



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

October 11, 2023

SYRACUSE-ONONDAGA COUNTY PLANNING AGENCY  
335 MONTGOMERY STREET, 1st Floor  
SYRACUSE, NEW YORK

## I. ATTENDANCE

### MEMBERS PRESENT

Marty Voss  
Mike LaFlair  
Marty Masterpole  
Don Radke  
David Skeval  
Jim Stelter

### STAFF PRESENT

Dan Kwasnowski  
Megan Costa  
Rachel Woods  
Robin Coon

### GUESTS PRESENT

Alexandra Dutt

## II. CALL TO ORDER

The meeting was called to order at 11:00 AM on October 11, 2023.

## III. MINUTES & OTHER BUSINESS

Minutes from September 20, 2023 were submitted for approval. David Skeval made a motion to accept the minutes. Jim Stelter seconded the motion. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Don Radke - yes; David Skeval - yes; Jim Stelter - yes.

## IV. ACTIONS ON GML SECTION 239 REFERRALS

### Summary

S-23-29	TClapB	No Position	Z-23-244	TSalZBA	No Position
Z-23-245	TSalZBA	No Position	Z-23-246	TOnoPB	Modification
Z-23-247	TPomPB	No Position With Comment	Z-23-248	TDewPB	Modification
Z-23-252	TSalZBA	Modification	Z-23-253	TSalZBA	Modification
Z-23-254	TSalZBA	No Position With Comment	Z-23-255	TClapB	No Position With Comment
Z-23-256	TClapB	No Position	Z-23-257	TGedTB	No Position With Comment
Z-23-258	TTulTB	No Position With Comment	Z-23-259	TTulTB	No Position With Comment
Z-23-261	TOnoZBA	No Position	Z-23-262	TTulPB	Modification
Z-23-263	TElbTB	No Position	Z-23-264	TManTB	No Position With Comment
Z-23-265	VCamVB	Modification	Z-23-266	VCamVB	Modification
Z-23-267	TCicTB	No Position	Z-23-269	TCicTB	No Position
Z-23-272	TTulPB	Modification			

## V. ADMINISTRATIVE REVIEWS



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # S-23-29

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Clay Planning Board at the request of Red Barn Extension for the property located at Red Barn Circle; and

WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of the municipal boundary between the Town of Clay and the Town of Salina; and

WHEREAS, the applicant is proposing to subdivide an 8.96-acre parcel into 17 single-family residential lots in a One-Family Residential (R-10) zoning district; and

WHEREAS, the previously offered No Position with Comment on a zone change referral (Z-18-285) to change this site and a second parcel to Highway Commercial (HC-1), the site is currently in a R-10 One-Family Residential District; and

WHEREAS, the site is located in a transitional area near commercial activity located around the busy intersection of West Taft and Buckley Roads, both county highways; the site is located south of the North Medical Center complex and Park Rose Senior living facility, behind the Brooklyn Pickle, and adjacent to multiple residential neighborhoods; and

WHEREAS, the site is a vacant parcel containing some trees along the western boundary and road access to local road contained in the adjacent Red Barn residential development; and

WHEREAS, per the Site Plan dated 5/30/23, the applicant is proposing to subdivide the parcel into 17 residential lots, aligned along an unnamed internal road that will extend from the existing street segment extending from Red Barn Circle; the road will enter the site and veer west to a cul de sac; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 7/21/23, 7.0 acres of the site will be disturbed by the proposed project; the Grading Plan dated 5/30/23 shows catch basins will be constructed along the internal road, leading to a swale extending east between the two easternmost residential lots, a 2'-wide dry swale along the northwest site boundary, and a proposed rip rap plunge pool and infiltration basin in the south west corner; per the EAF, stormwater will be collected and discharged to an existing drainage system in the adjacent development; per the Site Plan, the proposed swales, plunge pool, and basins will occur on the proposed residential lots;  
ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, The site is located in an Onondaga County Drainage District for Bloody Brook, which is maintained by the Department of Water Environment Protection in

this area;

ADVISORY NOTE: Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review; and

WHEREAS, per the referral notice, a new connection to public drinking water is proposed to serve the development;

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

WHEREAS, per the referral notice, a new connection to the public sewers is proposed to serve the development, the submitted project is located within the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online:

<http://www.ongov.net/wep/CapacityAssuranceReviews.html>;

ADVISORY NOTE: Any extension of public sewerage is subject to review and approval by the Onondaga County Department of Water Environment Protection and Department of Health; and and

WHEREAS, the project is within 2,000 feet of a site (ID: 734051) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

WHEREAS, the Syracuse Metropolitan Transportation Council (SMTC) has created a Sustainable Streets Guide, which includes the identification of priority sidewalk zones where the installation of sidewalks would be most beneficial; this site is located within a priority zone; and

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

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

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

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

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-244

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Salina Zoning Board of Appeals at the request of CNY Athletic Club, LLC for the property located at 2801 Court 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 Court Street (Route 298), a state highway; and
- WHEREAS, the applicant is proposing to establish an indoor/outdoor baseball training facility on two parcels in an Industrial (I-1) zoning district; and
- WHEREAS, the site is located in a transitional area adjacent to the single-family neighborhoods of Lyncourt and the commercial and industrial businesses extending east along Court Street; and
- WHEREAS, the site is the former Syracuse China factory that has been converted to house multiple businesses, currently housing an auto repair shop; the site consists of two parcels each split by railroad tracks, the former warehouse/factory buildings and associated parking lots are located on the southern portion with road access from a private road (Pottery Road) extending north from Court Street, a state road in this location; the northern portion of the site appears to be vacant with wooded areas along the parcels' frontage on Factory Avenue; and
- WHEREAS, the applicant is proposing to re-purpose a portion of the former factory site into a training facility for youth baseball and soccer players, installing turf grass and batting cages in 23,909 sf of the southeast portion of the warehouse building and utilizing former little league fields, still visible in aerial imagery from 2021, located in the lawn area at the southeast corner of the site; per the Site Plan dated 9/2023, the applicant's use of the site is limited to southeast corners of the existing building, parking lot, and lawn; and
- WHEREAS, per GIS Mapping, OCWA lines appear to exist at the rear of the site adjacent to the railroad tracks; no easements are depicted on the Boundary Survey dated 7/19/23; and
- WHEREAS, per the referral notice, the site is served by public drinking water and while no changes to the existing infrastructure are proposed, the proposed athletic facility may result in an increase in use;  
ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and
- WHEREAS, per the referral notice, the site is served by public sewers and is located in the

Metropolitan Wastewater Treatment Plant and Ley Creek pump station service areas, an area designated as flow constrained and impacted by excessive wet weather flow; while no changes to the existing infrastructure are proposed, the proposed athletic facility may result in an increase in use;

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

WHEREAS, GIS mapping shows the rear of the site may contain state and federal wetlands including a portion of an extensive 165.8-acre NYS DEC wetland (SYE-6); per the Site Plan, the proposed Athletic Club will not be located near or within the wetlands; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that rear of the site is located within the 500-year floodplain; per GIS Mapping, the proposed work is not within the floodplain; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734029,734057, 734044, 734053) in the NYS Department of Environmental Conservation Environmental Site Remediation database (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 Don Radke. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes; Jim Stelter - yes.**



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-245

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Salina Zoning Board of Appeals at the request of CNY Athletic Club, LLC for the property located at 2801 Court Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of Court Street (Route 298), a state highway; and
- WHEREAS, the applicant is requesting a special permit to establish an indoor/outdoor baseball training facility on two parcels in an Industrial (I-1) zoning district; and
- WHEREAS, the site is located in a transitional area adjacent to the single-family neighborhoods of Lyncourt and the commercial and industrial businesses extending east along Court Street; and
- WHEREAS, the site is the former Syracuse China factory that has been converted to house multiple businesses, currently housing an auto repair shop; the site consists of two parcels each split by railroad tracks, the former warehouse/factory buildings and associated parking lots are located on the southern portion with road access from a private road (Pottery Road) extending north from Court Street, a state road in this location; the northern portion of the site appears to be vacant with wooded areas along the parcels' frontage on Factory Avenue; and
- WHEREAS, the applicant is proposing to re-purpose a portion of the former factory site into a training facility for youth baseball and soccer players, installing turf grass and batting cages in 23,909 sf of the southeast portion of the warehouse building and utilizing former little league fields, still visible in aerial imagery from 2021, located in the lawn area at the southeast corner of the site; per the Site Plan dated 9/2023, the applicant's use of the site is limited to southeast corners of the existing building, parking lot, and lawn; and
- WHEREAS, per GIS Mapping, OCWA lines appear to exist at the rear of the site adjacent to the railroad tracks; no easements are depicted on the Boundary Survey dated 7/19/23; and
- WHEREAS, per the referral notice, the site is served by public drinking water and while no changes to the existing infrastructure are proposed, the proposed athletic facility may result in an increase in use;
- ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral notice, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek pump station service areas, an area designated as flow constrained and impacted by excessive wet weather flow; while no changes to the existing infrastructure are proposed, the proposed athletic facility may result in an increase in use;

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

WHEREAS, GIS mapping shows the rear of the site may contain state and federal wetlands including a portion of an extensive 165.8-acre NYS DEC wetland (SYE-6); per the Site Plan, the proposed Athletic Club will not be located near or within the wetlands; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that rear of the site is located within the 500-year floodplain; per GIS Mapping, the proposed work is not within the floodplain; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734029,734057, 734044, 734053) in the NYS Department of Environmental Conservation Environmental Site Remediation database (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 Don Radke. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes; Jim Stelter - yes.**





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# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-246

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Onondaga Planning Board at the request of James Hagan Real Estate for the property located at West Seneca Turnpike and City View Terrace; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of West Seneca Turnpike (Route 175), a state highway, and Onondaga Community College, a county-owned facility; and
- WHEREAS, the applicant is proposing to construct a 2,299 sf professional office building on a proposed 0.48-acre parcel in the Onondaga Hill Business (OHB) zoning district; and
- WHEREAS, the Board recently provided No Position on an area variance referral (Z-23-209) for the construction of the proposed office building and No Position on a zone change referral (Z-23-12) to include this lot and two neighboring parcels in the Onondaga Hill Business District; and
- WHEREAS, the area contains a mix of residential and commercial land uses, and is near the Onondaga Community College Campus; and
- WHEREAS, the site is a recently subdivided 0.48-acre lot located at the corner of West Seneca Turnpike, a state highway, and City View Terrace with frontage on both roads; the site is wooded and does not contain any structures except power lines along the City View Terrace right-of-way; and
- WHEREAS, per the Site Plan dated 9/12/23, the applicant is proposing to construct an office building at the center of the site with road access from City View Terrace leading to a 12-space parking lot located at the rear of the building; a freestanding sign will be placed near the southwest corner of the site; both new and existing trees and shrubs will be utilized to buffer the site from adjacent residential properties; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 9/14/23, 0.0 acres of the site will be disturbed by the proposed project, but this EAF appears to be revised from a previous submission; per the EAF dated 6/16/23 provided with the prior area variance referral (Z-23-209), 2.484 acres of the site will be disturbed by the proposed project; per the Site Plan, stormwater infrastructure will drain to three stormwater detention areas, one located between the building and West Seneca Turnpike and two on either side of the road access, along the City View Terrace frontage;
- ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval;

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

WHEREAS, a photometric plan dated 9/12/23 was provided, noting "all proposed fixtures are downward facing and international dark sky compliant"; and

WHEREAS, the new lot does not currently have access to public drinking water and it is assumed a new connection is proposed;

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

WHEREAS, per the referral notice, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant service area, an area designated as flow constrained and impacted by excessive wet weather flow; the proposed building would require a new connection;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online:

<http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, 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 continue to coordinate site plan and drainage requirements with the New York State Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-247

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Pompey Planning Board at the request of American Tower c/o Qualtek Wireless for the property located at 7209 Sevier 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 Sevier Road (Route 270), a county highway, and a farm operation located in a NYS Agricultural District; and

WHEREAS, the applicant is proposing to add a standby 80 KW diesel generator system, automatic transfer switch, generator auxiliary power distribution and remote monitoring communications circuitry at an existing tower on a 2.0-acre parcel in a Farm zoning district; and

WHEREAS, the site is in a rural area characterized by active agriculture interspersed with wooded areas and low-density housing; multiple nearby parcels also contain cellular towers and equipment; and

WHEREAS, the site is a landlocked parcel accessed by a driveway from Sevier Road, a county road, that crosses two parcels before reaching the site; the site is wooded except for the clearing containing the cell tower and multiple accessory structures including concrete pads, foundation piers, and a 285 sf building; and

WHEREAS, the applicant is proposing to construct an 8' by 6' concrete pad in the existing clearing to house a new standby generator system, a monitoring unit, and backup power supply; per the Site Plan dated 3/7/23, underground power and communications conduits will connect the new pad to an existing concrete pad where new equipment will be installed; no proposed work will be on the existing tower; and

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

WHEREAS, per the Environmental Assessment Form (EAF) dated 7/21/23, 1.0 acre of the site will be disturbed by the proposed project; per submitted plans, it appears disturbed area may be significantly less than 1 acre;

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

WHEREAS, the site and surrounding lands are enrolled in NYS Agricultural District 4, the site does not appear to contain active farmland, though the nearby lands do; and

WHEREAS, the site may contain the Northern Long-eared bat, or its associated habitat,

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

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

The Town and applicant are advised to consider the noise impacts of the proposed generator to nearby residences.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-248

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of DeWitt Planning Board at the request of Laborers Union for the property located West of 7051 Fly 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 Fly Road (Route 251), a county highway; and
- WHEREAS, the applicant is proposing construction of an 8,147 sf hands-on training center for current and future laborers on a 7.28-acre parcel in an Industrial zoning district; and
- WHEREAS, the site is in the area west of Interstate 481 characterized by the mix of commercial and industrial enterprises interspersed with vacant wooded or agricultural lands; the site is south of Ley Creek and its associated wetlands; nearby businesses include McVac Manufacturing Co Inc, FedEx Freight, Ciotti Enterprises, Inc, and a UPS Customer Care and Distribution Center; and
- WHEREAS, the site is a vacant, wooded, and irregular T-shaped lot with frontage on Fly Road and Badgley Road; adjacent parcels to the north and west appear to contain active agriculture; lots containing the existing Laborers Local 633 building and Infnit Technology Solutions are between the site and the intersection of Badgley Road, a local road, and Fly Road, a county highway; and
- WHEREAS, per the Preliminary Site Plan dated 9/2023, the applicant is proposing to construct an 8,147 sf 1-story building, a driveway circulating around it, and 16 parking spaces along the southern driveway; the parking lot is to be connected to the rear parking lot of the existing Laborers Local 633 building (7051 Fly Road) by two 24'-wide driveways, providing the site with access to Fly Road; outlined on the Site Plan, but not a part of the current proposal are 17 additional parking spaces off the northern driveway and a "proposed future driveway" to Badgley Road; the referral materials do not include information regarding the timeline for construction of the future driveway; and
- WHEREAS, the Site Plan shows an undefined "Limits of Wetlands" line on the approximately 80'-wide section of the parcel connecting directly to Fly Road, no additional information was provided; per GIS Mapping, NYS and federal wetlands are nearby, but do not encroach on the site, the wetland area indicated on the Site Plan coincides with the 500' NYS wetland buffer in GIS Mapping; included in the referral materials is an aerial photo from Plumley Engineering indicating a "projected wetland" in this same area, the EAF notes that "Plumley Engineering prepared a wetland delineation of the property in August of this year to locate the wetlands" and this area is a 0.3-acre NYS wetland; the proposed work appears to be outside the wetland area shown on the plan; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 9/12/23, 1.1 acres of the site will be disturbed by the proposed project; the Site Plan shows a stormwater management basin to be located north the proposed building and driveway and per the EAF “stormwater will discharge near the NE corner of the site, as it does now”; The site is located in an Onondaga County Drainage District for Bear Trap/Ley Creek, which is maintained by the Department of Water Environment Protection in this area

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

WHEREAS, per the referral notice, a new connection to public drinking water is proposed to serve the new building;

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

WHEREAS, per the referral notice, a new connection to the Town of DeWitt public sewers is proposed and the submitted project is located within the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas, an area designated as flow constrained and impacted by excessive wet weather flow; submitted materials do not indicate proposed sewer connection details;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online:

<http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs:C734145, C734145A) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

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

ADVISORY NOTE: The applicant and/or municipality is advised to contact the

NYS Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; and

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

1. The Town and applicant must ensure legal access to Fly Road. An access easement through the neighboring parcel or other means of legal access is required to be reflected on the subdivision plan and to be filed with the deed.
2. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-252

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Salina Zoning Board of Appeals at the request of Bruno Natale for CNY Solar Protection, Inc. for the property located at 3700 Court Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of New Court Avenue (Route 298), a state highway, and the municipal boundary between the Town of Salina and the Town of DeWitt; and
- WHEREAS, the applicant is proposing multiple interior and exterior improvements on a window-tinting and auto accessory business on a 0.54-acre parcel in a Highway Commercial with Motor Vehicle Service Facilities Overlay (C-2 OL-1); and
- WHEREAS, the Board previously offered No Position on a zone change referral (Z-23-218) to apply the Motor Vehicle Services Overlay to this site; the Board is concurrently reviewing a special permit referral (Z-23-253) for a motor vehicle service facility and an area variance referral (Z-23-254) for minimum lot size, minimum lot width, and parking in the front yard; and
- WHEREAS, the site is in a commercial area along New Court Avenue, a state road, with residential neighborhoods abutting the rear of the site and industrial areas to the north with Clifton Recycling, May's Fleet, and STS Trailer, Truck, and Equipment located across New Court Avenue from the site; and
- WHEREAS, the site is at the corner of Gaynor Avenue and New Court Avenue and contains an approximately 2400 sf building; an asphalt parking lot exists between the west side of the building and the parcel boundary and runs contiguously to an unrestricted driveway/parking lot on an adjacent parcel; and
- WHEREAS, per the Site Plan dated 7/16/23, the asphalt that runs from the west side of the building to the neighboring lot will be removed and replaced with a 24'-wide driveway which will lead along the west side of the building to a 14-space parking lot at the southern (rear) and eastern sides of the building; a 16'-wide driveway will connect the lot to Gaynor Avenue, (a local road);  
ADVISORY NOTE: The Court Street driveway modifications and any work in the state right-of-way requires highway work permits from the NYS Department of Transportation; and
- WHEREAS, per the referral materials, the building will be repainted, a new 10' by 10' overhead door will be installed, and interior changes are proposed for the automotive tinting and accessory sales business; a 4' high fence will be installed along the western property boundary; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 9/22/23, 0.228 acres of



the site will be disturbed by the proposed project; and

WHEREAS, per the referral, the site has access to public drinking water infrastructure; ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to confirm water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek pump station service areas;

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

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734029 and 734057) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

The applicant is required to coordinate modifications to the driveway to New Court Avenue and any work in the right-of-way, which may be subject to a work permit, with the New York State Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-253

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Salina Zoning Board of Appeals at the request of Bruno Natale for CNY Solar Protection, Inc. for the property located at 3700 Court Street; and

WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of New Court Avenue (Route 298), a state highway, and the municipal boundary between the Town of Salina and the Town of DeWitt; and

WHEREAS, the applicant is requesting a special permit to establish a window-tinting and auto accessory business in an existing commercial building on a 0.54-acre parcel in a Highway Commercial with Motor Vehicle Service Facilities Overlay (C-2 OL-1); and

WHEREAS, the Board previously offered No Position on a zone change referral (Z-23-218) to apply the Motor Vehicle Services Overlay to this site; the Board is concurrently reviewing a site plan referral (Z-23-252) for site improvements and an area variance referral (Z-23-254) for minimum lot size, minimum lot width, and parking in the front yard; and

WHEREAS, the site is in a commercial area along New Court Avenue, a state road, with residential neighborhoods abutting the rear of the site and industrial areas to the north with Clifton Recycling, May's Fleet, and STS Trailer, Truck, and Equipment located across New Court Avenue from the site; and

WHEREAS, the site is at the corner of Gaynor Avenue and New Court Avenue and contains an approximately 2400 sf building; an asphalt parking lot exists between the west side of the building and the parcel boundary and runs contiguously to an unrestricted driveway/parking lot on an adjacent parcel; ADVISORY NOTE: The Court Street driveway modifications and any work in the state right-of-way requires highway work permits from the NYS Department of Transportation; and

WHEREAS, the applicant is seeking a special permit for a motor vehicle service facility as required by the Motor Vehicle Services Overlay zoning designation; the applicant is moving their automotive tinting and accessories sales and installation business to this location; and

WHEREAS, per the referral materials, the building will be repainted, a new 10' by 10' overhead door will be installed, and interior changes are proposed for the automotive tinting and accessory sales business; a 4' high fence will be installed along the western property boundary; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 9/22/23, 0.228 acres of the site will be disturbed by the proposed project; and

WHEREAS, per the referral, the site has access to public drinking water infrastructure;

ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to confirm water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek pump station service areas;

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

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734029 and 734057) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

The applicant is required to coordinate modifications to the driveway to New Court Avenue and any work in the right-of-way, which may be subject to a work permit, with the New York State Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-254

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Salina Zoning Board of Appeals at the request of Bruno Natale for CNY Solar Protection, Inc. for the property located at 3700 Court Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of New Court Avenue (Route 298), a state highway, and the municipal boundary between the Town of Salina and the Town of DeWitt; and
- WHEREAS, the applicant is requesting area variances in order to establish a window-tinting and auto accessory business in an existing commercial building on a 0.54-acre parcel in a Highway Commercial with Motor Vehicle Service Facilities Overlay (C-2 OL-1); and
- WHEREAS, the Board previously offered No Position on a zone change referral (Z-23-218) to apply the Motor Vehicle Services Overlay to this site; the Board is concurrently reviewing a site plan referral (Z-23-252) for site improvements and a special permit referral (Z-23-253) for a motor vehicle service facility; and
- WHEREAS, the site is in a commercial area along New Court Avenue, a state road, with residential neighborhoods abutting the rear of the site and industrial areas to the north with Clifton Recycling, May's Fleet, and STS Trailer, Truck, and Equipment located across New Court Avenue from the site; and
- WHEREAS, the site is at the corner of Gaynor Avenue and New Court Avenue and contains an approximately 2400 sf building; an asphalt parking lot exists between the west side of the building and the parcel boundary and runs contiguously to an unrestricted driveway/parking lot on an adjacent parcel; and
- WHEREAS, the site will be reconfigured to have access from Gaynor Avenue in addition to existing access from New Court Avenue; the proposal includes modifying the pavement and establishing a parking lot on the southern and eastern sides of the building; and
- WHEREAS, the applicant is seeking relief from three area variances for their automotive tinting and accessory sales and installation business: a 148' lot width from the 200' required, 17,800 sf lot size from the required 25,000 sf, and to allow parking in the front yard; the site has frontage on New Court Avenue and Gaynor Avenue and the proposed parking lot will have three parking spaces on the eastern side of the building, between the building and Gaynor Avenue; the applicant notes their business did require the Motor Vehicle Services Overlay zoning designation, but has a lower traffic volume than typical businesses in that district; the proposed window tint and accessories business is appropriate to the site and will not be out of character for this corridor; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 9/22/23, 0.228 acres of the site will be disturbed by the proposed project; and

WHEREAS, per the referral, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek pump station service areas;

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

WHEREAS, per the referral, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek pump station service areas;

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

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734029 and 734057) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

While the Board offers no position regarding the specific proposed variances, the Town and applicant are advised of the following requirements relative to the project overall:

The applicant is required to coordinate modifications to the driveway to New Court Avenue and any work in the right-of-way, which may be subject to a work permit, with the New York State Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-255

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Clay Planning Board at the request of EquipmentShare - Syracuse for the property located at 7481 Henry Clay Boulevard; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Henry Clay Boulevard (Route 45), a county highway; and
- WHEREAS, the applicant is proposing construction of a new 8,014 sf equipment rental facility with related amenities on a vacant 9.0-acre parcel in an Industrial (I-1) zoning district; and
- WHEREAS, the Board previously offered No Position with Comment on two special permit referrals (Z-23-154 and Z-23-155) regarding this proposed Equipment Share facility to allow a contractor's service yard and construction of an equipment rental facility; the Board advised the proposed building would require an extension of sewer infrastructure and any extension of public wastewater infrastructure must be approved by the Onondaga County Departments of Health and Water Environment Protection; and
- WHEREAS, the site is in the area between Henry Clay Boulevard, a county highway, and rail lines belonging to New York Central Lines; the area is characterized by commercial businesses and distribution centers; National Grid is to the south and residential neighborhoods are across Henry Clay Boulevard; the site is a vacant parcel situated at the intersection of Dey Road and Edgecomb Drive, both local roads; and
- WHEREAS, per the referral, the applicant is proposing an 8,014 sf building to house an Equipment Rental showroom, offices, breakroom, work bays, and a wash bay to be located on the eastern half of the parcel; and
- WHEREAS, per the Site Plan dated 9/13/23, the site has approximately 990' of frontage (per aerial imagery from May 2021) along Dey Road, the site will have two 40'-wide driveways entering the site, the western driveway will be opposite the intersection of Edgecomb Drive with Dey Road; the driveways lead to the building with parking in front and along the sides; changes from the previous referral include a reduction in parking spaces from 32 to 22 spaces, reducing parking along the Dey Road frontage from 23 to 8, and moving some parking closer to the building; sidewalks will wrap the front half of the building; the driveways wrap the building appearing to lead to service bays at the rear, but per the Site Plan, the driveways do not connect to the rear asphalt by the service bays; the previous referral had the driveway along the eastern side of the building connecting to the rear service bay asphalt, but that connection has been replaced by 4 parking spaces; the building and asphalt area will be surrounded by a "Lay Down Yard" composed of "6" fly ash or cement

chemically treated and min. 8" thick aggregate-surfacing material, presumably allowing connection between the driveway and the rear service bays; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 4/19/23, ~5.00 acres of the site will be disturbed by the proposed project; per the Site Plan, stormwater infrastructure will be under the driveway entrances, directing water to the Private Detention Pond at the southwest corner of the parcel; ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, per the EAF, there will be a subdivision dividing the parcel into two new lots with the proposed Equipment Rental complex on the eastern lot; the subdivision was not a part of this referral; per the Erosion Control Plan dated 9/13/23, stormwater infrastructure will cross the proposed western lot to the detention pond to be located there; there are no easements depicted in the referral materials for the stormwater infrastructure; and

WHEREAS, the Site Plan depicts a 50'-wide ingress/egress easement along the parcel's western boundary; and

WHEREAS, per the referral notice, there is no existing drinking water service to the site and a new connection to public drinking water is proposed; ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral notice, there is no existing wastewater service to the site and a new connection to the public sewers is proposed, the site is located in the Wetzel Road Wastewater Treatment Plant and Sawmill Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow; ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, the EAF notes motor oil will be stored at the facility and picked up by a "local waste oil disposal provider"; and the project is within 2,000 feet of multiple sites (IDs: V00339, 734125, 734071, 734127) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, there will be lighting fixtures on the building as well as light poles around the perimeter of the site; per the EAF "all lighting fixtures will be directed into the equipment yard and away from neighboring properties"; and

WHEREAS, the site may contain the Indiana Bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered



animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from the Concept Plan dated 4/25/23, it appears that some trees will be removed as part of the proposed project;  
ADVISORY NOTE: Per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental Permits office; and

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. Should the western portion of the site be subdivided, any construction on the western portion of the parcel may require an extension of sewer infrastructure. Any extension of the public wastewater infrastructure must be approved by the Onondaga County Health Department and Onondaga County Department of Water Environment Protection prior to, or as a condition of, municipal approval.
2. If the applicant plans to subdivide site into separate parcels in the future, ensure current stormwater plans are able to manage all stormwater on-site, or that appropriate easements are in place for offsite stormwater management

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-256

- 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 SITE PLAN from the Town of Clay Planning Board at the request of 01831 Liverpool, NY Walmart Expansion for the property located at 8770 Dell Center Drive; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of New York State Route 31, a state highway; and
- WHEREAS, the applicant is proposing a 4,498 sf expansion to an existing Walmart store in order to accommodate their grocery pickup program on a 16.70-acre parcel in a Regional Commercial (RC-1) zoning district; and
- WHEREAS, the Board previously offered No Position on a site plan referral (Z-17-148) to create parking stalls for online grocery pickup; in 2011, the Board recommended Modification on a site plan referral (Z-11-251) proposing the demolition of an existing retail building (Sam's Club) and construction of a new retail building (Super Walmart) requiring the applicant to work with New York State Department of Transportation on improvements to the on-site transportation network and stormwater management; and
- WHEREAS, the site is located in the Town of Clay in a strip of big box commercial retail along Route 31 near the intersection with New York State Route 481, a state road; the site contains an existing Walmart Supercenter and parking lot; the site is bound by Dell Center Drive, a local road, to the west and Rivers Point Way, a local road, to the north; and
- WHEREAS, the existing parking area can be accessed from two existing driveways on the local road that separates Walmart and an auto dealership and from an existing driveway at the southwestern corner of the building on Dell Center Drive; additional driveway access is available farther north on Dell Center Drive where the store's existing loading area is located at the rear of the building; and
- WHEREAS, Walmart is proposing an expansion to the northwest corner of the store, between the two driveways on Dell Center Drive, to accommodate the online grocery pickup program; the proposal includes a 4,498 sf expansion to the building and a reduction and reconfiguration of the parking in this area, resulting in the loss of 27 parking spaces; the application notes the parking area will still be compliant with the Town's zoning code and does not need a variance; the building expansion will extend across the internal drive; traffic to the rear of the building will utilize the northern driveway from Dell Center Drive; and
- WHEREAS, the site is served by public drinking water and sewer and is located in the Wetzel Road Wastewater Treatment Plant service area; no changes to existing infrastructure are proposed; and

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

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

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

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-257

- 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 ZONE CHANGE from the Town of Geddes Town Board at the request of MARJD, LLC for the property located at 4627 Onondaga Boulevard; 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 Onondaga Boulevard (Route 240), a county highway, and the municipal boundaries between the Town of Geddes, the Town of Onondaga and the City of Syracuse; and
- WHEREAS, the applicant is requesting a zone change from Residential A: Single-Family to Commercial B: Highway Commercial on a 1.64-acre parcel in order to expand an existing dental office; and
- WHEREAS, the Board recommended Disapproval on two use variance referrals (Z-07-163 and Z-07-164) to allow a driveway to cross the lot between the site and Onondaga Boulevard and to allow a dental clinic in a Residential A zoning district, stating use variances undermine the Town zoning code, encouraging rezoning the parcel, and encouraging access via a neighboring parcel rather than access directly to a county highway; and
- WHEREAS, the site is in a transitional area between the commercial businesses along Onondaga Boulevard with plazas containing Wegmans, Price Chopper and the NYSDMV to the east and apartments to the west and south, surrounded by residential neighborhoods; and
- WHEREAS, the parcel contains an approximately 4,500 sf building in the southeast corner of the lot, a 35-space parking lot between the building and the adjacent apartment building, and a driveway to Onondaga Boulevard, a county road; the rear of the lot is wooded, backed by a "paper street", also wooded; multiple undeveloped residential lots abut the parcel along its rear boundary; and
- WHEREAS, per the referral, the parcel was granted a use variance in 2007 with the condition of having only 7 employees; the applicant is requesting a zone change to Highway Commercial to facilitate the expansion of an existing dental office; and
- WHEREAS, the site is located on the municipal boundary of the Town of Geddes with its driveway extending across a 0.25-acre triangular parcel located in the Town of Onondaga in a Residential R-1 zoning district; the driveway then accesses Onondaga Boulevard, a county highway and the municipal boundary between the Town of Onondaga and the City of Syracuse; the parcels across Onondaga Boulevard, in the City of Syracuse, are in a MX-3 Mixed-Use Transition zoning district;

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,

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

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

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

WHEREAS, per the Town zoning code, the Commercial B: Highway Commercial District zoning designation allows uses including retail business, business office, public library or museum with a site plan and restaurants, banks, gas stations, motor vehicle sales, service, and repair with a special permit; per the Town zoning map, all lots extending east of the site from Onondaga Boulevard north to Grand Avenue are in a Commercial B zoning district, the site and nearby parcels to the north and west are in a Residential A: Single Family zoning district; and

WHEREAS, per the referral notice, the site is served by public drinking water and no changes to existing infrastructure are proposed; if the proposed zone change is approved, the applicant is proposing an expansion of the business which would presumably create an increase in demand;

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

WHEREAS, per the referral notice, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant and HBIS pump station service area and no changes to existing infrastructure are proposed; if the proposed zone change is approved, the applicant is proposing an expansion of the business which would presumably create an increase in demand;

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

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), Onondaga Boulevard has public transit service and bus stops are located adjacent to the site; and

WHEREAS, the Syracuse Metropolitan Transportation Council (SMTC) has created a Sustainable Streets Guide, which includes the identification of priority sidewalk zones where the installation of sidewalks would be most beneficial; this site is located within a priority zone; the adjacent parcel to the east has sidewalks along their Onondaga Boulevard frontage; 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 location of this site within a sidewalk priority zone as identified by SMTC, and in order to promote walkability and pedestrian safety, the Board

encourages the Town to work with the Town of Onondaga and Onondaga County Department of Transportation to consider the installation of sidewalks along the Onondaga Boulevard frontage.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-258

- 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 SITE PLAN from the Town of Tully Town Board at the request of Sky High Solar, LLC for the property located at 1315 Sky High 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 North Street (Route 111) and Sky High Road (Route 79), both county highways, the municipal boundary between the Town of Tully and the Town of Fabius, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing construction of a 20 MW ground-mounted solar system on 125.65 acres of a 276.2-acre area of leased land on three parcels totaling approximately 650 acres in Agricultural (A-2) and Tier 3 Solar Energy System Overlay zoning districts; and
- WHEREAS, the Board previously recommended Modification on a zone change referral (Z-23-212) to apply the Tier 3 Solar Energy System Overlay zoning designation to this site, requiring the applicant to continue coordinating Sky High Road access plans with the Onondaga County Department of Transportation; the Board also provided comments regarding the potential impacts from commercial solar installations on prime agricultural land, minimizing impacts to wetland areas, and reducing visual impacts of this project on neighboring towns; the Board has also provided similar feedback on a prior special permit referral (Z-22-120) to establish a 20 MW ground-mounted solar system on 135.7 acres; the Board is concurrently reviewing a Special Permit referral (Z-23-259) to install a 20 MW Tier 3 Solar Energy System on the site; and
- WHEREAS, the site is located in a rural area in the Town of Tully with surrounding residential land uses and large tracts of undeveloped, forested land and active farmland; the site abuts parcels to the south and is west across Sky High Road, a county road, from parcels that are enrolled in NYS Agricultural District 4, some of which appear to contain active farmland; the site is adjacent to the Town's boundary with the Town of Fabius and near the boundary with LaFayette; and
- WHEREAS, aerial imagery shows the site has frontage on Sky High Road and North Street, another county road, and contains active farmland, large wooded areas, and a tree nursery area; and
- WHEREAS, per the Site Development Plans dated 5/5/23, the solar array will be located along a hillside containing a mixture of trees and cleared land; a 20'-wide access road from Sky High Road will be constructed to the site, often following an existing farm road to the middle of the array and running along the east side of the solar field; 6 PV inverter and transformer equipment pads are spread across the site with an electrical substation to be located at the southern end; overhead transmission lines will connect the substation to a

proposed 115 kV T-line Pole located on an existing farm road that connects to Sky High Road; a total of 2,770,910 sf (63.61 acres) will be cleared, including a 16' wide area for the perimeter fence, in preparation for the array; and

WHEREAS, the referral materials included visual simulations from TRC Companies dated April 2021 with four Viewpoints, showing the simulated visual impact to nearby communities; and

WHEREAS, GIS mapping shows areas of the site may contain federal wetlands, which appear to occur within the project area; per the Environmental Assessment Form dated 6/2/23, "a preliminary jurisdictional determination and no permit required letter was received from the USACE and no USACE jurisdictional features will be permanently impacted" ; jurisdictional wetlands are shown to occur on various areas on site, outside disturbed areas; the parcel contains and drains to tributaries of Butternut Creek;

ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a state and/or federal wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation and/or the U.S. Army Corps of Engineers; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 6/2/23, 125.52 acres of the site will be disturbed by the proposed project, no Stormwater Pollution Prevention Plan (SWPPP) was included in referral materials;

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

WHEREAS, per the EAF, over 100 acres of the project site contains highly productive soils, primarily located in the same general location as the proposed disturbance; per the Onondaga County Ag Mapper, this site is characterized as having a relatively high value to the agricultural community in terms of farmland protection; per the EAF, over 40% of the site has slopes greater than 10%, and is located within an area of high elevation in Onondaga County; and

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

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

WHEREAS, 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);

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

WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five



hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

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

1. The project is proposed to impact approximately 100 acres of prime agricultural soils. The installation of solar energy systems on large areas of active or prime farmland is discouraged. Any systems being developed on valuable agricultural lands should be designed to minimize disruption to existing and future agricultural operations by:
  - o avoiding configurations that fragment farm fields and production,
  - o siting solar systems in more remote areas with marginal soils and less productive lands,
  - o avoiding disturbance of topsoil to the extent practicable, as any disturbance, including stockpiling, will have negative long-term impacts to soil quality,
  - o avoiding infrastructure and equipment that causes compaction of important soils,
  - o avoiding areas of steep slopes, which can increase soil erosion, and
  - o requiring ground mounted solar systems that do not require footings in areas with prime agricultural soils.

2. The applicant and Town are encouraged to further minimize encroachment into wetland areas, and/or provide high-quality mitigation to preserve important and sensitive environmental areas to the extent possible. Best practices to consider related to wetland and habitat protection may include avoiding soil compaction during construction, avoiding drilled foundations, restoring or improving adjacent wetlands, buffering stream channels, planting of beneficial and diverse native species and pollinators and removing invasive species, and allowing small openings in fencing to allow for small wildlife movement.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-259

- 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 SPECIAL PERMIT from the Town of Tully Town Board at the request of Sky High Solar, LLC for the property located at 1315 Sky High 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 North Street (Route 111) and Sky High Road (Route 79), both county highways, the municipal boundary between the Town of Tully and the Town of Fabius, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting a special permit to allow construction of a 20 MW ground-mounted solar system on 125.65 acres of a 276.2-acre area of leased land on three parcels totaling approximately 650 acres in Agricultural (A-2) and Tier 3 Solar Energy System Overlay zoning districts; and
- WHEREAS, the Board previously recommended Modification on a zone change referral (Z-23-212) to apply the Tier 3 Solar Energy System Overlay zoning designation to this site, requiring the applicant to continue coordinating Sky High Road access plans with the Onondaga County Department of Transportation; the Board also provided comments regarding the potential impacts from commercial solar installations on prime agricultural land, minimizing impacts to wetland areas, and reducing visual impacts of this project on neighboring towns; the Board has also provided similar feedback on a prior special permit referral (Z-22-120) to establish a 20 MW ground-mounted solar system on 135.7 acres; the Board is concurrently reviewing a Site Plan referral (Z-23-258) for a 20 MW Tier 3 Solar Energy System on the site; and
- WHEREAS, the site is located in a rural area in the Town of Tully with surrounding residential land uses and large tracts of undeveloped, forested land and active farmland; the site abuts parcels to the south and is west across Sky High Road, a county road, from parcels that are enrolled in NYS Agricultural District 4, some of which appear to contain active farmland; the site is adjacent to the Town's boundary with the Town of Fabius and near the boundary with LaFayette; and
- WHEREAS, aerial imagery shows the site has frontage on Sky High Road and North Street, another county road, and contains active farmland, large wooded areas, and a tree nursery; and
- WHEREAS, per the Site Development Plans dated 5/5/23, the solar array will be located along a hillside containing a mixture of trees and cleared land; a 20'-wide access road from Sky High Road will be constructed to the site, often following an existing farm road to the middle of the array and running along the east side of the solar field; 6 PV inverter and transformer equipment pads are spread across the site with an electrical substation to be located at the southern end; overhead transmission lines will connect the substation to a

proposed 115 kV T-line Pole located on an existing farm road that connects to Sky High Road; a total of 2,770,910 sf (63.61 acres) will be cleared, including a 16' wide area for the perimeter fence, in preparation for the array; and

WHEREAS, the referral materials included visual simulations from TRC Companies dated April 2021 with four viewpoints, showing the simulated visual impact to nearby communities; and

WHEREAS, GIS mapping shows areas of the site may contain federal wetlands, which appear to occur within the project area; per the Environmental Assessment Form dated 6/2/23, "a preliminary jurisdictional determination and no permit required letter was received from the USACE and no USACE jurisdictional features will be permanently impacted" ; jurisdictional wetlands are shown to occur on various areas on site, outside disturbed areas; the parcel contains and drains to tributaries of Butternut Creek;

ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a state and/or federal wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation and/or the U.S. Army Corps of Engineers; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 6/2/23, 125.52 acres of the site will be disturbed by the proposed project, no Stormwater Pollution Prevention Plan (SWPPP) was included in referral materials;

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

WHEREAS, per the EAF, over 100 acres of the project site contains highly productive soils, primarily located in the same general location as the proposed disturbance; per the Onondaga County Ag Mapper, this site is characterized as having a relatively high value to the agricultural community in terms of farmland protection; per the EAF, over 40% of the site has slopes greater than 10%, and is located within an area of high elevation in Onondaga County; and

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

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

WHEREAS, 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);

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

WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five

hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

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

1. The project is proposed to impact approximately 100 acres of prime agricultural soils. The installation of solar energy systems on large areas of active or prime farmland is discouraged. Any systems being developed on valuable agricultural lands should be designed to minimize disruption to existing and future agricultural operations by:
  - o avoiding configurations that fragment farm fields and production,
  - o siting solar systems in more remote areas with marginal soils and less productive lands,
  - o avoiding disturbance of topsoil to the extent practicable, as any disturbance, including stockpiling, will have negative long-term impacts to soil quality,
  - o avoiding infrastructure and equipment that causes compaction of important soils,
  - o avoiding areas of steep slopes, which can increase soil erosion, and
  - o requiring ground mounted solar systems that do not require footings in areas with prime agricultural soils.

2. The applicant and Town are encouraged to further minimize encroachment into wetland areas, and/or provide high-quality mitigation to preserve important and sensitive environmental areas to the extent possible. Best practices to consider related to wetland and habitat protection may include avoiding soil compaction during construction, avoiding drilled foundations, restoring or improving adjacent wetlands, buffering stream channels, planting of beneficial and diverse native species and pollinators and removing invasive species, and allowing small openings in fencing to allow for small wildlife movement.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-261

- 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 SPECIAL PERMIT from the Town of Onondaga Zoning Board of Appeals at the request of Solar Liberty Energy Systems, Inc. for the property located at 3670 Amber Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of Amber Road (Route 44), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to install a 16 kW solar system on a 4.29-acre residential property in a Residential and Country (R-C) zoning district; and
- WHEREAS, the Board previously reviewed a local law referral (Z-23-213) which included amending the maximum size of a residential solar array from 15 kW to 20 kW; and
- WHEREAS, the site is in a rural area, surrounded by wooded and agricultural lots with low density residential along road frontages; and
- WHEREAS, the site contains a single-family home with a driveway to Amber Road, a county highway, shed at the rear of the lawn, and appears to have some active agricultural land at the rear of the property that is maintained along with the surrounding agricultural lands; and
- WHEREAS, per the Site Plan dated 2/17/23, a solar array will be installed at the southwest corner of the lawn area and electrical lines will be run in trenches from the array to a shed and then to the house; the solar array will be installed on ground mount racking, 3' from the ground, and will generate 16.965 kW of energy; and
- WHEREAS, the site and surrounding lands are enrolled in NYS Agricultural District 1; the surrounding lands appear to contain active farmland; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 4/27/23, 0.02 acres of the site will be disturbed by the proposed project; and
- WHEREAS, per the referral notice, the site is served by public drinking water and no changes to existing infrastructure are proposed; and
- WHEREAS, per the Onondaga County Department of Finance Office of Real Property Services, the site is served by an individual septic system; no changes to existing infrastructure are proposed; and
- WHEREAS, the site is located over, or immediately adjoining, a primary aquifer (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 Don Radke. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes; Jim Stelter - yes.**



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-262

- 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 Tully Planning Board at the request of Central Pillar Properties, LLC for the property located at 132 Hazel's Way; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Route 281 and Route 81, both state highways, Meeting House Road (Route 134), a county highway, the municipal boundary between the Town of Tully and the Village of Tully, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing construction of an 11,800 sf warehouse on a 4.4-acre parcel in a Business (B-1) zoning district; and
- WHEREAS, the Board previously recommended Modification of site plan and special permit referrals (Z-20-220 and 221) to construct a telecommunications tower on the northern portion of the parcel, requiring the applicant to contact the NYS Department of Transportation regarding road access to NYS Route 281; the subject parcel has since been subdivided and the current referral is regarding subdivided lot 3; the Board is concurrently reviewing a Special Permit referral (Z-23-272) regarding the construction of this proposed warehouse; and
- WHEREAS, the site is located at the outskirts of the Village of Tully; surrounding land uses include the ALDI distribution facility to the south, Dollar General to the north, municipal offices and athletic fields to the east, and an auto garage and parts store, professional offices, and an auto sales facility in the immediate vicinity; parcels south of the site are enrolled in NYS Agricultural District 4 and appear to contain some active farmland; and
- WHEREAS, the vacant lot has frontage on NYS Route 281, a town-owned portion of Meeting House Road, and Hazels Way, a local road, and
- WHEREAS, the applicant is proposing construction of an 11,800 sf warehouse near the northern boundary of the site, surrounded by gravel, with a gravel driveway to Hazels Way, a local road; the building will have 6 parking spaces along the eastern side of the building and a septic tank along the eastern lot boundary adjacent to the lot's NYS Route 281 frontage; the Site Plan indicates landscaping will be added along the southeastern portion of the building and on either side of the Hazels Way access; and
- WHEREAS, GIS mapping shows the southeastern half of the site may contain federal wetlands, which appear to include the eastern portion of the parking area and the proposed septic tank and leach field locations; the submitted plans do not show the wetlands or wetland boundaries; aerial photography indicated the site may have been filled recently;

ADVISORY NOTE: Any proposed development in, placement of fill in, or

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

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

drainage of a federal wetland requires appropriate permits from the U.S. Army Corps of Engineers; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 9/18/23, 1.5 acres of the site will be disturbed by the proposed project; the Site Plan shows a swale to be constructed along the northern lot boundary;

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

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

WHEREAS, per the referral notice, a new septic system is proposed to serve the building; the referral materials included a letter from the Onondaga County Health Department dated 5/8/23, approving a proposed “1,000 gallon minimum septic tank and 110 lineal feet of two foot (2’) wide absorption trench”, designed to accommodate a “sanitary waste flow of 220 gallons per day maximum”; and

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

WHEREAS, 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

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

1. The applicant must conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site. Any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. Any necessary permits from the Corps for any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site must be obtained prior to, or as a condition of, municipal approval of the site plan.

2. The applicant must obtain work permits for any work within the State right-of-way and continue to coordinate site plan and drainage requirements with the New York State Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board also offers the following comment:



Given the potential wetland areas on site and proximity of the development to a watercourse, the applicant is encouraged to retain as much existing tree cover as possible and add additional landscaping wherever possible to reduce stormwater and protect stormwater quality.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-263

- 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 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 applicant is proposing Local Law 2023-5 to amend Chapter 265 of the Town Code to remove restrictions in the Business 1 (B1) district; and
- WHEREAS, the Town code currently allows multi-family dwellings in the Business (B1) District after Planning Board approval of the site plan if three conditions are satisfied: the lot contains a minimum of five acres, the lot coverage does not exceed 50%, and the lot is “more appropriate for a multi-family dwelling than a business based on the location, proximity to other residential homes, configuration of the lot, access for motor vehicles, and the general topography of the lot”; and
- WHEREAS, the proposed change to the Town Code is to remove two of the three conditions, removing the 5-acre minimum lot size and 50% lot-coverage maximum; no other changes are proposed; and
- WHEREAS, per the Town zoning map, parcels with a Business 1 zoning designation are concentrated along major routes, specifically, along NYS Route 5 on both sides of the Village of Elbridge and on NYS Route 31 north of the Village of Jordan; and
- WHEREAS, ADVISORY NOTE: Per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-264

- 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 ZONE CHANGE from the Village of Manlius Village Board at the request of Restaurant Hospitality Group for the property located at 2-4 Stickley Drive; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law and the site is located within 500 feet of Fayette Street (Route 92 and Route 257) and Highbridge Road (Route 92), both state highways; and
- WHEREAS, the applicant is proposing a zone change on a 0.84-acre parcel from Municipal to Commercial-1, as part of an overall plan to repurpose an existing fire station building into a Taco Bell Cantina with drive-thru, and second floor apartments; and
- WHEREAS, the Board recently recommended Disapproved of a zone change referral (Z-23-190) to change the site from Municipal to Commercial 1, citing the Village's desire to foster a pedestrian-oriented and aesthetically pleasing environment and noting a restaurant with a drive-thru has the potential to conflict with that vision; additionally, the site is located at a busy intersection and a drive-thru restaurant may exacerbate traffic congestion; and
- WHEREAS, the site is located within the Central Business District in the Village of Manlius; surrounding land uses include municipal buildings, ball fields and parkland, retail and offices in a variety of building types, the Madison Row mixed-use development, the Stickley manufacturing facility, and apartment buildings and complexes; the site is accessed from the heavily traveled NYS Route 92 corridor via a signalized intersection with Stickley Drive, a local road; and
- WHEREAS, the parcel has frontage on Stickley Drive and contains a two-story former fire station building; there is an existing parking lot with unrestricted access to Stickley Drive that partially occurs on the adjacent Village-owned parcel; the parking lot has a 24' wide ingress and egress easement, with 12' on each lot; aerial imagery also shows an existing access drive at the rear of the building, which appears to provide additional access to the shared parking lot, adjacent bank parking area, and existing driveway onto NYS Route 92; per the Subdivision Plan dated September 2018, a significant portion of the parcel encroaches onto Stickley Drive; and
- WHEREAS, the applicant is seeking to change the zoning from the current Municipal (M) zoning district, applicable when the site was used as a fire station, to the Village's Commercial-1 (C-1) zoning district; the C-1 district allows, among other uses, a restaurant to have a drive-thru with a special use permit; the Village also has a Commercial (C) district, which allows for similar restaurant uses but does not allow drive-thrus; and

- WHEREAS, the Village of Manlius Planning Board considered the previous application at the request of the Board of Trustees and recommended that the parcel be changed to C zoning rather than the more permissive C-1 zoning district; the proposal being reviewed by the Village Trustees, and the OCPB, is for the applicant-proposed C-1 district; and
- WHEREAS, the prior iteration of this project involved the demolition of the former firehouse to construct a Taco Bell restaurant and drive-thru; per a letter from attorney Brad Hunt dated 9/29/23, the applicant withdrew their previous application after receiving this Board's recommendation; Mr. Hunt notes the new proposal is for a "Taco Bell Cantina", an "upscale version of Taco Bell that targets adult customers more than the standard Taco Bell does."; and
- WHEREAS, per the EAF, the current proposal is to "repurpose the existing 5,400 sf multi-use facility consisting of a first floor restaurant with attached single-lane drive-thru and four second floor apartment units" along with a dumpster enclosure and 25-space parking lot; per the Concept Layout Plan dated 9/15/23, a landscaped boundary between the site and the adjacent parcel to the west will be constructed along with front and rear landscaping along the building, patrons will enter the parking lot on the western side of the lot's frontage, proceed to the rear to enter the single-lane drive-thru (with adjacent bypass lane) which will circulate along the southern and eastern boundaries of the site to an egress-only curb cut on Stickley Drive; a brick patio will be constructed at the front of the building; the previous EAF noted stormwater would discharge to existing facilities, the current EAF does not detail stormwater management; and
- WHEREAS, changes from the previous referral are eliminating the shared parking with the adjacent parcel, and the shared entrance to the site/drive-thru from the neighboring parcel, leaving the current proposal with one full access driveway from Stickley Drive and the exit-only from the drive-thru onto Stickley Drive; an existing cross-connection with the adjacent bank property appears to be removed per the site plan; and
- WHEREAS, the site is served by public drinking water infrastructure;  
ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and
- WHEREAS, the site is served by existing sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);  
ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required due to an anticipated increase in use; additionally, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and
- WHEREAS, the project is within 2,000 feet of multiple sites (IDs: C734122, C734147) in

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the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, the site may contain the Northern Long-eared bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and no trees will be removed for the project; 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 Special Permit review provisions within the Village Code for the Village to review drive-thrus, the Board offers no position on the proposed zone change to allow for commercial and mixed-use development in this location. The Board also commends the applicant on improvements to the proposal, including utilizing the existing building to foster a mixed-use, multi-story development, with attention to scale and aesthetics with the Village Center.

The Board continues to acknowledge, however, the Village's goals for pedestrian-oriented and aesthetically pleasing development within its center in Village planning documents. Introduction of drive-thru establishments can prioritize vehicular travel and dedication of large areas of the site to vehicular circulation and pavement, which may conflict with these goals.

The Board also reiterates the following coordinating agency comments relating to future phases of review:

1. The New York State Department of Transportation has determined that the applicant must complete a Traffic Impact Study (TIS) for full build out to meet Department requirements and is required to contact the Department to determine the scope of the study. The 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 site plan approval.
2. The applicant and Village are encouraged to resolve encroachment issues apparent on submitted plans and consider a swap or transfer of lands via subdivision or easement, to ensure legal access and outline clear ownership and maintenance responsibilities for all proposed uses of the site.
3. The Board and NYS Department of Transportation encourage the town and applicant to explore retention of the existing cross-access through the existing bank parcel to provide secondary eastbound access NYS Route 92, which may assist in mitigating potential traffic congestion concerns. Formal agreements should be put in place and indicated on approved site plans, to clarify rights and responsibilities of those involved.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-265

- 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 Village of Camillus Village Board at the request of Sonbyrne Sales, Inc. for the property located at 5600 Newport 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 Newport Road (Route 36), a county road, the municipal boundary between the Village of Camillus and the Town of Camillus, and Nine Mile Creek, a county-owned drainage channel; and
- WHEREAS, the applicant is proposing to demolish existing structures and construct a 4,232 sf Byrne Dairy retail store and fueling facility on a 2.5-acre parcel in a Commercial (C) zoning district; and
- WHEREAS, the Board is concurrently reviewing a special permit referral (Z-23-266) for this project; and
- WHEREAS, the site is located at the north end of the Village, between Newport Road, a county road, and Nine Mile Creek, which is tributary to Onondaga Lake; the site is across Nine Mile Creek from Munro Park; and
- WHEREAS, the site contains the former TK Tavern bar/restaurant, a parking lot in front, with two driveways onto Newport Road; per aerial imagery from 2021, gravel areas extend from the parking lot, providing access to the rear of the building at the south and an extended parking area to the north; Nine Mile Creek runs adjacent to the rear (eastern) parcel boundary; and
- WHEREAS, the Project Narrative states the existing building will be removed and a 4,232 sf store will be constructed, with parking on the north side of the building and along the Newport Road frontage; two relocated driveways are shown onto Newport Road; a freestanding fuel canopy and 4 fuel stations are shown south of the building and a dumpster enclosure will be constructed at the rear corner; the Narrative notes the site will be operating 24 hours a day and lighting will be “dark sky approved”; and
- WHEREAS, the Topographic Survey dated 8/29/23 shows a Onondaga County Permanent Easement, a sewer easement, along the southern part of the eastern site; ADVISORY NOTE: Per the Onondaga County Department of Water Environment Protection, a permit will be required for any work within the County right-of-way; and
- WHEREAS, GIS mapping shows the eastern half of the site may contain state and federal wetlands, which appears to include portions of the proposed parking lot; the Site Plan shows a 100’ wetland buffer on the north end of the site, north of the proposed development; it is unclear whether wetland boundaries have been formally delineated;  
ADVISORY NOTE: The applicant is advised to contact the U.S. Army Corps of

Engineers and/or NYS Department of Environmental Conservation to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site; all confirmed wetlands should be shown on the plans for the site and any necessary permits should be obtained for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that most of the site is located within the 100-year floodplain, and significant portions of the parcel, including disturbed areas and the stormwater management infrastructure, are located within the more sensitive floodway, which indicates a high likelihood of flooding activity;

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

WHEREAS, per the Environmental Assessment Form (EAF) dated 9/28/23, 1.5 acres of the site will be disturbed by the proposed project; the Site Plan shows a stormwater management basin to be located between the building and the rear of the site which is adjacent to Ninemile Creek; a retaining wall is to be built to elevate the site and even the slope on the parcel; the plan shows snow storage areas appear to drain directly toward the creek;

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

WHEREAS, per the referral notice, a new connection to public drinking water is proposed to serve the proposed building;

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

WHEREAS, per the referral notice, a new connection to public sewers is proposed, the submitted project is located within the Metropolitan Wastewater Treatment Plant and Camillus Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online:

<http://www.ongov.net/wep/CapacityAssuranceReviews.html>;

ADVISORY NOTE: 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; and

WHEREAS, the site contains lower Ninemile Creek and tributaries which are listed as a water-quality impaired waterbody and in a Critical Environmental Area (per EAF Mapper); the site is also located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); and

WHEREAS, the site is located near two Local Protected Sites (Camillus Union Free School and Camillus Cutlery Headquarters Building); the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

1. The proposed development site contains significant areas of FEMA floodplain as well as the more restrictive floodway, federal wetlands and state wetlands and buffer areas, and is within close proximity to the impaired Nine Mile Creek waterway. The Village is encouraged to ensure adequate information is shown on submitted plans to indicate sensitive environmental features, and ensure that any proposed development is in accordance with applicable permits and Village flood ordinances, will not negatively affect drainage patterns, or allow for drainage of sediment and contaminants into the waterway. Development of any kind, including stormwater management facilities, within a floodway is generally discouraged by the Onondaga County Planning Board.
2. The applicant is required to coordinate Newport Road access plans with the Onondaga County Department of Transportation. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and a traffic impact study 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.
3. The applicant must obtain appropriate permits from the Onondaga County Department of Water Environment Protection for any site work or infrastructure to be located within the Onondaga County easement.
4. Given the site's retail land use and proximity to the Village center, the applicant must coordinate with the Onondaga County Department of Transportation and Village of Camillus on the installation of sidewalk or pathway along the frontage of the site, connecting to existing Village sidewalks. These elements must be reflected on the approved site plan.

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





J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-266

- 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 SPECIAL PERMIT from the Village of Camillus Village Board at the request of Sonbyrne Sales, Inc. for the property located at 5600 Newport 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 Newport Road (Route 36), a county road, the municipal boundary between the Village of Camillus and the Town of Camillus, and Nine Mile Creek, a county-owned drainage channel; and
- WHEREAS, the applicant is requesting a special permit to demolish existing structures and construct a 4,232 sf Bryne Dairy retail store and fueling facility on a 2.5-acre parcel in a Commercial (C) zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-23-265) for this project; and
- WHEREAS, the site is located at the north end of the Village, between Newport Road, a county road, and Nine Mile Creek, which is tributary to Onondaga Lake; the site is across Nine Mile Creek from Munro Park and
- WHEREAS, the site contains the former TK Tavern bar/restaurant, a parking lot in front, with two driveways onto Newport Road; per aerial imagery from 2021, gravel areas extend from the parking lot, providing access to the rear of the building at the south and an extended parking area to the north; Nine Mile Creek runs adjacent to the rear (eastern) parcel boundary; and
- WHEREAS, the Project Narrative states the existing building will be removed and a 4,232 sf store will be constructed, with parking on the north side of the building and along the Newport Road frontage; two relocated driveways are shown onto Newport Road; a freestanding fuel canopy and 4 fuel stations are shown south of the building and a dumpster enclosure will be constructed at the rear corner; the Narrative notes the site will be operating 24 hours a day and lighting will be “dark sky approved”; and
- WHEREAS, the Topographic Survey dated 8/29/23 shows an Onondaga County Permanent Easement, a sewer easement, along the southern part of the eastern site;  
ADVISORY NOTE: Per the Onondaga County Department of Water Environment Protection, a permit will be required for any project within the County right-of-way; and
- WHEREAS, GIS mapping shows the eastern half of the site may contain state and federal wetlands, which appears to include portions of the proposed parking lot; the Site Plan shows a 100’ wetland buffer on the north end of the site, north of the proposed development;  
ADVISORY NOTE: Any proposed development in, placement of fill in, or

drainage of a state and/or federal wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation and/or the U.S. Army Corps of Engineers; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that most of the site is located within the 100-year floodplain, and significant portions of the parcel, including disturbed areas and the stormwater management infrastructure, are located within the more sensitive floodway, which indicates a high likelihood of flooding activity;

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

WHEREAS, per the Environmental Assessment Form (EAF) dated 9/28/23, 1.5 acres of the site will be disturbed by the proposed project; the Site Plan shows a stormwater management basin to be located between the building and the rear of the site which is adjacent to Ninemile Creek; a retaining wall is to be built to elevate the site and even the slope on the parcel; the plan shows snow storage areas appear to drain directly toward the creek;

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

WHEREAS, per the referral notice, a new connection to public drinking water is proposed to serve the proposed building;

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

WHEREAS, per the referral notice, a new connection to public sewers is proposed, the submitted project is located within the Metropolitan Wastewater Treatment Plant and Camillus Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online:

<http://www.ongov.net/wep/CapacityAssuranceReviews.html>;

ADVISORY NOTE: 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; and

WHEREAS, the site contains lower Ninemile Creek and tributaries which are listed as a water-quality impaired waterbody and in a Critical Environmental Area (per

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

WHEREAS, the site is located near two Local Protected Sites (Camillus Union Free School and Camillus Cutlery Headquarters Building); the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

1. The proposed development site contains significant areas of FEMA floodplain as well as the more restrictive floodway, federal wetlands and state wetlands and buffer areas, and is within close proximity to the impaired Nine Mile Creek waterway. The Village is encouraged to ensure adequate information is shown on submitted plans to indicate sensitive environmental features, and ensure that any proposed development is in accordance with applicable permits and Village flood ordinances, will not negatively affect drainage patterns, or allow for drainage of sediment and contaminants into the waterway. Development of any kind, including stormwater management facilities, within a floodway is generally discouraged by the Onondaga County Planning Board.

2. The applicant is required to coordinate Newport Road access plans with the Onondaga County Department of Transportation. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and a traffic impact study 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.

3. The applicant must obtain appropriate permits from the Onondaga County Department of Water Environment Protection for any site work or infrastructure to be located within the Onondaga County easement.

4. Given the site's retail land use and proximity to the Village center, the applicant must coordinate with the Onondaga County Department of Transportation and Village of Camillus on the installation of sidewalk or pathway along the frontage of the site, connecting to existing Village sidewalks. These elements must be reflected on the approved site plan.

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



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-267

- 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 LOCAL LAW from the Town of Cicero Town Board at the request of Town of Cicero 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 a local law to enact regulation of Smoke Shops; and
- WHEREAS, the Board is concurrently reviewing another local law referral (Z-23-269) to add a regulation regarding Special Use Permits to the Town of Cicero Zoning Code; and
- WHEREAS, per the new law, the Town is enacting limitations to smoke shop and/or tobacco retailers to reduce the density of these retailers within the Town; the Town states this is in accordance with the State's tobacco use prevention and control program, that increased density of smoke shop and tobacco retailers is connected to an increased use in adult and youth populations and limiting the spread of smoke shops and tobacco retailers will suppress the harmful influence of tobacco; and
- WHEREAS, a smoke shop and/or tobacco retailer is defined as “a sole proprietorship, corporation, limited liability company, partnership or other enterprise in which the primary activity is the sale, manufacture or promotion of tobacco, tobacco products and accessories, either wholesale or retail, and in which the sale, manufacture or promotion of other products is merely incidental”; and
- WHEREAS, all smoke shop or tobacco retailers will require a special use permit and site plan approval; the special use permit will be valid for 24 months before needing to be renewed; renewals of special permits with no changed condition may be reviewed and approved by the code enforcement officer, renewals where a change in conditions has occurred are reviewed by the Town Board; special use permits are not transferrable; three verified complaints and/or violations of the Town Zoning Law will result in the special permit being revoked; and
- WHEREAS, general regulations of smoke shops and/or tobacco retailers include prohibiting minors from entering the establishment unless accompanied by a parent or guardian, the establishment will post clear signage regarding the prohibition of minors, and exterior attention-getting devices (LED signs, flashing lights, etc) are prohibited and if located within the building, cannot be visible from the public right-of-way; and
- WHEREAS, smoke shops and/or tobacco retailers must be located 1,500' or more from another existing licensed smoke shop or tobacco retailer and must be located 1,500' or more from a property containing a “school, playground, child-care facility, public library, place of worship, or municipal park”; and

WHEREAS, nonconforming smoke shops and tobacco retailers legally existing on the effective date of this law do not require a special permit, but any change or expansion of the business shall require compliance with this law and a special use permit; 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 Don Radke. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes; Jim Stelter - yes.**



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-269

- 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 Cicero Town Board at the request of Town of Cicero 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 a local law to add a regulation regarding Special Use Permits to the Town of Cicero Zoning Code; and
- WHEREAS, the Board is concurrently reviewing a related local law referral (Z-23-267) regarding the regulation of smoke shops and/or tobacco retailers; and
- WHEREAS, the proposed law stated the purpose of adding special use permits to the Town Zoning Code is to “regulate special uses, which by nature of their operation, may have higher potential for incompatibility with adjacent uses or otherwise unique characteristics which require a case-by-case review of their location, design, configuration, and impacts on the surrounding area”; and
- WHEREAS, special use permits will be reviewed and decided upon by the Town Board utilizing the requirements and criteria detailed in this law, public hearings will be held for all special use permit application prior to issuance, and review of “special use permit applications may be coordinated with other development applications”; and
- WHEREAS, requirements for a special use application include a site plan, floor plans, SEQOR documentation, narrative, and a description of use including proposed hours of operation, number of employees, capacity, and machinery or equipment to be used; and
- WHEREAS, the Town Board shall review the special permit applications utilizing review criteria including: consistency with Town goals, economic viability, compatible with existing uses near the property, adequate measures taken to mitigate potential adverse impacts on surrounding properties or the character of the Town, will the use be a nuisance to adjacent residents or property, will the use destroy or adversely impact significant historic or cultural resources sites, and will the use be “not otherwise” “detrimental to the convenience and general health, safety, or welfare of the public”; and
- WHEREAS, the Town Board may impose time period limitations on special use permits and renewals should be sought 30 days prior to the initial permit’s expiration date; and
- WHEREAS, a special use permit will expire upon change in property ownership or property transfer unless pre-approved by the Town Board; expansion, alteration, or variation of the special permitted use will require a new special use permit application and review; 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 Don Radke. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes; Jim Stelter - yes.**



J.Ryan McMahon, II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: October 11, 2023

OCPB Case # Z-23-272

- 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 SPECIAL PERMIT from the Town of Tully Planning Board at the request of Central Pillar Properties, LLC for the property located at 132 Hazel Way; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of Route 281 and Route 81, both state highways, Meeting House Road (Route 134), a county highway, the municipal boundary between the Town of Tully and the Village of Tully, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is rerequesting a special permit to allow construction of an 11,800 sf warehouse on a 4.4-acre parcel in a Business (B-1) zoning district; and
- WHEREAS, the Board previously recommended Modification of site plan and special permit referrals (Z-20-220 and 221) to construct a telecommunications tower on the northern portion of the parcel, requiring the applicant to contact the NYS Department of Transportation regarding road access to NYS Route 281; the subject parcel has since been subdivided and the current referral is regarding subdivided lot 3; the Board is concurrently reviewing a site plan referral (Z-23-262) regarding the construction of this proposed warehouse; and
- WHEREAS, the site is located at the outskirts of the Village of Tully; surrounding land uses include the ALDI distribution facility to the south, Dollar General to the north, municipal offices and athletic fields to the east, and an auto garage and parts store, professional offices, and an auto sales facility in the immediate vicinity; parcels south of the site are enrolled in NYS Agricultural District 4 and appear to contain some active farmland; and
- WHEREAS, the vacant lot has frontage on NYS Route 281, a town-owned portion of Meeting House Road, and Hazels Way, a local road, and
- WHEREAS, the applicant is proposing construction of an 11,800 sf warehouse near the northern boundary of the site, surrounded by gravel, with a gravel driveway to Hazels Way, a local road; the building will have 6 parking spaces along the eastern side of the building and a septic tank along the eastern lot boundary adjacent to the lot's NYS Route 281 frontage; the Site Plan indicates landscaping will be added along the southeastern portion of the building and on either side of the Hazels Way access; and
- WHEREAS, GIS mapping shows the southeastern half of the site may contain federal wetlands, which appear to include the eastern portion of the parking area and the proposed septic tank and leach field locations; the submitted plans do not show the wetlands or wetland boundaries; aerial photography indicated the site may have been filled recently;

ADVISORY NOTE: Any proposed development in, placement of fill in, or

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drainage of a federal wetland requires appropriate permits from the U.S. Army Corps of Engineers; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 9/18/23, 1.5 acres of the site will be disturbed by the proposed project; the Site Plan shows a swale to be constructed along the northern lot boundary;

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

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

WHEREAS, per the referral notice, a new septic system is proposed to serve the building; the referral materials included a letter from the Onondaga County Health Department dated 5/8/23, approving a proposed “1,000 gallon minimum septic tank and 110 lineal feet of two foot (2’) wide absorption trench”, designed to accommodate a “sanitary waste flow of 220 gallons per day maximum”; and

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

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

1. The applicant must conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site. Any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. Any necessary permits from the Corps for any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site must be obtained prior to, or as a condition of, municipal approval of the site plan.

2. The applicant must obtain work permits for any work within the State right-of-way and continue to coordinate site plan and drainage requirements with the New York State Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board also offers the following comment:

Given the potential wetland areas on site and proximity of the development to a watercourse, the applicant is encouraged to retain as much existing tree cover as possible and add additional landscaping wherever possible to reduce stormwater and protect stormwater quality.

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

# ONONDAGA COUNTY

## DEPARTMENT OF PLANNING



J. Ryan McMahan, II  
County Executive

Daniel Kwasnowski, AICP  
Planning Director

**TO:** Members, Syracuse City Planning Commission  
**FROM:** Dan Kwasnowski, AICP, Director *DK*  
Onondaga County Department of Planning (OCDOP)  
**DATE:** 10/5/2023  
**RE:** Administrative Review – 300 South Wilbur Ave Subdivision  
**RECOMMENDATION:** No Position

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

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

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

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

**CASE NUMBER:** S-23-28  
**REFERRING BOARD:** Syracuse City Planning Commission  
**DATE RECEIVED:** 9/19/2023  
**TYPE OF ACTION:** Subdivision  
**APPLICANT:** Home Headquarters, Inc  
**LOCATION:** 300 South Wilbur Avenue  
**WITHIN 500' OF:** Rosamond Gifford Zoo (county-owned facility)  
**TAX ID(s):** 110.-15-06.0

### Project Summary:

The applicant is proposing to subdivide a vacant 0.57-acre parcel on the west side of the City of Syracuse into four lots. The site is in a residential neighborhood on the west side of the City and the applicant is proposing future construction of four 1,600 sf single-family homes on the new lots. The subdivision would create four new lots: lot 12A (0.16 acres) and lot 10A (0.16 acres) with frontage on Bryant Avenue, lot 4A (0.16 acres) with frontage on South Wilbur Avenue, and lot 2A (0.15 acres) a corner lot with frontage on both streets. Per the proposed Site Plan, lots 12A, 10A, and 2A would have driveways extending to Bryant Avenue and lot 4A would be accessed via South Wilbur Avenue.

### Advisory Note(s):

Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination

with the municipal engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>

**Recommendation:** No Position


# ONONDAGA COUNTY

## DEPARTMENT OF PLANNING



J. Ryan McMahon, II  
County Executive

Daniel Kwasnowski, AICP  
Planning Director

**TO:** Members, City of Syracuse City Planning Commission  
**FROM:** Dan Kwasnowski, AICP, Director   
Onondaga County Department of Planning (OCDOP)  
**DATE:** 10/5/2023  
**RE:** Administrative Review – Hiawatha Blvd West Subdivision  
**RECOMMENDATION:** No Position

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

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**CASE NUMBER:** S-23-30  
**REFERRING BOARD:** City of Syracuse Planning Commission  
**DATE RECEIVED:** 9/28/2023  
**TYPE OF ACTION:** Lot Line Adjustment  
**APPLICANT:** Michael Mammolito (Destiny USA)  
**LOCATION:** 301 and 311 Hiawatha Boulevard West  
**WITHIN 500' OF:** Interstate 81  
**TAX ID(s):** 116.-02-01.0, 116.-02-02.0

### Project Summary:

The applicant is proposing a lot line adjustment between two parcels adjacent to Desitny USA mall in the City of Syracuse. The two parcels totaling 10.7 acres contain an Embassy Suites hotel, the hotel parking, and parking associated with the adjacent shopping center. The proposed lot line adjustment would place the hotel and its parking on proposed lot H (5.421 acres) and shopping center parking and its associated access road on proposed lot P (5.315 acres). There is no other work proposed. The hotel would maintain its access to Hiawatha Blvd W and the shopping center parking would maintain access via an internal access road to Hiawatha Blvd W and to Solar St via neighboring parcel under the same ownership.

**Recommendation:** No Position


# ONONDAGA COUNTY

## DEPARTMENT OF PLANNING



J. Ryan McMahon, II  
County Executive

Daniel Kwasnowski, AICP  
Planning Director

**TO:** Members, City of Syracuse City Planning Commission  
**FROM:** Dan Kwasnowski, AICP, Director   
Onondaga County Department of Planning (OCDOP)  
**DATE:** 10/5/2023  
**RE:** Administrative Review – Cuse Cars Resubdivision  
**RECOMMENDATION:** No Position with Comment

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

These actions, determined as being generally routine in nature with minimal and/or well-understood intercommunity or countywide concerns, are listed within the Rules of Procedure, and at this website: <http://www.ongov.net/planning/ocpbpreferableactions.html>.

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**CASE NUMBER:** S-23-31  
**REFERRING BOARD:** City Syracuse City Planning Commission  
**DATE RECEIVED:** 9/28/2023  
**TYPE OF ACTION:** Resubdivision  
**APPLICANT:** Pierce Michael  
**LOCATION:** 1221-1223 and 1227 West Genesee Street  
**WITHIN 500' OF:** Harbor Brook (county-owned drainage channel)  
**TAX ID(s):** 108.2-06-02.0 and 108.2-06-03.0

### Project Summary:

The applicant is proposing the combination of two lots, totaling 0.67 acres, under the same ownership to remove a property line that bisects two adjacent, attached buildings. The site is on West Genesee Street near its intersection with Sackett Street. The buildings are listed on the Subdivision map dated 8/21/23 as a single one-story concrete block building. Asphalt covers the remainder of the lot not covered by the irregularly shaped building. It is noted on the EAF that the “two portion of building construction have shared structural components and insufficient fire-resistance construction.”

No building changes are currently proposed. Two catch basins are shown on the Subdivision Map, one adjacent to the building and the other in the middle of the asphalt area. Per aerial imagery from May 2021, another adjacent lot also contains a buildings attached to these buildings, but under different ownership. No changes are proposed.

**Advisory Note:** The site is located within the Harbor Brook Drainage District, which requires Onondaga County Department of Water Environment Protection review for any work on site affecting stormwater.

**Recommendation:** No Position with Comment

The City is encouraged to require more formal delineation of permissible parking accommodations on site. Aerial photography shows cars encroaching into pedestrian pathways and sidewalks along both road frontages and within the Sackett Street right-of-way. Reintroduction of sidewalks along Sackett Street is also encouraged.

# ONONDAGA COUNTY


## DEPARTMENT OF PLANNING



J. Ryan McMahan, II  
County Executive

Daniel Kwasnowski, AICP  
Planning Director

**TO:** Members, Town of Van Buren Town Board

**FROM:** Dan Kwasnowski, AICP, Director   
Onondaga County Department of Planning (OCDOP)

**DATE:** 10/5/2023

**RE:** Administrative Review –  
Town of Van Buren Solar Farm Moratorium

**RECOMMENDATION:** No Position with Comment

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

These actions, determined as being generally routine in nature with minimal and/or well-understood intercommunity or countywide concerns, are listed within the Rules of Procedure, and at this website: <http://www.ongov.net/planning/ocpbpreferableactions.html>.

**CASE NUMBER:** Z-23-249

**REFERRING BOARD:** Town of Van Buren Town Board

**DATE RECEIVED:** 9/21/2023

**TYPE OF ACTION:** Local Law

**APPLICANT:** Town of Van Buren Town Board

**LOCATION:** Town of Van Buren

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

### Project Summary:

The applicant is proposing a three (3) month extension to the Local Law imposing a twelve (12) month moratorium on the siting, placement, installation, construction, erection, and enlargement solar farms within the Town of Van Buren. The proposed expiration date of the moratorium would now be 1/6/2024.

The purpose of the proposed local law is to “extend the moratorium on the further growth and development of solar farms in the Town of Van Buren while the Town undertakes a review of its Comprehensive Plan and/ or land use regulations which are intended to, in part, address such new circumstances not addressed by its current law”. The local law provides the following definition for “solar farms”: “a Solar Energy System or collection of Solar Energy Systems or area of land principally used to convert solar energy to electricity, whether by photovoltaics, concentrating solar thermal devices or various experimental solar technologies, with the primary purpose of supplying electricity to a utility grid for wholesale or retail sales of electricity to the general public or utility provider”.



Solar farms which have previously been approved or are located on Town-owned property are excluded from the moratorium. Property owners affected by this local law may apply to the Town Board for relief and must demonstrate unusual hardship which would deprive the owner of all reasonable use of the lands involved; an application for relief may be referred to the Town Planning Board for advice and recommendations, but the request will ultimately be decided on by the Town Board.

**Recommendation:** No Position with Comment

The municipality is encouraged to consult with the CNY RPDB Energy Management office regarding best practices for regulating solar energy systems prior to enacting new solar regulations. The municipality is also encouraged to review the OCDOP website for local and state resources that offer best practices for regulating solar energy systems:

<http://www.ongov.net/planning/solar101.html>


# ONONDAGA COUNTY

## DEPARTMENT OF PLANNING



J. Ryan McMahon, II  
County Executive

Daniel Kwasnowski, AICP  
Planning Director

**TO:** Members, City of Syracuse City Planning Commission  
**FROM:** Dan Kwasnowski, AICP, Director   
Onondaga County Department of Planning (OCDOP)  
**DATE:** 10/5/2023  
**RE:** Administrative Review – Avery Avenue Site Plan  
**RECOMMENDATION:** No Position with Comment

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

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

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

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

### Project Summary:

The applicant is proposing to open a corner store in an existing building at the corner of Avery Avenue and Chemung Street in Syracuse, in a primarily residential neighborhood. The building has been used as a corner store previously, but has been vacant for years.

The site is a corner lot in a residential neighborhood with a single-story masonry building situated at the corner property boundary. The remainder of the parcel is paved with asphalt, including pedestrian ways along both street frontages. The applicant has proposed to replace existing doors and storefront framing, install new wall mounted exterior lights, and paint the exterior of the building. No changes within the right-of-way are proposed.

### Advisory Note(s):

Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required due to an anticipated increase in use; additionally, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal

**CASE NUMBER:** Z-23-268  
**REFERRING BOARD:** City of Syracuse City Planning Commission  
**DATE RECEIVED:** 10/2/2023  
**TYPE OF ACTION:** Site Plan  
**APPLICANT:** Sanjay Patel  
**LOCATION:** 1101-1107 Avery Avenue  
**WITHIN 500' OF:** Town of Geddes  
**TAX ID(s):** 113.-13-14.0

engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>.

**Recommendation:** No Position with Comment

1. The City may wish to elevate this application to the City Planning Commission for major site plan review given the potential impact to community character.
2. Every municipal review provides the opportunity to improve community appearance and the applicant may wish to work with the City to delineate permissible driveways and parking on the parcel, restore concrete sidewalks along both road frontages, and enhance the right-of-way with street trees and planting strips.