



Onondaga County Planning Board

November 19, 2014

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

<u>I. ATTENDANCE</u>	<u>STAFF PRESENT</u>	<u>GUESTS PRESENT</u>
<u>MEMBERS</u>		
Douglas Morris	Megan Costa	Bill Fisher
Robert Jokl	Gilly Cantor	
Daniel Cupoli	Andrew Maxwell	
Robert Antonacci	Robin Coon	
Brian Donnelly		
Chester Dudzinski, Jr.		

II. CALL TO ORDER

The meeting was called to order at 11:00 AM on November 19, 2014

III. MINUTES

Minutes from October 29, 2014 were submitted for approval. Daniel Cupoli made a motion to accept the minutes. Chester Dudzinski seconded the motion. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.

The OCPB voted unanimously to approve the 2015 OCPB Calendar

IV. ACTIONS ON GML SECTION 239 REFERRALS

Summary

S-14-88	No Position With Comment	S-14-89	Modification	S-14-90	No Position With Comment
S-14-91	No Position With Comment	S-14-92	No Position With Comment	S-14-93	Modification
Z-14-396	Modification	Z-14-397	Modification	Z-14-399	No Position
Z-14-401	No Position	Z-14-402	Disapproval	Z-14-403	Modification
Z-14-404	Disapproval	Z-14-405	Extension Granted	Z-14-406	No Position With Comment
Z-14-407	No Position	Z-14-408	No Position With Comment	Z-14-409	No Position With Comment
Z-14-410	Modification	Z-14-411	No Position With Comment	Z-14-412	Modification
Z-14-413	Modification	Z-14-414	Disapproval	Z-14-415	No Position With Comment
Z-14-416	No Position With Comment				



Joanne M. Mahoney
COUNTY EXECUTIVE

Onondaga County Planning Board

ONONDAGA COUNTY PLANNING BOARD 2015 CALENDAR

<u>FILE BY:</u>	<u>FOR MEETING ON:</u>	<u>FILE BY:</u>	<u>FOR MEETING ON:</u>
Friday, January 9, 2015	Wednesday, January 21, 2015	Friday, July 17, 2015	Wednesday, July 29, 2015
Friday, January 30, 2015	Wednesday, February 11, 2015	Friday, August 7, 2015	Wednesday, August 19, 2015
Friday, February 20, 2015	Wednesday, March 4, 2015	Friday, August 28, 2015	Wednesday, September 9, 2015
Friday, March 13, 2015	Wednesday, March 25, 2015	Friday, September 18, 2015	Wednesday, September 30, 2015
Friday, April 3, 2015	Wednesday, April 15, 2015	Friday, October 9, 2015	Wednesday, October 21, 2015
Friday, April 24, 2015	Wednesday, May 6, 2015	Friday, October 30, 2015	Tuesday, November 10, 2015*
Friday, May 15, 2015	Wednesday, May 27, 2015	Friday, November 20, 2015	Wednesday, December 2, 2015
Friday, June 5, 2015	Wednesday, June 17, 2015	Friday, December 11, 2015	Wednesday, December 23, 2015
Friday, June 26, 2015	Wednesday, July 8, 2015		

* Note Tuesday meeting date due to holiday

MEETINGS ARE HELD AT 11:00 A.M. AT THE
SYRACUSE-ONONDAGA COUNTY PLANNING AGENCY CONFERENCE ROOM
11TH FLOOR, JOHN H. MULROY CIVIC CENTER

The following items are required for a referral to be considered complete:

1. A fully completed Referral Notice prepared by an appropriate municipal official.
2. A copy of a local application as required by the referring municipal board.
3. A survey, site plan and/or subdivision plan.
4. A completed Environmental Assessment Form (new version as of October 7, 2013) and related materials.
5. Any additional information that would facilitate review of the proposed action.

Please submit all referral items in one package. The 30-day review period will not begin until the Onondaga County Planning Board has received a complete referral, as listed above. The Onondaga County Planning Board will act within 30 days of receipt unless a time extension beyond 30 days is agreed upon by the Onondaga County Planning Board and the referring municipal board.

Onondaga County Planning Board Members

Douglas Morris, Chair
Robert Antonacci
Robert Jokl

Daniel Cupoli, Vice Chair
Brian Donnelly
Chester Dudzinski, Jr.

11 / 19 / 2014

1100 Civic Center, 421 Montgomery Street, Syracuse, NY 13202
(315) 435-2611, Fax (315) 435-2439
E-mail: countyplanning@ongov.net



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # S-14-88

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the City of Syracuse Planning Commission at the request of Special Properties, LLC for the property located at 501-11 & 513-39 Hiawatha Boulevard East / 118 Tex Simone Drive; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of NBT Bank Stadium, a county-owned parcel; and
- WHEREAS, the applicant is proposing to combine three parcels into one 2.207-acre lot in an Industrial Class A (IA) zoning district; and
- WHEREAS, the Preliminary Plan shows proposed New Lot 501 to contain an existing one-story 59,471 square foot metal building surrounded by gravel and asphalt areas; the city application dated October 16, 2014 states the lots are being combined for improvements to the existing warehouse building and parking/loading; and
- WHEREAS, the plan shows the proposed lot with frontage on Second North Street, East Hiawatha Boulevard, and Tex Simone Drive, all city streets; the plan shows one access point each on East Hiawatha Boulevard and Second North Street leading to the building, and one driveway each on East Hiawatha Boulevard and Tex Simone Drive leading to a gravel area; and
- WHEREAS, the Environmental Assessment Form states: "According to the NYSDEC Environmental Resource Mapper, the site is located within the 100' Buffer Wetland Checkzone of wetland SYW-11."; and
- WHEREAS, the EAF indicates the proposed action is located in an archeological sensitive area, and notes: "Although the site is located in the ASA, the application is for resubdivision and there is no proposed site disturbance."; and
- WHEREAS, the EAF further indicates the site of the proposed action or an adjoining property has been the subject of remediation (ongoing or completed) for hazardous waste, and notes that "there are no ongoing or complete remediation actions within the property area"; and
- WHEREAS, the site is served by public water and sewer and is located in the Metropolitan Wastewater Treatment Plant service area; and
- WHEREAS, the plan shows asphalt sidewalks along a portion of East Hiawatha Boulevard; per aerial photography, the site is located between NBT Bank Stadium, other industrial buildings and commercial buildings, and several residential properties with minimal buffering; and

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

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

1. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.
2. Every municipal review provides the opportunity to improve community appearance, and the applicant and city are encouraged to consider visual and noise impacts on neighboring residences as part of any plans to improve the building, parking/loading areas, and overall site. In particular, the applicant and city may wish to consider adding landscaping and other natural buffering along the East Hiawatha Boulevard frontage.

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # S-14-89

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the Town of LaFayette Town Board at the request of Dale Walburger for the property located on Naughton Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of Naughton Road and Still Meadows Road, both county roads, and a farm operation in an agricultural district; and
- WHEREAS, the applicant is proposing to subdivide a 4.365-acre parcel into two lots, Lot 1-A (2.365 acres) and Lot 1-B (2 acres), in an Agricultural-Residential (AR) zoning district; and
- WHEREAS, the Final Map dated October 13, 2014 shows proposed Lot 1-A contains an existing house, barn, and several sheds, and shows proposed Lot 1-B as vacant; and
- WHEREAS, the map shows proposed Lot 1-A with frontage and one existing driveway on Naughton Road, which must meet the requirements of the Onondaga County Department of Transportation; the plan shows proposed Lot 1-B with frontage on Naughton Road with no existing or proposed driveways; and
- WHEREAS, an Environmental Assessment Form dated October 21, 2014 was submitted with the referral; the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that land adjoining the site contains wetlands or other regulated waterbodies; and
- WHEREAS, proposed Lot 1-A is served by private water and septic and is located outside the Onondaga County Sanitary District; the Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service the proposed lots prior to Department endorsement of this subdivision plan; and
- WHEREAS, the Onondaga County Agricultural District map shows the site is located in New York State Agricultural District 1; aerial photography shows the site contains agricultural land and is adjacent to farmed properties; and

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

1. Per the Onondaga County Department of Transportation, access to Naughton Road for proposed Lot 1-B will be determined by the availability of sight distance, and the applicant is required to obtain a permit for any proposed driveways and prior to any proposed work within a county road right-of-way.

2. The Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service the proposed lots prior to Department endorsement of this subdivision plan.

The motion was made by Daniel Cupoli and seconded by Chester Dudzinski. The votes were recorded as follows: Douglas Morris - abstain; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # S-14-90

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Marcellus Planning Board at the request of Dorothy Graham for the property located at 3162 Falls Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of Falls Road and North East Townline Road, both county roads, and the municipal boundary between the Town of Marcellus and the Town of Onondaga; and
- WHEREAS, the applicant is proposing to subdivide a 0.987-acre parcel in a Residential (R1) zoning district in order to convey a 15' x 172' strip of land containing the neighbor's driveway and underground utilities to the adjacent 5.615-acre parcel; and
- WHEREAS, the Board is concurrently reviewing a Preliminary Subdivision referral (S-14-91) for the adjacent parcel to add the newly subdivided strip of land to that parcel; and
- WHEREAS, the Subdivision Map dated October 16, 2014 shows proposed Lot 2 (0.928 acres) contains an existing one story wood frame house and detached garage, and proposed Lot 1 (5.615 acres) contains an existing two-story wood frame house with detached garage, two sheds, and an above-ground pool; and
- WHEREAS, the map shows proposed Lot 2 has frontage and an existing asphalt driveway on Falls Road, and proposed Lot 2A (0.059 acres) has an existing gravel driveway (within a 15' ROW Ingress/Egress Easement) on Falls Road which leads to an existing two-story wood frame house on proposed Lot 1; both driveways must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, the map further shows a proposed new 15' ROW Ingress/Egress and Utility Easement on proposed Lot 2 that would be located adjacent to the subdivided driveway land; and
- WHEREAS, the Environmental Assessment Form dated October 17, 2014 notes lands adjoining the proposed action contain wetlands or other regulated waterbodies; and
- WHEREAS, the site is served by public water and private septic; and
- WHEREAS, per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten

days prior to any such hearing; and

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

The Town and applicant are advised to ensure appropriate agreements are in place for the new proposed easement.

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # S-14-91

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Marcellus Planning Board at the request of Mark Oberlender for the property located at 3158 Falls Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of Falls Road and North East Townline Road, both county roads, the municipal boundary between the Town of Marcellus and the Town of Onondaga, and a farm operation in an agricultural district; and
- WHEREAS, the applicant is proposing to add a newly subdivided 15' x 172' strip of land containing his driveway and underground utilities formerly part of the adjacent parcel to his existing 5.615-acre parcel in a Residential (R-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a Preliminary Subdivision referral (S-14-90) to subdivide the 15' x 172' strip of land from the adjacent 0.987-acre parcel; and
- WHEREAS, the Subdivision Map dated October 16, 2014 shows proposed Lot 2 (0.928 acres) contains an existing one story wood frame house and detached garage, and proposed Lot 1 (5.615 acres) contains an existing two-story wood frame house with detached garage, two sheds, and an above-ground pool; and
- WHEREAS, the map shows proposed Lot 2 has frontage and an existing asphalt driveway on Falls Road, and proposed Lot 2A (0.059 acres) has an existing gravel driveway (within a 15' ROW Ingress/Egress Easement) on Falls Road which leads to an existing two-story wood frame house on proposed Lot 1; both driveways must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, the map further shows a proposed new 15' ROW Ingress/Egress and Utility Easement on proposed Lot 2 that would be located adjacent to the subdivided driveway land; and
- WHEREAS, the Environmental Assessment Form dated October 17, 2014 notes lands adjoining the proposed action contain wetlands or other regulated waterbodies; and
- WHEREAS, the site is served by public water and private septic; and
- WHEREAS, the Onondaga County Agricultural District map shows the site is adjacent to a farmed property in New York State Agricultural District 2; and
- WHEREAS, per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred

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E-mail Address: countyplanning@ongov.net

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:

The Town and applicant are advised to ensure appropriate agreements are in place for the new proposed easement.

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # S-14-92

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Marcellus Planning Board at the request of Kevin Quinn for the property located at 4320 North West Townline Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of North West Townline Road, a county road, and the municipal boundary between the Town of Marcellus and the Town of Skaneateles; and
- WHEREAS, the applicant is proposing to combine two parcels (13.485 acres and 1.828 acres) into one 15.3-acre lot in a Residential (R-1) zoning district; and
- WHEREAS, the Preliminary Plat dated October 15, 2014 shows an existing two-story wood frame house on the larger parcel, and no structures on the smaller parcel; per the referral notice, the applicant has no plans for further development other than his existing residence; and
- WHEREAS, the plan shows the house has an existing gravel driveway on North West Townline Road, which must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, the Environmental Assessment Form dated October 17, 2014 notes lands adjoining the proposed action contain wetlands or other regulated waterbodies; the plan shows the approximate location of wetlands near the road frontage, per New York State Freshwater Wetlands Maps; and
- WHEREAS, the existing residence is served by public water and private septic; and
- WHEREAS, the Onondaga County Agricultural District map shows the site is adjacent to farmed properties in New York State Agricultural District 2; and
- WHEREAS, per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

Per the Onondaga County Department of Transportation, any future additional access to this site must be from Deer Path Road.

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E-mail Address: countyplanning@ongov.net

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # S-14-93

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the Town of Lysander Planning Board at the request of Joe Ehle for the property located on the north side of Doyle Road opposite Green Bough 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 Lysander and the Town of Salina; and
- WHEREAS, the applicant is proposing to subdivide an 84.4-acre parcel into two new lots, Lot No. 3 (3.067 acres) and Lot No. 2B (81.33 acres), in an Agricultural-Residential (AR-40) zoning district, in order to construct a single-family residence on Lot No. 3; and
- WHEREAS, the Board previously recommended No Position With Comment on a Subdivision referral (S-12-98) to divide a 2.86-acre lot containing an existing residence off the larger parcel; the Board advised planning for any potential future development of remaining lands including the location of streams, wetlands, and floodplains in order to identify feasible locations for road access, septic placement, well placement, and stormwater management facilities if necessary; and
- WHEREAS, the Final Plan dated August 25, 2014 shows proposed Lot No. 2B contains an existing frame house, and proposed Lot No. 3 as vacant; and
- WHEREAS, the plan shows proposed Lot No. 2B has frontage on the Seneca River and both proposed lots have frontage on Doyle Road; the plan shows two existing gravel driveways on Doyle Road, a local road, both of which serve the existing house on proposed Lot No. 2B and one of which crosses proposed Lot No. 3; and
- WHEREAS, the plan indicates that the majority of the northern/eastern portions of proposed Lot No. 2B are located within state wetlands and wetland adjacent areas per New York State Freshwater Wetlands Maps, and notes the National Wetland Inventory maps show federal wetlands in approximately the same location; per the U.S. Army Corps of Engineers, National Wetland Inventory Maps may not be used to confirm the presence/absence of federal wetlands on a given parcel of land; and
- WHEREAS, the plan shows the location of New York State Flowage Rights (per New York State Barge Canal Maps) and a 100 year flood plain zone in approximately the same location as the wetlands; the Town Zoning Code notes the NYSFE districts are located along the shore of the Seneca River and the Barge Canal over which the State of New York has acquired flowage easements, which are to protect the state against litigation if water levels rise above normal maximums and flood conditions occur; and

- WHEREAS, the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the Environmental Assessment Form dated September 25, 2014 states that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered; a permit may be required from the New York State Department of Environmental Conservation (NYS DEC) if the species is listed as endangered or threatened and the NYS DEC determines that the project may be harmful to the species or its habitat; and
- WHEREAS, the EAF further notes the proposed action is located in an archeological sensitive area; the New York State Department of Environmental Conservation Environmental Assessment Form Mapper further indicates that the site is located over, or immediately adjoining, primary and principal aquifers; and
- WHEREAS, the plan shows proposed Lot No. 2B is served by an existing septic system; the Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service proposed Lot No. 3 prior to Department endorsement of this subdivision plan; and
- WHEREAS, the town application notes there are existing water services (method not specified); and
- WHEREAS, per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; 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 Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service proposed Lot No. 3 prior to Department endorsement of this subdivision plan.

The motion was made by Daniel Cupoli and seconded by Chester Dudzinski. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-396

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Van Buren Planning Board at the request of Tessy Plastics Corporation for the property located at 7448 & 7474 State Fair 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 State Fair Boulevard (New York State Route 48), a state highway, and Obrien Road, a county road; and
- WHEREAS, the applicant is proposing to construct a 183,000 square foot warehouse addition to an existing manufacturing facility (Tessy Plastics) on two parcels totaling 58.54 acres in an Industrial A (IN-A) zoning district; and
- WHEREAS, the Board previously recommended Modification of a Subdivision referral (S-10-61) which created two new lots, including one of the subject parcels (031.-11.16), citing that access to State Fair Boulevard must meet the requirements of the New York State Department of Transportation; and
- WHEREAS, the Final Site Plan dated September 2014 shows tax parcel 031.-11-1.6 (34.38 acres) contains an existing 271,658 square foot metal and block building, the proposed addition with 25 rear loading docks, and parking in the front and side of the existing building; and
- WHEREAS, the plan shows tax parcel 031.-11-1.6 has frontage and one right-in only and one right-out only driveway on State Fair Boulevard, both of which must meet the requirements of the New York State Department of Transportation; the plan shows additional access points from the internal drive lane onto the adjacent parcel, which appears to be part of the overall facility, per aerial photography; and
- WHEREAS, the plan shows tax parcel 064.-02-19.1 (23.35 acres) contains vacant wooded land surrounded by residential parcels; the plan shows the parcel with two small pieces of frontage on Van Ness Road and one piece of frontage on State Fair Boulevard, all of which are located between existing residential properties; the plan further shows a landlocked parcel within the vacant subject parcel, and notes "Access easement to be provided for Woods tax parcel 064.-02-32.0"; aerial photography shows the landlocked parcel with an existing driveway on Van Ness Road North; and
- WHEREAS, the town application materials note that parking will be reduced from 83 to 79 spaces, that existing drive lanes will be modified and expanded to serve the addition, and that some tree clearing and land grading will take place to accommodate the expansion and stormwater management areas; and
- WHEREAS, the plan shows railroad tracks along the rear of the site (CSX NY Central Lines); per aerial photography, the Seneca River is located across the railroad

tracks; the Environmental Assessment Form dated September 22, 2014 indicates 14 acres will be physically disturbed by the project; the EAF notes: "A stormwater management basin is proposed to control the additional runoff associated with the expansion. The basin is sized to provide water quality and quantity protection, while meeting discharge rates of the pre-developed condition."; the EAF further notes: "Stormwater from the addition will be directed to proposed stormwater management areas prior to discharging toward the railroad bed to the northeast of the project. Ultimate discharge is to the Seneca River, approximately 650' to the northwest."; the plan shows an area behind the eastern corner of the proposed addition labeled "Limits of Stormwater Management Area"; and

- WHEREAS, the proposed project may disturb one acre or more of land and must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to the municipality and a Notice of Intent (NOI) to the DEC Bureau of Water Permits; the proposed project is located within a designated Municipal Separate Storm Sewer System (MS4) municipality, and the applicant must consult with the municipal engineer to ensure conformance of construction plans with the municipality's Storm Water Management Plan (SWMP) and submit a MS4 SWPPP Acceptance Form signed by the municipality to the New York State Department of Environmental Conservation Bureau of Water Permits; and
- WHEREAS, the EAF notes, "Per Phase I and II Environmental Site Assessment prepared by Triumvirate Environmental Inc., the adjoining property has been the subject of on-going environmental investigation for hazardous waste and petroleum contamination."; and
- WHEREAS, the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that land adjoining the site contains wetlands or other regulated waterbodies; the plan states there are no DEC wetlands on or within 100' of the site, per the DEC Environmental Mapper; and
- WHEREAS, the EAF Mapper notes that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered; a permit may be required from the New York State Department of Environmental Conservation (NYS DEC) if the species is listed as endangered or threatened and the NYS DEC determines that the project may be harmful to the species or its habitat; and
- WHEREAS, the EAF notes the proposed action is located in an archeological sensitive area; the EAF Mapper further indicates that the site is located over, or immediately adjoining, primary and principal aquifers; and
- WHEREAS, the site is served by public water and sewer and is located in the Baldwinsville-Seneca Knolls Wastewater Treatment Plant service area; per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and
- NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

1. The New York State Department of Transportation has determined that the applicant must complete 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 applicant must submit the traffic study to the Department for approval and complete any appropriate mitigation as may be determined by the Department.

2. The New York State Department of Transportation has determined that the applicant must complete a drainage study or Stormwater Pollution Prevention Plan (SWPPP) to meet Department requirements verifying that the proposed development would not create additional stormwater runoff into the State's drainage system and is required to first contact the Department to determine the scope of the study; the applicant must submit the drainage study to the Department for approval and complete any appropriate mitigation as may be determined by the Department.

The Board also offers the following comments:

1. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.

2. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.

3. Per the New York State Department of Environmental Conservation (NYS DEC), if a proposed project is in an area containing threatened or endangered species and/or associated habitats, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional NYS DEC Division of Environmental Permits office.

4. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.

The motion was made by Daniel Cupoli and seconded by Chester Dudzinski. The votes were recorded as follows: Douglas Morris - abstain; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-397

- 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 TEXT AMENDMENT from the Village of Liverpool Village Board at the request of Village of Liverpool for the property located Villagewide; 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 to amend Chapters 368 and 380 of the Code of the Village Of Liverpool relating to parking of commercial vehicles and trailers within the Village; and
- WHEREAS, per the proposed local law and the existing code, the definition of a commercial vehicle in Section 380-5(A) will no longer exclude passenger-sized vans, suburban vehicles, or pickup trucks when those vehicles are being used for commerce; the minimum size requirement of vehicles for the transportation of 10 or more passengers has also been eliminated from the definition; and
- WHEREAS, per Section 380-94 of both the existing and proposed code regarding parking area design standards for one- and two-family dwellings, residential properties in residential use districts may not "provide parking, storage, or a base of operations for commercial vehicles and support equipment" other than for deliveries to the premises; and
- WHEREAS, per the proposed law, an additional provision will be added to the parking standards for one- and two-family dwellings which will state: "Notwithstanding the foregoing, a company vehicle, such as a car, pick-up truck or van, driven and used by the owner or occupant of the property may be parked in the driveway or garage of such property, provided, however, that no such vehicle shall be more than (7') feet in height of seven (7') feet in width."; and
- WHEREAS, per the law, the recreational vehicle parking restrictions in Section 368-33 will be revised to further prohibit the parking of commercial vehicles and trailers "on or along any highway or upon any public property in the Village of Liverpool" with the exception of temporarily parked commercial vehicles for the purpose of a sale or delivery to an abutting property; and
- WHEREAS, per the Environmental Assessment Form and accompanying Narrative Description dated October 20, 2014, the Village of Liverpool Board of Trustees has determined that the amendments would not have any adverse impact on the environment; a resolution was included which notes the Village Board "renders a negative declaration for purposes of SEQR"; 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:

Per the Vehicle & Traffic Law, Section 1684, the Village must receive written approval from the New York State Department of Transportation on any ordinance, rule or regulation affecting parking on state highways maintained by the state.

The motion was made by Daniel Cupoli and seconded by Chester Dudzinski. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-399

- 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 MORATORIUM from the Town of Lysander Town Board at the request of Town of Lysander for the property located on Cold Springs Peninsula; 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 temporary moratorium on zone changes in the Agricultural Residential (AR-40) zoning district within the Cold Springs Peninsula; and
- WHEREAS, per the proposed local law, "no zone change applications shall be considered, and no zone changes shall be granted for properties in the Agricultural-Residential AR-40 zoning districts in the Town of Lysander pending a study of changes in zoning regulations and planning documents relating to the AR-40 zoning districts"; and
- WHEREAS, the proposed local law provides an option for the Town Board to "grant a temporary or permanent variance, with or without conditions... upon evidence to be submitted by the applicant of severe economic hardship"; and
- WHEREAS, per the resolution enacting the moratorium, "traffic, drainage and agricultural land protection concerns in the AR-40 zoning district and particularly on the Cold Springs Peninsula have been raised"; the resolution further notes that the Town Board is proposing "to consider possible changes to the Zoning Law and the Comprehensive Plan for the Town of Lysander in respect of the AR-40 zoning district" and thus "believes it is in the public interest to temporarily halt zoning changes for property in the AR-40 zoning district... while the Town Board considers new legislation and changes to plans for the AR-40 zones in the Town"; and
- WHEREAS, per the law, the moratorium would be in effect through May 15, 2015, with the possibility to "extend the moratorium in three (3) month intervals for not more than a total of an additional six (6) months by adopting a resolution before the expiration of the moratorium or extended expiration which includes a finding that additional time is necessary to complete the study or adopt changes"; and
- WHEREAS, the Town is currently working on a Comprehensive Land Use Plan update, and is anticipated to present the plan to the Town Board in the coming months for approval; and

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

The motion was made by Robert Antonacci and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Daniel Cupoli - yes; Chester Dudzinski - yes; Robert Antonacci - yes; Brian Donnelly - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-401

- 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 LaFayette Planning Board at the request of Alternative Power Solutions for the property located at 3100 Eager 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 Eager Road, a county road, and a farm operation in an agricultural district; and
- WHEREAS, the applicant is requesting a special permit to erect a 120' wind turbine at an existing residence on a 71.3-acre lot in an Agricultural-Residential (AR) zoning district; and
- WHEREAS, per Town Code, all windmills are subject to controlled site plan approval by the Town of LaFayette Planning Board; and
- WHEREAS, the town application notes the existing residence is not connected to public utilities and is solely reliant on solar power and a back-up generator; per the property owners, the amount of sun is limited between September and March and the back-up generator used during this time period is old, and thus they are requesting to install an off-grid 7.5 kW Excel-R model turbine; and
- WHEREAS, various aerial site maps submitted with the referral show the majority of the parcel, which includes an existing house and shed at the rear of the parcel surrounded by wooded land and farmland; the maps indicate the proposed windmill would be at least 160' from the house, and located 3,600' from the property's frontage on Eager Road, over 800' from the adjacent properties to the north and south, and 266' from the adjacent parcel to the east; and
- WHEREAS, the maps show an existing driveway on Eager Road, which must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, an Environmental Assessment Form dated October 21, 2014 was submitted with the referral; the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates the site contains a tributary of Butternut Creek and federal wetlands; per the U.S. Army Corps of Engineers, National Wetland Inventory Maps may not be used to confirm the presence/absence of federal wetlands on a given parcel of land; the applicant must obtain appropriate permits from the U.S. Army Corps of Engineers for any proposed development or drainage in federal wetlands on site; and
- WHEREAS, the site is served by private water and septic and is located outside the Onondaga County Sanitary District; the maps show the proposed wind turbine would be located 100' from an existing well, and over 175' from the existing septic area; and
- WHEREAS, the Onondaga County Agricultural District map shows the site is adjacent to a farmed property in New York State Agricultural District 4; other surrounding

parcels are primarily wooded land, farms, and residences; and

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

The motion was made by Robert Antonacci and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Daniel Cupoli - yes; Chester Dudzinski - yes; Robert Antonacci - yes; Brian Donnelly - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-402

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the Town of Clay Zoning Board of Appeals at the request of Cross of Christ Evangelical Lutheran Church for the property located at 8131 Soule Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Soule Road and Oswego Road (Old Route 57), both county roads; and
- WHEREAS, the applicant is requesting a use variance to allow temporary (4-5 month) housing for up to ten 5th wheel campers during construction of a proposed addition to an existing church (Cross of Christ Evangelical Lutheran Church) on a 2.6-acre lot in a Residential Agricultural (RA-100) zoning district; and
- WHEREAS, the Board previously reviewed two Site Plan referrals (Z-13-29 and Z-14-168) for different versions of the proposed addition to the church, first recommending Modification and then offering No Position With Comment on a proposal that had been reduced in scale, noting considerations for wastewater, green infrastructure, endangered species, and permits for work in the County right-of-way; and
- WHEREAS, per a conversation with the Town on November 6, 2014, temporary housing is not a permitted use in this district; per the Town, the temporary housing would be for out-of-town volunteers helping with the construction of the proposed addition and at this time no numbers have been submitted to demonstrate financial hardship; and
- WHEREAS, the Proposed Site Plan revised April 28, 2014 shows the cleared portion of the lot to contain an existing church building (2,028 square feet), the proposed building addition (2,524 square feet), a proposed addition to the existing parking lot (4,040 square feet of new pavement) for a total of 46 spaces (increased from 32), and an area of the parking lot designated to be used for temp housing; the remainder of the lot is shown to be wooded; and
- WHEREAS, the plan shows the site is located at the corner of Oswego Road and Soule Road and has an existing driveway on Soule Road, which must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, an Environmental Assessment Form (old version) dated October 24, 2014 was submitted with the referral; the Town is advised to ensure the applicant submits the new version of the Environmental Assessment Form prior to voting on this proposal, in order to meet State Environmental Quality Review (SEQR) requirements effective October 7, 2013; and
- WHEREAS, the New York State Department of Environmental Conservation Environmental Assessment Form Mapper notes land adjoining the site contains wetlands or other regulated waterbodies, that the site is located over, or immediately

adjoining, primary and principal aquifers, and that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, the existing church is served by public water and sewer and is located in the Oak Orchard Wastewater Treatment Plant service area in a pump station service area currently being diverted to the Wetzel Road Wastewater Treatment Plant; per the Town, the applicant has not yet specified plans for water or wastewater service for the proposed campers; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

WHEREAS, the Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per OCWA, a backflow prevention device (BFP) is required on water service immediately after meter (and before any taps off service to temporary housing, yard hydrants, etc.); see the OCWA website for BFP program requirements and contact the OCWA Engineering Department at (315) 455-7061 ext. 3165 for BFP device approval process; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends that said application be DISAPPROVED for the following REASON(S):

The Board discourages the Town from approving a use variance for a proposed use that is temporary in nature, and without having reviewed plans for water and wastewater service. Should the Town decide to approve the use variance, the Board recommends adding conditions to ensure adequate water and wastewater plans are in place for the proposed campers.

The motion was made by Daniel Cupoli and seconded by Robert Antonacci. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Chester Dudzinski - yes; Daniel Cupoli - yes; Robert Antonacci - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-403

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Clay Zoning Board of Appeals at the request of Jeff Passino for the property located at 9087 Oneida River Park Drive; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of the municipal boundary between the Town of Clay and the Town of Schroepfel and the county boundary between Onondaga County and Oswego County; and
- WHEREAS, the applicant is requesting area variances for front and side yard setbacks for a proposed renovation of an existing single-family residence on a 0.42-acre lot in a Residential Agricultural (RA-100) zoning district; and
- WHEREAS, per the referral notice, area variances are required for the front yard setback (34' requested, 75' required) and for the side yard setback (9' requested, 25' required); and
- WHEREAS, per the Environmental Assessment Form, the applicant is replacing a portion of the house and garage due to poor construction and foundation; and
- WHEREAS, the Location Survey dated June 25, 2014 shows the existing and proposed sections of the house and garage toward the front of the lot; another survey showing existing conditions shows the current two-story frame house and garage also have non-conforming setbacks (35.8' in the front yard, 10.1' in the side yard); and
- WHEREAS, the survey shows the lot is located along the Oneida River and has frontage and an existing gravel drive on Oneida River Park Drive, a local street; and
- WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that the rear half of this parcel is in a Special Flood Hazard Area (SFHA); the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that the site contains federal wetlands; per the U.S. Army Corps of Engineers, National Wetland Inventory Maps may not be used to confirm the presence/absence of federal wetlands on a given parcel of land; the applicant must obtain appropriate permits from the U.S. Army Corps of Engineers for any proposed development or drainage in federal wetlands on site; and
- WHEREAS, the EAF Mapper further indicates that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal

government as threatened or endangered, that the site is located over, or immediately adjoining, a principal aquifer, and that the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; and

WHEREAS, the referral notice states the site is served by private water and septic; the site is located in the Oak Orchard Wastewater Treatment Plant service area; and

WHEREAS, the Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property; and

WHEREAS, per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; 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 Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property.

The Board also offers the following comments:

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

2. The applicant is advised to conduct a formal wetland delineation to determine the presence and location of any federal wetlands on site, and any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. The applicant is also advised to obtain appropriate permits from the Corps for any proposed development or drainage into wetlands on site.

3. The Board discourages the Town from allowing expansion of non-conforming structures on undersized riverfront parcels utilizing septic systems, which often cannot meet on-site wastewater system standards for new construction.

The motion was made by Daniel Cupoli and seconded by Chester Dudzinski. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-404

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Clay Zoning Board of Appeals at the request of Bill Perkins / Church of Christ for the property located at 4268 Wetzel Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Wetzel Road, a county road; and
- WHEREAS, the applicant is requesting an area variance to reduce the number of parking spaces as part of a project to construct an addition to an existing church (Church of Christ) on a 1.57-acre lot in a One-Family Residential (R-7.5) zoning district; and
- WHEREAS, per the referral materials, 140 parking spaces will be required based on proposed square footage calculations, and the applicant is requesting a variance in order to provide 78 spaces on site; no site plan referral for the proposed addition was submitted at this time; and
- WHEREAS, the Variance Map dated July 7, 2014 shows an existing frame building (8,194 square feet) and the proposed attached addition (5,120 square feet) on the subject parcel, an existing detached church office building (1,383 square feet) on the adjacent parcel, and parking around the buildings on both parcels; and
- WHEREAS, the map shows the site has frontage and one existing driveway on Polaris Course, a local street, and frontage and two existing driveways on Wetzel Road, which must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, the referral materials note the church has been growing approximately 20% per year for the past three years and needs a larger auditorium (400 seats proposed) in order to accommodate all current attendees in one service as well as future growth and expanded services to the community; and
- WHEREAS, the map states there will be 71 total off-site spaces; the referral materials note overflow parking is available along the property on Polaris Course as well as in the Wetzel Road Elementary School parking lot; an email from the Superintendent of Liverpool Schools was included noting an agreement had been reached with the church; the site is located across from the elementary school, however there are no sidewalks, crosswalks, or pedestrian pathways in the area, per aerial photography; the Town and applicant are advised that legal agreements should be in place with the Liverpool School District for any shared parking and pedestrian access arrangements, and that permits are required prior to any proposed work within a county road right-of-way; and
- WHEREAS, the Environmental Assessment Form dated October 22, 2014 notes the proposed action will create storm water discharge, and that drainage will be

directed to existing storm water systems; the applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820; and

WHEREAS, the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that land adjoining the site contains wetlands or other regulated waterbodies, that the site is located over, or immediately adjoining, primary and principal aquifers, and that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, the site is served by public water and sewer and is located in the Wetzel Road Wastewater Treatment Plant service area; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends that said application be DISAPPROVED for the following REASON(S):

The applicant has not shown a workable off-site parking plan that includes accommodations for safe crossing and walking on Wetzel Road, pedestrian pathways outside of the right-of-way, or a strategy to minimize pressure on Polaris Course.

The motion was made by Daniel Cupoli and seconded by Robert Jokl. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Daniel Cupoli - yes; Robert Jokl - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-405

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 Clay Town Board at the request of COR Verplank Road Company, LLC for the property located at Ver Plank Road and Dell Center 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 Ver Planck Road, a county road; and

WHEREAS, the applicant is proposing a zone change from One-Family Residential (R-15) to Apartment (R-APT) on 58.32 acres of two parcels totaling 90.032 acres, in order to construct a 296-unit apartment complex to be built as a cluster subdivision in one phase (3-4 years) and to include a clubhouse, garages, and 749 parking spaces; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has obtained a EXTENSION from the referring municipality as commented below.

Per an email on November 17, 2014, the Town of Clay Director of Planning & Zoning has requested an extension on behalf of the applicant until the next Onondaga County Planning Board meeting on December 10, 2014.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-406

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PROJECT SITE REVIEW from the City of Syracuse Zoning Administration at the request of East Fayette Group, LLC for the property located at 712-714 East Fayette Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review authorizations which a referring body may issue under the provisions of any zoning ordinance or local law the site is located within 500 feet of Interstate Route 81, a state highway; and
- WHEREAS, the applicant is proposing modifications to a Project Site Review to demolish an existing building and construct a new mixed use commercial/residential building with parking in a Local Business Class A (BA) zoning district; and
- WHEREAS, the Board previously offered No Position With Comment on a Project Site Review referral (Z-14-251) and related Final Subdivision and Project Site Review referrals (S-13-68 and Z-13-282) for prior versions of this project, noting wastewater and enhanced walkability considerations; and
- WHEREAS, the city application states the applicant seeks to change the building from a shipping container construction with 42 apartments to a conventional framed structure with 39 apartments, still with retail space on the first floor; and
- WHEREAS, the Site Layout Plan dated October 17, 2014 shows the proposed new building with 11 angled parking spaces along the eastern side of the building and at least one additional space behind the building; and
- WHEREAS, the plan shows the site has frontage on East Fayette Street and Orange Alley which leads to Forman Avenue, all city streets, and a driveway (full entrance/exit) connecting Orange Alley and East Fayette Street (exit only) along the row of parking spaces; the exit onto Orange Alley is positioned such that it would only serve the rear parking area; and
- WHEREAS, the Environmental Assessment Form dated October 24, 2014 notes there will be roof drains and storm water collection on site, which includes pervious paving and an infiltration basin, and that storm pipes outlet to the public trunk sewer that runs down East Fayette Street; and
- WHEREAS, the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that the project is within 2,000 feet of sites in the New York State Department of Environmental Conservation Environmental Site Remediation database (B00003, C734111, V00502); the site is located across the street from a building on the National Register of Historic Places (Peoples' African Methodist Episcopal Zion Church); and
- WHEREAS, the site is served by public water and is located in the Metropolitan Wastewater Treatment Plant service area, in an area tributary to active combined sewer overflows; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

WHEREAS, the Onondaga County Department of Water Environment Protection has determined that the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); the project applicant is required to offset any additional sanitary flow in excess of the most recent land use; the applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer; a letter confirming the acceptance of the offset plan must be submitted to the Department of Water Environment Protection documenting the offset plan; and

WHEREAS, the Exterior Elevations revised October 29, 2014 show materials would consist largely of cement panel, limestone, and aluminum siding, with limited fenestration on street-facing facades; and

WHEREAS, the plan shows two proposed trees on the concrete curb along East Fayette Street, landscaping buffering the parking areas from the street, a rear lawn and snow collection area, and concrete paths leading to building entrances/exits; and

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

1. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
2. The City and applicant are encouraged to continue to work together to enhance urban design, walkability, and compatibility of streetscaping elements with adjacent projects, including the size and quantity of fenestration on the building facades.

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-407

- 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 Cicero Town Board at the request of Walrus Enterprises, LLC for the property located at 5565 Bartel Road; 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 Bartel Road and Miller Road, both county roads; and
- WHEREAS, the applicant is requesting a zone change from Residential (R-10) to General Commercial (GC) on 0.507 acres of two parcels totaling 4.317 acres that contain an existing convenience store (Nice-N-Easy); and
- WHEREAS, per the Environmental Assessment Form dated October 20, 2014, the applicant recently completed an administrative subdivision to combine three parcels into two new lots, and wishes to align the zoning for the whole site; and
- WHEREAS, the Proposed Zone Change Plan dated July 31, 2014 shows New Lot No. 2 to be vacant with a gravel area, New Lot No. 1 (2.531 acres) to contain an existing frame building (Nice-N-Easy) with accompanying gas pumps and canopies, and the area to be rezoned located primarily on New Lot No. 2 and partially on New Lot No. 1; and
- WHEREAS, the plan shows both lots have frontage on Kathan Road, a local street, and Bartel Road; New Lot No. 1 is shown to have one existing driveway on Kathan Road, and two existing driveways on Bartel Road, both of which must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, the plan also shows a 0.110-acre piece of land across Kathan Road that is indicated to be part of New Lot No. 1 and contains a freestanding sign for Nice-N-Easy; and
- WHEREAS, the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that land adjoining the site contains wetlands or other regulated waterbodies, that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered, and the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; and
- WHEREAS, the EAF notes the site of the proposed action has been the subject of remediation for hazardous waste; and
- WHEREAS, the site is served by public water and sewer and is located in the Brewerton Wastewater Treatment Plant service area; and

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

The motion was made by Robert Antonacci and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Daniel Cupoli - yes; Chester Dudzinski - yes; Robert Antonacci - yes; Brian Donnelly - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-408

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Cicero Planning Board at the request of Luigi Pascarella & Tracy Budzielek for the property located at 5867 New York State Route 31; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of New York State Route 31, a state highway, and Lake Shore Road, a county road; and
- WHEREAS, the applicant is proposing to open a motorcycle garage and retail establishment (Oil City Customs) in an existing vacant commercial building on a 4.77-acre lot in a General Commercial (GC) zoning district; and
- WHEREAS, the Site Plan certified on October 29, 2014 shows a landlocked parcel which contains an existing building to house a shop and a store, a concrete block building, a wood frame storage shed, a pole barn, an additional barn, a shed, and proposed parking areas (approximately 25 spaces); per aerial photography, the remainder of the lot is undeveloped; and
- WHEREAS, the plan states the space will be used for: the repair, inspection, and installation of parts on motorcycles and snowmobiles, the building of motorcycles, the sale of motorcycle and snowmobile apparel and accessories, and a sign business for the production of signs, banners, stickers, etc.; the plan further notes that "no motorcycles or snowmobiles (or any other items) will be stored outside for any reason"; and
- WHEREAS, the plan shows the site has access to an existing shared driveway on Route 31 that is located on a 60' right-of-way on the adjacent parcel to the west (Dunkin Donuts); per aerial photography, the subject parcel also has access to the McDonald's parcel to the south; and
- WHEREAS, an Environmental Assessment Form dated October 5, 2014 was submitted with the referral; and
- WHEREAS, the site is served by public water and sewer and is located in the Oak Orchard Wastewater Treatment Plant service area; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and
- WHEREAS, the plan shows the location of a proposed new 6' x 10' sign on the front of the store building, which is noted may be backlit with LED lights or may be an adjustable brightness neon sign; the plan also shows an existing freestanding 4' x 10' sign, which would be changed to display the business name and information; and

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

1. Per the New York State Department of Transportation, the Town is advised to ensure appropriate access agreements are in place for any shared driveways on Route 31.
2. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
3. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-409

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Cicero Planning Board at the request of Marshal Dix (All Season Landscaping) for the property located at 7173 New York State Route 31; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of New York State Route 31, a state highway; and
- WHEREAS, the applicant is proposing to construct a storage building at an existing lawn care business (All Season Landscaping) on a 6.54-acre lot in an Agricultural zoning district; and
- WHEREAS, the Site Plan dated October 16, 2014 shows the developed portion of the parcel contains an existing one-story frame garage, an existing open storage area (compost, fill, aggregate, stone block and pavers, equipment), an existing concrete bulk bin, and a proposed 3,800 square foot storage building with new gravel access and parking (0.36 acres disturbance); per plans and aerial photography, the remaining portion of the parcel contains a pond, patio, and gazebo, power lines within a Power Authority of State of New York Easement, and undeveloped mainly wooded land; and
- WHEREAS, the plan shows the site has frontage and an existing stone driveway on New York State Route 31, which must meet the requirements of the New York State Department of Transportation; plans further shows a 12' wide right-of-way running from the vacant adjacent landlocked parcel to the north to the driveway; and
- WHEREAS, the plan states no retail use shall be permitted and no signage is proposed as part of this application; and
- WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that the western portion of the parcel is in or near a Special Flood Hazard Area (SFHA); the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the Environmental Assessment Form dated October 17, 2014 notes the site contains wetlands or other regulated waterbodies; the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that the site contains state wetlands (CIC-12); the applicant must obtain appropriate permits from the New York State Department of Environmental Conservation for any proposed development or drainage in state wetlands and/or wetland buffers on site; and

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

WHEREAS, the site is served by public water and private septic, and is located in the Brewerton Wastewater Treatment Plant service area; the plan notes no water or sanitary sewer services are proposed as part of this application; and

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

1. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.
2. The applicant is advised to contact the New York State Department of Environmental Conservation to confirm the presence of state wetlands and/or the 100-foot state wetland buffer on this site, and obtain all necessary permits for proposed development or drainage in any confirmed wetlands and buffers and show them on the plans for the site.

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-410

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Cicero Planning Board at the request of ESW Realty, LLC for the property located at 6166 South Bay 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 South Bay Road and Thompson Road, both county roads; and
- WHEREAS, the applicant is proposing to demolish an existing commercial building (restaurant) and construct a new commercial building with a Dunkin Donuts and adjoining space for two tenants on a 1.33-acre lot in a General Commercial (GC) zoning district; and
- WHEREAS, the Demolition Plan dated September 30, 2014 shows the existing commercial building (3,000 square feet) and asphalt parking area to be demolished; the Site Layout Plan dated September 30, 2014 shows the proposed new building to contain a Dunkin Donuts (2,500 square feet) with drive-thru and patio, as well as two lease tenants (1,600 square feet each), and parking around the building with 57 proposed spaces (increased from 22 spaces); and
- WHEREAS, per plans and aerials, the site is located across the street from Gillette Road Middle School at the intersection of South Bay Road and Gillette Road, a local street, and has one existing driveway on each road; the site plan further shows an additional driveway proposed on Gillette Road which would lead to the drive-thru lanes at the rear of the building; any existing or proposed access to South Bay Road must meet the requirements of the Onondaga County Department of Transportation; the referral notice states the westerly Gillette Road driveway is less than the required 150' distance from a street line intersection and will require an area variance (none submitted at this time); and
- WHEREAS, the Environmental Assessment Form dated October 6, 2014 notes storm drain retention areas will be created to hold storm water until they discharge to existing storm drains around the site; the site plan shows several bioretention areas and stone diaphragms; and
- WHEREAS, if the proposed project cumulatively disturbs one acre or more of land, it must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity, and the applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to the municipality and a Notice of Intent (NOI) to the Bureau of Water Permits; the proposed project is located within a designated Municipal Separate Storm Sewer System (MS4) municipality and the applicant must consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP) and submit a MS4 SWPPP Acceptance Form signed by the municipality to the Bureau of Water Permits; and

- WHEREAS, the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that land adjoining the site contains wetlands or other regulated waterbodies; and
- WHEREAS, the site is served by public water and sewer and is located in the Oak Orchard Wastewater Treatment Plant service area; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and
- WHEREAS, the plan shows the locations of several proposed signs: entrance signs and exit signs at each driveway, a freestanding pylon sign near the intersection, and two drive-thru signs; sign details submitted with the referral show additional wall signs proposed for building facades (35.44 square feet front elevation, 21.31 square feet left elevation); the details indicate the signs will be internally illuminated, and the pylon sign will be 19'11" high with a Dunkin Donuts sign, an electronic message display sign for community announcements, and space for a future tenant sign; the referral also included Landscaping and Lighting plans; 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 contact the Onondaga County Department of Transportation at (315) 435-3205 to coordinate the width of the existing driveway on South Bay Road.
2. Per the Onondaga County Department of Transportation, any proposed additional access to South Bay Road is prohibited, and the applicant is required to obtain a permit from the Onondaga County Department of Transportation prior to any proposed work within a county road right-of-way.

The Board also offers the following comments:

1. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
2. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.
3. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.

4. The Board advises the Town and applicant to ensure the proposed eastern driveway aligns with the existing driveway serving Gillette Road Middle School.
5. The Board encourages the Town and applicant to improve walkability by incorporating sidewalks along South Bay Road and Gillette Road and including pedestrian connections between the site and Gillette Road Middle School.

The motion was made by Daniel Cupoli and seconded by Chester Dudzinski. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-411

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Cicero Planning Board at the request of Todd Loscombe for the property located at Orangeport Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Brewerton Road (Route 11), a state highway; and
- WHEREAS, the applicant is proposing to construct a 49-unit apartment complex with necessary drives, parking (including garages), a community building, and storm water facilities, on a vacant 7.31-acre lot in a Multiple Residential (RM) zoning district; and
- WHEREAS, the Board previously recommended Modification of an Area Variance referral (Z-14-146) to increase the building height to allow for three-story apartment buildings, citing considerations for endangered species, buffering for adjacent residential parcels, emergency vehicle access, interconnected roadways, sidewalks, wastewater, and green infrastructure; the Town of Cicero Zoning Board of Appeals denied the area variance request on May 5, 2014; and
- WHEREAS, the Sketch Plan dated September 19, 2014 shows two proposed buildings (one with 24 units and one with 25 units), a proposed office and community building, six garages (41 spaces), and parking areas around each building (70 for the apartments, 17 for the community building); per the referral materials and aerial photography, the site is currently vacant wooded land located between single-family homes to the west and commercial properties and Brewerton Elementary School to the east; and
- WHEREAS, the plan shows a proposed driveway on Orangeport Road, a local road, and a temporary turn-a-round easement near Walnut Hill Road, which does not show any connection to the proposed apartment complex; and
- WHEREAS, the plan shows a sanitary sewer easement, a 30' drainage easement, and a large drainage easement area at the southeastern corner of the site in the location of an existing storm water basin, per the Environmental Assessment Form dated March 21, 2014; the EAF further notes there may be a possible addition or modification of the existing storm water pond; and
- WHEREAS, the proposed project may disturb one acre or more of land and must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to the municipality and a Notice of Intent (NOI) to the DEC Bureau of Water Permits; the proposed project is located within a designated Municipal Separate Storm Sewer System (MS4) municipality, and the applicant must consult with the municipal engineer to ensure conformance of construction plans with the municipality's Storm Water Management Plan (SWMP) and submit a MS4 SWPPP Acceptance

Form signed by the municipality to the New York State Department of Environmental Conservation Bureau of Water Permits; and

WHEREAS, the Environmental Assessment Form states that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered; a permit may be required from the New York State Department of Environmental Conservation (NYS DEC) if the species is listed as endangered or threatened and the NYS DEC determines that the project may be harmful to the species or its habitat; and

WHEREAS, the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that the site contains tributaries of Oneida Lake and federal wetlands; per the U.S. Army Corps of Engineers, National Wetland Inventory Maps may not be used to confirm the presence/absence of federal wetlands on a given parcel of land; the applicant must obtain appropriate permits from the U.S. Army Corps of Engineers for any proposed development or drainage in federal wetlands on site; and

WHEREAS, the EAF Mapper further notes the project is within 2,000 feet of a site in the New York State Department of Environmental Conservation Environmental Site Remediation database (734112), and the project site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory; and

WHEREAS, the referral notice states the site has access to public water and sewer, and the site is located in the Brewerton Wastewater Treatment Plant service area; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

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

1. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
2. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.
3. Per the New York State Department of Environmental Conservation (NYS DEC), if a proposed project is in an area containing threatened or endangered species and/or associated habitats, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to

the regional NYS DEC Division of Environmental Permits office.

4. The applicant is advised to conduct a formal wetland delineation to determine the presence and location of any federal wetlands on site, and any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. The applicant is also advised to obtain appropriate permits from the Corps for any proposed development or drainage into wetlands on site.

5. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.

6. The plan should provide an adequate visual buffer between the project site and the adjacent residential parcels.

7. The Board advises the Town and applicant to ensure the proposed access meets the requirements of local emergency service providers.

8. The Board encourages the Town to consider the addition of sidewalks along Orangeport Road to serve this site and to begin to create connections to the Brewerton hamlet.

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-412

- 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 Fayetteville Planning Board at the request of Goodfellow Construction Management for the property located at North Burdick Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law and the site is located within 500 feet of North Burdick Street, a county road, and the municipal boundary between the Village of Fayetteville and the Town of Manlius; and
- WHEREAS, the applicant is requesting a zone change from Residential (R-2) and Open Land (O) to Planned Unit Development (PUD) on a 5.2-acre lot, in order to construct two retail buildings; and
- WHEREAS, the Board is concurrently reviewing a Project Site Review referral (Z-14-413) for this project; and
- WHEREAS, the site is located at the edge of the Village of Fayetteville, adjacent to undeveloped open land to the north, Limestone Creek to the east, residential properties to the south, and Fayetteville Towne Center across North Burdick Street to the west; the site is currently vacant and largely wooded; only the front half of the parcel is proposed for commercial development; and
- WHEREAS, the Concept Site Plan dated November 5, 2014 shows two retail buildings, perpendicular to the road and set back approximately 35 feet from the road edge; the northernmost building is labeled Retail # 3 (1,900 square feet) with parking and access configured to allow for a drive thru; the southern building is labeled Retail #2 (3,200 square feet) and Retail #1 (2,600 square feet), with rear parking; application materials cite a financial institution, restaurant, and retail as proposed tenants; and
- WHEREAS, the plan shows a single access driveway onto North Burdick Street to include a new signalized intersection (aligned with Fayetteville Town Center entrance) and median-separated entry with a single lane in and two lanes for outbound traffic; the driveway is shown to lead to the rear of the developed portion of the site, accessing rear parking lots for both proposed buildings; any existing or proposed access must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, per the plan, 69 parking spaces would be required for the proposed uses, where 90 spaces total are provided across the two parking lots; lighting would be located at the right-of-way entry to match ornamental lighting within the village; pedestrian accommodations shown on the plan include a proposed crosswalk across North Burdick Street (subject to Onondaga County Department of Transportation approval), sidewalks and trees along the road frontage, and internal to the site surrounding the proposed buildings and to

the rear of the site; and

WHEREAS, a "Welcome to Fayetteville" monument sign location, to be constructed utilizing limestone and featuring up-lighting and landscaping surrounding the sign, is indicated at the northwest corner of the site within an area labeled as within an Onondaga County road right-of-way taking area; signs within the right-of-way are subject to review and approval by the Onondaga County Department of Transportation; and

WHEREAS, the plan also shows the rear half of the site to include a small "Veterans Park" adjacent to the rear parking lots and a proposed 12-foot wide trailway easement that would lead through the existing forested area on the site to an existing trail network along Limestone Creek (the trail occurs on and off the subject parcel); Fietta Park and the Old Erie Canal Park are both located nearby, across Limestone Creek; and

WHEREAS, the site is located within the Meadowbrook-Limestone Wastewater Treatment Plant service area; per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

WHEREAS, the Onondaga County Department of Water Environment Protection has determined that the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); the project applicant is required to offset any additional sanitary flow in excess of the most recent land use; the applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer; a letter confirming the acceptance of the offset plan must be submitted to the Department of Water Environment Protection documenting the offset plan; and

WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that the site is entirely located within a FEMA floodplain; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, 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 Onondaga County Department of Transportation has determined that the applicant is required to complete a traffic study, including a gap analysis at AM/PM peak hours, for full build-out relating to the proposed action to

meet Department requirements and is required to first contact the Department to determine the scope of the study; the applicant must submit the traffic study to the Department for approval and complete any appropriate mitigation as may be determined by the Department. The Department notes that no additional access shall be permitted onto North Burdick Street.

2. The Onondaga County Department of Transportation has determined that the applicant must complete a drainage study or Stormwater Pollution Prevention Plan (SWPPP) to meet Department requirements verifying that the proposed development would not create additional stormwater runoff into the County's drainage system and is required to first contact the Department to determine the scope of the study; the applicant must submit the drainage study to the Department for approval and complete any appropriate mitigation as may be determined by the Department.

The Board also offers the following comments:

1. Per the Onondaga County Department of Transportation, signage may not obstruct sight distance, and a permit must be obtained for any work or sign installation within the county right-of-way.
2. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
3. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.
4. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.
5. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.
6. The applicant is encouraged to consider the addition of bicycle racks on the property, and consider a reduction in provided parking spaces or allocating "parking in reserve" for spaces exceeding village requirements.

The motion was made by Daniel Cupoli and seconded by Chester Dudzinski. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-413

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PROJECT SITE REVIEW from the Village of Fayetteville Planning Board at the request of Goodfellow Construction Management for the property located at North Burdick Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review authorizations which a referring body may issue under the provisions of any zoning ordinance or local law the site is located within 500 feet of North Burdick Street, a county road, and the municipal boundary between the Village of Fayetteville and the Town of Manlius; and
- WHEREAS, the applicant is proposing a Project Site Review to construct two retail buildings for three tenants (bank, restaurant and retail), as well as a “Future Veteran’s Park” and trailway easement to connect with existing nearby trail systems on a 5.2-acre lot; and
- WHEREAS, the Board is concurrently reviewing a Zone Change referral (Z-14-412) for this project, in order to change the zoning on the parcel from R-2 to Planned Unit Development (PUD); and
- WHEREAS, the site is located at the edge of the Village of Fayetteville, adjacent to undeveloped open land to the north, Limestone Creek to the east, residential properties to the south, and Fayetteville Towne Center across North Burdick Street to the west; the site is currently vacant and largely wooded; only the front half of the parcel is proposed for commercial development; and
- WHEREAS, the Concept Site Plan dated November 5, 2014 shows two retail buildings, perpendicular to the road and set back approximately 35 feet from the road edge; the northernmost building is labeled Retail # 3 (1,900 square feet) with parking and access configured to allow for a drive thru; the southern building is labeled Retail #2 (3,200 square feet) and Retail #1 (2,600 square feet), with rear parking; application materials cite a financial institution, restaurant, and retail as proposed tenants; and
- WHEREAS, the plan shows a single access driveway onto North Burdick Street to include a new signalized intersection (aligned with Fayetteville Town Center entrance) and median-separated entry with a single lane in and two lanes for outbound traffic; the driveway is shown to lead to the rear of the developed portion of the site, accessing rear parking lots for both proposed buildings; any existing or proposed access must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, per the plan, 69 parking spaces would be required for the proposed uses, where 90 spaces total are provided across the two parking lots; lighting would be located at the right-of-way entry to match ornamental lighting within the village; pedestrian accommodations shown on the plan include a proposed crosswalk across North Burdick Street (subject to Onondaga County

Department of Transportation approval), sidewalks and trees along the road frontage, and internal to the site surrounding the proposed buildings and to the rear of the site; and

WHEREAS, a “Welcome to Fayetteville” monument sign location, to be constructed utilizing limestone and featuring up-lighting and landscaping surrounding the sign, is indicated at the northwest corner of the site within an area labeled as within an Onondaga County road right-of-way taking area; signs within the right-of-way are subject to review and approval by the Onondaga County Department of Transportation; and

WHEREAS, the plan also shows the rear half of the site to include a small "Veterans Park" adjacent to the rear parking lots and a proposed 12-foot wide trailway easement that would lead through the existing forested area on the site to an existing trail network along Limestone Creek (the trail occurs on and off the subject parcel); Fietta Park and the Old Erie Canal Park are both located nearby, across Limestone Creek; and

WHEREAS, the is located within the Meadowbrook-Limestone Wastewater Treatment Plant service area; per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

WHEREAS, the Onondaga County Department of Water Environment Protection has determined that the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); the project applicant is required to offset any additional sanitary flow in excess of the most recent land use; the applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer; a letter confirming the acceptance of the offset plan must be submitted to the Department of Water Environment Protection documenting the offset plan; and

WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that the site is entirely located within a FEMA floodplain; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

WHEREAS, 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 Onondaga County Department of Transportation has determined that

the applicant is required to complete a traffic study, including a gap analysis at AM/PM peak hours, for full build-out relating to the proposed action to meet Department requirements and is required to first contact the Department to determine the scope of the study; the applicant must submit the traffic study to the Department for approval and complete any appropriate mitigation as may be determined by the Department. The Department notes that no additional access shall be permitted onto North Burdick Street.

2. The Onondaga County Department of Transportation has determined that the applicant must complete a drainage study or Stormwater Pollution Prevention Plan (SWPPP) to meet Department requirements verifying that the proposed development would not create additional stormwater runoff into the County's drainage system and is required to first contact the Department to determine the scope of the study; the applicant must submit the drainage study to the Department for approval and complete any appropriate mitigation as may be determined by the Department.

The Board also offers the following comments:

1. Per the Onondaga County Department of Transportation, signage may not obstruct sight distance, and a permit must be obtained for any work or sign installation within the county right-of-way.
2. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
3. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.
4. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.
5. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.
6. The applicant is encouraged to consider the addition of bicycle racks on the property, and consider a reduction in provided parking spaces or allocating "parking in reserve" for spaces exceeding village requirements.

The motion was made by Daniel Cupoli and seconded by Chester Dudzinski. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Robert Antonacci - yes; Daniel Cupoli - yes; Chester Dudzinski - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-414

- 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 Clay Planning Board at the request of LOK Development, LLC for the property located at 8073 & 8097 Morgan Road; 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 Morgan Road, a county road; and
- WHEREAS, the applicant is requesting a zone change from Residential Agricultural (RA-100) to One-Family Residential (R-10) on two parcels totaling 69.27 acres, in order to develop 110 single-family homes; and
- WHEREAS, the Board recently recommended Disapproval of a Zone Change referral (Z-14-330) to develop 80 single-family homes on a 41.89-acre portion of these parcels, citing: 1) reduced viability of the remaining lands as RA-100, 2) BOD capacity restraints in Oak Orchard, 3) a flow allocation/management plan requirement for the Towns of Clay and Cicero, 4) a requirement that the access point on Morgan Road must be at Waterhouse Road, 5) lot and roadway layout concerns given the environmental and zoning constraints of the site, 6) cluster or conservation subdivision considerations, 7) Mud Creek tributary access, and 8) conflicts between residential uses and adjacent railroad and industrial lands; and
- WHEREAS, the Board previously reviewed three Zone Change referrals (Z-11-47, Z-12-302, Z-13-39) for senior housing and associated development on these parcels, all of which were subsequently withdrawn at the Town level; the primary issues cited by the Board were regarding access road locations, traffic impacts, stormwater management, wastewater capacity, and undeveloped land maintenance, as well as concerns about the lack of pedestrian accommodations, cross connections, potential future local road networks, and mixed-use community features; and
- WHEREAS, the site is located in a suburban area with varied neighboring uses and zoning, including residential subdivisions with R-10 and R-7.5 zoning, an active railroad corridor, farmland and R-A zoning, and the Woodard Industrial Park; the Woodard Industrial Park includes a 500-foot industrial perimeter buffer which encroaches onto the subject parcels, and a Highway Overlay District also exists in this area; per Town Code, the purpose of the overlay district is to foster and maintain a balance between major highways or roads within the Town and private development on lands abutting these roads; and
- WHEREAS, per the Environmental Assessment Form dated November 6, 2014, the project is proposed to be built in four phases over approximately six years, with 20 lots built in the first phase; the Sketch Plan revised on November 6, 2014 does not show the proposed revisions to the lot layout but shows a revised road layout that would include two connections to Morgan Road, one at Waterhouse

Road and one approximately 800 feet south; per the Onondaga County Department of Transportation, connection to Morgan Road at the Waterhouse Road intersection must occur during the first phase of development, prior to any additional potential connections to Morgan Road further south; the plan shows the proposed new internal road network would include an extension of Bordeaux Avenue, a local street serving the Fairway East subdivision to the north, and a potential additional future connection to the Fairway East subdivision further to the east that does not align with the a 60' permanent right-of-way shown on the plan between the subject parcel and the subdivision to the north; the internal road network does not show potential future cross-connections to the south; and

WHEREAS, previously submitted plans showed a permanent right-of-way and drainage easement crossing the rear portion of some of the proposed lots, generally following the railroad tracks; per the new Environmental Assessment Form, 18 acres of impervious surfaces are proposed, and stormwater would be managed on site and ultimately directed to Mud Creek; the Onondaga County Department of Transportation would require a drainage study or Stormwater Pollution Prevention Plan as part of the Department's review; and

WHEREAS, per the EAF, the site will connect to public water; the water demand is anticipated to be 50,000 gallons per day, and OCWA water lines would be extended along proposed roads to serve home sites; the Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the EAF, the site will connect to public sewers and is located in the Oak Orchard Wastewater Treatment Plant service area; the wastewater generation is anticipated to be 36,000 gallons per day, and sanitary sewer lines would be extended along proposed residential streets at the subdivision stage if the zone change is granted; per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the Towns of Clay and Cicero have been advised to develop a mutually acceptable long-term capacity and flow allocation/management plan to allocate limited available capacity between the towns, with priority to commercial and industrial economic development; and

WHEREAS, the EAF notes the presence of federal wetlands on site (ACOE National – PFO1A) and that a permit will be required from the Army Corps of Engineers for the road crossing; aerial photography shows a small pond, which is shown on federal wetland maps, and a tributary of Mud Creek on site; the lot configuration shown on prior plans does not appear to bear relationship to the path of the creek; to the north of the site, the creek has been excluded from residential subdivision lots, and some parcels along the creek to the north are

owned by the Town of Clay; the applicant is advised to contact the U.S. Army Corps of Engineers and/or the New York State Department of Environmental Conservation to confirm the presence of federal and/or state wetlands, respectively, and/or the 100-foot state wetland buffer on this site, and obtain all necessary permits for any confirmed wetlands and buffers and show them on the plans for the site; and

WHEREAS, the EAF indicates that the site is located over, or immediately adjoining, primary and principal aquifers, and that that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered; the EAF further notes the amount of forested land will be decreasing from 26.1 acres to 4.4 acres; per the New York State Department of Environmental Conservation (NYS DEC), if a proposed project is in an area containing threatened or endangered species and/or associated habitats, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional NYS DEC Division of Environmental Permits office; and

WHEREAS, the Onondaga County Settlement Plan encourages the creation of traditional mixed-use communities that promote nodal development, interconnectedness, density that supports transit, and walkable neighborhoods with access to community facilities such as parks, schools, and libraries; the EAF notes pedestrian and bike connections are planned as part of this project; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends that said application be DISAPPROVED for the following REASON(S):

The Board does not endorse the proposed zone change until a coordinated land use, zoning, and infrastructure strategy is developed for the site, the corridor, and within the Oak Orchard Wastewater Treatment Plant service area. The Board encourages the Town to work to ensure that new housing developments in particular are fiscally sustainable, incorporate high-quality site planning, increase community connectivity, include location appropriate densities, and use limited infrastructure capacity wisely.

The Department of Water Environment Protection further advises that the Town must develop a mutually acceptable capacity and flow allocation/management plan, in concert with the Town of Cicero and Onondaga County, which would allocate available limited capacity within the Oak Orchard service area that gives priority to industrial and commercial economic development activities.

Specifically regarding the conceptual site plan submitted with the zone change application, the Town and applicant are encouraged to consider mixed-use zoning, clustering, and/or significant buffering of sensitive lands and waterways and to ensure vehicular and pedestrian cross-connections. The Town and applicant are further advised to adhere to associated protective overlay zoning and avoid land use conflicts with potential noise and truck activity associated with Woodard Industrial Park and to follow any requirements for access to Morgan Road.

The motion was made by Daniel Cupoli and seconded by Robert Antonacci. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Chester Dudzinski - yes; Daniel Cupoli - yes; Robert Antonacci - yes



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-415

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Skaneateles Planning Board at the request of Mark Congel / 5 Fires LLC for the property located at 3395 East Lake Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of New York State Route 41 (East Lake Road), a state highway; and
- WHEREAS, the applicant is proposing to repair the foundation of an existing shoreline structure at an existing residence on a 1.9 -acre lot in Rural and Farming and Lakefront Watershed Overlay (RF and LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing an Area Variance referral (Z-14-416) for the height of the repaired structure; per the referral notice, the maximum height allowed is 12' for a shoreline structure, whereas the proposal is to raise the structure from a non-conforming height of 15.5' to 19.5'; and
- WHEREAS, the Board previously offered No Position With Comment on an Area Variance referral (Z-14-177) to install an 8-foot high fence at the property, noting flood and wetland considerations; and
- WHEREAS, the Site Plan dated October 23, 2014 shows an existing two-story frame house, garage, bunk house, and boat house with dock; per the Pre-application Findings dated October 23, 2014, the applicant is proposing to excavate beneath the boat house to construct a new block foundation; and
- WHEREAS, the plan shows the site with frontage on Skaneateles Lake, and frontage and two driveways (one paved, one gravel) on 33' right-of-way; the findings note that entry to the property is via Firelane I, which connects to East Lake Road, per aerial photography; and
- WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that the portion of this parcel along Skaneateles Lake is in a Special Flood Hazard Area (SFHA); and
- WHEREAS, the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the Environmental Assessment Form dated October 24, 2014 notes a portion of the site or land adjoining the site contains wetlands or other regulated waterbodies; the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that the site may contain federal wetlands; per the U.S. Army Corps of Engineers, National Wetland Inventory Maps may not be used to confirm the presence/absence of federal wetlands on a given parcel of land; the applicant must obtain appropriate

permits from the U.S. Army Corps of Engineers for any proposed development or drainage in federal wetlands on site; and

WHEREAS, the site is served by private water and septic and is located outside the Onondaga County Sanitary District; and

WHEREAS, the findings note that the existing and proposed impermeable surface coverage is 13.5%, where the maximum allowed is 10%; and

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

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

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 19, 2014

OCPB Case # Z-14-416

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Skaneateles Planning Board at the request of Mark Congel / 5 Fires LLC for the property located at 3395 East Lake Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of New York State Route 41 (East Lake Road), a state highway; and
- WHEREAS, the applicant is requesting an area variance to raise the height of an existing shoreline structure at an existing residence on a 1.9 -acre lot in Rural and Farming and Lakefront Watershed Overlay (RF and LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a Site Plan referral (Z-14-415) for this project; and
- WHEREAS, the Board previously offered No Position With Comment on an Area Variance referral (Z-14-177) to install an 8-foot high fence at the property, noting flood and wetland considerations; and
- WHEREAS, per the referral notice, the maximum height allowed is 12' for a shoreline structure, whereas the proposal is to raise the structure from a non-conforming height of 15.5' to 19.5'; and
- WHEREAS, the Site Plan dated October 23, 2014 shows an existing two-story frame house, garage, bunk house, and boat house with dock; per the Pre-application Findings dated October 23, 2014, the applicant is proposing to excavate beneath the boat house to construct a new block foundation; and
- WHEREAS, the plan shows the site with frontage on Skaneateles Lake, and frontage and two driveways (one paved, one gravel) on 33' right-of-way; the findings note that entry to the property is via Firelane I, which connects to East Lake Road, per aerial photography; and
- WHEREAS, the current FEMA Flood Insurance Rate Maps (FIRM) indicate that the portion of this parcel along Skaneateles Lake is in a Special Flood Hazard Area (SFHA); and
- WHEREAS, the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the Environmental Assessment Form dated October 24, 2014 notes a portion of the site or land adjoining the site contains wetlands or other regulated waterbodies; the New York State Department of Environmental Conservation Environmental Assessment Form Mapper indicates that the site may contain

federal wetlands; per the U.S. Army Corps of Engineers, National Wetland Inventory Maps may not be used to confirm the presence/absence of federal wetlands on a given parcel of land; the applicant must obtain appropriate permits from the U.S. Army Corps of Engineers for any proposed development or drainage in federal wetlands on site; and

WHEREAS, the site is served by private water and septic and is located outside the Onondaga County Sanitary District; and

WHEREAS, the findings note that the existing and proposed impermeable surface coverage is 13.5%, where the maximum allowed is 10%; and

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

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

The motion was made by Robert Jokl and seconded by Daniel Cupoli. The votes were recorded as follows: Douglas Morris - yes; Brian Donnelly - yes; Robert Antonacci - yes; Chester Dudzinski - yes; Robert Jokl - yes; Daniel Cupoli - yes.