundary between Onondaga and Madison Counties; and
- WHEREAS, the applicant is requesting an area variance to the reduce the front yard setback from 30 feet to 10.4 feet to allow for construction of a 12' x 18' shed on a 0.14-acre parcel in a Residential (R-10) zoning district; and
- WHEREAS, the site is located in northeastern Cicero where Chittenango Creek flows into Oneida Lake; nearby land uses are mostly small lakefront and riverfront residential lots; there are also several large parcels of undeveloped, forested land in the surrounding area; and
- WHEREAS, the submitted survey map dated April 13, 1984 shows the site has frontage on Tuttle Road, a local dead-end road, and approximately 50' of shoreline on Chittenango Creek; the site contains an existing two-story house, a 8.2' x 12.2' shed, to be demolished, and a blacktop driveway; per the submitted survey map dated February 3, 2020, the proposed shed (11.8' x 18.2') will be constructed adjacent to the driveway and closer to Tuttle Road than the previous shed; aerial imagery dated May 2020 and the submitted photos indicate the existing shed no longer exists and the new shed has already been constructed; and
- WHEREAS, per the survey map, the site has a 10' ingress and egress along the northern lot line, which provides river access to a neighboring residential parcel, and there is an overhead utility line from the street to the house that is located above the existing shed; per the local application, the location of the new shed is intended to eliminate the right-of-way encroachment and avoid the utility lines, as required by National Grid; and
- WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the entirety of the site is located within the 100-year floodplain and more restrictive floodway, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the Town of Cicero has established a Floodplain Zone overlay, which includes the floodplain areas as designated on the FEMA map, "to allow Oneida Lake and streams and tributaries flowing into said lake to carry abnormal flows of water in times of flood, to prevent encroachments into the floodplains of these

waterways which will unduly increase flood heights and damage, and to prevent excessive property damage as well as a potential threat to the health and safety in the area of greatest flood hazard"; and

WHEREAS, a letter from a Licensed Professional Engineer to the applicant, dated February 21, 2020, indicates the proposed shed was evaluated at the request of the Town Code Enforcement Officer to ensure the project will not increase the height of the 100-year floodplain; the letter concludes that the void space beneath the shed allows for flood waters to flow unimpeded and will not increase floodplain height; the letter recommends installing the shed with (4) double helix earth anchors to prevent overturning or floating during flooding; and

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

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

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

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

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-268

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Cicero Zoning Board of Appeals at the request of Terry Ross for the property located at 5713 Caughdenoy Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Caughdenoy Road (Route 49), a county highway, and Brewerton Road (US Route 11), a state highway; and
- WHEREAS, the applicant is requesting an area variance to expand an existing non-conforming residential use to allow construction of a 40' x 48' pole barn on a 0.702-acre parcel in a General Commercial (GC) zoning district; and
- WHEREAS, the site is located just west of the highly commercialized US Route 11 corridor in the Town of Cicero; the site abuts commercial properties, Rite Aid and the Olde Wicker Mill shopping plaza, to the north and east and a residential lot to the west; and
- WHEREAS, the submitted survey map dated August 18, 2020 shows the site has frontage on Caughdenoy Road, a county road, and contains an existing one-story house with an attached garage; there is a fenced enclosure at the rear of the house, which includes an in-ground pool and concrete patio; the site has an existing asphalt driveway onto Caughdenoy Road, that appears to partially occur on the adjacent commercial lot; there is an asphalt connection across the front lawn that appears to provide additional access to the site via the driveway on the adjacent residential lot; and
- WHEREAS, per the survey map, the proposed barn (1,920 sf) will be constructed at the rear of the site, 25' from the rear lot line; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas; no changes to the existing infrastructure are proposed; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and
- WHEREAS, GIS mapping shows a small area of potential state wetland at the rear of the site; per aerial imagery, this area appears to be wooded; the proposed barn would be located entirely within the 100-foot state wetland buffer; and
- WHEREAS, the project is within 2,000 feet of a site (ID: V00150) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-269

- 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 Elbridge Town Board at the request of Town of Elbridge 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 Town is proposing Local Law 2020-2, A Local Law Amending the Zoning Map of the Town of Elbridge, to change the zoning of 12 parcels in the Town; and
- WHEREAS, the Board is concurrently reviewing a zone change referral (Z-20-270) as part of the proposed Zoning Map amendment; and
- WHEREAS, per the submitted Resolution Calling for a Public Hearing, “the Town Board, upon its own motion, determined to change the zoning for various properties in the Town to better match the surrounding zoning in the area and believes it is in the best interest of the Town and the property owners”; there are 12 properties totaling 150.73 acres subject to the requested zone change and subsequent zoning map amendment; and
- WHEREAS, aerial imagery shows parcel TM# 040.-02-09.2 (1.20 acres), currently zoned Service, has frontage on Wheeler Road, a local road, and contains an existing one-story building with side yard parking that appears to have previously been an office or community service-type use; the proposed Rural Residential (R-R) zoning for this parcel would permit single-family dwellings and agriculture by right, and home occupations, bed and breakfasts, private boarding of farm livestock, religious institutions, public service and utilities, outdoor wood boilers, commercial animal boarding, and noncommercial wind energy conversion systems with a special permit; the lot does not appear to meet the lot area, lot width, or front yard setback requirements of the R-R zoning district; and
- WHEREAS, aerial imagery shows parcel TM# 032.-04-02.0 (3.05 acres), which is owned by NYSEG and currently zoned Residential (R-1), has frontage on Jordan Road, a state road, and contains an existing electric substation; per the Town zoning code, to qualify for the proposed Municipal zoning district, the parcel must be wholly exempt from real property taxation; and
- WHEREAS, aerial imagery shows parcels TM# 027.-03-08.1 (43.1 acres) and 027.-03-09.1 (54.91 acres), currently zoned Rural Residential (R-R), are vacant and located on the north side of the NYS Thruway and have frontage on State Route 31 and Laird Road, a county road; the proposed Industrial zoning district would permit light industrial, vehicle maintenance and service, contractors services, second hand materials and parts facilities, outdoor sales, fuel distribution, storage and warehousing, fuel stations and car washes, outdoor recreation, public service and utilities, and trucking land uses; these parcels are located

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in a largely undeveloped, rural area with nearby low-density residential land uses; and

WHEREAS, GIS mapping shows the Thruway parcels that are subject to the proposed zone change may be encumbered by large federal and state wetland areas, including the 100-foot state wetland buffer; current FEMA Flood Insurance Rate Maps (FIRM) indicate that a significant portion of these parcels is also located within the 100-year floodplain, which may require elevation of structures and other mitigation given any future development; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, aerial imagery shows parcels TM# 024.-02-10.7 (1.51 acres), 024.-02-10.6 (1.47 acres), 024.-02-10.5 (1.19 acres), and 024.-02-10.4 (1.03 acres), currently zoned Residential (R-3), are located in the Jack's Reef hamlet and appear to contain an existing house and active farmland; the proposed Residential (R-1) zoning district permits single-family dwellings; all four lots appear to meet the lot requirements of the R-1 district; and

WHEREAS, aerial imagery shows parcels TM# 024.-02-10.1 (15.15 acres), 024.-02-10.2 (0.84 acres), 024.-02-11.1 (28.01 acres), and 024.-02-11.2 (0.27 acres), currently zoned Rural Residential (R-R), are located in the Jack's Reef hamlet and along the Seneca River; the parcels appear to contain residential land uses and active farmland; the proposed Residential (R-1) zoning district permits single-family dwellings; special permit uses in the R-1 district include two-family dwellings, adult housing facilities, public service and utilities, religious institutions, crop farming on 5 or more acres, bed and breakfasts on 2 or more acres, and home occupations limited to only service businesses; and

WHEREAS, the Jack's Reef parcels that are subject to the zone change are located near lands enrolled in NYS Agricultural District 3, which also contain active farmland; these lands include two farm operations, Circle View Farm and Hourigan Farms of Elbridge, that are protected by agricultural easements held by the American Farmland Trust (AFT) and New York Agricultural Land Trust (NYALT), respectively; these lands are to be preserved for agricultural use, and care should be taken to discourage activities on nearby lands that could threaten the viability of farming; 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:

In accordance with best practices for land use planning, the Town is advised to provide a rational basis for zone changes involving individual parcels, particularly where significant upzoning or downzoning may occur. Rational basis can be provided through comprehensive or focus area planning that evaluates the long-term goals for community character and is vetted by the public.

The Board also offers the following comments regarding the proposed zone changes:

1. The Board generally discourages downzoning of developed parcels and the creation of non-conforming lots as it can make the continued or future use of a site more difficult.
2. The Town is encouraged to consider opportunities to conserve lands along the Seneca River for habitat and water quality protection, and to prevent more intensive land uses in a sensitive environmental area. The Town may wish to incorporate regulations for conservation easements in their local codes to facilitate open space preservation in the Town.
3. Given the proximity of several of the subject parcels to active and protected agricultural lands, the Board encourages the Town to consider any potential conflicts between more intensive residential land uses and large-scale farming operations.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-270

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a ZONE CHANGE from the Town of Elbridge Town Board at the request of Town of Elbridge 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 Town is proposing Local Law 2020-2, A Local Law Amending the Zoning Map of the Town of Elbridge, to change the zoning of 12 parcels in the Town; and
- WHEREAS, the Board is concurrently reviewing a local law referral (Z-20-269) to amend the Town Zoning Map to reflect the proposed zone changes; and
- WHEREAS, per the submitted Resolution Calling for a Public Hearing, “the Town Board, upon its own motion, determined to change the zoning for various properties in the Town to better match the surrounding zoning in the area and believes it is in the best interest of the Town and the property owners”; there are 12 properties totaling 150.73 acres subject to the requested zone change and subsequent zoning map amendment; and
- WHEREAS, aerial imagery shows parcel TM# 040.-02-09.2 (1.20 acres), currently zoned Service, has frontage on Wheeler Road, a local road, and contains an existing one-story building with side yard parking that appears to have previously been an office or community service-type use; the proposed Rural Residential (R-R) zoning for this parcel would permit single-family dwellings and agriculture by right, and home occupations, bed and breakfasts, private boarding of farm livestock, religious institutions, public service and utilities, outdoor wood boilers, commercial animal boarding, and noncommercial wind energy conversion systems with a special permit; the lot does not appear to meet the lot area, lot width, or front yard setback requirements of the R-R zoning district; and
- WHEREAS, aerial imagery shows parcel TM# 032.-04-02.0 (3.05 acres), which is owned by NYSEG and currently zoned Residential (R-1), has frontage on Jordan Road, a state road, and contains an existing electric substation; per the Town zoning code, to qualify for the proposed Municipal zoning district, the parcel must be wholly exempt from real property taxation; and
- WHEREAS, aerial imagery shows parcels TM# 027.-03-08.1 (43.1 acres) and 027.-03-09.1 (54.91 acres), currently zoned Rural Residential (R-R), are vacant and located on the north side of the NYS Thruway and have frontage on State Route 31 and Laird Road, a county road; the proposed Industrial zoning district would permit light industrial, vehicle maintenance and service, contractors services, second hand materials and parts facilities, outdoor sales, fuel distribution, storage and warehousing, fuel stations and car washes, outdoor recreation, public service and utilities, and trucking land uses; these parcels are located

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in a largely undeveloped, rural area with nearby low-density residential land uses; and

WHEREAS, GIS mapping shows the Thruway parcels that are subject to the proposed zone change may be encumbered by large federal and state wetland areas, including the 100-foot state wetland buffer; current FEMA Flood Insurance Rate Maps (FIRM) indicate that a significant portion of these parcels is also located within the 100-year floodplain, which may require elevation of structures and other mitigation given any future development; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, aerial imagery shows parcels TM# 024.-02-10.7 (1.51 acres), 024.-02-10.6 (1.47 acres), 024.-02-10.5 (1.19 acres), and 024.-02-10.4 (1.03 acres), currently zoned Residential (R-3), are located in the Jack's Reef hamlet and appear to contain an existing house and active farmland; the proposed Residential (R-1) zoning district permits single-family dwellings; all four lots appear to meet the lot requirements of the R-1 district; and

WHEREAS, aerial imagery shows parcels TM# 024.-02-10.1 (15.15 acres), 024.-02-10.2 (0.84 acres), 024.-02-11.1 (28.01 acres), and 024.-02-11.2 (0.27 acres), currently zoned Rural Residential (R-R), are located in the Jack's Reef hamlet and along the Seneca River; the parcels appear to contain residential land uses and active farmland; the proposed Residential (R-1) zoning district permits single-family dwellings; special permit uses in the R-1 district include two-family dwellings, adult housing facilities, public service and utilities, religious institutions, crop farming on 5 or more acres, bed and breakfasts on 2 or more acres, and home occupations limited to only service businesses; and

WHEREAS, the Jack's Reef parcels that are subject to the zone change are located near lands enrolled in NYS Agricultural District 3, which also contain active farmland; these lands include two farm operations, Circle View Farm and Hourigan Farms of Elbridge, that are protected by agricultural easements held by the American Farmland Trust (AFT) and New York Agricultural Land Trust (NYALT), respectively; these lands are to be preserved for agricultural use, and care should be taken to discourage activities on nearby lands that could threaten the viability of farming; 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:

In accordance with best practices for land use planning, the Town is advised to provide a rational basis for zone changes involving individual parcels, particularly where significant upzoning or downzoning may occur. Rational basis can be provided through comprehensive or focus area planning that evaluates the long-term goals for community character and is vetted by the public.

The Board also offers the following comments regarding the proposed zone changes:

1. The Board generally discourages downzoning of developed parcels and the creation of non-conforming lots as it can make the continued or future use of a site more difficult.
2. The Town is encouraged to consider opportunities to conserve lands along the Seneca River for habitat and water quality protection, and to prevent more intensive land uses in a sensitive environmental area. The Town may wish to incorporate regulations for conservation easements in their local codes to facilitate open space preservation in the Town.
3. Given the proximity of several of the subject parcels to active and protected agricultural lands, the Board encourages the Town to consider any potential conflicts between more intensive residential land uses and large-scale farming operations.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-271

- 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 Jennifer Creason for the property located at 6804 Manlius Center Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Manlius Center Road (Route 290), a state highway; and
- WHEREAS, the applicant is proposing to construct a modular loading dock building on a 7.63-acre parcel in an Industrial zoning district; and
- WHEREAS, the site is located along Manlius Center Road, a state road, in an industrial node just east of I-481; the site abuts a parcel containing a CSX rail line to the west and Butternut Creek is located to the east; aerial imagery and the submitted survey map dated August 28, 2020 show the site contains an existing one-story, multi-tenant building, Butternut Plaza; there is asphalt parking at the front and east side of the building; the site is served by two existing curb cuts onto Manlius Center Road; and
- WHEREAS, per the survey map, there are loading areas at the rear and side of the building; the site has additional access to Butternut Drive, a local road to the east, via an existing asphalt driveway on an adjacent parcel at the rear of the site; this driveway appears to also serve an adjacent business on Butternut Drive; and
- WHEREAS, the submitted Site Plan dated June 16, 2020 shows the new modular loading dock building (~ 720 sf) will be constructed at the rear of the building, perpendicular to, and partially underneath, the rear loading dock canopy; submitted elevation drawings indicate the new building will have 3 loading doors; per the submitted Environmental Assessment Form (EAF), the project is intended to improve the existing warehouse and office space of one of the building's tenants; and
- WHEREAS, the site is served by Town drinking water and public sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed;
ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);
ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over

prior uses, the applicant must develop a 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that almost the entirety of the site is located in the 100-year floodplain, including the existing building and proposed rear addition, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

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

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

1. The applicant is advised to contact the New York State Department of Transportation to discuss any required traffic data for the proposed project. Any mitigation as may be determined by the Department should be reflected on the project plans as a condition of municipal approval.
2. The Town is advised to ensure appropriate access agreements are in place for the shared driveway onto Butternut Drive.
3. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-272

- 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 Manlius Planning Board at the request of Matthew Lester for the property located at 332 & 402-406 Fayette 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 Highbridge Road (NYS Route 92 and part of the National Highway System), Fayette Street (NYS Routes 257 and 92), and Fayetteville-Manlius Road (NYS Route 257), and the municipal boundary between the Town and Village of Manlius; and
- WHEREAS, the applicant is proposing to change the zoning of two parcels totaling 4.44 acres from Commercial and Two-Family Residential to Planned Unit Development (PUD) as part of a multi-building commercial development project; and
- WHEREAS, the Board has reviewed a number of referrals relating to proposals for reuse of the site, in 2005, 2008, 2012, 2015, 2017 and 2018; in 2018, the Board offered No Position with Comment for a zone change referral (Z-18-119) and Modification of a Site Plan referral for the site and neighboring parcels, as part of a proposal for retail restaurant and residential uses on 6 acres; the zone change had been approved but the Site Plan application was ultimately withdrawn by the developer; and
- WHEREAS, the Board has also reviewed a number of other proposals and zone changes in this area of the Village near the Y-intersection of Route 92 (Highbridge Road and Fayette Street) and Route 257 (Fayetteville-Manlius Road); referrals for projects on the same side of Fayette Street as this proposal include: a zone change from R-2 to Commercial in 2005 (Z-05-11), in order to demolish existing manufacturing facilities and a house and construct retail/office facilities; a zone change from R-2 and Commercial to Residential Multiple Use (R-M) and Commercial (Z-08-150) on parcels to the northeast for a proposed car dealership and Walgreens; concurrent zone change, subdivision, and site plan referrals in 2012 (Z-12-187, Z-12-188, S-12-48) to rezone the parcels to the northeast to Planned Unit Development (PUD) for the Manlius Square project, which would create five lots in order to build 2 two-family dwellings, retain an existing commercial building, build a proposed mixed-use building, and build a single-use retail building; and concurrent site plan, special permit, and final subdivision referrals in 2015 (Z-15-59, Z-15-60, S-15-30) to demolish three existing buildings and construct a drugstore with drive-thru (CVS Pharmacy) on five parcels; referrals for projects on the opposite side of Fayette Street for the Madison Row development include: a zone change in 2010 from R-1 to PUD (Z-10-248) on 3.84 acres in order to remove existing residential rental properties to construct a bank, a mixed-use commercial and residential building, and a village parking lot; subsequent concurrent subdivision and site

plan referrals for the same project (S-11-10, Z-11-27); a zone change referral to amend the PUD district (Z-13-222); and a site plan referral for the mixed use building in the PUD (Z-13-258) to include a Kinney Drugs, other retail, office, and apartments; and

WHEREAS, the site is located at the border of the traditional village on the historic and heavily traveled NYS Route 92/Route 257 corridor; surrounding land uses are commercial, single- and multi-family residential, and civic (fire house); the submitted Planned Unit Development Rezoning Plan dated September 11, 2020 shows the site consists of two adjacent tax parcels totaling 4.376 acres and also has rear frontage on Eureka Drive, a local road; aerial imagery shows the site now contains two single-family houses and a former car dealership with a large parking area, all buildings to be removed; and

WHEREAS, the applicant is seeking a zone change from the current mixed Commercial and R-2 zoning to PUD for the entire site; the proposed zone change is intended to allow for the construction of new development on the site in two phases; Phase I is currently being proposed for development of a 3,440 square foot urgent care facility and a 2,225 square foot coffee shop with single lane drive-thru on a proposed Lot 1 (1.43 acres); Phase II (Lot 2, 2.9 acres) would also be rezoned to PUD but is not to be developed at this time; a conceptual Phase II is shown on the Rezoning Plan as two buildings at the front of the Lot with restaurant (81k sf), retail (6k sf), and office lobby (992 sf); and

WHEREAS, the Rezoning Plan shows a full access driveway on Lot 2 at the signalized intersection at the front of the site, to serve both lots; a right-out lane is shown on Lot 1; Lot 2 shows a future connection point to the adjacent parcel to the west; the rear parking areas for both Lots 1 & 2 connect at a single point; no existing or proposed access is shown to Eureka Drive; the applicant has been working with the NYSDOT regarding the proposed access, stormwater, and lighting designs for the site, primarily for Phase 1 and is not requiring a Traffic Impact Statement at this time for Phase 1, given prior submitted studies for the site; and

WHEREAS, the access driveway on Lot 2 is labeled "Proposed ingress/egress and parking easement to be drafted and recorded by developer's attorney"; sidewalks are shown along Fayette Street on Lot 1 and connecting to buildings and parking areas on site; a single drive-thru lane wraps around the rear and side of the coffee shop building, exiting to the right-out lane onto Fayette Street; and

WHEREAS, the plan shows a Right-of-Way, up to 10 feet in depth from the front of the parcel, along the length of Fayette Street, labeled as belonging to the Village of Manlius;

WHEREAS, the Proposed Site Plan shows an existing waterway labeled Perry Springs Creek at the rear of the site, to remain undisturbed, and a small area along the creek at the northwest corner, noted as delineated in March 2020; landscaping plans were not submitted with the referral package; and

WHEREAS, the EAF states that 1.11 acres of the site will be disturbed in Phase 1 and 1.99 acres in Phase II; stormwater runoff will be directed to on-site stormwater management structures and filtration areas, and ultimately the creek; the Proposed Site Plan shows two stormwater management areas, one to be located at the front of the proposed apartment building and parking garage and the other to be situated between the creek and proposed parking lot; and

WHEREAS, per the referral notice, the site is served by public drinking water and sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant

service area; anticipated drinking water demand for the proposed development is 900 gpd (gallons per day) for the urgent care, 1,220 gpd for the coffee shop, and unknown for Phase II development; a September 11, 2020 letter from the Onondaga County Department of Water Environment Protection confirms sanitary sewer capacity for Phase I and is subject to a required 2:1 flow offset for the calculated 1,027 gpd increase in flow; no assurances are provided for Phase II; OCWA has confirmed water system capacity; and

WHEREAS, per the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper, a portion of the site (on Lot 2, future phase) is listed in the NYS DEC Environmental Site Remediation database (C734122); the site (C734122) is classified as “No Further Action at this Time” in the Brownfield Cleanup Program; the EAF Mapper indicates that the site of the proposed action may contain a species of animal (Northern Long-eared Bat), or associated habitats, listed by the state or federal government as threatened or endangered; and

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

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

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

1. While the Board agrees that a PUD zoning approach for a large, transitional development site such as this is appropriate, the included PUD Rezoning Plan could be enhanced to better meet the purpose and intent of the PUD zoning district, and Village comprehensive plan objectives for its business district. Items to consider include consideration of mixed-use, multi-story buildings, inclusion of residential units on upper floors, further minimizing front yard setbacks, reconsideration of drive-thru facilities in favor of enhanced walk-up service, outdoor seating, and addition of bicycle racks on site.
2. Future review should ensure that a landscaping plan is submitted that adequately screens adjacent residential properties from view, noise and odor from the drive-thru to the extent possible, and provides vegetative buffering of the rear stream channel for habitat and water quality protection.
3. Per the New York State Department of Transportation, the applicant must continue to coordinate access, stormwater and lighting details for Phase 1. Future Phase 2 will require additional full review, likely including a traffic study, and review of access management, SWPPP, and lighting plans.
4. Per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects. The applicant must contact Plumbing Control to ensure appropriate permits are obtained.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-273

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Pompey Zoning Board of Appeals at the request of Rick & Lisa Cote for the property located at 2964 Pompey Hollow Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Pompey Hollow Road (Route 146), a county highway, US Route 20, a state highway, the municipal boundary between Onondaga and Madison Counties, and a farm operation in a NYS agricultural district; and
- WHEREAS, the applicant is requesting multiple area variances as part of a proposed subdivision to create two new lots, Lot 1 (1.412 acres) and Lot 2 (1.307 acres), from a 2.719-acre parcel in a Farm zoning district; and
- WHEREAS, the Board is concurrently reviewing a preliminary and final subdivision referral (S-20-48) as part of the proposed project; and
- WHEREAS, the site is located in a rural area at the intersection of US Route 20 and Pompey Hollow Road, a county road; the site and surrounding parcels are enrolled in NYS Agricultural District 4; lands west across Pompey Hollow Road appear to contain active farmland; and
- WHEREAS, aerial imagery and the submitted subdivision plan show proposed Lot 1 (1.412 acres) will have frontage on Pompey Hollow Road and contain an existing barn and silo; proposed Lot 2 (1.307 acres) will have the remaining Pompey Hollow Road frontage and all of the Route 20 frontage; Lot 2 will contain an existing house and three barn structures; the house is served by an existing driveway onto Pompey Hollow Road;
- ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Pompey Hollow Road must meet Department requirements; any future or proposed driveways will require highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, the requested area variances are required to facilitate the proposed subdivision and include reducing the lot size from 2 acres (required) for both lots, reducing the lot depth from 250' to 199.55' and the front yard setback from 50' to 48' for Lot 1, and reducing both front yard setbacks on Lot 2 from 50' to 33.1' along Pompey Hollow Road and 39' on Route 20; and
- WHEREAS, per the local applications, the proposed subdivision is intended to allow the existing barn to be rebuilt into a single-family residence; the existing house is being run as a bed and breakfast and the new single-family residence will allow for the applicant to live next door to their business; the local application indicates this hardship is unique as a portion of the property is located in Madison County, reducing the lot area for the portions of the site that are within Pompey; the subdivision plan shows Supplemental Lots 1 and 2, which

occur in the adjacent municipality, Cazenovia, provide an additional 0.522 and 3.269 acres of land, respectively; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated June 1, 2020, there will be no development on the land located in the Town of Cazenovia; and

WHEREAS, the site is served by an individual well and septic system; a new well and septic system will presumably be required to convert the barn to a single-family dwelling;

ADVISORY NOTE: 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 the proposed lots prior to Department endorsement of the subdivision; and

WHEREAS, the site may contain the Northern harrier, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); and

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:

1. To ensure any new access to Pompey Hollow Road will be granted and that the proposed lots meet minimum sight distance requirements, the applicant is advised to contact the Onondaga County Department of Transportation prior to municipal approval of the subdivision and submit sight distance estimates to the Department for their review.

2. Given the bed and breakfast use on proposed Lot 2, the applicant is advised to contact the Onondaga County Department of Transportation to coordinate any requirements for the existing driveway on Pompey Hollow Road, in order to satisfy commercial driveway standards.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: September 23, 2020

OCPB Case # Z-20-274

- 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 COMPREHENSIVE PLAN from the Town of Skaneateles Town Board at the request of Town of Skaneateles for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of comprehensive plans; and
- WHEREAS, the Town of Skaneateles is proposing to amend the Skaneateles New York Joint Comprehensive Plan 2015 and add the Open Space Plan as an appendix to that document; and
- WHEREAS, the Board is concurrently reviewing a local law referral (Z-20-255) to adopt Local Law 2020-C "Town of Skaneateles Proposed Zoning Law" amending Chapter 148 of the Code of the Town of Skaneateles; and
- WHEREAS, per the submitted Resolution of the Town Board of the Town of Skaneateles, dated August 17, 2020, the Town Board seeks to make these amendments to clarify particular points in the plan and address certain resident concerns; the proposed revisions generally relate to the following: 1) modifying plan provisions based on the recent history of demographic and development trends and elimination provisions based on assumptions that never came to pass; 2) adding language explaining the plan's role as a guidance document with no mandate for specific future actions; and 3) refining and condensing the text of the plan to make it more accessible and readable for the general public; amendments to the comprehensive plan were made with the services of a planning consultant; and
- WHEREAS, in 2015 and 2016, the Board recommended approval of the original draft of the Skaneateles New York Joint Comprehensive Plan 2015 (Z-15-238) and subsequent revisions (Z-16-420); the iteration of the comprehensive plan currently under review (Z-20-274) appears to retain the primary goals and objectives of the original plan, but seeks to mostly clarify the existing content; one new concern identified in this revision is the accommodation of visitors, which speaks to the challenge of balancing the preservation of the residential and agricultural character of the Town and desire for an attractive and livable community with its inherent ability to attract visitors; and
- WHEREAS, one revised recommended action in the comprehensive plan encourages improved effectiveness of Open Space Zoning and Subdivision provisions, and in particular, the Town's conservation subdivision regulations, which were established in 1996 but are rarely used and could be improved based on past experiences; and
- WHEREAS, another notable change to the comprehensive plan is the addition of a new goal, to make Skaneateles a model community for sustainable development practices; this section was assembled by regrouping existing objectives and actions from the current version; and

WHEREAS, the purpose of the Skaneateles Open Space Plan is to provide “a strategy for the preservation of agricultural land and other unique and valued open space. It is designed to serve as a living document that can be referenced and updated on a regular basis in order to protect the areas that define the community character. The recommendations are presented in order to promote wise land uses decisions.”; and

WHEREAS, the following principals were developed to guide the content of the Open Space Plan: 1) maintain the Town’s rural character, agricultural sustainability, natural resources, and water quality, 2) provide recreational and educational opportunities, economic vitality, and a strong sense of local pride and identity, 3) provide options for connecting ecologically significant natural corridors, greenways and scenic routes, 4) make recommendations that are consistent with the Comprehensive Plan, 5) make recommendations that are consistent with the “Strategies for Sustainable Skaneateles” and the goals established by the Skaneateles Lake Association, 6) make recommendations that are based on guidelines defined in the “Leadership in Energy and Environmental Design (LEED) for Neighborhood Development,” 7) support local zoning and subdivision ordinances that facilitate the protection of farmland and valued open space, 8) collaborate with federal, state and local governments, community groups, not-for-profit organizations, landowners, and others that promote research, public awareness of climate change issues, and strategies in support of open space, and 9) review the Open Space Plan at least every five years and incorporate updates that reflect current priorities for open space conservation; and

WHEREAS, six goals were identified in the Open Space Plan, including to 1) preserve and protect areas with natural and cultural significance, 2) protect water resources, 3) develop a sustainable, long-term mechanism to finance open space preservation, 4) protect valuable farmland and the rural agrarian landscape, 5) develop and maintain a network of pedestrian and recreational trails, and 6) provide educational opportunities for diverse target groups; and

WHEREAS, the Open Space Plan includes a map demonstrating suitability for open space conservation where parcels are classified as already protected or of low, moderate, or high priority for conservation; the suitability analysis upon which the map is based uses a series of weighted analysis criteria that focus on farmland, water quality, erosion, watershed, and habitat protection, open space preservation, available access, and outdoor recreation and health opportunities; tools conserving land, including NYS Agricultural Districts, conservation easements, cost of community services (COCS) analyses, critical environmental areas, deed restrictions, land acquisition, land trusts, land use regulatory tools, and recreation land, are then detailed and discussed; and

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

The Board commends the Town on the revised Skaneateles New York Joint Comprehensive Plan and its efforts to proactively revisit and update the plan as needed. The Open Space Plan, in particular, exemplifies the need to protect rural land and open space and offers valuable tools for doing so.

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