



Onondaga County Planning Board

November 20, 2019

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

I. ATTENDANCE

MEMBERS PRESENT

Daniel Cupoli
James Corbett
Lisa Dell
David Skeval
Jim Stelter
Marty Voss

STAFF PRESENT

Dan Kwasnowski
Megan Costa
Allison Bodine
Robin Coon

GUESTS PRESENT

II. CALL TO ORDER

The meeting was called to order at 11:00 AM on November 20, 2019.

III. MINUTES & OTHER BUSINESS

Minutes from October 30, 2019 were submitted for approval. James Corbett made a motion to accept the minutes. Jim Stelter seconded the motion. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes.

IV. ACTIONS ON GML SECTION 239 REFERRALS

Summary

S-19-88	TLafPB	No Position	S-19-89	TSpaPB	Modification
S-19-90	TSpaPB	No Position With Comment	S-19-91	TOnoPB	No Position
S-19-92	VJorPB	No Position With Comment	Z-19-330	CSyrPB	No Position
Z-19-331	VLivVB	No Position	Z-19-332	VSolVB	No Position
Z-19-333	TCamTB	No Position	Z-19-334	TCamTB	No Position With Comment
Z-19-335	CSyrZA	No Position	Z-19-336	VMarVB	No Position
Z-19-337	CSyrPB	No Position With Comment	Z-19-338	TCamTB	No Position
Z-19-339	TClaTB	Modification	Z-19-340	TClaZBA	No Position With Comment
Z-19-341	TGedZBA	No Position With Comment	Z-19-342	TGedPB	No Position With Comment
Z-19-343	CSyrPB	No Position	Z-19-344	TCicTB	No Position With Comment
Z-19-345	TSalPB	No Position With Comment	Z-19-346	TSalPB	No Position With Comment
Z-19-347	TSalPB	Modification	Z-19-348	TSalPB	Modification
Z-19-349	TSkaPB	No Position	Z-19-350	TSkaZBA	No Position
Z-19-351	TSkaPB	Modification	Z-19-352	TSkaPB	Modification
Z-19-353	TSkaPB	Modification	Z-19-354	TVanTB	No Position With Comment
Z-19-355	TVanTB	No Position	Z-19-356	TElbPB	Modification
Z-19-357	TDewPB	No Position With Comment	Z-19-358	TDewPB	No Position With Comment
Z-19-359	TClaPB	Modification	Z-19-360	TLysPB	Modification
Z-19-361	VNsyZBA	No Position With Comment			



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # S-19-88

- 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 FINAL SUBDIVISION from the Town of LaFayette Planning Board at the request of Anthony & Rebecca Ashley for the property located at 2398 Route 11A; 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 Route 11A, a state highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing a lot line adjustment to convey 0.038 acres from TM# 017.-02-08.0 to TM# 017.-02-09.0, in an Agricultural Residential zoning district; and
- WHEREAS, the site is located along NYS Route 11A with surrounding residential uses and large tracts of forested and agricultural land; and
- WHEREAS, the submitted subdivision map shows the smaller of the two subject parcels, TM #017.-02-09.0, contains an existing one-story house, a detached garage, a shed, and a wood deck; there is a shared gravel driveway onto Route 11A that partially occurs on an adjacent residential parcel to the north; aerial imagery shows TM #017.-02-08.0, to the south, is a larger lot with an existing house and driveway onto Route 11A at the southern end of the lot; the remainder of the lot is wooded; and
- WHEREAS, per the subdivision map, the proposed lot line movement will square off the smaller lot and add 0.038 acres of wooded land from the larger, southern parcel; per the local application, the smaller lot will increase in size from 0.25 acres to 0.288 acres; the larger lot will be 2.252 acres following the proposed subdivision; and
- WHEREAS, each existing house is served by an individual well and an individual septic system; no changes to the existing infrastructure are proposed; and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # S-19-89

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 1, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Spafford Planning Board at the request of Mike Moran for the property located at 2036 Pine Bluff; 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 a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 7.5-acre parcel into two new lots, Lot 1 (1.6 acres) and Lot 2 (5.45 acres), in a Residential Agricultural (RA) zoning district; and
- WHEREAS, the site is located on the eastern side of Skaneateles Lake with surrounding lakefront, residential uses; the site abuts a parcel enrolled in NYS Agricultural District 2, which appears to contain active farmland; and
- WHEREAS, the submitted subdivision map dated September 27, 2019 shows the site contains an existing house, a detached garage, a shed, and shoreline structures, including patio, steps, and a dock; there is a private drive, Pine Bluff, that serves the house and other adjacent residential lots and ultimately connects to East Lake Road, a state road, to the northeast; the private drive and its 30' right-of-way run along the northernmost lot line of the site and then generally east-west through the middle of the site; and
- WHEREAS, per the local application, the proposed subdivision is intended to create two building lots;
the subdivision map shows proposed Lot 1 (1.6 acres) will contain the existing house, garage, and shoreline structures and all of the lake frontage; proposed Lot 2 (5.45 acres) will contain the remainder of the site and the shed, to be relocated (presumably to Lot 1); a proposed 15' right-of-way is shown for the portion of the driveway on Lot 2 that serves the existing house; and
- WHEREAS, the existing house is served by an individual well and septic system, which are not depicted on the subdivision map; and
- WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the shoreline of the site is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

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 municipality must ensure all conditions are met and approvals are obtained from the City of Syracuse Water Department and Onondaga County Health Department prior to, or as a condition of, approving the proposed application.

The Board also offers the following comments:

1. The Town is advised to review the proposed subdivision in context of potential future build out of the site, including any possible future subdivision, to ensure septic viability for any future building lots and ensure legal access agreements are in place for shared driveways or lake rights.
2. The Board advises the Town to ensure proposed Lot 1 is within the maximum allowable coverage limits of the Town Zoning Code to prevent exceedances in impervious surface coverage in close proximity to the lake.
3. The applicant is encouraged to retain as much existing tree cover as possible to protect water quality, particularly along drainage ways and near the lake shoreline.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # S-19-90

- 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 Spafford Planning Board at the request of Skan-Tisco Holdings, LLC for the property located at 2856 Becker 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 a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 57.16-acre parcel into two new lots, Lot 1A (8.75 acres) and Lot 1B (48.41 acres), in a Residential Agricultural (RA) zoning district; and
- WHEREAS, the Board has reviewed several subdivision referrals involving this site, including a preliminary subdivision (S-15-82) in 2015 to subdivide 31.934 acres from a 139.7-acre parcel and then a preliminary subdivision in 2019 to create two new lots, Lot 1 (56.02 acres) and Lot 2 (55.11 acres) from the remaining lands of the 2015 subdivision; the proposed subdivision currently under review will further subdivide Lot 1 that was previously created; and
- WHEREAS, the site is located in a rural area in the Town of Spafford; the site and surrounding lands are enrolled in NYS Agricultural District 2 and appear to contain active farmland; lands directly to the south have recently been awarded with NYS funding for farmland conservation; these lands are to be preserved for agricultural use, and care should be taken to discourage activities on nearby lands that could threaten the viability of farming; and
- WHEREAS, the submitted subdivision plan dated October 29, 2019 shows the site has frontage on Becker Road, a local road, and contains an existing mobile home, two-story house, four barn structures, a shed, and four silos, all clustered towards the front of the site; there are two existing driveways on Becker Road; and
- WHEREAS, per the subdivision plan, proposed Lot 1A (8.75 acres) will contain the existing structures and the remainder of the site will be Lot 1B (48.41 acres); the submitted Agricultural Data Statement indicates the subdivision is intended to separate the housing and buildings from the existing lot so all good tillable land can be retained for the farm; proposed Lot 1A will be sold; no development plans are indicated; and
- WHEREAS, the site is served by private drinking water and wastewater services; the location of a well is shown on Lot 1A in the subdivision plan, though it is not clear if the existing well serves all of the structures; a septic system location is not shown in the plan; no changes to the existing infrastructure are indicated; and
- WHEREAS, GIS mapping shows the site may contain a small federal wetland area towards

the center of the site, to be contained on Lot 1A; and

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

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

The Board encourages the Town to consider the potential long-term effects of land fragmentation, large-lot, strip subdivisions along road frontages, and division of farmsteads and farmlands onto separate lots on the economic viability of agricultural lands, particularly within areas containing New York State Agricultural District properties and in farm/agricultural zoning districts and lands protected via NYS conservation easement programs. Potential conflicts with agricultural operations, changes to the rural character of the surrounding area, increases in public service demands and costs, reduction of open space and farmland, and impacts to road safety and mobility may cumulatively occur as a result of such subdivisions.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # S-19-91

- 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 FINAL SUBDIVISION from the Town of Onondaga Planning Board at the request of Joshua Rushlow for the property located at 3825 & 3837 Bussey 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 Bussey Road (Route 139), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide 6.07 acres into 2 residential lots, Lot 1 (2.05 acres) and Lot 2 (3.44 acres), in a Residential and Country (R-C) zoning district; and
- WHEREAS, the site is located in a rural area in the Town of Onondaga, with surrounding low-density, roadside residential land uses and tracts of forested land; the site and surrounding lands are enrolled in NYS Agricultural District 1; lands east of the site appear to contain active farmland; and
- WHEREAS, the submitted subdivision map shows the site has frontage on Bussey Road, a county road, and consists of two existing tax parcels, labeled Lot 1 and Lot 2; each tax parcel contains an existing house and an asphalt driveway; there is an existing cemetery, Browning Cemetery, that occurs at the northeast corner of Lot 2 and is contiguous with an adjacent parcel; and
- WHEREAS, per the subdivision map, the two tax parcels were previously subdivided and created without approval; the proposed subdivision is intended to correct that; and
- WHEREAS, each house is served by an individual well and septic system; no changes to the existing infrastructure are proposed; and
- WHEREAS, the site may contain the bald eagle, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); and

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

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # S-19-92

- 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 FINAL SUBDIVISION from the Village of Jordan Planning Board at the request of Robert Vitagliano for the property located at 49 South Main Street; 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 Hamilton Road (Route 271), a county highway, a farm operation located in a NYS Agricultural District, and the municipal boundary between the Village of Jordan and the Town of Elbridge; and
- WHEREAS, the applicant is proposing to subdivide a 1-acre lot from a 16.0-acre parcel to allow for construction of a single-family dwelling in a Residential zoning district; and
- WHEREAS, a referral was recently received for the proposed subdivision and determined to be an incomplete referral, lacking a sufficient subdivision plan; the subject referral currently under review includes additional information for the Board's review; in 2015, the Board offered no position for a preliminary subdivision referral (S-15-1) to subdivide a 39.143-acre parcel into two new lots, which ultimately created the subject parcel; and
- WHEREAS, the site is located at the southern edge of the Village of Jordan with surrounding residential land uses and pockets of undeveloped forest and agricultural lands; the site and several adjacent parcels are enrolled in NYS Agricultural District 3 and appear to contain active farmland; and
- WHEREAS, the submitted subdivision plan dated November 5, 2019 shows the site has frontage on South Hamilton Street and South Main Street, both village streets; Hamilton Street becomes Hamilton Road to the south and is owned by the county beyond the village boundary; the site contains multiple barn and farm structures that are located near the South Main Street frontage; there are three gravel farm access roads onto South Main Street and an active farm field adjacent to the structures; the site also contains a pond and vegetated areas; and
- WHEREAS, the subdivision plan shows proposed Lot 3 (1.01 acres) at the South Hamilton Street and South Main Street intersection, to be subdivided from the remainder of the site; the remaining lands, labeled Lot 2 (14.296 acres) will contain the existing farmland and structures; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated September 3, 2019 indicates the new lot is intended for a single-family dwelling, which is shown in a hand drawn plan to be roughly 40' x 58' in size; a proposed driveway onto South Main Street is also shown; and
- WHEREAS, per the EAF, any stormwater discharges will be directed to a water ditch which the land slopes to; and

- WHEREAS, the site is served by public water and septic and is located outside the Onondaga County Sanitary District; per the EAF, the proposed house will connect to existing drinking water services and wastewater treatment will be provided by septic; and
- WHEREAS, the site is located near the Jordan Village Historic District which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and
- WHEREAS, GIS mapping shows a potential federal wetland area that corresponds to the existing pond on-site; current FEMA Flood Insurance Rate Maps (FIRM) show Skaneateles Creek and its associated 100-year floodplain and floodway occur on parcels east of the site; and
- WHEREAS, ADVISORY NOTE: per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

The Board encourages the Town to consider the potential long-term effects of land fragmentation and large-lot, strip subdivisions along road frontages on the economic viability of agricultural lands, particularly within areas containing New York State Agricultural District properties and in farm/agricultural zoning districts. Potential conflicts with agricultural operations, changes to the rural character, increased public service demands and costs, reduction of open space and farmland, and impacts to road safety and mobility may cumulatively occur as a result of such subdivisions.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-330

- 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 OTHER AUTHORIZATION from the City of Syracuse Planning Commission at the request of Salt City Enterprises, Inc. for the property located 1014 & 1032-1040 North Geddes 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 and the site is located within 500 feet of Bear Street (Route 298), a state highway; and
- WHEREAS, the applicant is proposing a lot line adjustment between two properties creating New Lot 1004A (0.5221 acres) and New Lot 1004B (1.24 acres) in a Lakefront T-5 zoning district; and
- WHEREAS, in 2012, the Board offered no position with comment for special permit (Z-12-23, Z-12-24, Z-12-25) and zone change (Z-12-28) referrals as part of a larger project to redevelop four parcels, including one of the subject parcels, with a multi-tenant retail building, a multi-use field, and associated parking areas; the Board encouraged the City and applicant to be mindful of the intent of the Lakefront Master Plan for this area; the Board previously took no position with comment on a project site review referral (Z-11-344) for the project's building renovation, with comments regarding the Tourism Overlay district, walkability, a full site plan, and stormwater; and
- WHEREAS, the site is located in the City's Lakefront neighborhood in a transitioning former industrial area; surrounding land uses are commercial, industrial, vacant industrial, residential, and mixed use development adjacent to the New York State Barge Canal; and
- WHEREAS, the submitted subdivision map shows the site has frontage on North Geddes Street, a city street, and rear, limited frontage on Kirkpatrick Street, a city street; one of the parcels contains an existing building, which, per the local application, is a reconstructed two-story mixed use building approximately 10,150 sf in size; and
- WHEREAS, aerial imagery shows the other parcel is largely undeveloped and contains an existing asphalt driveway onto Kirkpatrick Street; the driveway serves an adjacent parcel that was recently redeveloped with a two-story office building; and
- WHEREAS, the subdivision map shows a strip of land will be conveyed from the vacant parcel to the developed parcel, creating proposed New Lot 1004A (0.5221 acres); the remainder of the vacant parcel, including the Kirkpatrick Street driveway, is shown as New Lot 1004B (1.24 acres); per the local application, the proposed lot line adjustment is intended for building access, moving the property line 15' north of the building footprint; and

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

WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse draft zoning map dated June 2019, the proposed zoning for the lots is Mixed Use Urban Core (MX-4), which would act to “provide for pedestrian-friendly, transit-supportive areas of higher-density residential development and a well-integrated mix of nonresidential uses”; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: V00222, C734088A, 734020, C734134, C734136) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-331

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Village of Liverpool Village Board at the request of Village of Liverpool for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local law J-2019 to amend Chapter 380 of the Code of the Village of Liverpool to add new regulations regarding Personal On Demand Storage (PODS); and
- WHEREAS, the proposed local law will amend § 380-110 (Outdoor Storage of Certain Materials), which, per the Village zoning ordinance, currently states: "The storage of garbage containing waste materials, rubbish and all types of refuse containers shall be separated from all adjoining lots or rights-of-way by a screening device not less than four feet in height or otherwise contained within an enclosed structure, except during such times as are designated for the removal of contents. No unpleasant or noxious odors are permitted beyond lot lines. Outdoor storage shall not be located within a required yard or transition area."; and
- WHEREAS, the existing text is listed as "A" in the proposed amendment and a new section, "B," is added to read as follows: "Personal on Demand Storage (PODS – or similar portable outdoor storage containers commonly used for moving and storage of personal property"; a new section, "C" is also added to read as follows: "Building materials of any kind shall not be collected nor allowed to accumulate on any property except in connection with an active building permit"; and
- WHEREAS, the proposed local law includes new regulations regarding the use of PODS, which are defined in the text amendment as "a portable shed, trailer, cargo container or similar storage facility that is capable of being loaded with materials and placed on a residential property for the purpose of storing materials"; and
- WHEREAS, new regulations will permit residents to have a PODS for 14 days without need of a permit as long as its use is to assist with the moving into or out of a dwelling; additional use of the PODS for up to 30 days is subject to a permit from the Codes Enforcement Officer; and
- WHEREAS, residents will be permitted to have a PODS for residential construction or renovation at a site, in conjunction with an active building permit; this use of the PODS is subject to a permit, which will run concurrent with the length of the active building permit; and
- WHEREAS, PODS will be permitted for up to 30 days without a permit, in the event of a catastrophe (fire, water, storm damage, or other similar occurrence); after the

30-day period, use of the PODS is subject to a permit from the Codes Enforcement Officer and will only be permitted in conjunction with a building permit; and

WHEREAS, PODS will not be permitted in the street, or in a driveway location that blocks a public sidewalk or obstructs the view at any driveway or street intersection; PODS placed in a front yard must be located within the established driveway; PODS placed in a side or rear yard are subject to lot line setback requirements; requirements may be waived by the Codes Enforcement Officer in the event of a catastrophe; and

WHEREAS, only one PODS unit will be permitted on a residential property at one time, unless justified by a catastrophe or building permit; a PODS permit fee will be established by the Village Board; and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-332

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Village of Solway Village Board at the request of Village of Solway Board of Trustees for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law No. E of 2019 to create Chapter 131, titled "Small Cell Wireless Deployment Requirements" of the Code of the Village of Solway; and
- WHEREAS, in September 2018, the FCC issued an Order to facilitate installation of small cells for 4G and 5G wireless service by implementing rules and interpretations that limit the impact of local zoning regulations on such installations; the Board is concurrently reviewing a local law referral (Z-19-336) from the Village of Marcellus, and recently reviewed local law referrals from other municipalities, the Village of Fayetteville (Z-19-91), Town of Manlius (Z-19-93), Village of Manlius (Z-19-166), and Town of Van Buren (Z-19-280), for local regulations relating to small cell wireless installations; and
- WHEREAS, proposed Chapter 131 is intended to regulate the placement of certain Wireless Communication Facilities in the Village of Solway and “provide objective, technically feasible criteria applied in a non-discriminatory manner that reasonably match the aesthetics and character of the immediate area”; a Communications Facility is defined in the Chapter as the collective equipment, including radio transceivers, antennas, coaxial, fiber-optic or other cabling, power supply, and comparable equipment, that enables cable service, information service or broadband, or telecommunications service; and
- WHEREAS, per the local law, “[t]his Chapter applies to the Public ROW but does not restrict the Village’s right to regulate Wireless Communication Facilities on non-Village owned property or outside of the Public ROW under the same terms and conditions set forth herein”; in the Chapter’s definitions, it states that the term Public ROW “does not include a federal interstate highway or other areas that are not within the legal jurisdiction, ownership or control of the Village”; and
- WHEREAS, per the Onondaga County and New York State Departments of Transportation, any work in the county or state right-of-way relating to the construction, installation or maintenance of wireless communications facilities will be subject to a work permit; approvals from other service providers or infrastructure owners in the right-of-way may be required as a condition of work permit approval; and
- WHEREAS, per the local law, “[p]rior to installing any Communications Facility in a Public ROW, or any Pole built for the sole or primary purpose of supporting a Communications Facility, or any Tower, a Person shall enter into a License

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

E-mail Address: countyplanning@ongov.net

Agreement (“License Agreement”) with the Village, which shall be filed with the Onondaga County Clerk’s Office, expressly authorizing use of the Public Right of Way for the Communications Facility, Pole or Tower proposed to be installed”; terms will be annual and renew automatically unless terminated by the Village upon 90 days written notice; the service provider shall keep and maintain \$1 million in liability insurance for each incident and a \$5 million umbrella policy; and

WHEREAS, per the local law, a ROW permit will be required for any construction, maintenance or performance of any work in the Public ROW related to Communications Facilities; ROW permits will not be issued without a License Agreement; the “permit does not authorize attachment to or use of existing Poles, Towers, Support Structures or other structures in the Public ROW; a Permittee or Provider must obtain all necessary approvals and pay all necessary fees from the owner of any Pole, Tower, Support Structure or other structure prior to any attachment or use”; and

WHEREAS, the proposed Chapter outlines the fees associated with installation of a Communications Facility; there is a \$500 Permit application fee for each application (up to 5) for a co-location of a Small Wireless Facility and \$100 for each additional facility; there is a \$1,000 permit application fee for a new pole; additional fees include, a License Agreement fee (\$340), ROW use fee (\$270 per year) for a Small Wireless Facility, and an attachment fee (\$500) for Small Wireless Facilities attached to property owned by the Village; per the local law, applicants may simultaneously submit up to 5 permit applications, or may file a single, consolidated application covering a batch of up to 20 facilities of a similar nature; no applicant will be permitted to submit more than one consolidated application over a 6-month period; and

WHEREAS, per the local law, the following uses will be permitted in the Public ROW, subject to administrative review and issuance of a permit by the Village: (i) Collocation of a Small Wireless Facility, (ii) Modification of a Pole, Tower or Support Structure or Replacement of a Pole for Collocation of a Communications Facility, (iii) Construction of a new Decorative Pole or a monopole Tower to be used for a Small Wireless Facility, and (iv) Construction of a Communications Facility; administrative reviews will not be available for consolidated applications or simultaneous applications for more than 5 Communication Facilities; and

WHEREAS, per the local law, other uses within the Public ROW or on private property that do not fall under the purview of administrative review will be subject to discretionary review and site plan approval by the Village Planning Board; as part of the site plan review process, the Planning Board shall consider: (i) the established design standards; (ii) the compatibility of further deployments and their potential impact on the surrounding neighborhood; (iii) the potential for Collocation of other Provider’s Communication Facilities; and (iv) the density fulfillment needs of the neighborhood; and

WHEREAS, per the local law, the Design Standards for Communication Facilities, Poles built for the sole or primary purpose of supporting Communications Facilities, or Towers will be adopted by the Village Board, and subject to change upon 30 days’ notice to an applicant and upon a majority vote of the Village Board; and

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

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-333

- 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 Town of Camillus Town Board at the request of Town of Camillus for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing to amend the Town of Camillus Zoning Regulations, Chapter 30, Section 1002 (B) regarding Required Buffer Strips; and
- WHEREAS, the Town zoning code has regulations for buffer strips and screening to separate and shield negative impacts of adjacent land uses; a buffer strip is defined as “a landscaped strip of land contiguous to a lot line and designed to visibly separate the use of one lot from another;” and
- WHEREAS, Section 1002: Required Buffer Strips (B) of the Town zoning code currently states: “A buffer strip twenty-five feet in width shall be provided upon all fixed zone non-residential lots which abut a fixed zone residential lot at the side or rear lot line. This buffer strip shall be in addition to any other required yard as specified in Article VI.”; and
- WHEREAS, this text will be amended to clarify that “[t]his 25-foot buffer requirement shall be measured in a straight perpendicular line from the side or rear yard line of the adjoining residential lot”; and
- WHEREAS, no parking areas, buildings, or other structures or paved areas except walks, walls or fences are permitted in any buffer strip; no storage or display of goods is permitted in any buffer strip; and
- WHEREAS, landscaping requirements for buffer strips include at least 2 trees and/or shrubs every 10 linear feet and grass, ground cover, or other vegetation covering the remainder of the buffer strip; vegetation must be planted according to accepted horticultural standards and must not interfere with on-site or off-site traffic visibility; and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-334

- 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 Camillus Town Board at the request of Rocklyn 3800, LLC for the property located at 105 Hunt Avenue; 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 West Genesee Street (Route 98 / Old Route 5), a county road, and Onondaga Road / New York State Route 173, a state highway and a county road to the north and south of West Genesee Street, respectively; and
- WHEREAS, the applicant is proposing a zone change from Residential (R-3) to Commercial (C-3) for a 0.25-acre parcel to allow future use in combination with an adjacent parcel; and
- WHEREAS, the site is located in the Fairmount neighborhood just north of the highly commercialized West Genesee Street corridor; land uses farther to the north and south of the corridor are primarily suburban residential housing; and
- WHEREAS, the submitted survey map shows the subject parcel has frontage on Hunt Avenue, a local road, and contains an existing one-and-a-half-story house with an attached garage and an existing asphalt driveway; per the local application, the existing house is a single-family rental unit; and
- WHEREAS, per the local application, the requested zone change to C-3 is intended to allow for a future combined use between the subject parcel and an adjacent commercial lot to the south, which is already zoned C-3; the commercial lot has frontage on Hunt Avenue and West Genesee Street, a county road, and contains a vacant one-story commercial building surrounded entirely by asphalt; the commercial lot has an existing driveway and sidewalk on West Genesee Street and unrestricted access to Hunt Avenue; and
- WHEREAS, the related adjacent commercial parcel along West Genesee currently extends a depth of approximately 185 feet, where most parcels along this stretch of the corridor measure 120-150 feet from West Genesee Street; the proposed combination of lots would encroach an additional 60 feet into the existing residential area, for a depth of 245 feet; and
- WHEREAS, the Town zoning code indicates the C-3 zoning district is “designed to accommodate a variety of shopping and commercial activities and are distinguished by generally perceived activity and aesthetic impacts” and permits agricultural land uses by right; the following uses are permitted upon approval of the Town Planning Board: administrative office, adult housing facility, appearance enhancement services, banking services, cemeteries, commercial indoor lodging, contractor’s services, emergency services, extended medical care facility, fraternal organizations, furniture sales, indoor commercial entertainment, indoor institutional, indoor sales uses, light

vehicle maintenance, outdoor commercial entertainment, outdoor recreational uses, outdoor sales uses, personal or professional service, public service and utilities, restaurant and tavern, and small restaurant; and

WHEREAS, aerial imagery shows the site is west across Hunt Avenue from an existing bank and abuts single-family residential uses to the north and west; no plans indicating the future use of the subject parcel were included with the referral materials; and

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

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

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

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, any future development of the site will be subject to a 1 gallon to 1 gallon sanitary flow offset plan/project unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses; 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 proposed zone change would extend commercial zoning further into the residential neighborhood than is typical for this portion of the corridor. The Board acknowledges the significant commercial presence along West Genesee Street, and on lands across from the existing house. However, continued encroachment of commercial zoning deeper into residential portions of neighborhoods can sometimes have destabilizing effects on nearby housing. The Board encourages the Town to carefully consider the proposed zone change in concert with an analysis of zoning along the corridor, to identify an appropriate scale and depth for commercial uses, and appropriate zoning and buffering options for these transitional parcels.

2. Should the municipality approve the proposed zone change, redevelopment of the subject parcel and adjacent commercial parcel will be subject to review by the Onondaga County Department of Transportation and should be coordinated by contacting the Department early in the planning process. The property owner is advised that any proposed or existing driveways on West Genesee Street must meet the Department's commercial driveway standards, and a new commercial use will likely necessitate a review of traffic and

drainage data by the Department.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-335

- 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 Troy Evans - Commonsplace Montgomery, LLC for the property located at 318-322 Montgomery Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of the Carnegie Building and the Onondaga County Courthouse, both county-owned facilities; and
- WHEREAS, the applicant is proposing new windows and a new entrance for an existing apartment building, Masonic Lofts, in a Central Business District - Office & Service (CBD-OS) zoning district; and
- WHEREAS, in 2006, the Board offered no position for a use variance referral (Z-06-300) to convert the subject building into an apartment building; and
- WHEREAS, the site is located in Downtown Syracuse near Columbus Circle, a city park; the site is part of the Montgomery Street-Columbus Circle Historic District, which is listed on the National Register of Historic Places; and
- WHEREAS, the submitted survey map shows the site has frontage on Montgomery Street, a city street, and contains an existing zero-lot-line, six-story building, formerly the Masonic Temple, a portion of which appears to fall on an adjacent parcel; there is an existing sidewalk along Montgomery Street; and
- WHEREAS, per the local application, the proposed project includes installation of new energy efficient windows, sprinkler system modifications, new storefront glazing to replace the main entry, and paint for the exterior building trim; the submitted floor plans indicate the project will include minor interior renovations to some of the existing apartments; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and
- WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse draft zoning map dated June 2019, the proposed zoning for this lot is Mixed Use Central Business District (MX-5), which would act to "provide for areas of highest-density, transit-supportive residential development, maximum building heights, minimal parking, and the greatest range and mix of uses"; and

WHEREAS, the site is located near the South Salina Street Historic District, Central New York Telephone and Telegraph Building, and St. Paul's Cathedral and Parish House, which have been listed on, or nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; the site or a portion of it is also located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

WHEREAS, the project is within 2,000 feet of a site (ID: 734060) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-336

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Village of Marcellus Village Board at the request of Village of Marcellus for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law No. 5 of the year 2019 to create Article II "Small Cell Wireless Deployment Requirements" of Chapter 231 Telecommunication of the Code of the Village of Marcellus; and
- WHEREAS, in September 2018, the FCC issued an Order to facilitate installation of small cells for 4G and 5G wireless service by implementing rules and interpretations that limit the impact of local zoning regulations on such installations; the Board is concurrently reviewing a local law referral (Z-19-332) from the Village of Solvay, and recently reviewed local law referrals from other municipalities, the Village of Fayetteville (Z-19-91), Town of Manlius (Z-19-93), Village of Manlius (Z-19-166), and Town of Van Buren (Z-19-280), for local regulations relating to small cell wireless installations; and
- WHEREAS, proposed Article II is intended to “ensure that the installation, augmentation and relocation of small cell installations are conducted in such a manner as to lawfully balance the legal rights of applicants under the Federal Telecommunications Act and New York State with the rights, safety, privacy, property and security of residents of the Village;” a Communications Facility is defined in the Article as the collective equipment, including radio transceivers, antennas, coaxial, fiber-optic or other cabling, power supply, and comparable equipment, that enables cable service, information service or broadband, or telecommunications service; and
- WHEREAS, the Findings indicate that the Village currently regulates wireless telecommunications facilities through zoning and the special use permit process, the primary focus of which is facilities located on private property; the proposed Article is intended to address small cell installations deployed in the public right-of-way; in the Article’s definitions, it states that the term Public ROW “does not include a federal interstate highway or other areas that are not within the legal jurisdiction, ownership or control of the Village”; and
- WHEREAS, per the local law, “[p]rior to installing any Communications Facility in a Public ROW, or any Pole built for the sole or primary purpose of supporting a Communications Facility, or any Tower, a Person shall enter into a Right of Way Agreement (“ROW Agreement”) with the Village expressly authorizing use of the Public Right of Way for the Communications Facility, Pole or Tower proposed to be installed”; terms will be annual and renew automatically unless terminated by the Village upon 90 days written notice; the service provider shall keep and maintain \$1 million in liability insurance for each

incident and a \$5 million umbrella policy; and

WHEREAS, per the local law, a ROW permit will be required for any construction, maintenance or performance of any work in the Public ROW related to Communications Facilities; ROW permits will not be issued without a ROW Agreement; the “permit does not authorize attachment to or use of existing Poles, Towers, Support Structures or other structures in the Public ROW; a Permittee or Provider must obtain all necessary approvals and pay all necessary fees from the owner of any Pole, Tower, Support Structure or other structure prior to any attachment or use”; and

WHEREAS, the proposed Article outlines the fees associated with installation of a Communications Facility; there is a \$500 Permit application fee for each application (up to 5) for a co-location of a Small Wireless Facility and \$100 for each additional facility; there is a \$1,000 permit application fee for a new pole; additional fees include, a ROW Agreement fee (\$340), ROW use fee (\$270 per year) for a Small Wireless Facility, and an attachment fee (\$500) for Small Wireless Facilities attached to property owned by the Village; per the local law, applicants may simultaneously submit up to 5 permit applications, or may file a single, consolidated application covering a batch of up to 20 facilities of a similar nature; no applicant will be permitted to submit more than one consolidated application over a 6-month period; and

WHEREAS, per the local law, the following uses will be permitted in the Public ROW, subject to administrative review and issuance of a permit by the Village: (i) Collocation of a Small Wireless Facility, (ii) Modification of a Pole, Tower or Support Structure or Replacement of a Pole for Collocation of a Communications Facility, (iii) Construction of a new Decorative Pole or a monopole Tower to be used for a Small Wireless Facility, (iv) Construction of a Communications Facility, and (v) Collocation of a Small Wireless Facility on a Pole, Tower, support Structure or building that is in the Federal, State or County Right of Way or on private property; administrative reviews will not be available for consolidated applications or simultaneous applications for more than 5 Communication Facilities; and

WHEREAS, per the Onondaga County and New York State Departments of Transportation, any work in the county or state right-of-way relating to the construction, installation or maintenance of wireless communications facilities will be subject to a work permit; approvals from other service providers or infrastructure owners in the right-of-way may be required as a condition of work permit approval; and

WHEREAS, per the local law, other uses within the Public ROW or on private property that do not fall under the purview of administrative review will be subject to discretionary review and site plan approval by the Village Planning Board; as part of the site plan review process, the Planning Board shall consider: (i) the established design standards; (ii) the compatibility of further deployments and their potential impact on the surrounding neighborhood; (iii) the potential for Collocation of other Provider’s Communication Facilities; and (iv) the density fulfillment needs of the neighborhood; and

WHEREAS, per the local law, the Design Standards for Communication Facilities, Poles built for the sole or primary purpose of supporting Communications Facilities, or Towers will be adopted by the Village Board, and subject to change upon 30 days’ notice to an applicant and upon a majority vote of the Village Board; and

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

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

E-mail Address: countyplanning@ongov.net

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

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-337

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a THREE-MILE LIMIT from the City of Syracuse Planning Commission at the request of D.W. Hannig LS, PC for the property located at Malibu Hills Estates; and
- WHEREAS, the site is located within three miles of the City of Syracuse and subject to the extra-territorial jurisdiction of the City of Syracuse under the three-mile limit rule and the site is located within 500 feet of Belle Isle Road (Route 102), a county highway; and
- WHEREAS, the applicant is proposing 5 new lots as part of a larger subdivision project in a Residential (R-4) zoning district; and
- WHEREAS, in 2016, the Board offered no position with comment for a three-mile limit referral (Z-16-271) to create two new residential lots from the remaining lands within the Malibu Hills Estates subdivision; the Board advised the City to ensure the original stormwater management plans and infrastructure for the overall development were adequately developed and take into consideration any incremental addition of lots to the subdivision; and
- WHEREAS, in 2007-2009 the Board reviewed a number of actions related to this subdivision, previously recommending modification of a preliminary subdivision referral and zone change referral (S-07-50 and Z-08-246), offering no position with comment on two three-mile limit referrals (S-08-49 and Z-08-473), and offering no position on a subsequent three-mile limit referral (Z-09-119); prior requirements included traffic and drainage studies, wetland permits, deed restrictions to protect common areas and wetlands, and clear responsibilities over maintenance, liability, and ownership of stormwater areas; and
- WHEREAS, the site is located at the outskirts of an area that is largely developed with suburban residential housing; the parcel is just south of land that is vacant, undeveloped and owned by the Allied Corporation; and
- WHEREAS, the Final Plan revised October 22, 2019 shows that five new lots have been created from the overall Phase One A area, including Lot 14 (10,336 square feet), Lot 15 (10,350 square feet), Lot 20 (13,462 square feet), Lot 27 (15,436 square feet), and Lot 28 (22,394 square feet); and
- WHEREAS, the plan shows the overall Phase One A area includes 16 other lots, a common area with trails, and part of an internal road network which currently outlets on Warners Road, a county road to the south; and
- WHEREAS, the plan shows Lots 14, 15, 20, 27, and 28 along Malibu Hill Drive, part of the internal road network, which ends at a temporary hammerhead easement; an existing waterline and easement are shown heading east, presumably along a potential future right-of-way leading to Belle Isle Road, a county round to the east; and

WHEREAS, the plan shows Wetland Area D encroaching on the rear yard of proposed Lots 20, 27, and 28 and existing Lots 21 and 22, with a note stating that these lots “will have a covenant that runs with the land specifically regarding the Wetlands”; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated October 24, 2019 indicates stormwater discharges will be directed to an existing storm drainage system on-site; and

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

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

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, prior to development of the new lots, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

The Board reiterates its comment from the previous three-mile limit review for the Malibu Hills Estates and encourages the City to ensure that the original stormwater management plans and infrastructure for the overall development have been adequately developed and take into consideration any incremental addition of lots to the subdivision.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-338

- 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 Town of Camillus Town Board at the request of Town of Camillus Town Board for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing to amend the Camillus Municipal Code, Chapter 30-Zoning, §803(D) regarding temporary signs for construction sites; and
- WHEREAS, the Town zoning code prohibits all temporary signs except non-illuminated signs relating to special public or institutional event announcements, special commercial event promotion announcements, industrial/commercial sales promotions, contractor's announcements, real estate advertising, subdivision construction, subdivision directions/identification, farm products, political endorsements, and yard/garage sales; permitted temporary signs are each subject to specific size and duration requirements; and
- WHEREAS, Section 803: Temporary Signs (D) of the Town zoning code relates to permitted temporary, non-illuminated contractor's signs and states: "A contractor's sign, not exceeding twenty square feet in area, announcing the erection of a building. Such sign may identify the name of the building, the name of the architect and the name of the building contractor. Such a sign is allowed if it relates to the renovation of the premises; however, such sign may only be erected upon commencement of the renovations and must be removed upon completion of the work"; and
- WHEREAS, this text will be replaced and read: "A construction site sign, not exceeding twenty square feet in area, announcing a site project, may state the name of the project, the architect, the contractor and/or the financing institution. Such sign may be erected upon obtaining the building permit and must be removed upon issuance of a Certificate of Occupancy"; and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-339

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Clay Town Board at the request of Chick-fil-A, Inc. for the property located at 4000 NYS Route 31; 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 NYS Route 31 and NYS Route 481, both state highways, and Soule Road, a state highway north of the 481 interchange and a county highway south of the interchange; and
- WHEREAS, the applicant is requesting a special permit to demolish an existing vacant restaurant (Uno) and construct a new 5,000 sf restaurant with drive-thru (Chick-fil-A) on a 1.2-acre leased portion of a 14.9-acre parcel in a Regional Commercial (RC-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-19-340) as part of the proposed project; in 2013, the Board reviewed concurrent site plan (Z-13-195) and area variance (Z-13-189) referrals to build a Longhorn Steakhouse Restaurant on the subject parcel; the Board recommended disapproval of the project given a temporary suspension of new sewer connections within the Oak Orchard Wastewater Treatment Plant service area, which has since been lifted; and
- WHEREAS, the site is located along the highly commercialized NYS Route 31 corridor, with surrounding commercial, restaurants and big box retail uses; the site abuts an undeveloped, forested parcel to the south and part of the NYS Route 481 highway system to the east; and
- WHEREAS, aerial imagery shows the 14.9-acre parcel contains a large multi-tenant retail building, including Raymour & Flanigan and Burlington, and three outbuildings for Smokey Bones, Uno, and LongHorn Steakhouse restaurants, all part of the Raymour & Flanigan shopping plaza; each outbuilding is surrounded by its own associated parking area and there is a large parking lot separating the multi-tenant building from the outbuildings; the shopping plaza is served by a full access, dual exit driveway onto Route 31 that has an existing traffic signal; there is also a cross-connection to the adjacent commercial lots with additional access to Carling Road, a local road to the west that outlets at another signalized intersection with Route 31; and
- WHEREAS, the submitted survey map dated December 21, 2018 shows a 1.180-acre lease area, which includes the vacant Uno's restaurant and parking to the west of the building; per the Site Plan dated October 25, 2019, the existing outbuilding will be demolished; the proposed 5,000 sf building, a Chick-fil-A restaurant, is shown to be constructed towards the center of the lease area with parking on three sides of the building; access to Route 31 will remain as is with no additional access to Route 31 proposed; proposed concrete

sidewalks and crosswalks are shown to provide access from the building entrance to the existing sidewalks along Route 31; some proposed work will occur outside the lease area, to realign a drive aisle and reconfigure existing parking areas, for better access to the drive-thru lanes and restaurant parking; and

WHEREAS, per the Site Plan, the restaurant will have a drive-thru with double entrance lane for ordering, transitioning to a single lane for pickup; the plan indicates stacking space will be available for 26 cars; a submitted survey map also shows a proposed drive-thru easement area that will total 7,115 sf; per the Town zoning code, drive-in service uses require a special permit in the RC-1 zoning district; and

WHEREAS, the submitted Project Narrative dated October 25, 2019 indicates that ITE Trip Generation traffic figures were compared for the proposed and existing uses; 72 vehicle trips during the Saturday peak hour are anticipated for a Fast-Food Restaurant with Drive Through Window and 118 seats, including an adjustment based on a 50% pass-by-trip rate; compared to 48 vehicle trips generated by the existing use, a 6,400 sf High-Turnover (Sit Down) Restaurant; and

WHEREAS, per the area variance application, the applicant is requesting area variances to 1) reduce the highway overlay setback from 115' to 93.8', 2) reduce the drive aisle width from 20' to 18', 3) reduce parking space size from 9.5' x 20' to 9.5' x 18', 4) reduce the number of parking spaces from 75 to 65, and 5) increase the number of wall signs from 2 to 4; the submitted elevation drawings and sign plan show the 4 proposed wall signs (58.75 sf each) with one occurring on each face of the building, which is intended for visibility from both of the main roads adjacent to the shopping center and is consistent with signage of other tenants along the corridor; the other requested variances are in part necessary to allow for a one-way circulation pattern through the site; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated October 25, 2019 states 1.7 acres of the site will be disturbed by the proposed project; stormwater will be collected and treated onsite with flow being conveyed to the shopping plaza's stormwater management facilities as they currently do; impervious surface coverage for the site will decrease following the proposed project and additional landscaping will be included as part of the redevelopment;

ADVISORY NOTE: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit. The municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; the applicant and municipality are encouraged to consider the use of green infrastructure, such as rain gardens and permeable pavement, to further reduce stormwater runoff and improve stormwater quality; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant service area; the proposed restaurant will connect to the existing drinking water and sewer connections; ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; the applicant is advised to contact OCWA's Engineering Department to determine the activities and

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

WHEREAS, ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects, and the applicant must contact Plumbing Control to ensure appropriate permits are obtained; and

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

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

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

The New York State Department of Transportation has determined that the applicant must contact the Department to discuss any additional required traffic data for the proposed project. To further meet Department requirements, the applicant must submit a lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board also offers the following comment:

1. The Town is encouraged to work with the applicant and the owner of the shopping plaza to extend the proposed sidewalk and crosswalk network to better facilitate pedestrian circulation throughout the entire shopping plaza.
2. The Board advises the applicant to work with the shopping plaza to secure access agreements and easements for shared parking and driveways.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-340

- 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 Chick-fil-A, Inc. for the property located at 3974 NYS Route 31; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of NYS Route 31 and NYS Route 481, both state highways, and Soule Road, a state highway north of the 481 interchange and a county highway south of the interchange; and
- WHEREAS, the applicant is requesting several area variances to demolish an existing vacant restaurant (UNO) and construct a new 5,000 sf restaurant with drive-thru (Chick-fil-A) on a 1.2-acre leased portion of a 14.9-acre parcel in a Regional Commercial (RC-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a special permit referral (Z-19-339) as part of the proposed project; in 2013, the Board reviewed concurrent site plan (Z-13-195) and area variance (Z-13-189) referrals to build a Longhorn Steakhouse Restaurant on the subject parcel; the Board recommended disapproval of the project given a temporary suspension of new sewer connections within the Oak Orchard Wastewater Treatment Plant service area, which has since been lifted; and
- WHEREAS, the site is located along the highly commercialized NYS Route 31 corridor, with surrounding commercial, restaurants and big box retail uses; the site abuts an undeveloped, forested parcel to the south and part of the NYS Route 481 highway system to the east; and
- WHEREAS, aerial imagery shows the 14.9-acre parcel contains a large multi-tenant retail building, including Raymour & Flanigan and Burlington, and three outbuildings for Smokey Bones, Uno, and LongHorn Steakhouse restaurants, all part of the Raymour & Flanigan shopping plaza; each outbuilding is surrounded by its own associated parking area and there is a large parking lot separating the multi-tenant building from the outbuildings; the shopping plaza is served by a full access, dual exit driveway onto Route 31 that has an existing traffic signal; there is also a cross-connection to the adjacent commercial lots with additional access to Carling Road, a local road to the west that outlets at another signalized intersection with Route 31; and
- WHEREAS, the submitted survey map dated December 21, 2018 shows a 1.180-acre lease area, which includes the vacant Uno's restaurant and parking to the west of the building; per the Site Plan dated October 25, 2019, the existing outbuilding will be demolished; the proposed 5,000 sf building, a Chick-fil-A restaurant, is shown to be constructed towards the center of the lease area with parking on three sides of the building; access to Route 31 will remain as is with no additional access to Route 31 proposed; proposed concrete

sidewalks and crosswalks are shown to provide access from the building entrance to the existing sidewalks along Route 31; some proposed work will occur outside the lease area, to realign a drive aisle and reconfigure existing parking areas, for better access to the drive-thru lanes and restaurant parking; and

WHEREAS, per the Site Plan, the restaurant will have a drive-thru with double entrance lane for ordering, transitioning to a single lane for pickup; the plan indicates stacking space will be available for 26 cars; a submitted survey map also shows a proposed drive-thru easement area that will total 7,115 sf; per the Town zoning code, drive-in service uses require a special permit in the RC-1 zoning district; and

WHEREAS, the submitted Project Narrative dated October 25, 2019 indicates that ITE Trip Generation traffic figures were compared for the proposed and existing uses; 72 vehicle trips during the Saturday peak hour are anticipated for a Fast-Food Restaurant with Drive Through Window and 118 seats, including an adjustment based on a 50% pass-by-trip rate; compared to 48 vehicle trips generated by the existing use, a 6,400 sf High-Turnover (Sit Down) Restaurant; and

WHEREAS, per the area variance application, the applicant is requesting area variances to 1) reduce the highway overlay setback from 115' to 93.8', 2) reduce the drive aisle width from 20' to 18', 3) reduce parking space size from 9.5' x 20' to 9.5' x 18', 4) reduce the number of parking spaces from 75 to 65, and 5) increase the number of wall signs from 2 to 4; the submitted elevation drawings and sign plan show the 4 proposed wall signs (58.75 sf each) with one occurring on each face of the building, which is intended for visibility from both of the main roads adjacent to the shopping center and is consistent with signage of other tenants along the corridor; the other requested variances are in part necessary to allow for a one-way circulation pattern through the site; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated October 25, 2019 states 1.7 acres of the site will be disturbed by the proposed project; stormwater will be collected and treated onsite with flow being conveyed to the shopping plaza's stormwater management facilities as they currently do; impervious surface coverage for the site will decrease following the proposed project and additional landscaping will be included as part of the redevelopment;

ADVISORY NOTE: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit. The municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; the applicant and municipality are encouraged to consider the use of green infrastructure, such as rain gardens and permeable pavement, to further reduce stormwater runoff and improve stormwater quality; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant service area; the proposed restaurant will connect to the existing drinking water and sewer connections; ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; the applicant is advised to contact OCWA's Engineering Department to determine the activities and

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

WHEREAS, ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects, and the applicant must contact Plumbing Control to ensure appropriate permits are obtained; and

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

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

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

While the Board offers no comment with regard to the requested variances, the following comments are offered for the project as a whole:

1. The New York State Department of Transportation has determined that the applicant must contact the Department to discuss any additional required traffic data for the proposed project. To further meet Department requirements, the applicant must submit a lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
2. The Town is encouraged to work with the applicant and the owner of the shopping plaza to extend the proposed sidewalk and crosswalk network to better facilitate pedestrian circulation throughout the entire shopping plaza.
3. The Board advises the applicant to work with the shopping plaza to secure access agreements and easements for shared parking and driveways.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-341

- 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 Geddes Zoning Board of Appeals at the request of McDonald's Corp. for the property located at 3329 West Genesee Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Route 5, a state highway, a state-owned portion of West Genesee Street, and the municipal boundary between the Town of Geddes and the Town of Camillus; and
- WHEREAS, the applicant is requesting several area variances as part of a renovation project for an existing restaurant (McDonald's), including new signage and drive-thru menu boards along with parking lot improvements, on a 0.9-acre parcel in a Commercial, Class A zoning district; and
- WHEREAS, the Board recently reviewed concurrent site plan (Z-19-27) and area variance (Z-19-30) referrals as part of a proposed project to renovate the McDonald's restaurant on the subject parcel; the area variance application was withdrawn by the applicant, but appears to be under consideration again in the current area variance referral; in 2007, the Board offered no position for a site plan referral (Z-07-139) to reconfigure the existing single drive-thru for McDonald's to a double drive-thru service, which was approved and completed; in 2011, the Board offered no position with comment for a site plan referral (Z-11-255) to construct an outdoor patio for the Wegmans building also located on the subject parcel; and
- WHEREAS, the site is located in the suburban Fairmount Fair shopping center along the West Genesee Street commercial corridor; surrounding land uses are commercial; the submitted Site Plan dated December 10, 2018 shows the site contains an existing one-story building (McDonald's) with parking on the north and south sides of the building, all situated on roughly 1.5 acres at the front of the site; a portion of the parking lot appears to be located in the state right-of-way, which per the NYS Department of Transportation has an existing use and occupancy permit; there is an existing drive-thru lane that originates at the southeast corner of the building and extends into two lanes at the rear of the building; the drive-thru lanes merge and then continue to pick-up windows located on the north side of the building; aerial imagery shows the remainder of the parcel contains a portion of an existing Wegmans grocery store and its associated parking lot; and
- WHEREAS, aerial imagery shows the site contains an existing right-in, right-out driveway adjacent to the McDonald's; no changes to the existing driveway are proposed; additional access to McDonald's comes indirectly from signalized intersections on West Genesee Street east and west of the site, which serve the entire shopping center;

ADVISORY NOTE: per the NYS Department of Transportation, all existing or proposed driveways on West Genesee Street must meet Department requirements; and

WHEREAS, the submitted elevation drawings show exterior improvements to include a new roof, new storefront and glazing, new and/or painted façade, and new entrance canopies; per the submitted floor plans, interior improvements will include self-order kiosks, a new front counter, and décor updates; and

WHEREAS, per the Site Plan, the site has an existing pylon sign along the roadfront; the elevations show proposed signage to include two 3'-6" x 4' wallarch signs (14 sf each) to be mounted on the front and south (non drive-thru) sides of the building, two 24" x 16'-5" wordmark signs (33 sf each) to be mounted on the front and north (drive-thru) sides of the building, and one 22.25" x 11'-8" playplace sign (22 sf) to be mounted on the south (non drive-thru) side of the building; per the Site Plan, additional signage includes new menu and pre-browse boards for each drive-thru lane and directional signage for the driveways and parking lot, including stop signs and stop bars;

ADVISORY NOTE: per the NYS Department of Transportation, signage is not permitted in the state right-of-way and must not obstruct sight distance; and

WHEREAS, per the Town zoning code, signage for drive-in service facilities is limited to no more than 2 wall signs, for which the combined area is restricted to one square foot for each linear foot of building frontage along the street up to a maximum of 40 sf; the applicant is seeking to increase the allowable wall signs from 1 to 5 and increase the allowable square footage from 40 to 116; the Town zoning code also permits drive-in restaurants to substitute a freestanding sign for a permitted wall sign, or menu sign, which may be illuminated and must be less than 16 sf in area and 5' in height; the applicant is seeking to increase the allowable menu board signs from 1 to 4, increase the allowable square footage from 16 to 60.2, increase the allowable height from 5' to 5'-11 5/8" for 2 of the menu signs, and increase the allowable height from 5' to 5'-11 1/2" for the other 2 signs; and

WHEREAS, additional variance is sought to reduce parking from 57 spaces to 55 spaces; per the Site Plan, there is an accessory shed on the site that requires two parking spaces to be striped with diagonal lines to prevent parking in that area; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Westside Pump Station service area; no changes to the existing infrastructure are proposed; per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), the site is located along an operational bus route with a bus stop occurring just northwest of the property; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the northwest corner of the site, including a portion of the driveway and McDonald's parking lot, is located within the 100-year floodplain, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings

within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

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

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

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board 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 better adhere to signage maximums to reduce visual clutter along this corridor.
2. To improve walkability and access to public transit in this area, the Town is encouraged to work with the applicant and the owner of the shopping plaza to install sidewalks along the West Genesee Street frontage and throughout the plaza, including crosswalks and pedestrian signals at driveways, a planting strip between the sidewalk and the road, and an extension to the front entrance of the McDonald's building.
3. The Town is encouraged to require a circulation plan as part of the local board's review to demonstrate internal traffic flow for the shopping plaza and outparcels and look for opportunities to improve site circulation.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-342

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Geddes Planning Board at the request of Schopfer Architects, LLP for the property located at 3355 West Genesee Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Route 5, a state highway, a state-owned portion of West Genesee Street, and the municipal boundary between the Town of Geddes and the Town of Camillus; and
- WHEREAS, the applicant is proposing construction of a 482 sf addition to the rear of an existing restaurant (Tully's) and relocation of an existing dumpster enclosure on a 0.68-acre parcel in a Commercial, Class A zoning district; and
- WHEREAS, in 2009, the Board offered no position for a site plan referral (Z-09-230) to allow music in a patio area on the subject parcel; previously, the Board took no position on a site plan referral (Z-5-314) to construct a cooler/freezer addition to the existing restaurant and a dining patio; and
- WHEREAS, the site is located along the West Genesee Street commercial corridor, adjacent to Wegmans and the Fairmount Fair shopping plaza; the submitted Site Plan dated July 3, 2019 shows the site contains an existing building, Tully's restaurant, with parking at the east side and rear of the building; there is an existing sidewalk and patio at the front of the building; and
- WHEREAS, the Site Plan shows the proposed addition (487 sf) to occur at the rear of the building, requiring relocation of the existing dumpster enclosure and a light pole and construction of new concrete exit stairs; the dumpster enclosure and light pole will be moved slightly south of their current location; per the local application, the addition is intended to provide space for staff services and offices; and
- WHEREAS, the submitted Project Narrative dated July 18, 2013 indicates the restaurant has 40 existing on-site parking spaces and shared usage of a 187-car parking area on the adjacent Wegmans parcel; no changes to the parking count are proposed; and
- WHEREAS, the site has three points of connection to the internal road network that serves Wegmans and Fairmount Fair; as a whole, these commercial properties have multiple points of access to West Genesee Street, including four signalized driveways, as well as access to Onondaga Road, a county road to the west, and Blueberry Lane, a local road to the south; no changes to site access are proposed; per the Project Narrative, site access and shared parking is provided through long-term cross easement agreements between the various property owners and tenants of the Wegmans and Fairmount Fair plaza; and

- WHEREAS, per the submitted Environmental Assessment Form (EAF) dated November 4, 2019, stormwater from the roof of the new addition will be directed towards existing catch basins in the parking lot and the established stormwater lines; ADVISORY NOTE: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Westside Pump Station service area; no changes to the existing infrastructure are proposed; per the Onondaga County Department of Water Environment Protection, there is a County-owned trunk sewer and 25' permanent right-of-way at the front of the site; a portion of the existing parking lot occurs in the right-of-way, though no proposed development is shown to encroach in that area; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and
- WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), the site is located along an operational bus route with a bus stop, including a concrete sidewalk and shelter, occurring at the front of the property; and
- WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that the entirety of the site is located within the 100-year floodplain associated with Geddes Brook, which is a class C(T) stream that runs through a parcel to the west; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); and
- WHEREAS, ADVISORY NOTE: per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board 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 is encouraged to require a circulation plan as part of the local board's review to demonstrate internal traffic flow for the shopping plaza and outparcels and look for opportunities to improve site circulation.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-343

- 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 OTHER AUTHORIZATION from the City of Syracuse Planning Commission at the request of Luke Esposito for the property located at 246-248 & 250 East Water 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 and the site is located within 500 feet of the State Office Building, a state-owned facility, and the Erie Canal Museum, a county-owned facility; and
- WHEREAS, the applicant is proposing to combine two properties into one new 0.085-acre parcel in a Central Business-Office & Service (CBD-OS) zoning district; and
- WHEREAS, the Board recently offered no position for a project site review referral (Z-19-222) to renovate the two vacant buildings on the subject parcels, including interior and exterior renovations for first and second floor commercial tenants and third floor apartments; and
- WHEREAS, the site is located in Downtown Syracuse in the Hanover Square Historic District, which is listed on the National and State Registers of Historic Places; the site is adjacent to the historic State Tower Building, which was recently renovated for retail, office, and residential uses, and is near City Hall and the State Office Building; and
- WHEREAS, the submitted resubdivision plan shows the site has frontage and an existing sidewalk on East Water Street, a city street, and contains two 3-story attached buildings; the buildings occupy the entirety of the site except for a rear alley enclosed by a gated fence; the two parcels will be combined into New Lot 248 (0.085 acres) to allow for more efficient management of the site as part of the larger renovation project; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed;
ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);
ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 1 gallon to 1 gallon sanitary flow

offset plan/project in coordination with the municipal engineer; and

WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse draft zoning map dated June 2019, the proposed zoning for the lots is Mixed Use Central Business District (MX-5), which would act to “provide for areas of highest-density, transit-supportive residential development, maximum building heights, minimal parking, and the greatest range and mix of uses”; and

WHEREAS, the project is within 2,000 feet of a site (ID: 734060) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-344

- 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 Brewerton Fire District for the property located at Jerome 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 Brewerton Road (Route 11), a state highway; and
- WHEREAS, the applicant is proposing a zone change on a 0.59-acre parcel from Agricultural to General Commercial to allow for a proposed fire department storage and training facility; and
- WHEREAS, the vacant parcel is located on Jerome Street, a local road, in the hamlet of Brewerton, and just west of the Town's Downtown Core district and the Brewerton Road (US Route 11) corridor; land uses east of the site, along Brewerton Road, are primarily commercial and aerial imagery shows the site abuts single-family residential uses to the north and west; and
- WHEREAS, the requested zone change is intended to allow construction of a 40' x 80' building for training and storage of emergency fire equipment for the local fire department; the Brewerton Volunteer Fire Department is located at the southwest corner of Jerome Street and Brewerton Road and occupies an additional parcel across Jerome Street from the site; and
- WHEREAS, per the Town of Cicero zoning code, the current Agricultural zoning district permits agricultural uses, one-family dwellings, and private garages; the proposed General Commercial zoning district permits the following uses subject to site plan approval: retail sales and services, offices, community centers, religious institutions, public utility substations, shopping centers, hotels and motels, gas/service stations and car-wash facilities, restaurants and drive-in activities, health-related facilities, light assembly, automobile sales and service, veterinary clinics, apartment developments with less than 24 units, and other commercial uses that meet the same intent; and
- WHEREAS, the site has access to public drinking water and sewers and is located in the Brewerton Wastewater Treatment Plant service area; per the Environmental Assessment Form (EAF) dated August 12, 2019, the proposed building would connect to the existing drinking water and sewer lines;
- ADVISORY NOTE: prior to future development of the site, the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; the Onondaga County Department of Water Environment Protection asks that the applicant also

contact the Department's Flow Control office to determine sewer availability and capacity before any future development of the site; and

WHEREAS, the project is within 2,000 feet of a site (ID: 734112) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

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

The Town is encouraged to consider adding this parcel to the Downtown Core zoning district, as well as other opportunities to incorporate this parcel into the planning goals of the Brewerton Revitalization project. The Town is also encouraged to revisit other remaining agriculturally zoned parcels in the Brewerton hamlet area within the context of the Local Waterfront Revitalization Program and town wide land use planning.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-345

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Salina Planning Board at the request of Donald L. DeStefano for the property located at 510 Gordon Avenue; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of the New York State Thruway (Route 90), a state highway, Factory Avenue (Route 93), a county highway, and Ley Creek, a county-owned drainage channel; and
- WHEREAS, the applicant is proposing to demolish an existing house and install an enclosed parking area on a 0.28-acre parcel in an Industrial (I-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a special permit referral (Z-19-346) as part of the proposed project; and
- WHEREAS, the site is located in an industrial area between the NYS Thruway (I-90) and Factory Avenue, a county road; the submitted survey map shows the site has frontage on Factory Avenue and Gordon Avenue, a local road, and contains an existing two-story house, a u-shaped asphalt driveway with two access points on Gordon Avenue, a gravel drive on Gordon Avenue, and concrete sidewalks, all to be demolished; and
- WHEREAS, per a conversation with the Town, the proposed project is intended to provide additional parking for a nearby business; the submitted Layout & Grading Plan dated October 31, 2019 shows the proposed asphalt parking lot will cover almost the entirety of the parcel and be enclosed by a 6' high security fence with a swing vehicle gate at the proposed asphalt driveway onto Gordon Avenue; and
- WHEREAS, the Layout & Grading Plan shows the parking lot is screened from Factory Avenue by a row of existing trees/vegetation and a proposed landscape buffer/green space is shown with grass and trees along Gordon Avenue; and
- WHEREAS, per the Town of Salina Zoning Code, the proposed use requires a special permit in the I-1 zoning district; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated November 1, 2019 indicates that 0.28 acres will be disturbed by the proposed project; stormwater discharge will be directed to the existing conveyance system, drainage ditches along Factory Avenue and Gordon Avenue;
ADVISORY NOTE: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; existing connections to the drinking water and sewer infrastructure will

be disconnected;

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects; the applicant must contact Plumbing Control to ensure appropriate permits are obtained; and

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

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

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the site is just outside the 100-year floodplain associated with Ley Creek, which occurs to the north of the site; 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 project is within 2,000 feet of multiple sites (IDs: 734074, 734067) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); per the EAF, nearby remediation sites will not be impacted as no disturbance will occur outside the limits of the property lines; and

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

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

Given the proximity of the site to Ley Creek, the applicant is encouraged to utilize green infrastructure (landscape plantings, permeable pavement, rain gardens, etc.) wherever possible to reduce stormwater and protect stormwater quality. For more information on stormwater management and opportunities to incorporate green infrastructure elements into project plans, contact the Onondaga County Save the Rain program at 315-435-2260 or visit <http://savetherain.us>.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-346

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Salina Planning Board at the request of Donald L. DeStefano for the property located at 510 Gordon Avenue; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of the New York State Thruway (Route 90), a state highway, Factory Avenue (Route 93), a county highway, and Ley Creek, a county-owned drainage channel; and
- WHEREAS, the applicant is requesting a special permit to demolish an existing house and install an enclosed parking area on a 0.28-acre parcel in an Industrial (I-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-19-345) as part of the proposed project; and
- WHEREAS, the site is located in an industrial area between the NYS Thruway (I-90) and Factory Avenue, a county road; the submitted survey map shows the site has frontage on Factory Avenue and Gordon Avenue, a local road, and contains an existing two-story house, a u-shaped asphalt driveway with two access points on Gordon Avenue, a gravel drive on Gordon Avenue, and concrete sidewalks, all to be demolished; and
- WHEREAS, per a conversation with the Town, the proposed project is intended to provide additional parking for a nearby business; the submitted Layout & Grading Plan dated October 31, 2019 shows the proposed asphalt parking lot will cover almost the entirety of the parcel and be enclosed by a 6' high security fence with a swing vehicle gate at the proposed asphalt driveway onto Gordon Avenue; and
- WHEREAS, the Layout & Grading Plan shows the parking lot is screened from Factory Avenue by a row of existing trees/vegetation and a proposed landscape buffer/green space is shown with grass and trees along Gordon Avenue; and
- WHEREAS, per the Town of Salina Zoning Code, the proposed use requires a special permit in the I-1 zoning district; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated November 1, 2019 indicates that 0.28 acres will be disturbed by the proposed project; stormwater discharge will be directed to the existing conveyance system, drainage ditches along Factory Avenue and Gordon Avenue;
ADVISORY NOTE: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; existing connections to the drinking water and sewer infrastructure will

be disconnected;

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, any and all demolition of buildings requires a permit for sewer disconnects; the applicant must contact Plumbing Control to ensure appropriate permits are obtained; and

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

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

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate the site is just outside the 100-year floodplain associated with Ley Creek, which occurs to the north of the site; 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 project is within 2,000 feet of multiple sites (IDs: 734074, 734067) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); per the EAF, nearby remediation sites will not be impacted as no disturbance will occur outside the limits of the property lines; and

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

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

Given the proximity of the site to Ley Creek, the applicant is encouraged to utilize green infrastructure (landscape plantings, permeable pavement, rain gardens, etc.) wherever possible to reduce stormwater and protect stormwater quality. For more information on stormwater management and opportunities to incorporate green infrastructure elements into project plans, contact the Onondaga County Save the Rain program at 315-435-2260 or visit <http://savetherain.us>.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-347

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Salina Planning Board at the request of James M. Donegan Family Trust for the property located at 414 Seventh North Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Seventh North Street (Route 45) and Buckley Road (Route 48), both county highways, and the NYS Thruway and NYS Route 81, both state highways; and
- WHEREAS, the applicant is proposing construction of a Mirabito Convenience store with five fueling stations and two diesel pump stations on a vacant 1.36-acre parcel in a Commercial (C-3) zoning district; and
- WHEREAS, the Board is concurrently reviewing a special permit referral (Z-19-348) as part of the proposed project; and
- WHEREAS, the site is located along 7th North Street, a county road, with adjacent hotel and commercial land uses; the site is near the I-81 on- and off-ramps and I-81/I-90 interchange; the submitted survey map dated October 21, 2019 shows the parcel, which previously contained a Bob Evans restaurant, is now covered by a gravel and dirt area and abandoned asphalt parking that is contiguous with the adjacent hotel parking in places; there is an existing asphalt driveway onto 7th North Street that partially occurs on the adjacent parcel and cross-connections that allow for access between the subject parcel and hotel; and
- WHEREAS, the submitted Neighborhood Plan dated October 21, 2019 shows the proposed convenience store building (Mirabito) to be constructed near the center of the site; there will be parking on both sides of the building and at the front of the building; two fuel canopies are shown, one at the front of the building with 5 fueling stations (10 fuel dispensing points) and one at the rear of the building with 2 diesel pump stations (4 diesel dispensing points); the plan also shows proposed underground storage tanks along the side lot line, dumpsters at the rear of the site, and a lawn/landscape area with new trees along the side lot line; and
- WHEREAS, per the Neighborhood Plan, access to the site will come from the existing driveway and a proposed right-in, right-out only driveway onto 7th North Street; the cross-connections to the adjacent hotel parcel are shown to remain, and an additional cross-connection is proposed that will allow exit-only access to adjacent commercial parcels; additional outlets to 7th North Street and Buckley Road, a county road to the north, are available via the adjacent parcels; the existing driveway onto Buckley Road has dual exit lanes; ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on 7th North Street and Buckley Road must

meet Department requirements; and

WHEREAS, the submitted Lighting Plan dated October 21, 2019 shows proposed lighting to include 14 fuel canopy lights (14' mounting height), 8 building lights (13' mounting height), and 3 light poles (20' mounting height); and

WHEREAS, per the Town of Salina Zoning Code, the proposed use requires a special permit in the C-3 zoning district; and

WHEREAS, per the submitted Environmental Assessment Form (EAF), 1.2 acres of the site will be disturbed by the proposed project and stormwater runoff will be conveyed to the existing stormwater discharge system leading to the adjacent hotel parcel; no additional information regarding stormwater management was included;

ADVISORY NOTES: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; new connections to the existing drinking water and wastewater infrastructure are proposed;

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

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

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

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

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), 7th North Street has public transit service and bus stops are located in front of the adjacent hotel parcel; and

WHEREAS, the project is within 2,000 feet of a site (ID: C734118) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); the site or a portion of it is also located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF

Mapper); and

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

1. The applicant is required to coordinate 7th North Street access plans with the Onondaga County Department of Transportation. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), traffic data, and a lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
2. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.

The Board also offers the following comments:

1. The applicant is encouraged to provide additional landscaping on the site and convert unused asphalt to grass or landscaping to better delineate interconnections to adjacent parcels and reduce impervious surface coverage. Coordination with the adjacent hotel owner is encouraged to facilitate access management strategies and better internal circulation, and identify opportunities to improve site aesthetics.
2. To improve walkability and access to public transit in this area, the Town is encouraged to work with the applicant and the adjacent property owners to install a sidewalk along the 7th North Street frontage, including crosswalks at driveways, a planting strip between the sidewalk and the road, and extensions to the front entrance of the proposed convenience store and the adjacent hotel sidewalk.
3. Per the Onondaga County Department of Transportation, the municipality is advised to ensure appropriate access agreements are in place for any shared driveways.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-348

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Salina Planning Board at the request of James M. Donegan Family Trust for the property located at 414 Seventh North Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of Seventh North Street (Route 45) and Buckley Road (Route 48), both county highways, and the NYS Thruway and NYS Route 81, both state highways; and
- WHEREAS, the applicant is requesting a special permit to allow construction of a Mirabito Convenience store with five fueling stations and two diesel pump stations on a vacant 1.36-acre parcel in a Commercial (C-3) zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-19-347) as part of the proposed project; and
- WHEREAS, the site is located along 7th North Street, a county road, with adjacent hotel and commercial land uses; the site is near the I-81 on- and off-ramps and I-81/I-90 interchange; the submitted survey map dated October 21, 2019 shows the parcel, which previously contained a Bob Evans restaurant, is now covered by a gravel and dirt area and abandoned asphalt parking that is contiguous with the adjacent hotel parking in places; there is an existing asphalt driveway onto 7th North Street that partially occurs on the adjacent parcel and cross-connections that allow for access between the subject parcel and hotel; and
- WHEREAS, the submitted Neighborhood Plan dated October 21, 2019 shows the proposed convenience store building (Mirabito) to be constructed near the center of the site; there will be parking on both sides of the building and at the front of the building; two fuel canopies are shown, one at the front of the building with 5 fueling stations (10 fuel dispensing points) and one at the rear of the building with 2 diesel pump stations (4 diesel dispensing points); the plan also shows proposed underground storage tanks along the side lot line, dumpsters at the rear of the site, and a lawn/landscape area with new trees along the side lot line; and
- WHEREAS, per the Neighborhood Plan, access to the site will come from the existing driveway and a proposed right-in, right-out only driveway onto 7th North Street; the cross-connections to the adjacent hotel parcel are shown to remain, and an additional cross-connection is proposed that will allow exit-only access to adjacent commercial parcels; additional outlets to 7th North Street and Buckley Road, a county road to the north, are available via the adjacent parcels; the existing driveway onto Buckley Road has dual exit lanes; ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on 7th North Street and Buckley Road must

meet Department requirements; and

WHEREAS, the submitted Lighting Plan dated October 21, 2019 shows proposed lighting to include 14 fuel canopy lights (14' mounting height), 8 building lights (13' mounting height), and 3 light poles (20' mounting height); and

WHEREAS, per the Town of Salina Zoning Code, the proposed use requires a special permit in the C-3 zoning district; and

WHEREAS, per the submitted Environmental Assessment Form (EAF), 1.2 acres of the site will be disturbed by the proposed project and stormwater runoff will be conveyed to the existing stormwater discharge system leading to the adjacent hotel parcel; no additional information regarding stormwater management was included;

ADVISORY NOTES: per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, the site has access to public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; new connections to the existing drinking water and wastewater infrastructure are proposed;

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

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

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

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

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), 7th North Street has public transit service and bus stops are located in front of the adjacent hotel parcel; and

WHEREAS, the project is within 2,000 feet of a site (ID: C734118) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); the site or a portion of it is also located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF

Mapper); and

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

1. The applicant is required to coordinate 7th North Street access plans with the Onondaga County Department of Transportation. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP), traffic data, and a lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
2. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.

The Board also offers the following comments:

1. The applicant is encouraged to provide additional landscaping on the site and convert unused asphalt to grass or landscaping to better delineate interconnections to adjacent parcels and reduce impervious surface coverage. Coordination with the adjacent hotel owner is encouraged to facilitate access management strategies and better internal circulation, and identify opportunities to improve site aesthetics.
2. To improve walkability and access to public transit in this area, the Town is encouraged to work with the applicant and the adjacent property owners to install a sidewalk along the 7th North Street frontage, including crosswalks at driveways, a planting strip between the sidewalk and the road, and extensions to the front entrance of the proposed convenience store and the adjacent hotel sidewalk.
3. Per the Onondaga County Department of Transportation, the municipality is advised to ensure appropriate access agreements are in place for any shared driveways.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-349

- 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 Richard Naro for the property located at 935 Parker Lane; 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 Jordan Road (Route 22), a county highway; and
- WHEREAS, the applicant is proposing installation of a 24.8 kW ground-mount solar array for residential use on a 4.58-acre parcel in a Rural Residential (RR) zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-19-350) as part of the proposed project; and
- WHEREAS, the Board recently recommended modification of a site plan referral (Z-19-86) to construct a single-family dwelling on an adjacent 9.0-acre parcel, citing required coordination for on-site wastewater disposal plans; in 2018, the Board offered no position with comment for a preliminary subdivision referral (S-18-53) to subdivide a 13.58-acre lot into the subject parcel (4.58 acres) and the adjacent 9.0-acre parcel, which was approved by the Town; and
- WHEREAS, the site is located in a rural area south of the Mottville hamlet in the Town of Skaneateles; per the submitted subdivision map, the site has frontage on Parker Lane, a local dead-end road, and contains an existing single-family house and an asphalt driveway; the site is transected by a watercourse running north-south; and
- WHEREAS, the submitted Site Plan dated October 9, 2019 shows two proposed ground-mounted solar arrays, each with 345 modules, at the rear of the property; the arrays will connect via a 260' trench to the east side of the house where there is a whole-house generator, main service panel, and system AC disconnect; the local application indicates the proposed solar system is for residential use by the existing house; and
- WHEREAS, the Site Plan shows both solar arrays will be partially within the required 100' watercourse setback, requiring an area variance as part of the proposed project; specifically, 6 of 11 proposed galvanized steel foundation beams (installed 6-8' into the ground) will be located in the setback; the trench will be entirely outside the setback; per the local application, the proposed location was selected based on required solar access and the presence of other underground obstacles on the property; and
- WHEREAS, the house is served by an individual well and septic system; the existing leach field and septic tank are shown in the Site Plan to occur at the northwest corner of the house; and
- WHEREAS, GIS mapping shows the watercourse, which divides the site in half, is

tributary to the Skaneateles Creek just west of the site, and appears to contain some areas of federal wetlands; Skaneateles Creek is listed as a water-quality impaired waterbody (per EAF Mapper); and

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

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

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-350

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Skaneateles ZBA at the request of Richard Naro for the property located at 935 Parker Lane; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Jordan Road (Route 22), a county highway; and
- WHEREAS, the applicant is requesting area variances to reduce the 100' watercourse setback to 52' and 65' to allow for installation of a residential ground-mount solar system on a 4.5-acre parcel in a Rural Residential (RR) zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-19-349) as part of the proposed project; and
- WHEREAS, the Board recently recommended modification of a site plan referral (Z-19-86) to construct a single-family dwelling on an adjacent 9.0-acre parcel, citing required coordination for on-site wastewater disposal plans; in 2018, the Board offered no position with comment for a preliminary subdivision referral (S-18-53) to subdivide a 13.58-acre lot into the subject parcel (4.58 acres) and the adjacent 9.0-acre parcel, which was approved by the Town; and
- WHEREAS, the site is located in a rural area south of the Mottville hamlet in the Town of Skaneateles; per the submitted subdivision map, the site has frontage on Parker Lane, a local dead-end road, and contains an existing single-family house and an asphalt driveway; the site is transected by a watercourse running north-south; and
- WHEREAS, the submitted Site Plan dated October 9, 2019 shows two proposed ground-mounted solar arrays, each with 345 modules, at the rear of the property; the arrays will connect via a 260' trench to the east side of the house where there is a whole-house generator, main service panel, and system AC disconnect; the local application indicates the proposed solar system is for residential use by the existing house; and
- WHEREAS, the Site Plan shows both solar arrays will be partially within the required 100' watercourse setback, requiring an area variance as part of the proposed project; specifically, 6 of 11 proposed galvanized steel foundation beams (installed 6-8' into the ground) will be located in the setback; the trench will be entirely outside the setback; per the local application, the proposed location was selected based on required solar access and the presence of other underground obstacles on the property; and
- WHEREAS, the house is served by an individual well and septic system; the existing leach field and septic tank are shown in the Site Plan to occur at the northwest corner of the house; and

WHEREAS, GIS mapping shows the watercourse, which divides the site in half, is tributary to the Skaneateles Creek just west of the site, and appears to contain some areas of federal wetlands; Skaneateles Creek is listed as a water-quality impaired waterbody (per EAF Mapper); and

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

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

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-351

- 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 Eireann Govern for the property located at 2815 East Lake Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of East Lake Road (Route 41), a state highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to demolish an existing detached garage and construct a new one in an alternate location, add a dormer and deck to the existing dwelling, and infill a portion of the front porch to create living space on a 0.61-acre parcel in Rural and Farming (RF) and Lake Watershed Overlay (LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a special permit referral (Z-19-352) as part of the proposed project; and
- WHEREAS, the site is located on the east shore of Skaneateles Lake with surrounding lakefront residential uses; the submitted survey map dated October 31, 2018 shows the site has frontage on East Lake Road (NYS Route 41) and contains an existing house, a detached garage and shed at the front of the site (both to be removed), and shoreline structures, including a deck, shed, and stairs; the site has two existing driveways on East Lake Road, one serving the house and one serving the garage; and
- WHEREAS, the submitted Narrative dated November 1, 2019 indicates the proposed garage will be located adjacent to the house for ease of access and to conform with setback requirements; the submitted Site Plan dated October 31, 2019 indicates a portion of the driveway to the garage will be removed and the driveway serving the house will be realigned to serve the new garage; Alternate Plans were submitted showing three alternative site layouts for the proposed garage and driveway improvements, which are shown to be generally restricted by the current layout and setback requirements; and
- WHEREAS, per the Town zoning code, a special permit is required for redevelopment of nonconforming lots and the lot does not meet the Town's impermeable surface coverage or open space requirements; and
- WHEREAS, per the Narrative, proposed improvements to the house will include finishing the existing attic and adding a dormer to the lakeside of the roof, infilling a front porch to allow for expanded mudroom space, and adding a new 12' wide deck to the lakeside of the house; the house is existing non-conforming and does not meet the side yard setbacks or rear yard setback (58.5 feet where 60 is required); the proposed improvements will not exacerbate the existing non-conformities; and

WHEREAS, the Site Plan shows a proposed bioswale between the house and shoreline structures, which is intended to treat stormwater runoff before it enters the lake; and

WHEREAS, the house is served by an individual septic system and drinking water is drawn directly from the lake; the existing leach field is shown in the Site Plan to occur at the front of the site, limiting alternative layout options for the new garage and driveway; the proposed garage appears to fall between the septic tank/pump chamber and leach field; and

WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed; impermeable surface coverage is currently 22% and will decrease to 19.1%, where 10% is permitted; per the Narrative, the owner is prepared to make a payment into the Town's Land and Development Rights Acquisition fund for the balance of the land necessary to make the impermeable surface coverage 10%; and

WHEREAS, the Skaneateles Watershed Rules and Regulations require that the applicant submit plans to the City of Syracuse Water Department for approval; a letter from the City to the Town of Skaneateles CEO dated November 7, 2019, included with the referral materials, indicates the Department has reviewed the applicant's proposal; comments from the City indicate that an evaluation must be performed and submitted to the Department showing that the existing onsite wastewater treatment system complies with local design standards, what the condition of the existing system is, and that the system can properly treat wastewater generated from the renovated structure; and

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

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

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

1. The municipality must ensure all conditions are met and approvals are obtained from the City of Syracuse Water Department and Onondaga County Health Department prior to, or as a condition of, approving the proposed application.
2. The applicant must contact the New York State Department of Transportation Onondaga West Residency office regarding plans to remove the driveway on East Lake Road. Any work within the state right-of-way will be subject to a work permit, and the Town must ensure any required modifications are reflected on the site plan prior to, or as a condition of, municipal approval.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-352

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Skaneateles Planning Board at the request of Eireann Govern for the property located at 2815 East Lake Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of East Lake Road (Route 41), a state highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting a special permit to demolish an existing detached garage and construct a new one in an alternate location, add a dormer and deck to the existing dwelling, and infill a portion of the front porch to create living space on a 0.61-acre parcel in Rural and Farming (RF) and Lake Watershed Overlay (LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-19-351) as part of the proposed project; and
- WHEREAS, the site is located on the east shore of Skaneateles Lake with surrounding lakefront residential uses; the submitted survey map dated October 31, 2018 shows the site has frontage on East Lake Road (NYS Route 41) and contains an existing house, a detached garage and shed at the front of the site (both to be removed), and shoreline structures, including a deck, shed, and stairs; the site has two existing driveways on East Lake Road, one serving the house and one serving the garage; and
- WHEREAS, the submitted Narrative dated November 1, 2019 indicates the proposed garage will be located adjacent to the house for ease of access and to conform with setback requirements; the submitted Site Plan dated October 31, 2019 indicates a portion of the driveway to the garage will be removed and the driveway serving the house will be realigned to serve the new garage; Alternate Plans were submitted showing three alternative site layouts for the proposed garage and driveway improvements, which are shown to be generally restricted by the current layout and setback requirements; and
- WHEREAS, per the Town zoning code, a special permit is required for redevelopment of nonconforming lots and the lot does not meet the Town's impermeable surface coverage or open space requirements; and
- WHEREAS, per the Narrative, proposed improvements to the house will include finishing the existing attic and adding a dormer to the lakeside of the roof, infilling a front porch to allow for expanded mudroom space, and adding a new 12' wide deck to the lakeside of the house; the house is existing non-conforming and does not meet the side yard setbacks or rear yard setback (58.5 feet where 60 is required); the proposed improvements will not exacerbate the existing non-conformities; and

WHEREAS, the Site Plan shows a proposed bioswale between the house and shoreline structures, which is intended to treat stormwater runoff before it enters the lake; and

WHEREAS, the house is served by an individual septic system and drinking water is drawn directly from the lake; the existing leach field is shown in the Site Plan to occur at the front of the site, limiting alternative layout options for the new garage and driveway; the proposed garage appears to fall between the septic tank/pump chamber and leach field; and

WHEREAS, the site is located in the Skaneateles Lake watershed; Skaneateles Lake is the primary public water supply source for the City of Syracuse and is unfiltered, requiring strict adherence to water quality protections on land in the watershed; impermeable surface coverage is currently 22% and will decrease to 19.1%, where 10% is permitted; per the Narrative, the owner is prepared to make a payment into the Town's Land and Development Rights Acquisition fund for the balance of the land necessary to make the impermeable surface coverage 10%; and

WHEREAS, the Skaneateles Watershed Rules and Regulations require that the applicant submit plans to the City of Syracuse Water Department for approval; a letter from the City to the Town of Skaneateles CEO dated November 7, 2019, included with the referral materials, indicates the Department has reviewed the applicant's proposal; comments from the City indicate that an evaluation must be performed and submitted to the Department showing that the existing onsite wastewater treatment system complies with local design standards, what the condition of the existing system is, and that the system can properly treat wastewater generated from the renovated structure; and

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

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

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

1. The municipality must ensure all conditions are met and approvals are obtained from the City of Syracuse Water Department and Onondaga County Health Department prior to, or as a condition of, approving the proposed application.
2. The applicant must contact the New York State Department of Transportation Onondaga West Residency office regarding plans to remove the driveway on East Lake Road. Any work within the state right-of-way will be subject to a work permit, and the Town must ensure any required modifications are reflected on the site plan prior to, or as a condition of, municipal approval.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-353

- 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 Aberi for the property located at 3460 County Line 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 the municipal boundary between the Town of Skaneateles and Cayuga County and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to expand the office use in an existing multi-tenant office building, provide additional parking area, sidewalks and an additional porch entrance on a 2-acre parcel in a Rural and Farming (RF) zoning district; and
- WHEREAS, in 2014, the Board recommended modification of concurrent site plan (Z-14-175) and special permit (Z-14-176) referrals to construct a two-story office building, citing coordination with the Onondaga County Health Department; both site plan and special permit were approved by the Town in 2014; and
- WHEREAS, the site is located in a rural area at the western boundary of the Town of Skaneateles; parcels east of the site are enrolled in NYS Agricultural District 2 and appear to contain active farmland; per the submitted Site Plan dated October 28, 2019, the site has frontage on County Line Road, a local road, and contains an existing two-story building, a 6-space parking area on the south side of the building, and a tarvia driveway; and
- WHEREAS, the submitted floor plans show existing office space in the building to occupy a portion of the first floor and the entirety of the second floor; a new wall will be added to partition the first floor garage/storage area into two new spaces, one to remain garage/storage (473 sf) and one to be converted to professional office space (1,000 sf); additional improvements are shown in the elevation drawings to include a new roof and entry for the proposed office space; and
- WHEREAS, the local application indicates the new 1,000 sf office space will accommodate 2 new employees, and there are 6 existing employees on-site; per the Site Plan, a parking addition is proposed adjacent to the existing parking area; the number of on-site parking spaces will increase to 10 to provide 1 space per employee and 2 guest spaces; landscaping will be added to screen parking from the road; and
- WHEREAS, per the Site Plan, the site also contains an existing gravel driveway, which will be removed and converted to grass; the portion of the driveway in the Town right-of-way appears to remain; and
- WHEREAS, per the Town zoning code, modifications to an existing special permit is subject to site plan approval; and
- WHEREAS, the site is served by an individual well and septic system, which appears to be

located in close proximity to the parking expansion; no changes to the existing infrastructure are proposed; per the local application, anticipated septic use is 120 gallons per day where the existing system was designed to accommodate 440 gallons per day; and

WHEREAS, GIS mapping shows the watercourse, which crosses the southeast corner of the parcel, is tributary to the Skaneateles Creek, and appears to contain some areas of federal wetlands; all proposed development is outside of the Town's required 100' watercourse setback; Skaneateles Creek and its tributaries are listed as a water-quality impaired waterbodies (per EAF Mapper); and

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

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

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

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

The Board also offers the following comment:

The applicant is encouraged to consider additional landscape buffering between parking areas and the watercourse.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-354

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Town of Van Buren Town Board at the request of Town of Van Buren Town Board for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law J-2019, "A Local Law to Amend Chapter 200 of the Code of the Town of Van Buren to Add a New Article Regulating Solar Power and Energy Systems in the Town and to Repeal Chapter 160 (Solar Photovoltaic (PV) Systems)"; and
- WHEREAS, the Board is concurrently reviewing a comprehensive plan referral (Z-19-355) to amend the Town's Comprehensive Plan, in conjunction with the enactment of the proposed solar energy legislation, and include a provision recommending that the Town encourage solar renewable energy opportunities while still ensuring the health, safety and welfare of the Town is protected; and
- WHEREAS, the Board recently reviewed a local law referral (Z-19-104) for Local Law C-2019 which was adopted on May 7, 2019 and imposed a 6-month moratorium on Commercial Free-Standing Solar Photovoltaic (PV) Systems within the Town of Van Buren; subsequently, the Board reviewed a local law referral (Z-19-281) for Local Law H-2019 to extend the moratorium an additional (3) months; and
- WHEREAS, the legislative purpose and intent of proposed Local Law J-2019 is to permit and regulate the construction of solar energy systems in the Town of Van Buren in a manner that preserves the health, safety and welfare of Town residents while also facilitating the production of renewable energy; and
- WHEREAS, building-integrated solar energy systems are defined in the new regulations as a "Solar Energy System incorporated into and becoming part of the overall architecture, design and structure of a building in manner that the Solar Energy System is a permanent and integral part of the building structure"; these solar energy systems will be permitted in all zoning districts within the Town and subject to issuance of an applicable building permit; and
- WHEREAS, rooftop-mounted solar energy systems are defined in the new regulations as a "Solar Energy System in which Solar Collectors/Panels are mounted on the roof of a building or structure either as a flush-mounted system or as panels fixed to frames which can be tilted to maximize solar collection" and "shall be wholly contained within the limits of the building's or structure's roof surface"; these solar energy systems will be permitted in all zoning districts within the Town and subject to a solar/building permit; and
- WHEREAS, additional regulations for rooftop-mounted solar energy systems indicate that they may not exceed the maximum allowed height of the principal use and, if

practicable, will be mounted a maximum distance of 8” on a pitched roof; they must be mounted parallel to the roof plane, though a tilted mount on a flat roof may be permitted subject to site plan approval; and there must be a minimum perimeter area around the edge of the roof to provide space for walking around the system; and

WHEREAS, ground-mounted solar energy systems are defined in the new regulations as a “Solar Energy System that is affixed to the ground either directly or by mounting devices and which is not attached or affixed to a building or structure” and where “solar modules are held in place by racks or frames that are attached to ground base mounting supports”; ground-mounted solar energy systems will be permitted as accessory structures in the Town’s Residence 40 (R-40), Agriculture/Residence 80 (AR-80), Industrial A (InA), Industrial B (InB), Planned Unit Development (PUD), Planned Commercial (PCD), Planned Industrial (PCD), Planned Office Development (POD), General Business (GB), Local Business (LB), Business/Residence Buffer (BRB) and Rural Hamlet (RH) zoning districts and subject to a solar/building permit and special use permit; and

WHEREAS, additional regulations for ground-mount solar energy systems indicate that they are prohibited in front yards and any required buffer area, easement, right-of-way or setback, will only be permitted on lots 20,000 square feet in size or larger, must be 15’ in height or less, must be screened from adjoining lots and street rights-of-way when possible, and will be sited in a manner to minimize obstructing views of neighboring properties; and

WHEREAS, solar farms are defined in the new regulations as a “Solar Energy System or collection of Solar Energy Systems or area of land principally used to convert solar energy to electricity, whether by photovoltaics, concentrating solar thermal devices or various experimental solar technologies, with the primary purpose of supplying electricity to a utility grid for wholesale or retail sales of electricity to the general public or utility provider”; solar farms will be a permitted use in the Town’s Residence 40 (R-40), Agriculture/Residence 80 (AR-80), Industrial A (InA), Industrial B (InB), Planned Industrial (PCD), Planned Commercial (PCD), General Business (GB), and Local Business (LB) zoning districts and subject to site plan approval and a special use permit; and

WHEREAS, solar farms will be subject to their own lot area and yard regulations, including minimum street frontage (100’), minimum lot area (15 acres), minimum front yard setback (100’), minimum rear yard setback (100’), minimum side yard setback (100’), minimum side yard setback where side yard abuts an existing residence (200’), minimum water setback (200’ from high water mark); additional regulations for solar farms indicate that they may not block or detract from scenic viewsheds, are not permitted on state or federal wetlands, must provide appropriate ingress/egress for emergency service providers, may not impact fish, wildlife, animal or plant species or their habitats, must be less than 20’ in height or meet the height restriction for accessory structures, and must be enclosed by perimeter fencing; and

WHEREAS, solar farms will also be subject to a decommissioning and removal agreement to ensure obsolete or unused solar farm components are removed within 3 months of the use being inactive for 12 consecutive months; 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 is encouraged to incorporate regulations to help minimize the impacts of solar farms on existing or future agricultural operations. Such regulations should encourage, to the maximum extent practicable, installations to minimize fragmentation of farm fields and production, locate solar systems in more remote areas with marginal soils and less productive lands, minimize disturbance of topsoil, soil erosion and compaction during construction, require maintenance and reuse of disturbed topsoil on the same site, plant pollinator-friendly and native species between solar panels, use lands around solar panels as pasture for grazing, install ground mounted solar systems that do not require footings, and allow for small animal movement through fencing.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-355

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a COMPREHENSIVE PLAN from the Town of Van Buren Town Board at the request of Town of Van Buren Town Board for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of comprehensive plans; and
- WHEREAS, the applicant is proposing to amend the Town's Comprehensive Plan with respect to the use and development of solar energy systems in the Town; and
- WHEREAS, the Board is concurrently reviewing a local law referral (Z-19-354) for proposed Local Law J-2019, "A Local Law to Amend Chapter 200 of the Code of the Town of Van Buren to Add a New Article Regulating Solar Power and Energy Systems in the Town and to Repeal Chapter 160 (Solar Photovoltaic (PV) Systems)"; and
- WHEREAS, per the Town Board Resolution dated November 6, 2019, the Town's Land Use Committee and the Chairman of the Town of Van Buren Planning/Zoning Board have recommended that in conjunction with the enactment of the solar energy legislation, the Town Board consider and adopt an amendment to the Town of Van Buren Comprehensive Plan to include a provision recommending that the Town encourage solar renewable energy opportunities while still ensuring the health, safety and welfare of the Town is protected; and
- WHEREAS, per the Resolution, the Comprehensive Plan amendment will include the addition of Section IV-A titled "Renewable Energy-Solar Systems" and read as follows: "The Town of Van Buren recognizes that solar energy is a clean, readily available and renewable energy source. Development of solar energy systems offers an energy source that can prevent fossil fuel emissions, reduce the Town's energy demands and attract and promote green business development within the Town. The Town of Van Buren has determined that comprehensive regulations regarding the development of solar energy systems are necessary to protect the interests of the Town, its residents, and businesses. The Town desires to promote the effective and efficient use of solar energy systems; establish provisions for the placement, design, construction, operation and removal of such systems in order to uphold the public health, safety and welfare; and to ensure that such systems will not have a significant adverse impact on the aesthetic qualities and character of the Town."; and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-356

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Elbridge Planning Board at the request of Harold & Jill Reichard for the property located at 1040 State Route 5; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of NYS Route 5, a state highway, the municipal boundary between the Town of Elbridge and the Village of Elbridge, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to establish an antique shop / museum (Abraham Lincoln Museum-Gallery), modify an existing driveway and install new signage on a 0.93-acre parcel in a Business (B-1) zoning district; and
- WHEREAS, the site is located along NYS Route 5 just east of the Village of Elbridge with surrounding residential and commercial land uses; lands south of the site are enrolled in NYS Agricultural District 3 and appear to contain active farmland; agricultural lands to the south are protected with a farmland conservation easement; and
- WHEREAS, the submitted Site Plan dated September 2019 shows the site contains an existing two-story house with a covered entry area and attached garage, a shed, and a rear detached barn; there is an existing driveway onto Route 5, to be widened by 5 feet;
ADVISORY NOTE: any work within the state right-of-way is subject to a work permit from the NYS Department of Transportation; and
- WHEREAS, the Site Plan shows a 750 sf area of the house labeled "portion of structure (on ground level) used for museum" and the rear of the site is shown to be a "living history area", presumably all part of the Abraham Lincoln Museum-Gallery; a letter dated April 25, 2017, included with the referral materials, indicates that the site's antique shop/museum use is a permitted use in the Town's B1 district; and
- WHEREAS, per the local application and Site Plan, proposed work includes a new 3' tall, rough cut timber fence along the front of the site, an expansion of the existing parking area to allow for 4 on-site spaces, in addition to garage parking, and new signage at the front of the site; a drawing of the proposed freestanding sign shows it will be 9' tall with a 3'-9" x 3'-8" double-sided, engraved wood sign and constructed of original arch barn beam; and
ADVISORY NOTE: per the NYS Department of Transportation, signage and fencing is not permitted in the state right-of-way; and
- WHEREAS, the site is served by public drinking water and an individual septic system; no changes to the existing infrastructure are proposed; and
- WHEREAS, the site is located over, or immediately adjoining, primary and principal

aquifers (per EAF Mapper); and

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

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

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

The applicant must contact the New York State Department of Transportation to coordinate requirements for the existing driveway on Route 5, in order to satisfy commercial driveway standards. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-357

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of DeWitt Planning Board at the request of The First Tee of Syracuse (Peter Webber) for the property located at 5050 Jamesville 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 Jamesville Road, a county highway; and
- WHEREAS, the applicant is proposing construction of a 980 sf addition to an existing maintenance building on a 37.17-acre parcel in a Residential (R-1) zoning district; and
- WHEREAS, in 2016, the Board offered no position with comment for a site plan referral (Z-16-381) for several renovations and additions to the existing clubhouse and other site improvements to the existing golf course; and
- WHEREAS, the site is located along Jamesville Road, a county road, and contains the Butternut Creek Golf Course; there is a parcel owned by National Grid containing overhead utility lines that bisects the parcel; land uses west of the site are residential and lands to the north appear to be undeveloped wetlands; the site abuts I-481 to the southeast; and
- WHEREAS, the submitted survey map shows lands east of the utility lines to contain golf greens; lands west of the utility lines contain the existing clubhouse and driving range, a detached storage building, and a parking lot with an existing driveway onto Jamesville Road; per the submitted site plan, the site also contains a propane filling service, including a propane tank, propane filling building, and propane pay building, all adjacent to the parking lot;
ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Jamesville Road must meet Department requirements; and
- WHEREAS, Butternut Creek, a class C(T) stream, bisects the site; current FEMA Flood Insurance Rate Maps (FIRM) indicate that the entire eastern half of the site is located within the 100-year floodplain associated with Butternut Creek; there is a significant portion of the site, including mostly trees and golf greens, that is also located within the more restrictive floodway; 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;
ADVISORY NOTE: streams classified by the NYS Department of Environmental Conservation (DEC) as AA, A, B, C(T), or C(TS) are subject to the stream protection provisions of the Department's Protection of Waters Program; and

- WHEREAS, the site plan shows the proposed addition will be constructed at the front of the existing storage building; per the local application, the addition is intended to provide indoor storage space for golf maintenance equipment that is currently stored outdoors; the addition appears to be outside the floodplain, floodway, and wetland areas; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and
- WHEREAS, GIS mapping shows the eastern half of the site may contain state and federal wetlands, which appears to include mostly trees and golf greens;
ADVISORY NOTE: the applicant is advised to contact the U.S. Army Corps of Engineers and/or NYS Department of Environmental Conservation to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site; all confirmed wetlands should be shown on the plans for the site and any necessary permits should be obtained for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers; and
- WHEREAS, the site may contain the Indiana bat or Northern long-eared bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper);
ADVISORY NOTE: per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental Permits office; and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

Given the presence of Butternut Creek on the site and the extent of nearby floodplains and wetlands, the applicant is encouraged to provide additional stream buffering and utilize green infrastructure (vegetative buffering, plantings, bioretention, rain gardens, etc.) wherever possible to reduce stormwater and protect stormwater quality. For more information on stormwater management and opportunities to incorporate green infrastructure elements into project plans, contact the Onondaga County Save the Rain program at 315-435-2260 or visit <http://savetherain.us>.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-358

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of DeWitt Planning Board at the request of Ultra Dairy (Jim Gosier) for the property located at 6750 Benedict 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 Interstate Route 481, a state highway, and Fly Road, a county road; and
- WHEREAS, the applicant is proposing construction of a 160' x 260' temporary parking lot on a 20.23-acre parcel in a Hi-Tech zoning district; and
- WHEREAS, in 2018, the Board offered no position with comment for a site plan referral (Z-18-274) for a 42,535 sf expansion to the existing dairy processing facility (Ultra Dairy), citing wastewater, access, traffic and stormwater considerations for future expansions; the Board has reviewed several referrals for previous expansions to the Ultra Dairy facility dating back to 2006, (Z-06-372, Z-08-177, Z-09-109, Z-13-110, Z-15-356, Z-15-359), with recommendations on access, traffic and stormwater; a large expansion reviewed in 2015 does not appear to have been constructed, and is changed in scope in the current revised plan; and
- WHEREAS, the site is located between Fly Road, a county road, and I-481 in a node of commercial and industrial land uses; the submitted site layout plan dated November 5, 2019 shows the site has additional frontage on Benedict Road, a local road, and contains a large existing building, including Phase 1 and 2 additions; there are two parking areas along the Benedict Road frontage and an internal road network throughout the site; three existing driveways onto Benedict Road are shown, which outlets to Fly Road to the west; and
- WHEREAS, per the local application, the temporary gravel parking facility (160' x 260') will be in place for 12 months until the next phase of the Ultra Dairy expansion is undertaken; no additional information regarding the future expansion were included; and
- WHEREAS, the submitted Environmental Assessment Form (EAF) dated November 1, 2019 indicates less than 1 acre of land will be disturbed by the proposed project;
- ADVISORY NOTE: any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; per the Onondaga County Department of Water Environment Protection, the applicant has an active industrial monitoring permit with WEP;

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no changes to the existing infrastructure are proposed; and

WHEREAS, the 2018 referral (Z-18-274) noted that, per the Onondaga County Department of Water Environment Protection and Office of Economic Development, wastewater pretreatment facilities on-site are currently exceeding capacity, and the Town's conveyance infrastructure is undersized to accommodate full buildout of the Ultra Dairy facility as proposed, and other users on the corridor; coordination is currently taking place between the applicant, Town, and County; and

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

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; and

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

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from aerial imagery it appears that some trees will be removed as part of the proposed project;

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

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

The Town is encouraged to consider the following measures prior to future expansion of the facility:

1. Changes in wastewater flow resulting from future site improvements should continue to be coordinated between the applicant, Town and Onondaga County Department of Water Environment Protection to determine sewer availability and capacity and ensure pre-treatment requirements are met.

2. Per the Onondaga County Department of Transportation, no access to Fly Road will be permitted. The Town and applicant are advised to contact the Department early in the planning process to discuss any traffic and drainage data requirements for review of future expansions.

3. The New York State Department of Transportation will require a copy of the

Stormwater Pollution Prevention Plan (SWPPP) for Department review prior to any future expansion.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-359

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Clay Planning Board at the request of Bonnie Marini (Shear Perfection) for the property located at 7452 Oswego Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Oswego Road (Route 91 / Old Route 57) and John Glenn Boulevard (Route 81), both county highways; and
- WHEREAS, the applicant is proposing construction of a 968 sf addition to an existing hair salon, along with necessary parking lot adjustments on a 0.631-acre parcel in a Neighborhood Office (O-1) zoning district; and
- WHEREAS, in 2017, the Board recommended modification of a site plan referral (Z-17-28) to construct a 1,740 sf building addition to the existing business, citing requirements for site access and circulation; the Board previously recommended disapproval of a site plan referral (Z-07-180) and modification of a site plan referral (Z-08-10) to make modifications to the office uses on site, citing access issues and driveway requirements; and
- WHEREAS, the site is located at the intersection of Oswego Road and John Glenn Boulevard, both county roads, along two highly traveled roadways; and
- WHEREAS, the submitted Site Plan – Existing Features dated October 24, 2019 shows the site contains an existing 1,368 sf building, Shear Perfection salon, with asphalt parking at the front and rear of the building (11 spaces), 6 additional parallel parking spaces along an access drive, and a large gravel area adjacent to the rear parking; there is an existing asphalt driveway onto Oswego Road; the site's access drive extends to the rear of the site, serving two adjacent commercial properties with additional outlet onto Laurel Lane, a local road to the north; the adjacent parcel has a 20' driveway easement that partially overlaps with the shared access; and
- WHEREAS, the submitted Site Plan – Proposed Features shows the proposed addition (968 sf) to be constructed at the rear of the building; additional site improvements include removing the front yard and parallel parking and converting the rear gravel area to asphalt parking, with a reconfigured parking layout that still provides 17 total spaces; and
- WHEREAS, per the Site Plan – Proposed Features, the existing driveway will be reconfigured into a right-in, right-out only access; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Wetzel Road Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed;
- ADVISORY NOTE: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control

office to determine sewer availability and capacity; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), Oswego Road has public transit service and bus stops are located roughly 250' from the site; and

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

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

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

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

Per the Onondaga County Department of Transportation, no access to Oswego Road will be permitted. All access to the site must come from the shared driveway onto Laurel Lane. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board also offers the following comments:

1. To improve walkability and access to public transit in this area, the Town and applicant are encouraged to install a sidewalk along the Oswego Road frontage that extends from the existing pedestrian accommodations at the John Glenn Boulevard intersection, provides a planting strip between the sidewalk and the road, and includes an extension to the front entrance of the building.
2. The municipality is advised to ensure appropriate access agreements are in place for the shared driveway on Laurel Lane. The Town and applicant should work with the neighboring property owners to align the shared driveway and easement.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-360

- 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 Lysander Planning Board at the request of SSC Lysander, LLC for the property located at 8071 River 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 River Road (Route 38), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing construction of a 5,000 KWAC solar farm, to include an access road, transformers, inverters and stored energy system components, on a 99.64-acre parcel in an Agricultural Residential (AR-40) zoning district; and
- WHEREAS, in 2004, the Board recommended modification of a final subdivision referral (S-04-130) to subdivide a 102.44-acre parcel into two new lots, which ultimately created the subject parcel; Board recommendations included reserving a 60-foot right-of-way on the subject parcel to allow for access to the other proposed lot and any lots that may be created in a future subdivision; and
- WHEREAS, the site is located in a pocket of largely undeveloped agricultural and forested lands, with the YMCA and Timber Banks Country Club occurring to the east and residential neighborhoods to the north and southwest; the site abuts lands to the north, south, and west that are enrolled in NYS Agricultural District 3 and appear to contain active farmland and wooded areas; and
- WHEREAS, the submitted Existing Conditions Plan dated November 2, 2019 shows the site has frontage on River Road, a county road, and contains an existing house and a detached garage; there is an existing driveway onto River Road; and
- WHEREAS, per the submitted Site Plan, the proposed solar farm will be located on the southern half of the site and occupy 21 acres of the 99-acre parcel; the solar farm appears to replace agricultural lands; the site's existing wooded and overgrown areas appear to largely remain; and
- WHEREAS, the Site Plan shows the solar farm will be enclosed by a 7' tall chain link security fence with a double swing gate; there will be a 12' wide pervious access road onto River Road, which will cross an existing utility easement and overhead utility lines on the site; an underground electric line is shown to run from the solar farm's PV inverter, transformer, and neutral ground reactor to a proposed utility pole at the front of the site and connect via a proposed overhead electric line to an existing utility pole along River Road; soil berms and/or plantings are proposed in two locations, one to screen the view of the solar panels from River Road and the other to screen the view from an adjacent residential neighborhood; a shade management area is shown at the western edge of the solar farm, which will keep vegetation cut back to prevent

shading; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated October 28, 2019 states 1.13 acres of the site will be disturbed by the proposed project;

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

WHEREAS, the existing house is served by an individual well and septic system; no drinking water or wastewater services are proposed for the solar farm; and

WHEREAS, a letter from the NYS Department of Environmental Conservation to a representative for the applicant, dated October 23, 2019, indicates there is an unnamed tributary of the Seneca River located on the site; as the stream is not considered a navigable waterbody, it is not subject to an Article 15, Protection of Waters, Permit; the applicant is advised to ensure any work on the site does not pollute the stream; and

WHEREAS, a wetland delineation was conducted by Ecological Analysis on September 19, 2019 and Wetland "A" was identified; this area is shown in the Site Plan to occur near the southern border of the site and outside the solar farm;

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

WHEREAS, a wildlife habitat assessment was completed as part of State Environmental Quality Review Act (SEQRA) requirements; per the assessment, the site is not home to any identified wildlife species categorized as threatened, endangered, or "species of concern;" review of the project by the NYS Department of Environmental Conservation notes that the site is located within or near records of the Indiana bat and Northern long-eared bat; to avoid adverse impacts to bat species, the DEC advises the applicant to complete any tree clearing on this parcel from October 31 to March 31; and

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

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); a letter from the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) dated September 23, 2019 indicates the office has determined no properties, including archaeological and/or historic resources, will be impacted by this project; and

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

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

The applicant must contact the Onondaga County Department of Transportation to coordinate requirements for the proposed driveway on River Road, in order to satisfy commercial driveway standards, which will require paving the portion of the driveway located in the county right-of-way. To

further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board also offers the following comments:

1. The installation of solar energy systems on active or prime farmland should be designed to minimize disruption to existing and future agricultural operations by avoiding configurations that fragment farm fields and production, siting solar systems in more remote areas with marginal soils and less productive lands, minimizing disturbance of topsoil, soil erosion and compaction during construction, requiring maintenance and reuse of disturbed topsoil on the same site, planting pollinator-friendly and native species between solar panels, using lands around solar panels as pasture for grazing, installing ground mounted solar systems that do not require footings, allowing for small animal movement through fencing, and avoiding nearby wetlands or floodplains.
2. If additional non-agricultural development is envisioned for the Peninsula in future years, the solar project should not impede long-term future extension of Lucille Lane, or buildout of a local road at the signalized intersection at River Road. The Town may also consider obtaining easements at this time to ensure the orderly long-term buildout of road networks.
3. The Town and applicant are advised to clarify the ownership of the utility easement on the site plan. Any necessary permissions for work within the easements should be obtained prior to, or as a condition of, municipal approval.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: November 20, 2019

OCPB Case # Z-19-361

- 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 Village of North Syracuse Zoning Board of Appeals at the request of 709 Bear Rd. Partner, LLC for the property located at 709 North Main Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of North Main Street (Route 11), a state highway, Bear Road (Route 191), a county highway, and the municipal boundary between the Village of North Syracuse and the Towns of Clay and Cicero; and
- WHEREAS, the applicant is requesting a use variance to allow the boarding of dogs and cats in a Commercial (C-2A) zoning district; and
- WHEREAS, in 2017, the Board recommended modification of concurrent site plan (Z-17-420) and special permit (Z-17-421) referrals to redevelop a former instant oil change facility on two adjacent parcels as a Firehouse Subs restaurant, and cited traffic and access requirements; the project included parking improvements on the adjacent parcels and the subject parcel; previously, the Board reviewed site plan (Z-14-308) and special use permit (Z-14-309) referrals proposing to add equipment to an existing wireless service facility at the shopping plaza; and
- WHEREAS, the site is located at the intersection of Bear Road, a county road, and NYS Route 11 in the Village of North Syracuse; the site is just south of the municipal boundary with the Town of Clay and east of the municipal boundary with the Town of Cicero; surrounding land uses include roadside commercial and residential; and
- WHEREAS, aerial imagery shows the site contains an existing shopping plaza, Bear Road plaza, with a large asphalt parking lot in front of the plaza, additional parking at the rear of the plaza, and two driveways each onto Bear Road and Route 11; the submitted plan shows the plaza has 10 tenant spaces; Unit 10 (10,250 sf) is currently available and intended for Petphoria, a pet grooming and day care center for pets of all types; and
- WHEREAS, per the local application, the applicant is requesting a use variance to allow for short term boarding of up to 9 dogs and/or cats, as part of the applicant's business plan for Unit 10; a letter to the Village from a representative for the applicant, dated November 7, 2019, indicates that a request for interpretation has been made to determine if the proposed use is considered accessory to the primary "retail and service use" of the business or is considered a "kennel" use, which would necessitate the requested use variance; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas; no changes to the existing infrastructure are proposed;

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ADVISORY NOTE: prior to the addition of a new commercial use, the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and

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

ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, any future development or uses of the site will be subject to a 1 gallon to 1 gallon sanitary flow offset plan/project unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses; and

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

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:

Should the municipality grant the requested use variance, the addition of a new commercial use to the Bear Road shopping plaza will be subject to review by the Onondaga County Department of Transportation. The Department should be contacted early in the planning process to coordinate requirements for the existing access to Bear Road and to discuss any required traffic data for the proposed use.

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