



Onondaga County Planning Board

December 02, 2015

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

I. ATTENDANCE

MEMBERS PRESENT

Douglas Morris
Robert Jokl
Daniel Cupoli
Robert Antonacci
Brian Donnelly
James Corbett

STAFF PRESENT

Megan Costa
Gilly Cantor
Robin Coon

GUESTS PRESENT

Bill Fisher
Allen Yager
Bill Lester
Jim Jerome
William A. Penn
Maureen Fatcheric Martin
Arleyn McIndoe
David Suarez
Ellen Suarez
Richard Maestri
Paul Valenti
Steven Calocerinos
Dan Bargabos
Tim Toomey
Mario D'Arrigo
John Coyne

II. CALL TO ORDER

The meeting was called to order at 11:00 AM on December 02, 2015.

III. MINUTES

Minutes from November 10, 2015 were submitted for approval. Daniel Cupoli made a motion to accept the minutes. James Corbett seconded the motion. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Daniel Cupoli - yes; Robert Antonacci - yes; James Corbett - yes.

IV. ACTIONS ON GML SECTION 239 REFERRALS

Summary

| | | | | | |
|----------|---------|---------------------------------|----------|----------|---------------------------------|
| S-15-88 | TPomPB | <i>Modification</i> | S-15-89 | TLysPB | <i>Modification</i> |
| S-15-90 | VTulPB | <i>No Position</i> | Z-15-404 | TEIbZBA | <i>No Position With Comment</i> |
| Z-15-405 | TClatB | <i>Modification</i> | Z-15-406 | TClatPB | <i>Modification</i> |
| Z-15-407 | CSyrZA | <i>No Position</i> | Z-15-408 | TGedTB | <i>Modification</i> |
| Z-15-409 | TVanTB | <i>No Position With Comment</i> | Z-15-410 | TSkaTB | <i>No Position</i> |
| Z-15-411 | TSkaPB | <i>No Position</i> | Z-15-412 | TSkaZBA | <i>No Position</i> |
| Z-15-413 | TLysTB | <i>Disapproval</i> | Z-15-414 | TGedTB | <i>Modification</i> |
| Z-15-415 | TLysTB | <i>Disapproval</i> | Z-15-416 | TVanTB | <i>No Position With Comment</i> |
| Z-15-417 | VLivVB | <i>Incomplete Referral</i> | Z-15-418 | TClatZBA | <i>No Position With Comment</i> |
| Z-15-420 | TGedTB | <i>Incomplete Referral</i> | Z-15-421 | TCicZBA | <i>Disapproval</i> |
| Z-15-422 | TCicPB | <i>Modification</i> | Z-15-423 | TCicPB | <i>Modification</i> |
| Z-15-424 | TCicZBA | <i>No Position With Comment</i> | Z-15-425 | TCicPB | <i>Modification</i> |
| Z-15-427 | VFayPB | <i>No Position</i> | Z-15-428 | CSyrZBA | <i>No Position With Comment</i> |
| Z-15-429 | TSalZBA | <i>No Position With Comment</i> | Z-15-430 | CSyrZA | <i>No Position</i> |
| Z-15-431 | TClatB | <i>No Position With Comment</i> | Z-15-432 | TDewPB | <i>No Position</i> |
| Z-15-433 | VTulZBA | <i>No Position</i> | | | |



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # S-15-88

- 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 SUBDIVISION from the Town of Pompey Planning Board at the request of Stephen & Cynthia Brown for the property located at 3405 Sweet 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 Sweet Road, a county road, and a farm operation in an agricultural district; and
- WHEREAS, the applicant is proposing to subdivide a 26.987-acre parcel into two 13.49-acre lots in a Farm zoning district; and
- WHEREAS, the Final Plan dated October 30, 2015 shows an existing dwelling on proposed Lot 1 with frontage and an existing driveway on Sweet Road; and
- WHEREAS, the plan shows vacant proposed Lot 2 with frontage on Sweet Road; the town application indicates a house and driveway will be proposed; and
- WHEREAS, any existing or proposed access to Sweet Road must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, the Environmental Assessment Form dated November 4, 2015 notes approximately five acres will be disturbed by the project; if the proposed project cumulatively disturbs one acre or more of land, it must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity, and the applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to the municipality and a Notice of Intent (NOI) to the Bureau of Water Permits; the proposed project is located within a designated Municipal Separate Storm Sewer System (MS4) municipality and the applicant must consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP) and submit a MS4 SWPPP Acceptance Form signed by the municipality to the Bureau of Water Permits; and
- WHEREAS, the New York State Department of Environmental Conservation EAF Mapper indicates a tributary of Butternut Creek runs through part of proposed Lot 2 and shows the potential presence of federal wetlands along most of the Sweet Road frontage of both parcels; and
- WHEREAS, per the U.S. Army Corps of Engineers, National Wetland Inventory Maps may not be used to confirm the presence/absence of federal wetlands on a given parcel of land; the applicant must obtain appropriate permits from the U.S. Army Corps of Engineers for any proposed development or drainage in federal wetlands on site; and
- WHEREAS, the New York State Department of Environmental Conservation EAF Mapper indicates the site may contain a species of animal, or associated habitats,

listed by the state or federal government as threatened or endangered; a permit may be required from the New York State Department of Environmental Conservation (NYS DEC) if the species is listed as endangered or threatened and the NYS DEC determines that the project may be harmful to the species or its habitat; and

WHEREAS, the site is located outside the Onondaga County Sanitary District; the plan shows an existing well on each proposed lot, and an existing septic area on proposed Lot 1; the plan states that the Onondaga County Health Department approved the sewage disposal design on September 23, 2014, and that construction permits will not be issued for proposed Lot 2 until an individual sewage disposal plan is approved by the Health Department; the

WHEREAS, the Onondaga County Agricultural Districts map shows the site is located in New York State Agricultural District 4; aerial photography shows both proposed lots contain agricultural land and are adjacent to farmed properties; and

WHEREAS, per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement; 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, access to Sweet Road for proposed Lot 2 will be determined by the availability of sight distance, and the final plan must be modified to reflect all driveway requirements.

The Board also offers the following comments:

1. The Town and applicant are advised that a permit will be required from the Onondaga County Department of Transportation for any proposed driveways and prior to any proposed work within a county road right-of-way.
2. As stated on the plan, the Town and applicant are advised that the Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to issuance of a building permit.
3. The site plan should take into consideration the location of any potential streams, wetlands, endangered species, and/or associated habitats on site when selecting a location for the proposed residence on proposed Lot 2. The applicant is also advised to contact the U.S. Army Corps of Engineers and/or the New York State Department of Environmental Conservation to obtain appropriate permits as necessary.
4. The Town is advised to require an Agricultural Data Statement from the applicant prior to approving the proposed application, per state law.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # S-15-89

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Lysander Planning Board at the request of Rao Custom Homes for the property located at 8850 River 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 River Road, a county road; and
- WHEREAS, the applicant is proposing to subdivide a 15.03-acre parcel into 24 new lots in the Radisson Planned Unit Development (PUD) zoning district; and
- WHEREAS, the Board previously recommended modification of a subdivision referral for this site (S-05-124) with 20 proposed lots with two dwellings per lot, with a wetland permit requirement; the referral notice indicates the layout and number of lots has been revised since that time, requiring resubmission; and
- WHEREAS, the site is located along the west side of River Road and north side of Glacier Ridge Road, a local road serving the subdivision surrounding the Radisson Greens Golf Club; the Board has reviewed a number of other referrals for projects within the Radisson PUD, including a subdivision in 2008 (S-08-23) for 62 residential lots and 1 commercial lot across River Road, and a more recent subdivision in 2013 (S-13-25) for 19 lots south of Glacier Ridge Road; and
- WHEREAS, the Preliminary Plan dated November 2, 2015 shows 12 proposed lots along Wave Crest Circle, a cul-de-sac off Glacier Ridge Road, and 12 proposed lots along Bowline Drive, a loop road off Drakes Landing Road; the plan states no direct access from the lots will be provided to Glacier Ridge Road, Drakes Landing, or River Road; and
- WHEREAS, three areas of land are indicated to be conveyed to a homeowner's association ("RCA"), including a small triangular parcel at the southeastern corner of the site, an irregular parcel between Bowline Drive and River Road along the northern part of the site, and an irregular swath of land between proposed lots 5-12, Bowline Drive, and proposed Lot 24 which contains federal wetlands, per the applicant's engineer; aerial photography shows a stream in that location; and
- WHEREAS, the Environmental Assessment Form dated November 5, 2015 indicates 8 acres will be physically disturbed by the project, and that stormwater runoff will be directed to adjacent stormwater swales to the Town of Lysander stormwater system; the plan shows drainage lines and catch basins on the proposed new roads, the homeowner's association lands, and on a 20' drainage easement crossing proposed Lots 5 and 6; and
- WHEREAS, the proposed project may disturb one acre or more of land and must be covered under the New York State SPDES II General Permit for Stormwater

Discharges from Construction Activity (GP-0-10-001) and the applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to the municipality and a Notice of Intent (NOI) to the DEC Bureau of Water Permits; the proposed project is located within a designated Municipal Separate Storm Sewer System (MS4) municipality, and the applicant must consult with the municipal engineer to ensure conformance of construction plans with the municipality's Storm Water Management Plan (SWMP) and submit a MS4 SWPPP Acceptance Form signed by the municipality to the New York State Department of Environmental Conservation Bureau of Water Permits; and

WHEREAS, the site has access to public water and sewers and is located in the Baldwinsville Seneca-Knolls Wastewater Treatment Plant service area; and

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

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

1. The Onondaga County Department of Transportation has determined that the applicant is required to submit ITE Trip Generation Figures and a gap analysis at AM/PM peak hours at Glacier Ridge Road and River Road for full build-out relating to the proposed action to meet Department requirements and to submit it to the Department for approval; the applicant must complete any appropriate mitigation as may be determined by the Onondaga County Department of Transportation.
2. The municipality must submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and/or any drainage reports or studies to the Onondaga County Department of Transportation early in the planning process for approval and complete any appropriate mitigation as may be determined by the Department.

The Board also offers the following comments:

1. The applicant is advised to conduct a formal wetland delineation to determine the presence and location of any federal wetlands on site, and any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. The applicant is also advised to obtain appropriate permits from the Corps for any proposed development or drainage into wetlands on site.
2. The Board advises the Town and applicant to ensure the proposed access meets the requirements of local emergency service providers.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # S-15-90

- 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 FINAL SUBDIVISION from the Village of Tully Planning Board at the request of Green Lake Associates, LLC for the property located on Village View Drive; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of the municipal boundary between the Village of Tully and the Town of Tully; and
- WHEREAS, the applicant is proposing to convert 7 previously approved lots into 5 new lots totaling 1.3 acres in a Residential 2 (R-2) zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral for one of the resulting lots (Z-15-433); and
- WHEREAS, the Preliminary Plan dated September 27, 2015 shows proposed subdivision located around Village View Drive, a cul-de-sac off of Melinda Lane, a local road which leads to the Village of Tully Water Reservoir to the north and ultimately to U.S. Route 80 to the south; the Village Attorney noted on November 23, 2015 that the original subdivision was originally approved as a cluster in 2007; the Board has no record of prior referrals for this project; and
- WHEREAS, the plan shows proposed Lots 12A (0.33 acres), 13A (0.18 acres), 15A (0.25 acres), 19A (0.27 acres), and 21A (0.27 acres), and four remaining lots in the subdivision not impacted by the proposed lot line adjustments; and
- WHEREAS, per the Village Attorney, an area variance may be required for the front yard setback of proposed Lot 13A, which a survey dated October 9, 2015 shows contains an existing residence with 21.5' setback (40' required in this district); and
- WHEREAS, the plan shows a drainage easement and pond ("Western Pond") occupying the rear yards of proposed Lots 12A, 13A, and 15A; and
- WHEREAS, the site is served by village water and sewers, and existing water and sanitary lines are shown within a utility easement along Village View Drive; and
- WHEREAS, per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; and

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

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

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-404

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Elbridge Zoning Board of Appeals at the request of Matthew Salvaterra for the property located at 5317 Campbell Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of a farm operation in an agricultural district; and
- WHEREAS, the applicant is requesting an area variance to construct a 1,260 square foot single-family home on a 44.29-acre lot in an Agricultural (AG) zoning district; and
- WHEREAS, per town code, a single family dwelling with less than 1,500 square feet of habitable space is prohibited in all districts; and
- WHEREAS, per a building permit supplement document, the residents have progressive medical conditions and are seeking to construct a home which minimizes debt, future maintenance costs, utility costs, and environmental impacts; and
- WHEREAS, aerial photography shows an L-shaped parcel with southern frontage along railroad tracks and two eastern frontages on Campbell Road, a local road; and
- WHEREAS, per an email from the Town Codes Secretary dated November 16, 2015, no site plan will be required for the variance application and there is an existing old barn and active farmland on the site; the Onondaga County Agricultural Districts map shows the site and surrounding parcels are located in New York State Agricultural District 3; and
- WHEREAS, per the email and aerial photography, the site has an existing driveway on the northern Campbell Road frontage; and
- WHEREAS, aerial photography indicates Carpenters Brook runs through the Campbell Road side of the parcel; FEMA Flood Insurance Rate Maps (FIRM) indicate that the land in this area is in a Special Flood Hazard Area (SFHA); and
- WHEREAS, the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, wetland maps further indicate the presence of a state wetland (JOR-16) and the potential presence of federal wetlands in this area; and
- WHEREAS, the applicant must obtain appropriate permits from the New York State Department of Environmental Conservation and/or the U.S. Army Corps of Engineers for any proposed development or drainage in state and/or federal wetlands, respectively, and/or state wetland buffers on site; and

WHEREAS, the site is located outside the Onondaga County Sanitary District; 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 Town approve the proposed variance, the Board offers the following comments for the next phase of development:

1. The Board advises that the floodplain and wetland areas on site be avoided to minimize negative environmental impacts, should the project move forward.
2. The Town and applicant are advised that the Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to issuance of a building permit.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-405

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Clay Town Board at the request of Spring Storage Park, Inc. for the property located at 7733 & 7739 Henry Clay Boulevard; 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 Henry Clay Boulevard, a county road; and
- WHEREAS, the applicant is requesting a special permit for motor vehicle storage as part of a project to add a U-Haul center at an existing self-storage facility on a 6.77-acre lot in an Industrial (I-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a special permit referral to allow a contractor's service yard (Z-15-406); per town code, a special permit is required in this district from the town board for storing motor vehicles and from the planning board for a contractor's service yard; and
- WHEREAS, the Board previously recommended modification of a special permit referral (Z-15-170) for a different applicant to lease space in an existing building on the site for a towing services business, requiring trip generation figures including gap analysis at peak hours; the Board previously recommended modification of a subdivision referral (S-06-2) to create the subject lot and the adjacent lot; subsequent referrals (Z-08-174, Z-09-178, Z-09-303, and Z-14-68) have been submitted for the adjacent lot, with recent comments regarding green infrastructure, ensuring agreements for shared access, and obtaining any permits for work in the County right-of-way; and
- WHEREAS, a Site Plan revised October 13, 2015 shows an existing office building along the southern boundary of the site, half of which would house the proposed hitch installation area, and an adjacent outside parking area in the location of existing asphalt, grass, and two septic systems; the plan further shows four existing metal frame buildings (indoor storage units) at the front of the site, nine proposed secure outdoor parking spaces for short trailers and trucks, an additional area for U-Haul vehicle storage on existing asphalt, and a proposed 1,000 gallon propane tank and dispensing location; and
- WHEREAS, a Phase II area is also shown on the plan, which would include three additional 25' x 330' storage buildings; per a conversation with the Town Commissioner of Planning and Development, it is unlikely Phase II will be constructed if the current special permits are granted; and
- WHEREAS, the site is located in the Woodard Industrial Park area across Henry Clay Boulevard from a residential subdivision; the plan shows the site with access to a single 50' driveway easement on Henry Clay Boulevard which is shared with the landlocked adjacent parcel to the west (an existing office) and the adjacent parcel to the south (Matthews Buses and Emerson Oil Trucking); an

existing gate control panel is located at the access point to the shared driveway; any existing or proposed access to Henry Clay Boulevard must meet the requirements of the Onondaga County Department of Transportation; and

WHEREAS, the plan shows part an existing storm water management area and a 30' wide drainage easement on the landlocked parcel; a 20' wide drainage easement to Town of Clay is shown behind the existing storage buildings on the subject parcel; per the commissioner, the existing stormwater facilities serve the subject parcel; and

WHEREAS, the site is served by public water; the plan shows an existing water easement; and

WHEREAS, the site is served by an existing private septic system, with two systems shown under the outdoor vehicle parking area; the site is located in the Oak Orchard Wastewater Treatment Plant service area; and

WHEREAS, the plan shows a landscape area along Henry Clay Boulevard; aerial photography shows evergreen trees along the frontage; a proposed addition of a U-Haul sign to an existing monument sign for the storage facility is also shown; and

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

1. The Onondaga County Department of Transportation has determined that the applicant is required to submit ITE Trip Generation Figures and a gap analysis at AM/PM peak hours for full build-out relating to the proposed action to meet Department requirements and to submit it to the Department for approval; the applicant must complete any appropriate mitigation as may be determined by the Onondaga County Department of Transportation.

2. Per the Onondaga County Health Department, the Town must ensure that any septic system on site is protected against vehicle parking and traffic.

The Board also offers the following comment:

Per the Onondaga County Department of Transportation, the municipality and applicant are advised that no additional access to Henry Clay Boulevard will be permitted, and signage may not obstruct sight distance.

2. The Board advises the Town and applicant to ensure the proposed propane storage meets any requirements of the fire department.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-406

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Clay Planning Board at the request of Spring Storage Park, Inc. for the property located at 7733 & 7739 Henry Clay Boulevard; 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 Henry Clay Boulevard, a county road; and
- WHEREAS, the applicant is requesting a special permit for a contractor's service yard as part of a project to add a U-Haul center at an existing self-storage facility on a 6.77-acre lot in an Industrial (I-1) zoning district; and
- WHEREAS, the Board is concurrently reviewing a special permit referral to allow motor vehicle storage (Z-15-405); per town code, a special permit is required in this district from the town board for storing motor vehicles and from the planning board for a contractor's service yard; and
- WHEREAS, the Board previously recommended modification of a special permit referral (Z-15-170) for a different applicant to lease space in an existing building on the site for a towing services business, requiring trip generation figures including gap analysis at peak hours; the Board previously recommended modification of a subdivision referral (S-06-2) to create the subject lot and the adjacent lot; subsequent referrals (Z-08-174, Z-09-178, Z-09-303, and Z-14-68) have been submitted for the adjacent lot, with recent comments regarding green infrastructure, ensuring agreements for shared access, and obtaining any permits for work in the County right-of-way; and
- WHEREAS, a Site Plan revised October 13, 2015 shows an existing office building along the southern boundary of the site, half of which would house the proposed hitch installation area, and an adjacent outside parking area in the location of existing asphalt, grass, and two septic system locations; the plan further shows four existing metal frame buildings (indoor storage units) at the front of the site, nine proposed secure outdoor parking spaces for short trailers and trucks, an additional area for U-Haul vehicle storage on existing asphalt, and a proposed 1,000 gallon propane tank and dispensing location; and
- WHEREAS, a Phase II area is also shown on the plan, which would include three additional 25' x 330' storage buildings; per a conversation with the Town Commissioner of Planning and Development, it is unlikely Phase II will be constructed if the special permits are granted; and
- WHEREAS, the site is located in the Woodard Industrial Park area across Henry Clay Boulevard from a residential subdivision; the plan shows the site with access to a single 50' driveway easement on Henry Clay Boulevard which is shared with the landlocked adjacent parcel to the west (an existing office) and the adjacent parcel to the south (Matthews Buses and Emerson Oil Trucking); an

existing gate control panel is located at the access point to the shared driveway; any existing or proposed access to Henry Clay Boulevard must meet the requirements of the Onondaga County Department of Transportation; and

WHEREAS, the plan shows part an existing storm water management area and a 30' wide drainage easement on the landlocked parcel; a 20' wide drainage easement to Town of Clay is shown behind the existing storage buildings on the subject parcel; per the commissioner, the existing stormwater facilities serve the subject parcel; and

WHEREAS, the site is served by public water; the plan shows an existing water easement; and

WHEREAS, the site is served by an existing private septic system, with two systems shown under the outdoor vehicle parking area; the site is located in the Oak Orchard Wastewater Treatment Plant service area; and

WHEREAS, the plan shows a landscape area along Henry Clay Boulevard; aerial photography shows evergreen trees along the frontage; a proposed addition of a U-Haul sign to an existing monument sign for the storage facility is also shown; and

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

1. The Onondaga County Department of Transportation has determined that the applicant is required to submit ITE Trip Generation Figures and a gap analysis at AM/PM peak hours for full build-out relating to the proposed action to meet Department requirements and to submit it to the Department for approval; the applicant must complete any appropriate mitigation as may be determined by the Onondaga County Department of Transportation.

2. Per the Onondaga County Health Department, the Town must ensure that any septic system on site is protected against vehicle parking and traffic.

The Board also offers the following comment:

Per the Onondaga County Department of Transportation, the municipality and applicant are advised that no additional access to Henry Clay Boulevard will be permitted, and signage may not obstruct sight distance.

2. The Board advises the Town and applicant to ensure the proposed propane storage meets any requirements of the fire department.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-407

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PROJECT SITE REVIEW from the City of Syracuse Zoning Administration at the request of Empower Federal Credit Union for the property located at 513-517 Erie Boulevard West; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of West Street, a state-owned arterial; and
- WHEREAS, the applicant is proposing façade, drive-thru, and parking modifications and an addition to an existing credit union on two parcels totaling 3.25 acres in an Industrial Class A (IA) zoning district; and
- WHEREAS, the Board previously offered no position on a project site review referral (Z-08-225) for prior parking and drive-thru lane modifications to the site; and
- WHEREAS, per the city application, the project includes a 195 square foot vestibule addition, new metal panels on various facades, replacing two existing ATMs and four drive-up tellers with four ATMs and six drive-up tellers with canopies, and associated reconfigurations to the parking lot to improve site circulation; and
- WHEREAS, the Site Layout and Grading Plan revised October 19, 2015 shows an existing one and two-story building with the proposed ATMs on the side and tellers to the rear; parking and relocated curbed islands and concrete pathways are shown along the side of the building; additional existing parking is shown on an adjacent parcel to the south; and
- WHEREAS, the plan shows the site with frontage and two existing driveways on Erie Boulevard West to remain; and
- WHEREAS, the Environmental Assessment Form dated October 22, 2015 notes 0.07 acres will be physically disturbed by the project, and the site has existing storm drains that will be utilized; and
- WHEREAS, the site is located across the street from the C.G. Meaker Warehouse, a building on the National Register of Historic Places; and
- WHEREAS, the site is served by public water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; and
- WHEREAS, the plan shows sidewalks along the street frontage, grass areas with some trees, and an existing freestanding sign; 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 Daniel Cupoli and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Daniel Cupoli - yes; James Corbett - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-408

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Geddes Town Board at the request of Thomas W. Brogan / Carrols LLC for the property located at 3332 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 West Genesee Street, a state highway (Route 5) east of Westlind Road and a county road west of Westlind Road, and the municipal boundary between the Town of Geddes and the Town of Camillus; and
- WHEREAS, the applicant is proposing to demolish and reconstruct an existing fast-food restaurant with drive-thru (Burger King) on three parcels totaling 0.98 acres in a Commercial A (CA) zoning district; and
- WHEREAS, the site is located in a commercial area along West Genesee Street between Dunkin' Donuts and Delta Sonic, adjacent to existing houses in a residential subdivision to the north; and
- WHEREAS, the Site Plan dated October 30, 2015 shows a proposed 2,763 square foot building with single-lane rear drive-thru, 12 diagonal parking spaces along a proposed 2.5' high retaining wall north of the building, 11 perpendicular parking spaces south of the building partially located in the State right-of-way, and 9 parallel parking spaces along the driveway on Westlind Road, a local road; and
- WHEREAS, plans indicate the two existing driveways on West Genesee Street are proposed to be narrowed to 24' wide each; per aerial photography, there is a raised median in this location which would limit left turns onto West Genesee Street to the signalized intersection with Westlind Road; any existing or proposed access must meet the requirements of the New York State Department of Transportation; and
- WHEREAS, the Environmental Assessment Form dated October 29, 2015 notes stormwater will continue to be directed into an existing 4' x 6' storm sewer within the Genesee Street right-of-way; and
- WHEREAS, aerial photography shows Geddes Brook running north/south across Westlind Road; preliminary FEMA Flood Insurance Rate Maps (FIRM) data released in June 2008 shows that the majority of the Westlind Road driveway parcel is anticipated to be added to the adjacent Special Flood Hazard Area (SFHA) once maps are finalized; and
- WHEREAS, the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building

within a floodplain is therefore discouraged; and

WHEREAS, the site has access to public water and sewer and is located in the Metropolitan Wastewater Treatment Plant and Westside Pump Station service areas; the Utility Plan shows a proposed new water line and sanitary sewer lateral; and

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

WHEREAS, the Onondaga County Department of Water Environment Protection has determined that the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); unless it can be demonstrated that anticipated flows will not exceed previous flows, the project applicant is required to offset any additional sanitary flow in excess of the most recent land use; the applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer; a letter confirming the acceptance of the offset plan must be submitted to the Department of Water Environment Protection documenting the offset plan; and

WHEREAS, aerial photography shows no sidewalks on site, and sidewalks along the Westlind Road frontage of the adjacent Dunkin' Donuts; the Syracuse Metropolitan Transportation Council (SMTTC) has created a Sustainable Streets Guide, which includes the identification of priority sidewalk zones where the installation of sidewalks would be most beneficial; this site is located within a priority zone; and

WHEREAS, the site plan shows an existing pylon sign to remain at the southwest corner of the site, and the Landscaping Plan indicates minimal landscaping to be added to the site; and

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

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

The applicant must continue to coordinate with the New York State Department of Transportation regarding parking in the State right-of-way and driveway access, and the plan must be modified to reflect changes as required by the Department.

The Board also offers the following comments:

1. The Board advises that one of the proposed driveways on West Genesee Street be eliminated, and/or the proposed driveways be narrowed, in order to improve safety along this busy section of the corridor.

2. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
3. The applicant is encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure. For more information on stormwater management, visit the Onondaga County "Save the Rain Program" web site at <http://savetherain.us> or contact the Onondaga County Department of Water Environment Protection at 315-435-6820.
4. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability.
5. Given the location of this site within a sidewalk priority zone as identified by SMTC, and in order to promote walkability and pedestrian safety, the Board encourages the Town and applicant to consider the installation of sidewalks along the West Genesee Street and Westlind Road frontages.
6. The Board recommends onsite lighting that is sensitively designed for a residential environment, limits harsh glare, and does not spill over onto neighboring parcels.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-409

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Town of Van Buren Town Board at the request of Town Board, Town of Van Buren for the property located Townwide; 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 Zoning Code to abolish the existing Planning Board and Zoning Board of Appeals and create a consolidated joint Zoning Board of Appeals and Planning Board; and
- WHEREAS, per the local law, the legislative intent of the proposal is "to increase the efficiency and administration of land use, planning and zoning review in the Town of Van Buren"; and
- WHEREAS, per the general provisions of the new joint board, seven members will be appointed by the Town Board who will ultimately have staggered seven-year terms, and a chairperson and secretary will be appointed by the Town Board annually; and
- WHEREAS, the powers and duties of the new joint board will be to act as the sole land use board within the Town, assuming authority over all matters previously overseen by the separate boards as outlined anywhere in the existing code; and
- WHEREAS, the Town of Van Buren Town Board, acting as Lead Agency pursuant to SEQR, has determined that the proposed action will not result in any significant adverse environmental impacts; and
- WHEREAS, the New York State Department of State notes that it can find no court case specifically addressing the question of whether the statutory zoning structure for planning boards and zoning boards of appeals as envisioned by the State Legislature is one that may or may not be superseded or changed by towns and villages under their supersession authority or by a city under its charter authority; and

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

In order to ensure no conflicts exist regarding the responsibilities of a consolidated Board, the Town is advised to update any existing processes or procedures within the Town Code that currently require interaction between the Planning Board and the Zoning Board of Appeals, prior to approving this proposal.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-410

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a TEXT AMENDMENT from the Town of Skaneateles Town Board at the request of Town of Skaneateles for the property located Townwide; 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 Code with respect to refuse disposal regulations; and
- WHEREAS, per Local Law 2015-A, the purpose and intent of the proposed amendment is to: "a) prohibit compacted loads at the Town Refuse Disposal Area; b) prohibit Commercial Haulers from delivering Hard Fill to the Town Refuse Disposal Area; c) remove "Dead Animals" from the definition of Refuse; d) regulate the delivering of trees to the Town Refuse Disposal Area; and e) prohibit paint deposits at the Town Refuse Disposal Area"; and

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

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-411

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Skaneateles Planning Board at the request of Emily S. Porter for the property located at 3171 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 (New York State Route 41), a state highway, and a farm operation in an agricultural district; and
- WHEREAS, the applicant is requesting a special permit to install a new permeable patio at an existing residence on a preexisting non-conforming 0.92-acre lot in Rural and Farming and Lakefront Watershed Overlay (RF and LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing an area variance referral for this project (Z-15-412); and
- WHEREAS, per the referral materials, variances and a special permit are required to expand a non-conforming structure by more than 500 square feet, and to construct a structure within 50' of the lake line setback; and
- WHEREAS, the Site Plan dated October 30, 2015 shows an existing 1,908 square foot residence, 240 square foot wood deck, proposed deck and permeable patio (568 square feet), proposed permeable steps between the house and the new patio (25 square feet); and
- WHEREAS, aerial photography indicates the parcel abuts but does not have access to an existing fire lane onto East Lake Road located on the adjacent parcel to the south; the plan shows an existing driveway labeled "Right of Way to East Lake Road" which appears to be shared with the adjacent parcels to the north and east; any existing or proposed access to East Lake Road must meet the requirements of the New York State Department of Transportation; and
- WHEREAS, the referral materials indicate the impermeable surface coverage will remain at 10%, and open space will decrease to 87.7% from 89.1%; and
- WHEREAS, the Environmental Assessment Form dated October 29, 2015 notes the site is located in the 100 year floodplain and contains wetlands or other regulated waterbodies; FEMA Flood Insurance Rate Maps (FIRM) and wetland maps indicate that land along the Skaneateles Lake frontage is in a Special Flood Hazard Area (SFHA) and may contain federal wetlands; and
- WHEREAS, maps further indicate the floodplain and wetland areas on the adjacent parcel to the south which contains a creek leading to Skaneateles Lake; and
- WHEREAS, the site is served by private water and septic and is located outside the Onondaga County Sanitary District; the plan shows two septic easements, one on the adjacent parcel to the north labeled "Septic Parcel 2" and one on the

subject parcel labeled “Septic Parcel 1”; and

WHEREAS, the Skaneateles Watershed Rules and Regulations require that the applicant consult with the City of Syracuse Water Department and the Onondaga County Health Department prior to commencing this project; and

WHEREAS, the Onondaga County Agricultural Districts map shows most properties in this area on the opposite side of East Lake Road are located in New York State Agricultural District 2; 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 Daniel Cupoli and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Daniel Cupoli - yes; James Corbett - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-412

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Skaneateles ZBA at the request of Emily S. Porter for the property located at 3171 East Lake Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of East Lake Road (New York State Route 41), a state highway, and a farm operation in an agricultural district; and
- WHEREAS, the applicant is requesting area variances to install a new permeable patio at an existing residence on a preexisting non-conforming 0.92-acre lot in Rural and Farming and Lakefront Watershed Overlay (RF and LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a special permit referral for this project (Z-15-411); and
- WHEREAS, per the referral materials, variances and a special permit are required to expand a non-conforming structure by more than 500 square feet, and to construct a structure within 50' of the lake line setback; and
- WHEREAS, the Site Plan dated October 30, 2015 shows an existing 1,908 square foot residence, 240 square foot wood deck, proposed deck and permeable patio (568 square feet), proposed permeable steps between the house and the new patio (25 square feet); and
- WHEREAS, aerial photography indicates the parcel abuts but does not have access to an existing fire lane onto East Lake Road located on the adjacent parcel to the south; the plan shows an existing driveway labeled "Right of Way to East Lake Road" which appears to be shared with the adjacent parcels to the north and east; any existing or proposed access to East Lake Road must meet the requirements of the New York State Department of Transportation; and
- WHEREAS, the referral materials indicate the impermeable surface coverage will remain at 10%, and open space will decrease to 87.7% from 89.1%; and
- WHEREAS, the Environmental Assessment Form dated October 29, 2015 notes the site is located in the 100 year floodplain and contains wetlands or other regulated waterbodies; FEMA Flood Insurance Rate Maps (FIRM) and wetland maps indicate that land along the Skaneateles Lake frontage is in a Special Flood Hazard Area (SFHA) and may contain federal wetlands; and
- WHEREAS, maps further indicate the floodplain and wetland areas on the adjacent parcel to the south which contains a creek leading to Skaneateles Lake; and
- WHEREAS, the site is served by private water and septic and is located outside the Onondaga County Sanitary District; the plan shows two septic easements, one on the adjacent parcel to the north labeled "Septic Parcel 2" and one on the

subject parcel labeled “Septic Parcel 1”; and

WHEREAS, the Skaneateles Watershed Rules and Regulations require that the applicant consult with the City of Syracuse Water Department and the Onondaga County Health Department prior to commencing this project; and

WHEREAS, the Onondaga County Agricultural Districts map shows most properties in this area on the opposite side of East Lake Road are located in New York State Agricultural District 2; 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 Daniel Cupoli and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Daniel Cupoli - yes; James Corbett - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-413

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a OTHER AUTHORIZATION from the Town of Lysander Town Board at the request of Town of Lysander for the property located in the Cold Springs Road/Hayes Road area; 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 New York State Route 370, a state highway, and Hayes Road, a county road; and
- WHEREAS, the applicant seeks to apply Town Incentive Zoning overlay district standards to create four residential communities under the Town's Incentive Zoning, totaling approximately 447 residential building lots, whereby approximately 180 lots could be created under existing AR-40 zoning regulations; and
- WHEREAS, the Board previously offered no position with comment on concurrent referrals to amend the Town's Subdivision Regulations, Zoning Regulations, and Zoning Map (Z-15-142, Z-15-146, and Z-15-147), and on the Town's Draft Comprehensive Land Use Plan (CLUP) update (Z-15-25), and adoption of the Town of Lysander Zoning Map to include Incentive Zoning Overlay locations (Z-15-323); in its recommendations, the Board expressed significant concern about the costs of extending sewers and other publicly-funded infrastructure assets into the proposed Incentive Zoning Overlay District, and emphasized that cost/benefits should be carefully weighed, town wide tax implications should be examined, and fiscal analysis should include the entire useful life of both local and regional infrastructure assets; the Board also noted strong public opinion favoring preservation of open space and farmland over residential development during plan outreach; and
- WHEREAS, the Incentive Zoning ordinance text, in its purpose and intent statement, notes "it is appropriate to make adjustments to permissible density and area requirements for specific purposes of preserving farmland and open space as well as to promote the extension of roadways, sewers and other such amenities"; stated objectives of the Overlay Zone include: A) preservation /enhancement of natural and cultural features; B) accommodation of uses and arrangements not contemplated in conventional zoning that would further land use conservation and development goals of the Town; C) creation of usable open space, recreation lands and trails; D) preservation of farmland, scenic and water resources, environmentally sensitive areas, and habitats; E) provision of a more desirable environment than would be possible through strict application of existing zoning; and F) promotion of the general health, safety and welfare of the Town; adjustments to certain zoning requirements shall be considered in exchange for a specific community benefit or amenity that provides for the significant preservation of open space in a manner not

otherwise allowed by Zoning Law and in excess of actions required to mitigate proposed development impacts; benefits or amenities are defined as parks, utilities, preservation of farmland or open space, and the preservation of cultural, historic, or other community facilities, “and/or cash in lieu of amenities for specific purposes identified”; incentives include changes to the permissible density, use, lot coverage, setbacks, height, floor area, or buffer areas; and

WHEREAS, the project includes the transfer of land involving portions of 292 acres originally owned by the Melvin Estate, and part of the adjacent lands currently owned by the Windsor J. Abbott Revocable Trust, detailed in a Property Transfer Plan included with the referral; a conservation easement is proposed to be placed on portions of the land (areas unclear); the plan shows three parcels totaling 85.86 acres with significant frontage on New York State Route 370 to become Abbott property, and three parcels totaling 70.16 acres to be transmitted to Marden, the developer; the Incentive Zoning provisions require a 500 foot undeveloped buffer along Route 370 to preserve views and farmland; and

WHEREAS, the four communities, each self-contained and with their own access onto Hayes Road and/or Route 370 are detailed as follows: 1) Estate Community – 73 lots with minimum 85 x 150 lot size where the builder, Ryan Homes, intends to build homes valued in excess of \$300,000; 2) Patio Community – 47 lots, valued at \$225-\$300,000; 3) Traditional Community - 226 lots, with homes similar to Highland Meadows in the \$200-\$300,000 range; and 4) Starter Community – 101 lots, with affordable homes in the \$200,000 range and under; and

WHEREAS, the included Letter of Intent dated November 2, 2015 notes most rear lot lines abut open space and a 9-foot wide gravel internal walking trail (and related town easement) to be owned and maintained by the Homeowners Association; the open areas, including a large contiguous area at the western portion of the site, include areas of flood plain and federal and state wetlands; the applicant notes in the narrative that, in addition to the open space set aside for the residents, farming activities on land surrounding parts of the project will add to the open spaces provided by the project while preserving farmland in the community; and

WHEREAS, the proposed development will include the construction of 3.75 miles of local roads with five intersections onto Hayes Road, a county road; the Traditional community also shows a road access onto Route 370, a state road; the applicant has proposed construction of turning lanes and new traffic signal on Route 370 at the intersection with Hayes Road and Hicks Roads, a town road; turning lanes are only indicated on Route 370; the applicant claims this modification will improve the flow of traffic on Route 370, improve future traffic from River Road to Hicks Road, and accommodate the flow of traffic from the west, including from the Village of Baldwinsville east to the new YMCA on River Road; and

WHEREAS, the applicant proposes to construct oversized sewer connections between the Baldwinsville-Seneca Knolls Wastewater Treatment Plan and the Melvin Farm subdivision to a point of future connection by the Town, as determined by the Town Engineer; pipes would be sized to permit the 450 homes within the Melvin Farms project, as well as an additional 550 homes, for a total of 1,000 homes; the sewer system is currently anticipated to have an expandable pump

station to be located in the subdivision and to cross Barbara Lane at the entrance to the treatment plant; however, subject to the applicant being successful in obtaining a sewer easement through private property that borders the plant, the sewer system may be constructed to operate by gravity (at significant depths), per submitted Exhibits 3A and 3B; and

WHEREAS, per the Town's Comprehensive Land Use Plan update and subsequent adoption of the Incentive zoning overlay district, it was noted that properties along the Seneca River have historically been built on lots which cannot sustain a full-size residential septic system, which may be affecting water quality on the Seneca River; over the past decades, the Town has also approved of subdivision projects on smaller lots than typical for septic systems, with the provision that the developer provide dry sewer infrastructure in anticipation of future sewer extension to serve these sites; as stated, the current proposal would provide for eventual service for an additional 550 units through the Melvin Farms project via one of two proposed means; however, using rough estimates, it appears that the need for capacity may be greater than 550 units, just to serve the following: the remainder of the incentive zoning overlay district (200+ units south of Route 370 and 200+ units in two locations to the north and east), current and approved dry sewer developments (250 units), riverside units (75), and additional older residences on septic in the area (100); this calculation would leave no room for other potential activity, such as commercial redevelopment at the former oil tank site as proposed; it is noted that some existing subdivisions include road infrastructure anticipating eventual continued buildout, and areas north of Doyle Road in particular have been noted as potential development locations; with the exception of the remaining Incentive Zoning lands, little potential exists for development activity to offset the remainder of costs to provide service to these areas; it is unknown what the funding strategy is for providing service to these existing built areas, and what the cost implication might be to residents in the potential service area and townwide; and

WHEREAS, the applicant describes the value of Incentive Zoning benefits as: 1) intersection improvements to Route 370, valued at \$750,000 (\$900,000 including design and approval); 2) providing the Town the ability to extend public sewers easterly through upsizing of sewer pipes and possible pump station, valued at \$116,000 to \$154,000, depending on whether a pump station or gravity system is used; 3) dedication of a segment of Barbara Lane to the Town, estimated with a value in the "low five figures"; 4) walking trails, valued at \$150,000; and 5) improvement of electric service along Hayes Road, valued at \$80,000, "for a total monetary benefit of approximately \$1,300,000"; the applicant also notes other non-monetary benefits such as the integration of a farming community with residential, preserving vistas, a town trail easement, and "creating four separate Communities which will provide the American Dream to a cross-section of residents"; and

WHEREAS, the Town's new Comprehensive Land Use Plan cites "Incentive Zoning provisions will be applied to create amenities such as park land and to preserve open space and farmland as well as wastewater conveyance subject to fiscal impact analysis and coordination and concurrence with regional infrastructure providers"; the applicant describes the project's consistency with the Town Comprehensive Land Use Plan as: preservation of open space by working with the Abbot farm to retain farmed parcels and reducing lot size, improving traffic flow, reducing linear infrastructure (60-85 foot wide lots),

installing walking trails, and designing the site to avoid natural resource areas; and

WHEREAS, in the OCPB review of the Comprehensive Land Use Plan update, the Board noted several areas of sensitivity, including the capacity of roadways in the area to accommodate such intensive housing growth, the difficulty in financing new infrastructure, limitations of the wastewater conveyance and treatment systems, balancing housing growth without negatively impacting commercial and industrial capacities, affordable housing provisions, and the strong support for preservation of agricultural lands; and

WHEREAS, in particular relation to wastewater facilities in the Town, the Board notes: the portion of the Town within the boundary of the Onondaga County Sanitary District is tributary to the Baldwinsville-Seneca Knolls Treatment Plant; the Onondaga County Department of Water Environment Protection met with the committee and town representatives during the process, and offered several items for consideration, including:

1.) Biochemical Oxygen Demand (BOD) loading and capacity constraints may be on the horizon for the Baldwinsville-Seneca Knolls Wastewater Treatment Plant service area and are highly dependent on current and potential industrial users; capacity expansion at the treatment plant would likely run in the millions of dollars;

2.) the Towns of Lysander, Van Buren and Village of Baldwinsville are encouraged to work cooperatively to identify an allocation strategy for the limited remaining capacity within the county system, and to ensure capacity is used for the most beneficial land uses for the communities and the region, especially job creating entities;

3.) the Department estimates the costs related to providing new Town service to Peninsula shoreline residential properties, existing dry sewered areas and homes currently on septic systems, and new development, would be significant and would likely exceed the cost that could be realistically be borne by the development community; the Town should think critically about the costs and benefits of such an expansion strategy prior to adoption of an Incentive Overlay zone;

4.) the operational and long-term repair/replacement costs of pump stations serving a limited residential tax base can be excessive, and WEP encourages cost-benefit analyses, high quality construction standards, and assurances such as performance bonds/maintenance guarantees as part of the development review process"; and

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

Given the scale and design of the proposed project, the Peninsula wastewater strategy facilitated in part by this project, and lack of fiscal information as required in the Comprehensive Land Use Plan for Incentive Zoning projects, the Board does not have adequate information to assess the impacts and merits of the project at this time.

The Board recommends a more significant preliminary review, to include not only the applicant's quantification of provided benefits, but also Town analysis of the fiscal impacts of the proposed project and financing strategy for the proposed sewerage of additional lands on the peninsula.

As part of that preliminary review, the Board continues to advocate for a more robust community discussion regarding support for the development being proposed on this site and other proposed development sites on the Peninsula, as well as regarding the Peninsula sewerage strategy. Community discussion would optimally include identification and notification of potentially affected property owners, presentation of anticipated upfront and life cycle costs and funding sources, and potential direct expenses and property tax implications to affected existing homeowners on the Peninsula and townwide.

The Board questions the viability of the farmland proposed to remain, both in this location as well as throughout remaining lands on the Peninsula, and points out the potential for conflicts between farming activities and proposed housing.

The Board is additionally concerned that the scoped conveyance capacity may not accommodate the entirety of remaining incentive zoning area plus retrofitting of existing Peninsula properties. Additional capital projects related to the Incentive Zoning Overlay District and Peninsula sewerage strategy should be included in community dialogue and impact analysis.

The Board also advocates for additional preliminary discussion of proposed project site planning prior to Town approval of the Incentive Zoning application, and during future subdivision review. In particular:

The New York State and Onondaga County Departments of Transportation require the submission of a full Transportation Impact Study, coordination on study scope, and continued agency coordination on proposed buildout and access for the project.

The Board recommends increased roadway inter-connectivity between project 'communities' as well as with neighboring developments. The Onondaga County Department of Transportation also questions whether the five proposed access points onto Hayes Road will most adequately serve the layout as proposed.

The Board strongly encourages the Town and developer to consider increased integration of housing types, rather than segregating buyers into 'communities' based on housing value. With the number of units being proposed, the Board also advocates for inclusion of attainable affordable housing units into the buildout strategy.

The Town and applicant should consult with the Fire and Police Departments and the Baldwinsville School District as part of the development review process, in order to assess safety, serviceability and budgetary impacts.

The Town should also continue to work with WEP, the Village of Baldwinsville, and the Town of Van Buren in developing a mutually acceptable allocation plan which prioritizes allocation of limited wastewater treatment capacity within the Baldwinsville-Seneca Knolls Wastewater Treatment Plan to the highest quality and most cost-effective uses and locations within the service area.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-414

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Town of Geddes Town Board at the request of Town of Geddes for the property located on West Genesee Street between the New York State Route 5 ramp and Fay Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the Town of Geddes is proposing a Professional and Office Overlay District to permit increased commercial use of structures and land on properties fronting the West Genesee Street corridor, with standards intended also for preservation of the residential character; and
- WHEREAS, the Board previously recommended No Position (Z-12-255) and No Position with Comment (Z-14-191) on use variance requests and Disapproval (Z-13-72) of a zone change request for a property seeking exclusive commercial use of a site on the corridor, citing compatibility and character, and the precedent for continued change on the corridor; the Board recommended Modification (Z-14-39 and Z-15-21) for a use variance for a former gas station property, citing required driveway modifications, corridor study recommendations, and attention to neighborhood compatibility and site details; the Board recently declined to provide comment on an informal review referral (Z-15-300); Syracuse-Onondaga County Planning Agency staff provided feedback on the draft overlay district language in August 2015; and
- WHEREAS, in 2013-14, the Syracuse-Onondaga County Planning Agency staff also provided technical support at the request of the Town of Geddes to a citizen West Genesee Street Corridor Committee created by the Town to advise the Town Board on zoning matters and to assess the potential impacts of allowing limited commercial uses on the corridor; SOCPA issued a memo containing research and recommendations to the committee; the Committee also issued a Findings report which outlined two positions: 1) to maintain the RA zoning along with a road diet, speed limit reduction, reduced number of bus stops, and strict review of variance requests, and 2) to modify and apply the existing RC zoning district to the corridor, with specific standards governing use, scale, paved areas, parking, etc.; both reports note that consensus was not achieved among committee members on a preferred position; and
- WHEREAS, the overlay district would apply to an approximately one mile length of properties fronting on West Genesee Street, from the New York State Route 5 ramp to Fay Road; all properties are currently zoned Residential A (and R-1 within the Village of Solvay); the overlay is located on a commuter corridor and serves the predominantly single-family Westvale Neighborhood; land uses are predominantly residential and lot sizes, widths, setbacks, and architecture within the Westvale neighborhood and along the corridor are fairly uniform,

configured in a traditional block form; corner parcels, undeveloped parcels, and those with non-residential uses tend to have varying lot widths; and

WHEREAS, per the proposed regulation, the application process includes submission of a detailed site plan to the Town Board, referral to the Town Planning Board for review, changes, and recommendation, and ultimate Town Board review and site plan approval; Town Board approval is contingent upon criteria including site suitability for intended use and purpose, including odor, noise, traffic, incompatible land uses and other environmental restraints, sufficient vegetation and buffering, and adverse effects on the surrounding neighborhood; the overlay text notes that “the Town, in its discretion, shall have the power to waive or modify any of the supplementary requirements, provided that such waiver or modification will not be contrary to the purpose and intent of the overlay district”; and

WHEREAS, the Overlay District text includes a statement of Purpose that reads “It is the intent of this district to provide for economic revitalization and to ensure maintenance and use of all available properties within the defined geographic area, while maintaining architecture and land uses most consistent with that of traditional residential districts”; and

WHEREAS, the permitted uses within the overlay are restricted to professional businesses, limited to architects, applied behavior analysis, mental health practitioners and psychologists, certified public accountants, chiropractors, engineers, insurance agents, interior designers, land surveyors, landscape architects, law offices, medical offices (dentists, physicians, primary care/specialists), physical/occupational therapists, professional photographers, and residential real estate offices; only parcels over 10,000 square feet shall be eligible for the overlay; occupancy restrictions note properties need not be owner occupied, shall be limited to a single use (unless combined with owner-occupied residential unit), and shall not be used as rental property; and

WHEREAS, the proposed overlay district includes additional Incentive District regulations for select properties on the south side of West Genesee Street near South Terry Street, which currently contain gas stations and vacant parcels; permitted uses in these locations would also include banks (no drive thrus), business offices, community centers, family day cares, gas stations and convenience stores, group residences, home occupations, medical facilities or offices, public libraries or museums, religious uses, and single-family dwellings; several of the abovementioned non-commercial uses are also allowed by Special Permit within the underlying RA zoning district; additional buffers apply to these parcels; and

WHEREAS, supplementary regulations cover building and lot coverage (25% maximum impervious lot coverage), front elevations (2 stories required, maximum 32 feet), square footage maximums (first floor 2,250 square feet, gross square footage 4,500 square feet), buffer areas, agreements and covenants, outdoor walks, ramps and driveways (including a maximum driveway width of 24 feet, which is the New York State Department of Transportation minimum width for commercial driveways), design, parking (no parking in front yard setback as outlined in the underlying district, which is also prohibited by NYSDOT), signs, illumination, and hours of operation (7am-9pm); and

WHEREAS, landscape buffer area regulations cite preservation of natural and grassed areas to minimize erosion or stormwater runoff and improve aesthetics; the Town Board may require opaque screening; the buffer must measure 8-10 feet

deep along the side and rear yards, in addition to underlying setback requirements (currently 20 feet in the RA district); several parcels on the corridor would have difficulty complying with buffer and setback requirements with existing lot, parking, and building configurations; it is unclear whether parking areas, driveways, and storage are allowed within buffers; and

WHEREAS, architectural standards state “the design of the proposed addition(s) must be consistent and aesthetically compatible with the architectural design, scale, material and color of the existing structure and surrounding properties and (new)that of a traditional residential district”, and provides detailed standards for awnings (prohibited), chimneys and exhaust, doors (doorways facing the street required that are compatible with surroundings, even if installing rear entry), driveways and walkways (driveway extensions prohibited), fences and walls (wood grained not to exceed 6 feet), garage doors, house-mounted street numbers, mailboxes, roofs (residential materials, pitch consistent with residential, no flat roofs), and windows (ratio similar to existing homes in neighborhood, no picture/display windows); the overlay district language was recently modified to add “Under no circumstances shall the design of significant building modifications be such that future residential use is precluded”; and

WHEREAS, the corridor is generally served by public water and sewer and is located in the Metropolitan Wastewater Treatment Plant and Westside Pump Station service areas; a limited number of parcels on the corridor may utilize onsite wastewater treatment and would require connection with any change in land use intensity on site; the Onondaga County Department of Water Environment Protection advises that the West Genesee Street corridor 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); properties being converted to new uses and tenants will be required to offset any additional sanitary flow in excess of the most recent land use, per county Local Law #1 of 2011; and

WHEREAS, several letters of opposition to the proposed action have been received, and a growing contingent of community support for the overlay was also noted; the proposed location borders the Village of Solvay and the City of Syracuse; 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 Town must address the following items prior to Town consideration of this proposal, to ensure that application the proposed overlay district is practicable and the overlay maintains adequate protection of the residential character:

In light of the Purpose statement and reflection within the text that residential character must be preserved, the Board encourages the Town to reconsider and/or regulate potential uses in light of their potential volume of customer visits, as increased site activity and parking needs have the potential to create

significant conflicts with site planning objectives and nearby residential uses.

Adherence to proposed dimensional standards and buffer requirements may prove difficult with many existing lot sizes and configurations. This may result in area variance requests, compromises on screening requirements, or very limited application of the Overlay District. Or conversely, this may result in requests to combine parcels into larger lots, which may result in teardowns and/or more suburban lot configurations and commercial building forms. The Board encourages additional consideration as to the feasibility and possible unintended consequences of the overlay standards.

The Board also strongly encourages establishment of maximum lot sizes and widths if a traditional scale is desired.

Direct consultation with NYSDOT is encouraged prior to enactment of the overlay, in order to fully assess conditions and requirements that may likely affect the character of individual sites, and cumulatively, the character of the corridor. On-site parking and accommodation of both employees and visitor parking on an individual site may be difficult on existing parcels without compromising desired character and lot coverage. Additionally, the New York State Department of Transportation advises that as properties transition from residential to commercial land uses, commercial driveway standards will be enforced, access changes may be necessary, and some sites, particularly near the Incentive District, may be encumbered by roadway conditions that preclude safe access.

The Town should further reconsider prohibitions on mixed-use of a building or parcel, multi-family uses, or the rental of housing units on the corridor, as these uses may increase the utility and value of existing residential structures, and may ultimately represent more compatible transitional uses to anchor a residential neighborhood than some of the Overlay and Incentive District uses being proposed.

While proposed uses within the Overlay may be able to be accommodated within a residential structure, some of the proposed uses within the Incentive District have specific site needs not covered within these general and architectural standards, such as gas pumps/canopies, ATMs, and employee parking. The Town should supplement the proposed standards with an eye toward accommodation and/or regulation of features associated with these new proposed uses, in an effort to minimize impact on residential character. Otherwise, these uses should be removed from the allowable uses list.

The Town must notify, and is encouraged to solicit formal comment from, the Village of Solvay and City of Syracuse regarding the proposed overlay district, and particularly include Village residents in outreach efforts regarding plans for the corridor.

The motion was made by Robert Jokl and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; James Corbett - yes; Robert Antonacci - No; Daniel Cupoli - No.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-415

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a OTHER AUTHORIZATION from the Town of Lysander Town Board at the request of Town of Lysander for the property located at 8185 Emerick Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review authorizations which a referring body may issue under the provisions of any zoning ordinance or local law the site is located within 500 feet of Interstate Route 690, a state highway; and
- WHEREAS, the Town Board is seeking comment relative to a revised application of Incentive Zoning overlay standards for the creation of a 37-lot subdivision on approximately 26 acres of land in an Agricultural Residential (AR-40) zoning district; the Board recommended disapproval of the prior application (Z-15-388), citing inconsistencies with regulations and plans, and the need for continued public analysis and vetting of the proposal and related capital expenditures; and
- WHEREAS, the Board also previously offered no position with comment on concurrent referrals to amend the Town's Subdivision Regulations, Zoning Regulations, and Zoning Map (Z-15-142, Z-15-146, and Z-15-147), and on the Town's Draft Comprehensive Land Use Plan (CLUP) update (Z-15-25), and adoption of the Town of Lysander Zoning Map to include Incentive Zoning Overlay locations (Z-15-323); in its recommendations, the Board expressed significant concern about the costs of extending sewers and other publicly-funded infrastructure assets into the proposed Incentive Zoning Overlay District, and emphasized that cost/benefits should be carefully weighed, townwide tax implications should be examined, and fiscal analysis should include the entire useful life of both local and regional infrastructure assets; the Board also noted strong public opinion favoring preservation of open space and farmland over residential development during plan outreach; and
- WHEREAS, the Incentive Zoning ordinance text, in its purpose and intent statement, notes "it is appropriate to make adjustments to permissible density and area requirements for specific purposes of preserving farmland and open space as well as to promote the extension of roadways, sewers and other such amenities"; and
- WHEREAS, stated objectives of the Overlay Zone include: A) preservation /enhancement of natural and cultural features; B) accommodation of uses and arrangements not contemplated in conventional zoning that would further land use conservation and development goals of the Town; C) creation of usable open space, recreation lands and trails, D) preservation of farmland, scenic and water resources, environmentally sensitive areas, and habitats; E) provision of a more desirable environment than would be possible through strict application of existing zoning; and F) promotion of the general health, safety

and welfare of the Town; and

WHEREAS, adjustments to certain zoning requirements shall be considered in exchange for a specific community benefit or amenity that provides for the significant preservation of open space in a manner not otherwise allowed by Zoning Law and in excess of actions required to mitigate proposed development impacts; benefits or amenities are defined as parks, utilities, preservation of farmland or open space, the preservation of cultural, historic, or other community facilities, “and/or cash in lieu of amenities for specific purposes identified”; incentives include changes to the permissible density, use, lot coverage, setbacks, height, floor area, or buffer areas; and

WHEREAS, per an Incentive Zoning Project Narrative for the proposed Whispering Oaks Subdivision – Section 4 dated July 2015, the 26-acre property consists of predominantly wooded and agricultural land; two subdivision plans were submitted with the referral, both dated July 2015; the R-40 plan showed approximately 22 lots in a conventional subdivision layout, and an R-20 plan that showed approximately 37 lots within the same road network and 26-acre area, which is the proposed higher density layout under consideration; and

WHEREAS, per the narrative, total revenue from 37 lots sold at R-20 zoning is estimated at \$200,000 over revenue from lot sales using AR-40 zoning; Cabbage Patch Partners proposes to pay \$1,600 per lot to the Town over 3 phases, for a total of \$59,000 cash in lieu payment in exchange for increased density; utilizing this per lot figure, and a total of 110 potential units in this Incentive Zoning area in the town, a total of \$176,000 in payment in lieu revenue could be realized at full build out for a specified benefit improvement; and

WHEREAS, the site is located within the Baldwinsville-Seneca Knolls wastewater treatment plant service area and lots would be added to the Whispering Oaks sewer district, which has recently encumbered significant debt service to extend service to remedy a failed community septic system; the addition of the proposed lots to the Whispering Oaks sewer district would contribute an additional \$25,000 toward payment of the debt service over the course of the loan (\$7,350 more than would be contributed under AR-40 zoning); a 20' wide sanitary sewer easement leading to Emerick Road (presumably to supply additional development to the east, although not included in the Incentive Zoning overlay district) is also shown on the plan, which would be donated to the Town, and is assigned a value to the town of \$20,000; and

WHEREAS, per the narrative, in total, the associated value of the incentive to the developer for the project is estimated at \$200,000 in increased lot sales, and the value of the benefit to the Town is \$86,550, which includes the \$59,000 lump sum payment in lieu of amenities, \$20,000 value for the sewer easement, and the difference in annual debt service payments (\$7,350) for prior sewer extension; and

WHEREAS, the zoning text states that allowable payment in lieu funds shall be placed in a trust fund to be used by the Town Board exclusively for amenities specified in these [incentive zoning] provisions; the Town’s new Comprehensive Land Use Plan cites “Incentive Zoning provisions will be applied to create amenities such as park land and to preserve open space and farmland as well as wastewater conveyance subject to fiscal impact analysis and coordination and concurrence with regional infrastructure providers”; a provision in the Project Narrative cited “In this case, the Town Board has indicated they would like to use the monies for work associated with the Town Highway Department and/or

Highway Department equipment purposes”; however, that proposal has been revised, and funds are now proposed to be allocated toward eventual sewer extension to the west to serve existing properties near the Seneca River; estimates provided by the Town Engineer for one method of sewer extension totaled approximately \$1.7 million; and

WHEREAS, regarding the proposed site, the proposed subdivision is shown with a road network that consists of two cul-de-sacs serving a limited number of lots, and a through road connecting the existing Whispering Oaks subdivision east to Emerick Road, a town road; and

WHEREAS, the Environmental Assessment Form and available mapping indicate the site includes 17.5 acres of highly productive agricultural soils and a primary and/or principal aquifer; drinking water service is proposed to be provided by the Village of Baldwinsville; the EAF notes the applicant has obtained Army Corps of Engineers wetland disturbance permits for approximately 25,000 square feet of wetlands and excavation/fill of wetlands to be dependent on grading plan; the plan shows two delineated wetlands, one on the rear of proposed Lot 14 and in the location of a proposed road, and one occupying the majority of proposed Lots 36 and 37; the EAF also notes NYS DEC SPDES Discharge Permits are also required, and construction of a stormwater detention pond is planned, though not included on the currently submitted plan; and

WHEREAS, the Onondaga County Department of Water Environment Protection notes that an additional pump station may be required for ultimate build out of lots north of Route 370 under incentive and/or traditional zoning in this area, and another pump station would very likely be required for service extension to the Seneca Estates area to the west, though the Town proposal instead relies on use of individual unit grinder pumps in lieu of a more costly pump station; WEP reiterates its prior warnings as to the significant costs related to pump stations and that the Baldwinsville-Seneca Knolls Wastewater Treatment Plant may encounter future capacity constraints, depending on extent and character of development within the service area; and

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

As this project will likely set the precedent for future application of Incentive Zoning within this area from both a fiscal and site planning perspective, it is important to fully consider the project benefits, costs, and impacts both for the proposed site, but also for the entire Incentive Zoning area. Given these potential buildout implications, the wastewater strategy facilitated in part by this project, and the lack of certain fiscal impact information as required in the Comprehensive Land Use Plan for Incentive Zoning projects, the Board does not have adequate information to assess the impacts and merits of the project at this time.

The Board recommends more significant preliminary review, to include not only the applicant’s quantification of provided benefits, but also Town analysis of the fiscal impacts of the proposed project and financing strategy for the proposed sewerage of additional lands to the west.

As part of that preliminary review, the Board continues to advocate for a more robust community discussion regarding support for the proposed development

and the proposed sewerage strategy for properties to the west, including identification and notification of potentially affected property owners, presentation of upfront and life cycle costs and likely funding sources, and potential direct expenses and property tax implications to affected existing homeowners in the area and townwide. Reliance on increasingly competitive state grants at a date well into the future to offset the vast majority of capital costs is a risky strategy, especially in light of significant anticipated costs for sewer expansion the Town is also pursuing on the Peninsula - which may likely rely on the same funding strategy.

The Board also offers the following for consideration as part of the Incentive Zoning review process:

In order to better meet the open space and farmland objectives of the overlay district, the Town is encouraged to consider farmland and open space buffers at minimum in locations bordering farmland as part of the incentive zoning review, in order to ease the transition from developed land to farmland in this area.

The Board also encourages consideration of a more detailed planning process for the Incentive Zoning area prior to subdivision approval on a site by site basis, to ensure desired outcomes from dense buildout. Items to consider include wetland/woodlands protection, agricultural buffers, and road network planning to both minimize municipal cost and maximize interconnectivity.

The Town should also continue to work with WEP, the Village of Baldwinsville, and the Town of Van Buren in developing a mutually acceptable allocation plan which prioritizes allocation of limited wastewater treatment capacity within the Baldwinsville-Seneca Knolls Wastewater Treatment Plan to the highest quality and most cost-effective uses and locations within the service area.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-416

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Town of Van Buren Town Board at the request of Town of Van Buren for the property located in the area north of Winchell Road and Walters Road intersection; 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 Interstate Route 90 (New York State Thruway), a state highway, Walters Road and Winchell Road, both county roads, and the municipal boundary between the Town of Van Buren and the Town of Geddes; and
- WHEREAS, the applicant is proposing to amend the Zoning Classification from Planned Unit Development (PUD) to Industrial-A (In-A) on approximately 45 acres of land in order to conform the zoning classification with actual development history and conditions; and
- WHEREAS, per aerial photography and a Final Plat dated December 8, 2007, the proposed zone change area includes eight parcels and is generally bordered by Winchell Road, Walters Road, the Town of Van Buren boundary, and the New York State Thruway and associated right-of-way land and structures; and
- WHEREAS, per a narrative submitted with the Environmental Assessment Form dated November 17, 2015, the current PUD classification was adopted in 2007; and
- WHEREAS, the Board previously recommended modification of that zone change action (Z-06-58) with a proposed plan for three lots in this location, including a hotel, a mix of indoor recreation uses (paintball, skateboarding and motocross), and associated parking; the plans further noted additional permitted uses on the lots included other indoor/outdoor recreational facilities, food service, hotel/motel, convention centers, retail, offices, and motor vehicle repair and sales; a traffic study was required by the Onondaga County Department of Transportation; and
- WHEREAS, the narrative notes only a small area of the PUD was actually developed for residential uses despite provisions which require a minimum of 60% residential; per aerial photography, the parcels currently contain vacant land, a hotel (Holiday Inn Express), a vacant indoor sports facility (Action Sports Park), a vacant restaurant (Quaker Steak & Lube), and a vacant warehouse structure; the plat indicates land across Winchell Road is zoned In-A; and
- WHEREAS, the narrative further states that an additional industrial use application has led the Town to deem it appropriate to re-zone the non-residential portion of the PUD to In-A, further noting that the action will cause no disruption to the area, as the Town has consistently applied In-A restrictions there; and
- WHEREAS, per aerial photography, the developed parcels have existing access to Winchell

Road and Walters Road; any existing or proposed access to those roads must meet the requirements of the Onondaga County Department of Transportation; and

WHEREAS, wetland maps indicate two small state wetlands along Walters Road, and the New York State Department of Environmental Conservation EAF Mapper indicates that the area may contain a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered; and

WHEREAS, the EAF Mapper further indicates the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory, and indicates that is located over, or immediately adjoining, primary and principal aquifers; and

WHEREAS, the Town of Van Buren Town Board, acting as Lead Agency pursuant to SEQOR, has determined that the proposed action will not result in any significant adverse environmental impacts; and

WHEREAS, the site has access to public water and sewers which ultimately flow to the Metropolitan Wastewater Treatment Plant; the plat shows a number of Onondaga County Water Authority easements, drainage easements, and sanitary sewer easements; 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 Town approve the zone change, the Town is advised that future industrial development should be coordinated with the applicable county and state agencies regarding access, water and wastewater service, and any environmental constraints on site. The Board further encourages adherence to the Town of Van Buren Design Guidelines for industrial lot layout, which encourages the minimization of traffic impacts on adjacent areas, good circulation for trucks and general passenger vehicles, the screening of loading, mechanical, and refuse areas, and the preservation/incorporation of wooded areas, landscaping, and buffers.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-417

- 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 Board of Trustees for the property located at 1225 Tulip 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 Interstate Route 90 (New York State Thruway), a state highway, Tulip Street, a county road, and the municipal boundary between the Village of Liverpool and the Town of Salina; and
- WHEREAS, the applicant is proposing a local law to amend the Village Zoning Map to change the zoning district from Single-Family Residential (R-1) to Multiple-Family Residential (R-3) on a 0.85-acre lot as part of a project to construct an a 134-unit apartment complex on the subject lot and an adjacent 6.2-acre parcel currently zoned R-3; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that this referral is INCOMPLETE for the reasons listed below.

The Board does not have sufficient information to evaluate the proposed zone change request, as required by New York State General Municipal Law Section 239-m.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-418

- 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 Davidson Management Group for the property located at 3712 State Route 31; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of New York State Route 31, a state highway, and Oswego Road (Old Route 57), a county road; and
- WHEREAS, the applicant is requesting an area variance in order to align a proposed driveway with a new traffic signal, as part of a project to construct an auto dealership and three associated buildings on six parcels totaling 31.6 acres in a Regional Commercial (RC-1) zoning district; and
- WHEREAS, the Board is previously recommended modification of concurrent site plan and special permit referrals for the project (Z-15-205 and 207), and no position with comment on a zone change referral (Z-15-28) to convert the parcels to RC-1 zoning; requirements included a Traffic Impact Study (TIS), drainage report, and permits from the New York State Department of Transportation, and the Board further commented on water and wastewater service, wetland and endangered species, and stormwater runoff considerations; and
- WHEREAS, per the referral materials, in order for the easternmost driveway on site to align with a proposed signal on New York State Route 31, an area variance is required to encroach in the perimeter landscape strip (32.4' proposed, 80' required); the material note the internal circulation, driveway, and signal configuration was determined by meetings with the New York State Department of Transportation (NYSDOT) and property owners across Route 31 (Widewaters); and
- WHEREAS, the Area Variance plan revised October 28, 2015 shows the northeastern portion of the site, which includes a proposed 42,200 square foot dealership building, a development pad, and the proposed driveway on Route 31; the adjacent parcel to the east is zoned Residential-Agricultural (RA-100) and a row of evergreen trees is shown as a buffer; the town application materials note the Route 31 corridor is commercial in character and remaining properties will likely be converted to RC-1 once sold; and
- WHEREAS, prior plans indicated the project includes two additional buildings heading west along Route 31, roof-mounted solar panels, and a restrictive commercial development area behind a 100' wide Niagara Mohawk Power Corporation Easement crossing the rear of the parcel; a letter from NYSDOT dated October 26, 2015 notes one additional right-in/right-out driveway will be allowed for the site; and

- WHEREAS, the Environmental Assessment Form dated November 2, 2015 states approximately 20 acres will be physically disturbed by the project over three phases and that on-site stormwater management facilities/structures will be constructed in the first phase; the EAF notes a SPDES permit will be required from the New York State Department of Environmental Conservation (NYSDEC); and
- WHEREAS, prior plans showed the official mapped location of three federal wetlands on site, one of which is an isolated 0.27 acres in the location of front yard parking, and two of which are located in areas proposed to remain undeveloped within the restricted development area and electric easement (0.72 acres and 3.08 acres); the applicant must obtain appropriate permits from the U.S. Army Corps of Engineers for any proposed development or drainage in federal wetlands on site; and
- WHEREAS, the EAF states that the site of the proposed action contains a species of animal, or associated habitats, listed by the state or federal government as threatened or endangered, specifically noting the possibility of the Indiana bat habitat; a permit may be required from the New York State Department of Environmental Conservation (NYS DEC) if the species is listed as endangered or threatened and the NYS DEC determines that the project may be harmful to the species or its habitat; and
- WHEREAS, an Archaeological Report dated May 8, 2015 was provided with prior referrals which indicates the proposed project will have no impact on any cultural resources; and
- WHEREAS, per the EAF, the project will require water and sanitary sewer line extensions; the site is located in the Oak Orchard Wastewater Treatment Plant service area in the Gaskin Road Pump Station service area, which is currently being diverted to the Wetzell Road Wastewater Treatment Plant; per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

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

1. The Town and applicant are advised to continue coordinating with the New York State Department of Transportation regarding access requirements and to obtain a highway work permit for any work within the State right-of-way.
2. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.
3. The Onondaga County Water Authority (OCWA) recommends that the municipality and/or applicant contact OCWA's Engineering Department early in the planning process to determine water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing

to assess fire flow availability.

4. The Board encourages the Town to require densely planted vertical screening within the remaining perimeter landscape strip to ensure the adjacent residential parcel is well-buffered from visual and noise impacts.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-420

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 Geddes Town Board at the request of Town of Geddes for the property located Townwide along Interstate Route 690; 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 create an I-690 Billboard Overlay District, in order to permit the limited construction of billboards on select properties contiguous to I-690 in the Town of Geddes; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that this referral is INCOMPLETE for the reasons listed below.

The Board does not have sufficient information to evaluate the proposed local law, as required by New York State General Municipal Law Section 239-m. Comments from the New York State Department of Transportation and Syracuse-Onondaga County Planning Agency staff have been transmitted to Town Board counsel under separate cover.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-421

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Cicero Zoning Board of Appeals at the request of Frank Chiodo for the property located at 7511 West Murray Drive; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of the municipal boundary between the Town of Cicero and the Town of Constantia, and the county boundary between Onondaga County and Oswego County; and
- WHEREAS, the applicant is requesting an area variance to construct a 25' x 10' attached garage addition at an existing residence on a 0.98-acre lot in a Residential (R-10) zoning district; and
- WHEREAS, the Board previously recommended disapproval of an area variance referral (Z-15-325) for a larger addition which encroached further into the front yard setback; and
- WHEREAS, the Land Survey revised November 11, 2015 shows an existing house with rear wood deck, above ground pool, vinyl shed, and frame shed, and a proposed 10' x 25' garage in front of the house; and
- WHEREAS, the referral materials indicate a building permit is in place for a 20' x 10' structure which does not require a variance; a variance is being requested to extend the proposed structure by 5', which would encroach 2.5' into the required front yard setback of 30'; and
- WHEREAS, the survey shows the site with 50.4' of frontage on Oneida Lake and frontage on Murray Avenue (West Murray Drive), a local road; aerial photography shows an existing asphalt driveway on West Murray Drive; and
- WHEREAS, the Environmental Assessment Form dated October 6, 2015 and FEMA Flood Insurance Rate Maps (FIRM) indicate that the site is located in the 100 year flood plain; and
- WHEREAS, the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, National Wetland Inventory Maps indicate the potential presence of federal wetlands on site along the lakeshore; per the U.S. Army Corps of Engineers, National Wetland Inventory Maps may not be used to confirm the presence/absence of federal wetlands on a given parcel of land; the applicant must obtain appropriate permits from the U.S. Army Corps of Engineers for any proposed development or drainage in federal wetlands on site; and

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

WHEREAS, the Town of Cicero has established a Floodplain Zone overlay "to allow Oneida Lake and streams and tributaries flowing into said lake to carry abnormal flows of water in times of flood, to prevent encroachments into the floodplains of these waterways which will unduly increase flood heights and damage, and to prevent excessive property damage as well as a potential threat to the health and safety in the area of greatest flood hazard"; and

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

The Board does not endorse the granting of area variances to expand structures within the 100-year flood plain.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-422

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Cicero Planning Board at the request of W. Brian Caruso for the property located at 8578 Whiting 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 Whiting Road and South Bay Road, both county roads; and
- WHEREAS, the applicant is proposing to construct a 36' x 48' post frame cold storage building on a vacant 1.519-acre lot in an Agricultural (AG) zoning district; and
- WHEREAS, the Board previously recommended modification of an area variance referral for this project (Z-15-348), requiring a commercial driveway; the referral materials indicate the variance has been approved by the town; and
- WHEREAS, the Site Plan dated October 14, 2015 shows a proposed 1,728 square foot proposed pole barn on a lot at the corner of Whiting Road and South Bay Road; the plan states the site is "to be strictly used for personal storage of antique cars"; and
- WHEREAS, the plan shows a proposed gravel drive over a culvert on South Bay Road, which must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, per aerial photography, surrounding properties include vacant wooded land, active farmland, and residential properties; and
- WHEREAS, the Environmental Assessment Form dated September 15, 2015 notes no water or wastewater connections are proposed for the 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 Town and applicant must contact the Onondaga County Department of Transportation at (315) 435-3205 to ensure proposed access to South Bay Road meets Department standards, and the plan must be modified to reflect all driveway requirements.

The Board also offers the following comment:

The Onondaga County Department of Transportation further advises that access to South Bay Road will be determined by the availability of sight distance, and the applicant is required to obtain a permit for any proposed driveways and prior to any proposed work within a county road right-of-way.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-423

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Cicero Planning Board at the request of Peter N. Talev for the property located at 8033 Brewerton Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of Brewerton Road, a state highway; and
- WHEREAS, the applicant is proposing to add rear parking and an additional driveway at an existing office building on a 0.24-acre lot in a General Commercial (GC) zoning district; and
- WHEREAS, the Site Plan dated October 12, 2015 shows an existing concrete block building (3,361 square feet) on U.S. Route 11 with an existing 15' x 44' rear wood addition, 4 proposed front yard parking spaces, and 8 proposed rear parking spaces; and
- WHEREAS, the town application does not provide specific tenant information, however notes that a maximum of 5 employees will be on site at one time, and operating hours are weekdays from 8:00am to 5:00pm; and
- WHEREAS, the plan shows the site with a proposed enter-only driveway from Route 11; the circulation on site is indicated to be one way around the rear of the building and out a proposed exit-only driveway on Route 11; the plan also shows a proposed 11' wide egress from the driveway to the adjacent parking lot (AutoZone); any existing or proposed access to Route 11 must meet the requirements of the New York State Department of Transportation; and
- WHEREAS, an ingress, egress, and drainage easement with the AutoZone parcel is indicated around the shared boundary with the subject parcel; and
- WHEREAS, the plan shows a proposed extension of concrete sidewalks from the AutoZone parcel onto the subject parcel within the State right-of-way; the plan states no new lighting, landscaping, building modifications, drainage patterns, or utility changes are proposed; and
- WHEREAS, the Environmental Assessment Form dated October 12, 2015 notes the site or adjoining property has been the subject of ongoing or completed remediation for hazardous waste; and
- WHEREAS, the site is served by public water and sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas; a sanitary sewer easement is shown along the front of the site; and
- WHEREAS, the plan shows the location of a "one way/do not enter" sign on the building by the egress driveway and the location of an "additional parking in rear" sign on the building facing the ingress driveway; and

WHEREAS, the plan further shows two existing tenant building sign spaces (20 and 28 square feet) and an existing 28 square foot freestanding sign on two posts just outside the State right-of-way; 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 Town and applicant must contact the New York State Department of Transportation to coordinate existing and proposed access to Route 11, and the plan must be modified to reflect all driveway requirements. The Town and applicant are further advised that a highway work permit will be required for all work within the State right-of-way.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-424

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Cicero Zoning Board of Appeals at the request of Landmasters Group, Inc. for the property located at 5607 Business Avenue; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of New York State Route 481, a state highway, and the municipal boundary between the Town of Cicero and the Town of Clay; and
- WHEREAS, the applicant is requesting an area variance to install two ground signs at an existing landscaping business (Pond & Rock Shop) on a 0.87-acre lot in a General Commercial (GC) zoning district; and
- WHEREAS, the Variance Map dated September 24, 2015 shows an existing 50' x 100' concrete block building with existing 16' x 33' rear metal addition, existing stone walls, stone and brick walks, pergolas, and a rear concrete pad; and
- WHEREAS, the plan shows two proposed sign locations: a 3' x 5' single-faced post and panel sign with vinyl graphics (8' high) in the front yard, and a 6' x 12' double-faced internally illuminated pylon sign (25' high) facing Route 481 in the rear yard; variances are required for total sign area (90 square feet proposed, 50 square feet required) and above ground clearance for the front yard sign (5' proposed, minimum of 6' required); and
- WHEREAS, signs that are located within 660 feet of the edge of the State right-of-way or are otherwise intended to be visible from the highway must be registered with the New York State Department of Transportation, in compliance with the Federal 1965 Highway Beautification Act and Part 150 of the Official Compilation of Codes, Rules and Regulations of the State of New York; and
- WHEREAS, per aerial photography, the site is bordered by other commercial properties, and surrounding properties include residential parcels across Route 481 and southeast of the commercial area; and
- WHEREAS, the map shows the site with frontage and an asphalt area along Business Avenue, a local road off U.S. Route 11; and
- WHEREAS, the plan shows drainage easements along the eastern and northern site boundary; 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 Town is advised to ensure that the applicant obtains any necessary approvals from the New York State Department of Transportation for the proposed pylon sign facing New York State Route 481, prior to approving the proposed variance.
2. The Board further discourages the proliferation of signs along Route 481, and encourages the Town to consider whether approval of the proposed pylon sign will set a precedent for additional businesses on Business Avenue and in other locations to propose similarly large signage.
3. The Town is also advised to ensure the proposed pylon sign does not negatively impact the view of surrounding residences.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-425

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Cicero Planning Board at the request of Two Plus Four Construction (Island Hollow) for the property located at 6274 Island 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 Island Road, a county road; and
- WHEREAS, the applicant is proposing to construct 94 apartments, garage buildings and a community center to be know as the Island Hollow Apartments on a 48.51 acre parcel in a Residential-Multiple (RM) zoning district; and
- WHEREAS, in 2006 and 2007, the Board recommended modification of a zone change referral (Z-06-245) and a preliminary subdivision referral (S-07-15) for a combined 96 town house lots and 72 apartments, with requirements regarding a traffic study, stormwater, wetland delineation, cross connections, and access; the Board also recommended modification of a site plan (Z-15-287) to construct a 150-foot tall cell tower on an adjacent parcel; and
- WHEREAS, per aerial photography, the site appears to be vacant, farmed land; the site is located at the fringe of the urbanized area near Cicero Swamp, with nearby suburban and rural housing, vacant and farmed land, and industrial and commercially zoned land along Northern Boulevard, including the adjacent parcel currently being marketed for commercial/industrial development; and
- WHEREAS, the site plan dated November 9, 2015 shows one 36-unit apartment building on the easternmost portion of the site labeled as Lot 2, twelve 4-unit apartment buildings, two 5-unit apartment buildings, four 6-car garage buildings, and a community center (square footage not provided) and playground in a u-shaped configuration surrounding four existing roadside residential lots labeled as Lot 3; the plan shows the rear of the site labeled as Lot 1 containing significant areas of wetland and floodplain to remain vacant; the submitted Long Environmental Assessment Form notes that a cluster/conservation layout is proposed; and
- WHEREAS, the site plan shows two proposed driveways onto Island Road, on either side of the existing roadside housing areas; interior roads labeled as “private driveway” are shown with provisions for future extension to the south in two locations; any existing or proposed access onto Island Road must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, it is unclear whether a proposed monument sign is proposed to be located within the county right-of-way, which is prohibited; signage details were not included with the referral materials; additional Site Layout Notes reference painted crosswalks, road striping, and a 4’ chain link fence, without detail or locations noted on the submitted plans; and

WHEREAS, the plan shows a 100+ foot wide Niagara Mohawk Easement as part of proposed undeveloped Lot 1, containing large, high voltage power lines crossing the site north to south between the larger apartment building and the remainder of the apartments; a road access to the large apartment building is shown crossing this easement; and

WHEREAS, proposed Lot 1 also contains a trees and brush areas, hedgerows, a pond, and areas of state and federal wetlands, and the Site Plan notes areas of NYSDEC Wetlands "Cicero 17" and Army Corp Wetlands "A" = 1.73 acres, as well as NYSDEC wetlands buffer, all outside of the proposed area to be disturbed; another portion of the site is generally labeled "Stormwater Management Area Drainage Easement"; the applicant must obtain appropriate permits from the New York State Department of Environmental Conservation for any proposed development or drainage in state wetlands and/or wetland buffers on site; and

WHEREAS, the project would connect to public water and sewer; the site is located in the Oak Orchard Wastewater Treatment Plant service area and possibly the flow constrained Davis Road Pump Station service area; per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

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

WHEREAS, the plan shows two general stormwater management areas, one at the front of the site and one at the rear; the proposed project may disturb one acre or more of land and must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) and the applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to the municipality and a Notice of Intent (NOI) to the DEC Bureau of Water Permits; the proposed project is located within a designated Municipal Separate Storm Sewer System (MS4) municipality, and the applicant must consult with the municipal engineer to ensure conformance of construction plans with the municipality's Storm Water Management Plan (SWMP) and submit a MS4 SWPPP Acceptance Form signed by the municipality to the New York State Department of Environmental Conservation Bureau of Water Permits; and

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

1. The Onondaga County Department of Transportation has determined that the applicant is required to submit updated ITE Trip Generation Figures and a gap analysis at AM/PM peak hours for full build-out relating to the proposed

action to meet Department requirements and to submit it to the Department for approval; the applicant must complete any appropriate mitigation as may be determined by the Onondaga County Department of Transportation.

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

3. The Town and applicant must ensure that appropriate agreements are in place with National Grid for permanent access across their easement prior to plan approval.

The Board also offers the following comments:

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

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

3. The applicant and Town should consider lighting impacts to neighboring residential units, and extensive additional landscape buffering between this site and adjacent existing roadside lots, as well as commercially zoned sites, in order to avoid negative impacts to existing owners and conflicts between potentially incompatible land uses.

4. The applicant and Town are encouraged to consider installation of sidewalk infrastructure along the frontage on Island Road, as well as the provision of bicycle racks for residents.

5. Per the Onondaga County Department of Transportation, no signage is allowed within the public right-of-way, and any proposed signage must not obstruct sight distance.

6. The applicant and Town are encouraged to review this proposal and SEQR review in the context of full build out of the site.

7. The applicant is advised to ensure all necessary permits and approvals are obtained from federal, state, or other municipal agencies for any alterations of or drainage into existing waterbodies and wetlands on site.

8. The Board discourages the continued extension of dense residential

development along Island Road, given the presence of nearby farmed and rural land and environmental features, the lack of infrastructure to support significant development, and the distance to community services.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-427

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Village of Fayetteville Planning Board at the request of Sana & Richard Holliday for the property located at 414 East Genesee 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 East Genesee Street (New York State Route 5), a state highway, and Salt Springs Road and South Manlius Street, both county roads; and
- WHEREAS, the applicant is requesting a special permit to establish an alterations business/home occupation within an existing apartment in an existing mixed-use building on a 0.19-acre lot in a Traditional Business (TB) zoning district; and
- WHEREAS, per the village application materials, the existing building contains first floor retail (shoe store) and second floor residential, with the proposed alterations business to be located within a second floor apartment; and
- WHEREAS, the application notes one parking space for customers will be required, and the owner proposes to advertise available public parking on Spring Street, a local street adjacent to the site; and
- WHEREAS, per aerial photography, the site appears to contain two existing two-story buildings: the subject building at the corner of Spring Street and East Genesee Street, and an additional building set back along Spring Street; aerial photography further shows parking (approximately 8 spaces) and vehicle access to the site is all located on Spring Street; and
- WHEREAS, the referral materials indicate local site plan approval is required for a proposed 2' x 3' aluminum sign is proposed for the back wall of the building; no further details were submitted for the proposed signage; and
- WHEREAS, the site is located in the village center, situated between the Green Street Hill-Limestone Plaza Historic District area, municipal buildings and parks, and other commercial and residential properties; and
- WHEREAS, the site is served by public water and sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

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

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

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-428

- 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 City of Syracuse Board of Zoning Appeals at the request of A Tiny Home For Good, Inc. for the property located at 112-114 Rose Avenue; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Interstate Route 81, a state highway; and
- WHEREAS, the applicant is requesting area variances to construct two adjoining single-occupancy "tiny" homes of 240 square feet each on a vacant 0.087-acre nonconforming lot in a Residential Class B (RB) zoning district; and
- WHEREAS, the referral materials note that the proposed dwelling units are part of an initiative to provide safe housing for military veterans facing homelessness; and
- WHEREAS, per the referral materials, an area variance is required for density, as 3,000 square feet of lot size is required per unit whereas the subject parcel is 3,811 square feet; and
- WHEREAS, the Site Plan issued November 3, 2015 shows a proposed 12' x 40' structure, split into two 12' x 20' spaces; elevations indicate each unit will utilize a different siding material and have a canopied entryway; one unit entrance is shown in the side yard and one is shown in the front yard; and
- WHEREAS, a survey shows the lot fronts Rose Avenue near Oakwood Avenue, both city streets; aerial photography indicates surrounding parcels include vacant residential land, existing two-story multi-family homes, and single-story churches; and
- WHEREAS, per the referral materials, an additional waiver is being requested from the one space per unit parking requirement, as the occupants will not have vehicles and the 33' lot width would not accommodate two vehicles; and
- WHEREAS, per the survey and aerial photography, sidewalks are present in some areas of the block, though not all appear to be in good condition and none are located on the subject parcel; 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 that the tenants of the proposed homes will not own vehicles and the residential character of the block, the City is encouraged to work with the applicant and neighbors regarding the installation of sidewalks in this area.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-429

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Salina Zoning Board of Appeals at the request of DE & JD Associates, Inc. for the property located at Buckley Road & 420 Seventh North 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 Buckley Road and Seventh North Street, both county roads; and
- WHEREAS, the applicant is requesting area variances in order to subdivide a 1.33-acre lot into two non-conforming lots in a Commercial (C-3) zoning district; and
- WHEREAS, per the referral materials, both resulting lots of the proposed subdivision would require variances for minimum lot area (40,000 square feet required) and lot width (200 feet required); and
- WHEREAS, the Preliminary Plan dated September 25, 2015 shows an existing one-story masonry building with canopied drive-thru lanes and 22 parking spaces on proposed Lot 1 (33,750 square feet, 137.27 feet wide) at the corner of Buckley Road and Seventh North Street; per the referral materials and aerial photography, proposed Lot 1 contains a bank (Chase Bank); and
- WHEREAS, the plan shows an existing one-story brick building with canopied drive-thru lanes and 18 parking spaces on proposed Lot 2 (21,342 square feet, 126.25 feet wide) on Seventh North Street; per the referral materials, the building on proposed Lot 2 is vacant and an office use is proposed; and
- WHEREAS, the plan shows a driveway on Seventh North Street on a proposed 26.5' wide ingress/egress easement on both proposed lots, which aerial photography shows used to have a curbed island limiting egress to right-out only; and
- WHEREAS, the plan shows an existing driveway on Buckley Road on proposed Lot 1 which connects to proposed Lot 2 via a 16' wide egress-only easement; and
- WHEREAS, an additional driveway on Seventh North Street is shown on proposed Lot 2 which is not wide enough for two-way traffic and appears to be striped for ingress only, per aerial photography; any existing or proposed access to both roads must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, the site is served by public water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and

WHEREAS, the Onondaga County Department of Water Environment Protection has determined that the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); unless it can be demonstrated that anticipated flows will not exceed previous flows, the project applicant is required to offset any additional sanitary flow in excess of the most recent land use; the applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer; a letter confirming the acceptance of the offset plan must be submitted to the Department of Water Environment Protection documenting the offset plan; and

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 Town approve the proposed variances, the Board notes the following requirements for the subdivision stage:

1. The Onondaga County Department of Transportation has determined that the municipality and applicant are required to coordinate all existing, proposed, and future access to Buckley Road and Seventh North Street with the Department by contacting the Department at (315) 435-3205.
2. The Onondaga County Department of Water Environment Protection asks that the applicant contact the Department at (315) 435-6820 early in the planning process to determine sewer availability and capacity.

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-430

- 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 Byrne Dairy for the property located at 255-293 Cortland 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 vacant county-owned land; and
- WHEREAS, the applicant is proposing to construct a 2,600 square foot addition to an existing 27,946 square foot manufacturing plant (Byrne Dairy Ice Cream Plant) on a 2.412-acre lot in Commercial Class A (CA) and Local Business Class A (BA) zoning districts; and
- WHEREAS, the Site Plan dated November 10, 2015 shows an existing Byrne Dairy Ice Cream Plant building fronting Alexander Avenue with a proposed addition and an existing parking lot along Cortland Avenue; per plans and aerial photography, 6 of the existing 49 parking spaces will be relocated for the addition with no other parking changes; and
- WHEREAS, the plan shows the site with one existing driveway each on Alexander Avenue and Cortland Avenue, both city streets; the Alexander Avenue entrance appears to access a paved rear loading and parking area; and
- WHEREAS, floor plans indicate the addition will include a mix of uses, including restrooms, a break room, offices, and a conference area; and
- WHEREAS, the Environmental Assessment Form dated November 13, 2015 notes 0.21 acres will be physically disturbed by the project and the addition is being constructed on an area that is currently paved which drains to the existing city storm drainage system; and
- WHEREAS, the site is served by public water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and
- WHEREAS, the Onondaga County Department of Water Environment Protection has determined that the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); unless it can be demonstrated that anticipated flows will not exceed previous flows, the project applicant is required to offset any additional sanitary flow in excess of the most recent land

use; the applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer; a letter confirming the acceptance of the offset plan must be submitted to the Department of Water Environment Protection documenting the offset plan; and

WHEREAS, the plan shows the majority of the site is surrounded by chain link fence fronting existing sidewalks with planting strips and street trees; 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 Daniel Cupoli and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Daniel Cupoli - yes; James Corbett - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-431

- 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 Clay Town Board at the request of Woodside Commercial, LLC for the property located at West Taft Road & Wintersweet Drive; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law and the site is located within 500 feet of West Taft Road, a county road, and the municipal boundary between the Town of Clay and the Town of Salina; and
- WHEREAS, the applicant is proposing to amend the Inverness Gardens Planned Development District (PDD) to allow a motor vehicle services use on a single proposed 1.2-acre lot within the PDD; and
- WHEREAS, the Board previously offered no position with comment on a site plan referral to construct a Mavis Discount Tire store on the subject lot (Z-15-250) and a site plan referral for an adjacent commercial building (Simon Agency) in the PDD (Z-14-226), commenting on drainage, access, water, and wastewater, and encouraging a strategy for site layout, parking, and access for the entire Inverness Gardens development; the Board previously offered no position with comment a zone change referral (Z-09-185) and recommended modification of a subdivision referral (S-09-89) to create the PDD; and
- WHEREAS, the Project Plan revised November 12, 2015 shows the entire 41.2-acre Inverness Gardens development which includes 17 proposed two-unit townhouses (34 lots), 44 proposed single-family houses (44 lots), and a maximum of 65,500 square feet of commercial space, including 1.08-acre Lot "C-1" (Simon Agency), proposed 1.2-acre Lot "C-2" (vehicle service), and 7.93-acre Lot "C-R" which would contain a mix of commercial uses; the plan states that the proposed amendment will only allow vehicle service on proposed 1.2-acre Lot "C-2"; and
- WHEREAS, a proposed vehicle service building (6,780 square feet) and 41 parking spaces are shown on proposed Lot "C-2" at the northwest corner of the commercial portion of the development, which is located between West Taft Road and Wintersweet Drive, a local road serving the overall development which leads to a signalized intersection facing the Wegmans Plaza across Taft Road; and
- WHEREAS, the plan shows the parking lot would have access to an additional proposed shared right-in/right-out only driveway on West Taft Road which has been shown on previous plans but had not yet been constructed; any existing or proposed access to West Taft Road must meet the requirements of the Onondaga County Department of Transportation; and
- WHEREAS, the plan shows proposed trees along the front of the site and more densely planted trees to the west buffering the adjacent residential property and

neighboring offices; and

- WHEREAS, the Environmental Assessment Form dated November 16, 2015 notes stormwater management facilities were designed and constructed to accommodate the entire buildout of the development; the plan shows drainage easements along the western boundary of proposed Lot "C-2" and additional drainage easements and facilities on other lots within the development; and
- WHEREAS, if the proposed project cumulatively disturbs one acre or more of land, it must be covered under the New York State SPDES II General Permit for Stormwater Discharges from Construction Activity, and the applicant must submit a Stormwater Pollution Prevention Plan (SWPPP) to the municipality and a Notice of Intent (NOI) to the Bureau of Water Permits; the proposed project is located within a designated Municipal Separate Storm Sewer System (MS4) municipality and the applicant must consult with the municipal engineer to ensure conformance with the municipality's Storm Water Management Plan (SWMP) and submit a MS4 SWPPP Acceptance Form signed by the municipality to the Bureau of Water Permits; if the proposed project is located within the Onondaga Lake watershed the SWPPP must include Enhanced Phosphorus Removal design criteria from the NYS Stormwater Management Design Manual; and
- WHEREAS, the site plan EAF states the project is located in an archaeological sensitive area, and that a remediation site south of the residential portion of the PDD is in the monitoring stage of remediation for hazardous waste; and
- WHEREAS, the site will be served by public water and sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service areas; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the project shall comply with Local Law #1 of 2011 - A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, where applicable; information regarding this law is available at www.ongov.net/wep/uselaws.html; and
- WHEREAS, the Onondaga County Department of Water Environment Protection has determined that the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); the project applicant is required to offset any additional sanitary flow in excess of the most recent land use; the applicant must develop a 1 gallon to 1 gallon offset plan/project in coordination with the municipal engineer; a letter confirming the acceptance of the offset plan must be submitted to the Department of Water Environment Protection documenting the offset plan; and

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 comments from the site plan phase of the proposed vehicle service repair use:

1. The Town and applicant are advised to consider a strategy for site layout, parking, and access for the entire commercial Inverness Gardens development,

in order to ensure safe movement of vehicles and pedestrians and sensitivity to neighboring residential properties. Generally, the Town and applicant are encouraged to minimize parking to the extent practicable through shared agreements and reduced requirements; to incorporate pedestrian and cross connections with surrounding neighborhoods, facilities, and amenities; and to screen parking, dumpsters, and loading areas. Specifically, the Town and applicant may wish to consider locating this and other commercial buildings closer to and facing Taft Road and Wintersweet Drive, with rear parking and adequate buffering.

2. The Onondaga County Department of Transportation requests a copy of the Stormwater Pollution Prevention Plan (SWPPP) be submitted to the Department for review.

3. The applicant is advised to obtain a permit from the Onondaga County Department of Transportation for any proposed driveways and prior to any proposed work within a county road right-of-way.

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

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

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

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



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-432

- 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 Homewood Suites By Hilton for the property located at 6006 Fair Lakes Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of New Venture Gear Drive, a county road, and Interstate Route 90 (New York State Thruway), a state highway; and
- WHEREAS, the applicant is proposing to install building-mounted signage and one free standing monument sign at a proposed hotel on a 2.73-acre lot in an Industrial zoning district; and
- WHEREAS, the Board previously recommended modification of a site plan referral (Z-13-15) for the proposed four-story 101-room hotel, with requirements regarding drainage and comments on access, wastewater, green infrastructure, and vehicular cross-connections; and
- WHEREAS, the site plan revised October 10, 2013 shows a proposed hotel building, 101 parking spaces, and vehicular and pedestrian connections to the existing Hilton Hotel building on the adjacent parcel to the west; and
- WHEREAS, the plan shows access to the site occurs via a driveway on Fair Lakes Road, a local road, with frontage but no access on New Venture Gear Road; and
- WHEREAS, the plan shows the location of a proposed monument sign near the driveway entrance; signage details indicate a proposed 3'1" x 3'1" internally illuminated sign on a 11" high base; and
- WHEREAS, elevation signage details show proposed building signage to be located on the west elevation; an LED-illuminated channel letter and logo sign is shown above the fourth floor windows occupying a total area of approximately 11' x 8'; an additional brushed stainless steel text and logo sign is shown next to the western entrance occupying approximately 4.5' x 3'; 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 Daniel Cupoli and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Daniel Cupoli - yes; James Corbett - yes.



JOANNE M. MAHONEY
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 02, 2015

OCPB Case # Z-15-433

- 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 Village of Tully Zoning Board of Appeals at the request of Green Lake Associates, LLC for the property located on Village View Drive; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of the municipal boundary between the Village of Tully and the Town of Tully; and
- WHEREAS, the applicant is requesting an area variance as part of a proposal to convert 7 previously approved lots into 5 new lots totaling 1.3 acres in a Residential 2 (R-2) zoning district; and
- WHEREAS, the Board is concurrently reviewing a subdivision referral for the proposed lot line adjustments (S-15-90); and
- WHEREAS, the Preliminary Plan dated September 27, 2015 shows proposed subdivision located around Village View Drive, a cul-de-sac off of Melinda Lane, a local road which leads to the Village of Tully Water Reservoir to the north and ultimately to U.S. Route 80 to the south; the Village Attorney noted on November 23, 2015 that the original subdivision was originally approved as a cluster in 2007; the Board has no record of prior referrals for this project; and
- WHEREAS, the plan shows proposed Lots 12A (0.33 acres), 13A (0.18 acres), 15A (0.25 acres), 19A (0.27 acres), and 21A (0.27 acres), and four remaining lots in the subdivision not impacted by the proposed lot line adjustments; and
- WHEREAS, per the Village Attorney, an area variance may be required for the front yard setback of proposed Lot 13A, which a survey dated October 9, 2015 shows contains an existing residence with 21.5' setback (40' required in this district); and
- WHEREAS, the plan shows a drainage easement and pond ("Western Pond") occupying the rear yards of proposed Lots 12A, 13A, and 15A; and
- WHEREAS, the site is served by village water and sewers, and existing water and sanitary lines are shown within a utility easement along Village View Drive; 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 Daniel Cupoli and seconded by Brian Donnelly. The votes were recorded as follows: Douglas Morris - yes; Robert Jokl - yes; Brian Donnelly - yes; Daniel Cupoli - yes; James Corbett - yes.

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