



# Onondaga County Planning Board

J.Ryan McMahon, II  
COUNTY EXECUTIVE

December 04, 2024  
Onondaga County Department of Planning  
Carnegie Building  
335 Montgomery Street, 1st Floor  
Syracuse, New York 13202

## I. ATTENDANCE

### MEMBERS PRESENT

Marty Voss  
Mike LaFlair  
Marty Masterpole  
David Skeval  
Jim Stelter

### STAFF PRESENT

Troy Waffner  
Megan Costa  
Rachel Woods  
Ellison McMahon  
Robin Coon

### GUESTS PRESENT

## II. CALL TO ORDER

The meeting was called to order at 11:00 AM on December 04, 2024.

## III. MINUTES & OTHER BUSINESS

Minutes from November 13, 2024 were submitted for approval. David Skeval made a motion to accept the minutes. Mike LaFlair seconded the motion. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes.

Rachel Woods presented proposed changes to the Administrative Review process and updates to the Onondaga County Planning Board Rules and Procedures as reflected in the attached red-line version. Mike LaFlair made a motion to accept the changes. David Skeval seconded the motion. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; David Skeval - yes; Jim Stelter - yes.

## IV. ACTIONS ON GML SECTION 239 REFERRALS

### Summary

|          |         |                                 |          |         |                                 |
|----------|---------|---------------------------------|----------|---------|---------------------------------|
| S-24-53  | TGedPB  | <i>Modification</i>             | S-24-54  | TPomPB  | <i>Modification</i>             |
| Z-24-334 | VNsyPB  | <i>Disapproval</i>              | Z-24-335 | VNsyZBA | <i>Disapproval</i>              |
| Z-24-336 | TGedZBA | <i>Modification</i>             | Z-24-337 | TClaZBA | <i>Modification</i>             |
| Z-24-338 | TMarTB  | <i>No Position With Comment</i> | Z-24-339 | TPomZBA | <i>No Position With Comment</i> |
| Z-24-340 | TDewPB  | <i>Modification</i>             | Z-24-341 | TCicPB  | <i>Modification</i>             |
| Z-24-342 | CSyrPB  | <i>No Position With Comment</i> | Z-24-343 | TCicTB  | <i>No Position With Comment</i> |
| Z-24-344 | VFayPB  | <i>No Position With Comment</i> | Z-24-345 | VFayZBA | <i>No Position With Comment</i> |
| Z-24-346 | VFayPB  | <i>Modification</i>             | Z-24-347 | TClaTB  | <i>Modification</i>             |
| Z-24-349 | CSyrPB  | <i>No Position</i>              | Z-24-350 | CSyrZA  | <i>No Position</i>              |
| Z-24-351 | CSyrZA  | <i>No Position</i>              | Z-24-354 | TClaTB  | <i>Modification</i>             |

## V. ADMINISTRATIVE REVIEWS



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # S-24-53

- 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 Geddes Planning Board at the request of Joseph DeGregorio for the property located at 764-766 State Fair Boulevard; 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 State Fair Boulevard (Route 80) and Armstrong Road (Route 106), both county highways; and
- WHEREAS, the applicant is proposing to subdivide one lot into two new lots, Lot 1 (0.38 acres) and Lot 2 (0.62 acres) in a Commercial B: Highway Commercial zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-24-336) related to this proposed subdivision; and
- WHEREAS, the site is located on State Fair Boulevard in the Lakeland neighborhood of the Town of Geddes; the area is characterized by commercial uses along main routes, surrounded by residential neighborhoods; Interstate 81 and Onondaga Lake are to the east and the Honeywell waste beds are to the south; nearby businesses include an automobile dealer, a hairdresser, gas station and convenience store, and a senior living complex; and
- WHEREAS, the site is a one-acre parcel with 158' of frontage on State Fair Boulevard, a county route; the site contains a house with driveway along the northwestern half and a café and parking lot in the southeastern half; there are multiple sheds associated with both buildings; the parking lot for the café is located along the southeastern parcel boundary with parking in front of the café and along the southern side of the building and continuing behind the café building; and
- WHEREAS, per the DeGregorio Subdivision Final Plan dated 9/20/24, the applicant is proposing a subdivision to split the residential and commercial portions of the parcel; proposed Lot 1 will be 0.38 acres and will contain the house, its driveway onto State Fair Boulevard, and sheds located to the rear of the house; proposed Lot 2 will be 0.62 acres and will contain the café building with access to State Fair Boulevard, parking lot, shed, and deck; each proposed lot has existing driveway access to State Fair Boulevard; no work on the exterior of the site is proposed at this time;
- ADVISORY NOTE: Per the Onondaga County Department of Transportation, all existing or proposed driveways on State Fair Boulevard must meet Department requirements; and
- WHEREAS, the proposed subdivision requires an area variance for proposed Lot 1 as Town Code requires a minimum lot width of 75'; per the Subdivision Plan, proposed Lot 1 will be 58.41' wide and proposed Lot 2 will be 99.13' wide; and

WHEREAS, per the referral notice, the site is served by public drinking water and sewers and no changes to the current infrastructure are proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Lakeside Pump Station service area; and

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

WHEREAS, per aerial imagery from May 2024, there are no sidewalks on State Fair Boulevard in front of the site, but there are sidewalks connecting Snowbirds Landing and the Byrne Dairy gas station and store to State Fair Boulevard; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734076, 734081, 734040, 734030) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

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

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

The applicant is required to coordinate State Fair Boulevard access plans with the Onondaga County Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board offers the following comment:

The Board encourages the Town and applicant to explore relocation of any access for café from State Fair Boulevard to via Snowbirds Landing via access agreement to improve access management along State Fair Boulevard. Alternatively, the applicant is encouraged to narrow the café's driveway access to State Fair Boulevard. The Board also encourages the addition of sidewalks along State Fair Boulevard.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # S-24-54

- 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 Diane Mazza for the property located at 1797 Berwyn 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 Berwyn Road (Route 114) and Collins Road (Route 249), both county highways, the municipal boundary between the Town of Pompey and the Town of LaFayette, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to divide two parcels into three new lots: Lot 1A (12.50 acres), Lot 2A (4.81 acres), and Lot 2B (4.78 acres), in a Farm zoning district; and
- WHEREAS, the Board is concurrently reviewing an area variance referral (Z-24-339) related to this proposed subdivision; and
- WHEREAS, the site is in a rural area along the boundary between the Towns of Pompey and LaFayette, characterized by large parcels containing active agriculture and woodlands; and
- WHEREAS, the site is comprised of two large parcels extending from Berwyn Road on the east to Collins Road and the municipal boundary between the Towns of Pompey and LaFayette to the west; a house with driveway to Berwyn Road, a county route, is located on the eastern third of the site; and
- WHEREAS, per the Proposed Resubdivision on Cook Track Map dated 9/26/24, the applicant is proposing a subdivision to create two, roughly equal-sized parcels on the western half of the site for the applicant's adult children while retaining the eastern half of the site containing the existing house on their own lot, proposed Lot 1A (12.5 acres); the western portion will be split into proposed Lot 2B (4.78 acres) which has frontage on Collins Road, a county route, and proposed Lot 2A (3.83 acres) which is landlocked by the municipal boundary; the applicant owns a third, small triangular parcel located between the municipal boundary and Collins Road, adjacent to proposed Lot 2A which is not included in the current referrals, but is under the same ownership and is intended, with proposed Lot 2A, to be a single 4.81-acre area to be conveyed to one of the applicant's children; and
- WHEREAS, per the referral materials, the applicant is planning to use the LaFayette parcel (Tax ID 011.-05-03.1) as Collins Road access for proposed Lot 2A; included in the referral materials is a letter to the applicant from Nick Kirby, Town of LaFayette Codes and Zoning Department, stating the LaFayette tax parcel 011.-05-03.1 "would be allowed to be used as the driveway access to the attached parcel(s) located in the Town of Pompey"; and
- WHEREAS, the applicant is requesting an area variance to allow the creation of proposed

Lot 2A as a landlocked parcel; a letter from Stinziano Law to the Town of Pompey dated 10/8/24 advises that proposed Lot 2A would not be conveyed without the LaFayette tax parcel 011.-05-03.1 as both pieces of land would be treated as a single lot; an Onondaga County Department of Transportation application for road access to Collins Road is included in the referral materials; throughout the referral materials proposed "Lot 2A" is discussed as a combination of the LaFayette parcel and the proposed Lot 2A to be created in the Town of Pompey; it is also noted the LaFayette parcel will remain separate from proposed Lot 2A in this referred subdivision from the Town of Pompey; and

WHEREAS, per the referral notice, the existing house on Lot 1A is served by an individual well and septic system and no changes to the existing infrastructure are currently proposed;

ADVISORY NOTE: The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve any existing or proposed septic system for all lots less than five acres prior to Department endorsement of the subdivision; and

WHEREAS, the site and surrounding lands are enrolled in NYS Agricultural District 4 and appear to contain active farmland; and

WHEREAS, GIS mapping shows a central, wooded area of the site may contain federal wetlands with a riverine wetland crossing to the south; per EAF Mapper, the site contains a federally regulated class C stream (ID 899-256), the wetland boundaries are not depicted on the subdivision map;

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

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

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

1. The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve a sewage disposal plan for the proposed lots less than 5 acres prior to Department endorsement of the subdivision.
2. The applicant must continue to coordinate Collins Road access plans with the Onondaga County Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
3. The applicant must conduct a formal wetland delineation to determine the

presence and location of any federal wetlands on the site. Any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. The applicant is also advised to obtain any necessary permits from the Corps for any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site. The municipality must ensure any mitigation as may be determined by the Corps is reflected on the subdivision plans prior to, or as a condition, municipal approval of the site plan.

4. The applicant must ensure legal cross-access is reflected on the filed subdivision map.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-334

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Village of North Syracuse Planning Board at the request of Tim Mahoney (Store America) for the property located at 5624 Bear 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 U.S. Route 11 (North Main Street), a state highway, Bear Road (County Route 191), and the municipal boundaries between the Village of North Syracuse and the Towns of Clay and Cicero; and

WHEREAS, the applicant is requesting a special permit to allow construction of five self-storage buildings to the rear of an existing self-storage facility on a 3.5-acre parcel in a Self Storage (C-2A) zoning district; and

WHEREAS, the Board is concurrently reviewing an area variance referral (Z-24-335) related to this proposed expansion of the self-storage facility; the Board has reviewed numerous referrals pertaining to establishing this self-storage facility, most recently recommending Modification of the site plan to expand the facility with the construction of the currently proposed five self-storage buildings, advising the applicant to review Bear Road access plans with the Onondaga County Department of Transportation (OCDOT) regarding planned work in the right-of-way and to provide a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Department; the Board also provided comments encouraging screening of the commercial buildings from neighboring uses and encouraging a reduction in planned impervious surface, encouraging plantings, and utilization of permeable pavement; previous referrals include creating the C-2A zoning district, constructing the self-storage facility, and allowing outdoor storage (Z-07-157, 158, 159, Z-07-198, 199, Z-07-287, Z-08-66, Z-14-331, 332, 333, and Z-14-342, and Z-15-164) with the Board advising the applicant to work with OCDOT regarding the front entrance, advising the applicant to contact OCWA and the Onondaga County Department of Water Environment Protection (OCDWEP) concerning the proposal, and providing comments encouraging the use of green infrastructure; and

WHEREAS, the site is located near the intersection of Bear Road, a county road, and NYS Route 11 in the Village of North Syracuse; the site is located between Bear Road Plaza to the east and Bear Road Elementary School to the west; and

WHEREAS, aerial imagery shows the site contains a driveway to Bear Road, three self-storage buildings on the northern half of the site, and a vacant southern half of the site;

ADVISORY NOTE: The applicant is required to review Bear Road access plans with the Onondaga County Department of Transportation and coordinate

regarding planned OCDOT work in the right-of-way; the municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval; and

WHEREAS, the applicant is requesting a special permit to allow construction of five additional self-storage buildings surrounded by asphalt in the vacant southern/rear half of the parcel; per the Site Layout Plan dated 11/4/24, the proposed buildings will range in size from 4,200 sf to 10,500 sf and the buildings and asphalt will be constructed up to the side yard setback; the buildings and asphalt layout are the same as the previous referral; changes from the previously referred Site Layout Plan dated 8/26/24, include identifying shrubs and trees to be planted in an area marked as “landscape restoration” and snow storage areas are indicated; and

WHEREAS, the applicant is also requesting an area variance to allow 82-84% lot coverage (per local application) where 50% is the maximum allowed by Village Code; per a letter from Delta Engineering to the Village dated 11/4/24, the applicant notes four variances were approved on 3/6/08, allowing a 5’ landscaping buffer, an 8’ fence height, an 8’ sideyard setback for the proposed eastern building, and a 15’ drive-aisle width between buildings; a Variance Summary on the Site Layout Plan details the Village Code requires a 20’ landscape buffer, 6’ maximum fence height, a 10’ required side yard setback, and a drive aisle width requirement of 25’; the letter also notes the current proposal includes a variance requested for a Green Space Requirement, but does not explain what is required versus what is requested; an email from the Village dated 11/18/24 states the Greenspace requirement is not from the Village Code, but is a “recommendation that comes from NYSERDA (NYS Energy Research and Development Authority) when more than 50% of land is used”; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 10/31/24, 1.68 acres of the site will be disturbed by the proposed project and “the site will infiltrate all stormwater up to and including the 100-year storm. Infiltration will take place via a slotted storm sewer pipelines which will discharge toward the outfall at Bear Road”; per the Site Grading and Drainage Plan dated 11/4/24, catch basins will be installed between the proposed buildings and between the existing and proposed buildings; a Stormwater Pollution Prevention Plan (SWPPP) dated 10/2024 and prepared by Delta Engineers, Architects, and Surveyors was included with the referral materials; the EAF notes the proposal will result in a 1.68-acre reduction of meadows, grasslands or brushlands, resulting in the whole of the site (3.74 acres) being impervious surface after construction;

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

ADVISORY NOTE: The applicant is required to show how stormwater will be handled on the approved plan; the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Onondaga County Department of Transportation for review; the municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval; and

WHEREAS, per the EAF, the site is served by public drinking water and no changes to



existing infrastructure are proposed; and

WHEREAS, the site is served by public sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas, an area designated as flow constrained and impacted by excessive wet weather flow; per the EAF, the proposed action will generate liquid wastes, but there will be “no change in current site sanitary discharges”; the referral materials don’t show any sanitary infrastructure connecting to the proposed buildings; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), Bear Road and North Main Street have public transit service and bus stops are located adjacent to the site; and

WHEREAS, the Syracuse Metropolitan Transportation Council (SMTC) has created a Sustainable Streets Guide, which includes the identification of priority sidewalk zones where the installation of sidewalks would be most beneficial; this site is located within a priority zone; there are no sidewalks on Bear Road in front of the site, but nearby North Main Street does have sidewalks; per Onondaga County Department of Transportation, there are plans to install sidewalks along Bear Road; and

WHEREAS, the site may contain the Least bittern, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper);  
ADVISORY NOTE: Per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental Permits office; and

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

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

The Board does not endorse the proposed project as shown, as it lacks adequate buffering from neighboring uses and significantly exceeds lot coverage requirements. The Board encourages the applicant to revise the plans to better meet Village Code and include enhanced buffering and attention to high quality urban stormwater accommodations.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-335

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Village of North Syracuse Zoning Board of Appeals at the request of Tim Mahoney (Store America) for the property located at 5624 Bear 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 U.S. Route 11 (North Main Street), a state highway, Bear Road (County Route 191), and the municipal boundaries between the Village of North Syracuse and the Towns of Clay and Cicero; and

WHEREAS, the applicant is requesting an area variance for increased lot coverage of 84% where only 50% is allowed related to the construction of five self-storage buildings to the rear of an existing self-storage facility on a 3.5-acre parcel in a Self Storage (C-2A) zoning district; and

WHEREAS, the Board is concurrently reviewing a special permit referral (Z-24-334) for this proposed expansion of the self-storage facility; the Board has reviewed numerous referrals pertaining to establishing this self-storage facility, most recently recommending Modification of the site plan to expand the facility with the construction of the currently proposed five self-storage buildings, advising the applicant to review Bear Road access plans with the Onondaga County Department of Transportation (OCDOT) regarding planned work in the right-of-way and to provide a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Department; the Board also provided comments encouraging screening of the commercial buildings from neighboring uses and encouraging a reduction in planned impervious surface, encouraging plantings, and utilization of permeable pavement; previous referrals include creating the C-2A zoning district, constructing the self-storage facility, and allowing outdoor storage (Z-07-157, 158, 159, Z-07-198, 199, Z-07-287, Z-08-66, Z-14-331, 332, 333, and Z-14-342, and Z-15-164) with the Board advising the applicant to work with OCDOT regarding the front entrance, advising the applicant to contact OCWA and the Onondaga County Department of Water Environment Protection (OCDWEP) concerning the proposal, and providing comments encouraging the use of green infrastructure; and

WHEREAS, the site is located near the intersection of Bear Road, a county road, and NYS Route 11 in the Village of North Syracuse; the site is located between Bear Road Plaza to the east and Bear Road Elementary School to the west; and

WHEREAS, aerial imagery shows the site contains a driveway to Bear Road, three self-storage buildings on the northern half of the site, and a vacant southern half of the site;

ADVISORY NOTE: The applicant is required to review Bear Road access plans with the Onondaga County Department of Transportation and coordinate

regarding planned OCDOT work in the right-of-way; the municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval; and

WHEREAS, the applicant is requesting a special permit to allow construction of five additional self-storage buildings surrounded by asphalt in the vacant southern/rear half of the parcel; per the Site Layout Plan dated 11/4/24, the proposed buildings will range in size from 4,200 sf to 10,500 sf and the buildings and asphalt will be constructed up to the side yard setback; the buildings and asphalt layout are the same as the previous referral; changes from the previously referred Site Layout Plan dated 8/26/24, include identifying shrubs and trees to be planted in an area marked as “landscape restoration” and snow storage areas are indicated; and

WHEREAS, the applicant is also requesting an area variance to allow 82-84% lot coverage (per local application) where 50% is the maximum allowed by Village Code; per a letter from Delta Engineering to the Village dated 11/4/24, the applicant notes four variances were approved on 3/6/08, allowing a 5’ landscaping buffer, an 8’ fence height, an 8’ sideyard setback for the proposed eastern building, and a 15’ drive-aisle width between buildings; a Variance Summary on the Site Layout Plan details the Village Code requires a 20’ landscape buffer, 6’ maximum fence height, a 10’ required side yard setback, and a drive aisle width requirement of 25’; the letter also notes the current proposal includes a variance requested for a Green Space Requirement, but does not explain what is required versus what is requested; an email from the Village dated 11/18/24 states the Greenspace requirement is not from the Village Code, but is a “recommendation that comes from NYSERDA (NYS Energy Research and Development Authority) when more than 50% of land is used”; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 10/31/24, 1.68 acres of the site will be disturbed by the proposed project and “the site will infiltrate all stormwater up to and including the 100-year storm. Infiltration will take place via a slotted storm sewer pipelines which will discharge toward the outfall at Bear Road”; per the Site Grading and Drainage Plan dated 11/4/24, catch basins will be installed between the proposed buildings and between the existing and proposed buildings; a Stormwater Pollution Prevention Plan (SWPPP) dated 10/2024 and prepared by Delta Engineers, Architects, and Surveyors was included with the referral materials; the EAF notes the proposal will result in a 1.68-acre reduction of meadows, grasslands or brushlands, resulting in the whole of the site (3.74 acres) being impervious surface after construction;

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

ADVISORY NOTE: The applicant is required to show how stormwater will be handled on the approved plan; the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Onondaga County Department of Transportation for review; the municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval; and

WHEREAS, per the EAF, the site is served by public drinking water and no changes to

existing infrastructure are proposed; and

WHEREAS, the site is served by public sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas, an area designated as flow constrained and impacted by excessive wet weather flow; per the EAF, the proposed action will generate liquid wastes, but there will be “no change in current site sanitary discharges”; the referral materials don’t show any sanitary infrastructure connecting to the proposed buildings; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), Bear Road and North Main Street have public transit service and bus stops are located adjacent to the site; and

WHEREAS, the Syracuse Metropolitan Transportation Council (SMTC) has created a Sustainable Streets Guide, which includes the identification of priority sidewalk zones where the installation of sidewalks would be most beneficial; this site is located within a priority zone; there are no sidewalks on Bear Road in front of the site, but nearby North Main Street does have sidewalks; per Onondaga County Department of Transportation, there are plans to install sidewalks along Bear Road; and

WHEREAS, the site may contain the Least bittern, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper);  
ADVISORY NOTE: Per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental Permits office; and

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

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

The Board does not endorse the proposed project as shown, as it lacks adequate buffering from neighboring uses and significantly exceeds lot coverage requirements. The Board encourages the applicant to revise the plans to better meet Village Code and include enhanced buffering and attention to high quality urban stormwater accommodations.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-336

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Geddes Zoning Board of Appeals at the request of Joseph DeGregorio for the property located at 764-766 State Fair Boulevard; 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 State Fair Boulevard (Route 80) and Armstrong Road (Route 106), both county highways; and

WHEREAS, the applicant is requesting an area variance related to a two-lot subdivision resulting in one lot having a 58.41' lot width where 75' is required in a Commercial B: Highway Commercial zoning district; and

WHEREAS, the Board is concurrently reviewing a subdivision referral (S-24-53) to divide the site from one parcel into two new lots; and

WHEREAS, the site is located on State Fair Boulevard in the Lakeland neighborhood of the Town of Geddes; the area is characterized by commercial uses along main routes, surrounded by residential neighborhoods; Interstate 81 and Onondaga Lake are to the east and the Honeywell waste beds are to the south; nearby businesses include an automobile dealer, a hairdresser, gas station and convenience store, and a senior living complex; and

WHEREAS, the site is a one-acre parcel with 158' of frontage on State Fair Boulevard, a county route; the site contains a house with driveway along the northwestern half and a café and parking lot in the southeastern half; there are multiple sheds associated with both buildings; the parking lot for the café is located along the southeastern parcel boundary with parking in front of the café and along the southern side of the building and continuing behind the café building; and

WHEREAS, per the DeGregorio Subdivision Final Plan dated 9/20/24, the applicant is proposing a subdivision to split the residential and commercial portions of the parcel; proposed Lot 1 will be 0.38 acres and will contain the house, its driveway onto State Fair Boulevard, and sheds located to the rear of the house; proposed Lot 2 will be 0.62 acres and will contain the café building with access to State Fair Boulevard, parking lot, shed, and deck; each proposed lot has existing driveway access to State Fair Boulevard; no work on the exterior of the site is proposed at this time;

ADVISORY NOTE: Per the Onondaga County Department of Transportation, all existing or proposed driveways on State Fair Boulevard must meet Department requirements; and

WHEREAS, the proposed subdivision requires an area variance for proposed Lot 1 as Town Code requires a minimum lot width of 75'; per the Subdivision Plan, proposed Lot 1 will be 58.41' wide and proposed Lot 2 will be 99.13' wide; and

WHEREAS, per the referral notice, the site is served by public drinking water and sewers and no changes to the current infrastructure are proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Lakeside Pump Station service area; and

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

WHEREAS, per aerial imagery from May 2024, there are no sidewalks on State Fair Boulevard in front of the site, but there are sidewalks connecting Snowbirds Landing and the Byrne Dairy gas station and store to State Fair Boulevard; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734076, 734081, 734040, 734030) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

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

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

The applicant is required to coordinate State Fair Boulevard access plans with the Onondaga County Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board offers the following comment:

The Board encourages the Town and applicant to explore relocation of any access for café from State Fair Boulevard to via Snowbirds Landing via access agreement to improve access management along State Fair Boulevard. Alternatively, the applicant is encouraged to narrow the café's driveway access to State Fair Boulevard. The Board also encourages the addition of sidewalks along State Fair Boulevard.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-337

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Clay Zoning Board of Appeals at the request of Scott Merle for the property located at 8855 Gaskin 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 Oswego Road (Route 91 / Old Route 57), a county highway, and the municipal boundary between the Town of Clay and the Town of Lysander; and
- WHEREAS, the applicant is requesting an area variance to allow construction of a residence with a 12 foot side yard setback where 25 feet is required in a Residential (R-10) zoning district; and
- WHEREAS, the site is located between Gaskin Road and the Seneca River, south of Three Rivers Point; the area is characterized by smaller residential parcels near the river and large, vacant parcels containing woodlands, agriculture, and/or low density residential to the east; and
- WHEREAS, the site is a long and narrow 1.81-acre lot containing a two-story house, garage, and driveway to Gaskin Road in the eastern half of the parcel; per aerial imagery from May 2024, the rear, western half of the lot appears to contain lawn and trees; and
- WHEREAS, per the Sketch Plan Part of Lot 14 map dated 9/20/24, the applicant is requesting an area variance to allow subdivision of the parcel into two new lots: proposed Lot 1 (0.56 acres) comprising a 70'x350' area in the northeast corner of the site and proposed Lot 2 (1.25 acres), a flag-lot with a narrow, 30'-wide access from Gaskin Road leading to the western, approximately 100'x403', half of the lot; per an email from the Town dated 11/15/24, the existing house and garage will be demolished in preparation for the construction of a house on each proposed lot; proposed Lot 2 will contain all of the existing access to the Seneca River; the proposed subdivision will be referred to this Board at a later date; the applicant is currently requesting an area variance to reduce the required side yard setback on the southern boundary of proposed Lot 1 from 25' to 12', allowing a house to be constructed in the future; and
- WHEREAS, per the referral notice, the site is served by public drinking water and new connections are proposed;
- ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and
- WHEREAS, per the referral notice, the site is served by an individual septic system and a

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new septic system is proposed;

ADVISORY NOTE: The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve any existing or proposed septic system for all lots less than five acres prior to Department endorsement of the subdivision; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 11/3/24, zero acres of the site will be disturbed by the proposed project and no additional stormwater will be created by the proposed variance and subdivision; and

WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) indicate that western boundary of the site is located within the 100-year floodplain and floodway for the Seneca River, which may require avoidance or elevation of structures and other mitigation; the Sketch Plan shows the boundaries for the Floodway and 100-year floodplain;

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

WHEREAS, the Seneca River is a federally protected waterway and the boundary is indicated along the western boundary of the site on the Sketch Plan; and

WHEREAS, the project is within 2,000 feet of a site (ID: B00015) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

WHEREAS, the site is within the New York State Barge Canal Historic District which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; the "Canal Blue Line" is indicated on the Sketch Plan as the western boundary of the site; the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper);

ADVISORY NOTE: 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 proposed subdivision would result in the creation of two lots utilizing on-site wastewater treatment in close proximity to a waterway, including one lot



which may be undersized to adequately meet typical standards for septic system operation. Details were also not provided with the referral materials to indicate the proposed locations of anticipated buildings, infrastructure or environmental constraints on the land.

1. The Town must obtain confirmation that the applicant has obtained approval of sewage disposal plans for both proposed lots from the Onondaga County Health Department's Bureau of Public Health Engineering prior to local approval of both the subdivision and area variance applications.
2. The filed Subdivision Plan must include applicable information to verify the viability of the proposed parcels as buildable lots, including building setbacks, driveway access, wells and septic systems including required separation thereof, as well as any waterbodies, delineated wetlands/buffers or other natural features of significance on the site.
3. The subdivision map must show a shared access agreement to serve both lots.

The Board offers the following comment:

The Town is encouraged to require both proposed lots utilize existing access to Gaskin Road.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-338

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a COMPREHENSIVE PLAN from the Town of Marcellus Town Board at the request of Town of Marcellus for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of comprehensive plans; and
- WHEREAS, the applicant is proposing to adopt the "Town of Marcellus 2024 Comprehensive Plan"; and
- WHEREAS, the Plan details current demographics and trends for the Town, examples include the age group of 25 to 34 year olds has experienced recent growth within the Town, the population is 98% white, and school enrollments have decreased 32% since 2005 citing this as similar to regional population trends; current land use shows 50% of the total acreage of the Town is in agriculture, but 74% of total parcels are zoned residential (notably located in the northern half of the Town and along major routes); and
- WHEREAS, after the 2001 Comprehensive Plan, the Town implemented two zoning overlays: a Critical Environmental Area (CEA) Overlay Zone to preserve the Nine Mile Creek corridor and tributaries by requiring a special permit and a Highway Overlay Zone to “preserve scenic vistas while providing additional control and/or opportunities for specific development, notably requiring a 100’ front yard setback from the street line; and
- WHEREAS, the Town utilized two public workshops to assist in developing this Comprehensive Plan, a booth at Olde Home Days, “the Town’s biggest community event” and a Community Open House at Town Hall; and
- WHEREAS, the Plan notes “the agricultural landscape is a defining feature in the Town of Marcellus” and agriculture has been a “main industry of the community since the late 1800s”; within the Town, “75% of all lands are classified as important farmland” and the Town in cooperation with the County, has promoted protecting agriculture with 12,000 acres of farmland protected through conservation easements countywide and encouraging agritourism as a way to increase profit margins for farmers; and
- WHEREAS, the Plan identifies categories to achieve their Community Vision: preserving rural character, protecting natural resources, diversifying residential living options, promoting sustainable economic growth, and enhancing community resources; and
- WHEREAS, as “open spaces and agricultural lands play a significant role in defining the character of the Town”, the Plan identifies four Action Items to promote and maintain the Town’s rural character; working with the Onondaga County Soil and Water Conservation District to encourage farmers to reduce “surface water runoff impacts and water quality impacts” and address potential

adverse impacts of manure storage; developing an Agricultural Outreach Campaign in partnership with multiple agencies (including Onondaga County Department of Planning [OCDOP] and Cornell Cooperative Extension [CCE]) to encourage use of Conservation easements, education related to local farms and practices, and increase “knowledge of and participation in County efforts and directives”; develop a Town-wide Open Space and Recreation Plan; and Update the Local Development Regulations and Review Process; and

WHEREAS, to ensure protection of Natural Resources within the Town, the Plan identifies six Action Items: expand the Critical Environmental Areas (CEA) Overlay Zone to include steep slopes/reduce erosion, work with partner agencies to “utilize vegetated swales along roadways to “convey stormwater and reduce runoff and erosion”, update the Local Development Regulations and Review Process, Develop an Incentive Package for Development that encourages natural stormwater management practices including green infrastructure in new developments, Develop a Water Quality Outreach Campaign to educate the public and prevent contamination of groundwater, and Develop a Town-wide Open Space and Recreation Plan; and

WHEREAS, guiding Residential Development to appropriate areas within the Town while promoting a diversity of housing options, connected streets, and improving aesthetics; the Plan has identified three Action Items: Review and Revise the Town of Marcellus Zoning Law to ensure the regulations support reducing residential sprawl and promote the rural character of the Town, senior living, appropriate locations for septic systems, and promote conservation subdivisions; Conduct a Needs Assessment and Feasibility Study for the Development of Various Senior Housing Options; and Work with the Village to assess feasibility of expansion of the wastewater treatment facility; and

WHEREAS, promoting Economic Growth with four identified Action Items: Review and Revise the Town of Marcellus Zoning Law to ensure appropriate placement of commercial uses, establish a Business Advisory Committee (BAC), Develop a Town marketing package, and support the establishment of a Marcellus Farmers Market in Marcellus Park; and

WHEREAS, to expand Community Resources, the Plan identifies six Action Items: develop a Complete Streets policy which will maximize shoulder widths on roads and install sidewalks in appropriate locations; Develop a Master Plan for Marcellus Park; develop a Town-wide Open Space and Recreation Plan to ensure maintenance of public facilities and increase sidewalk and trail networks; establish a community outreach program; develop a Rail-to-Trail Feasibility Study along Nine Mile Creek; and develop community events or festivals surrounding and celebrating Nine Mile Creek; and

WHEREAS, some Action Items were listed as keys ways to achieve multiple Town objectives: Develop a Town-wide Open Space and Recreation Plan, Update the Local Development Regulations and Review Process, and Review and Revise the Town of Marcellus Zoning Law; and

WHEREAS, the Plan’s Future Land Use Strategy identified five “character areas” to guide future decisions: Agriculture, throughout the Town, but specifically in the southern half of the Town; Residential, in the northern half of the Town and along major routes; Local Commercial to support daily residential living in central areas; Corridor Commercial along the NYS Route 20 corridor; and Open Space and Recreation to preserve and protect undeveloped land, open space areas, and natural resources, specifically found along Ninemile Creek and tributaries;

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

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

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

The Board commends the Town of Marcellus for its well-considered comprehensive plan as it relates to current and projected needs to protect and preserve its agriculture, increase housing options in response to demographic shifts, and a focus on the Town's invaluable natural resources, open spaces and recreational opportunities, themes which are compatible with those of the County's Plan ONondaga comprehensive plan. The County encourages and offers its assistance as the Town embarks on next steps such as zoning to foster development and redevelopment within and near existing centers, encouraging complete streets infrastructure and policy, and development of an Open Space and Recreation Plan.

The Board also encourages consideration of two areas within the Future Land Use mapping of note. Lands upon which agricultural conservation easements are protected in perpetuity from intensive development, and parcels with such protections should be reflected on the land use plan as agricultural in nature. And Route 20 is a valued scenic corridor, in an area with strong agricultural heritage and requires high-quality highway access management along its length. As such, preservation of scenic and agricultural assets and protections from incompatible strip-style development along this corridor is discouraged to the extent practicable. The Town may wish to focus instead on more compact, nodal development at select intersections as an alternative land use pattern.

In continued support of local agricultural land protection, the Town may also wish to consider acting as a more formal partner, and potential easement holder, for agricultural conservation easement projects. Cornell Cooperative Extension of Onondaga County may be contacted for more information.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-339

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Pompey Zoning Board of Appeals at the request of Diane Mazza for the property located at 1797 Berwyn 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 Berwyn Road (Route 114) and Collins Road (Route 249), both county highways, the municipal boundary between the Town of Pompey and the Town of LaFayette, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting an area variance to allow a subdivision creating a land-locked parcel, but will include an access agreement, in a Farm zoning district; and
- WHEREAS, the Board is concurrently reviewing a subdivision referral (S-24-54) to divide the site into three new lots; and
- WHEREAS, the site is in a rural area along the boundary between the Towns of Pompey and LaFayette, characterized by large parcels containing active agriculture and woodlands; and
- WHEREAS, the site is comprised of two large parcels extending from Berwyn Road on the east to Collins Road and the municipal boundary between the Towns of Pompey and LaFayette to the west; a house with driveway to Berwyn Road, a county route, is located on the eastern third of the site; and
- WHEREAS, per the Proposed Resubdivision on Cook Track Map dated 9/26/24, the applicant is proposing a subdivision to create two, roughly equal-sized parcels on the western half of the site for the applicant's adult children while retaining the eastern half of the site containing the existing house on their own lot, proposed Lot 1A (12.5 acres); the western portion will be split into proposed Lot 2B (4.78 acres) which has frontage on Collins Road, a county route, and proposed Lot 2A (3.83 acres) which is landlocked by the municipal boundary; the applicant owns a third, small triangular parcel located between the municipal boundary and Collins Road, adjacent to proposed Lot 2A which is not included in the current referrals, but is under the same ownership and is intended, with proposed Lot 2A, to be a single 4.81-acre area to be conveyed to one of the applicant's children; and
- WHEREAS, per the referral materials, the applicant is planning to use the LaFayette parcel (Tax ID 011.-05-03.1) as Collins Road access for proposed Lot 2A; included in the referral materials is a letter to the applicant from Nick Kirby, Town of LaFayette Codes and Zoning Department, stating the LaFayette tax parcel 011.-05-03.1 "would be allowed to be used as the driveway access to the attached parcel(s) located in the Town of Pompey"; and
- WHEREAS, the applicant is requesting an area variance to allow the creation of proposed

Lot 2A as a landlocked parcel; a letter from Stinziano Law to the Town of Pompey dated 10/8/24 advises that proposed Lot 2A would not be conveyed without the LaFayette tax parcel 011.-05-03.1 as both pieces of land would be treated as a single lot; an Onondaga County Department of Transportation application for road access to Collins Road is included in the referral materials; throughout the referral materials proposed "Lot 2A" is discussed as a combination of the LaFayette parcel and the proposed Lot 2A to be created in the Town of Pompey; it is also noted the LaFayette parcel will remain separate from proposed Lot 2A in this referred subdivision from the Town of Pompey; and

WHEREAS, per the referral notice, the existing house on Lot 1A is served by an individual well and septic system and no changes to the existing infrastructure are currently proposed;

ADVISORY NOTE: The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve any existing or proposed septic system for all lots less than five acres prior to Department endorsement of the subdivision; and

WHEREAS, the site and surrounding lands are enrolled in NYS Agricultural District 4 and appear to contain active farmland; and

WHEREAS, GIS mapping shows a central, wooded area of the site may contain federal wetlands with a riverine wetland crossing to the south; per EAF Mapper, the site contains a federally regulated class C stream (ID 899-256), the wetland boundaries are not depicted on the subdivision map;

ADVISORY NOTE: The applicant is advised to conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site; any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site; the applicant is also advised to obtain any necessary permits from the Corps for any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site; 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 has No Position regarding the proposed area variance, but offers the following requirements for the proposed subdivision:

1. The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve a sewage disposal plan for the proposed lots less than 5 acres prior to Department endorsement of the subdivision.
2. The applicant must continue to coordinate Collins Road access plans with the Onondaga County Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
3. The applicant must conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site. Any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. The applicant is also advised to obtain any

necessary permits from the Corps for any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site. The municipality must ensure any mitigation as may be determined by the Corps is reflected on the subdivision plans prior to, or as a condition, municipal approval of the site plan.

4. The applicant must ensure legal cross-access is reflected on the filed subdivision map.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-340

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of DeWitt Planning Board at the request of Selly Koroma for the property located at 6200 Thompson 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 Thompson Road (Route 635), a state highway, and Exeter Street (Route 181), a county highway; and
- WHEREAS, the applicant is proposing improvements to landscaping, parking and ingress/egress at an existing auto service oriented building for a new tenant on a 0.35-acre parcel in a Business (B) zoning district; and
- WHEREAS, the site is located in the commercial corridor of Thompson Road between James Street and Carrier Circle; surrounding uses include an Urgent Care, gas station and convenience store, and a property restoration company; Ley Creek is located east of the site; and
- WHEREAS, the site is a former auto service and sales building with expansive asphalt covering most of the site with two driveways to Thompson Road, a state route; the site contains an approximately 1,800 sf building along the rear of the site; minimal landscaping is located around the perimeter; sidewalks exist on both sides of Thompson Road in this area; and
- WHEREAS, per the referral, the applicant is proposing changes to the asphalt parking area and entrances to reduce the size of the parking lot, narrow road access points, and install landscape buffers and trees; no changes are proposed to the building; per the Site Plan dated 11/6/24, asphalt will be removed from the northern and southern property boundaries and 10'-wide landscape buffers will be installed; asphalt will be removed to narrow the two entrance/exits and along the frontage to be replaced with landscape buffers; trees will be installed along the frontage and on the southern site boundary; 6 parking spaces will be striped along the southern boundary and 2 along the northern boundary;  
ADVISORY NOTE: Per the NYS Department of Transportation, all existing or proposed driveways on Thompson Road must meet Department requirements;  
ADVISORY NOTE: Work within the state right-of-way is subject to a Highway Work Permit from the NYS Department of Transportation; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 11/15/24, 0.2 acres of the site will be disturbed by the proposed project; and
- WHEREAS, the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which is maintained by the Department of Water Environment Protection in this area; and
- WHEREAS, per the referral notice, the site is served by public drinking water and sewers



and no changes to the current infrastructure are proposed; the submitted project is located within the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area, an area designated as flow constrained and impacted by excessive wet weather flow; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: 734064, C734138) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

The New York State Department of Transportation advises work within the state right-of-way will require a Highway Work Permit. Additionally, private use, including storage of or installation of hardscape, materials, or structures, within the State ROW is prohibited.

The Board offers the following comment:

The Board commends the applicant and Town for reducing impermeable surfaces, installing landscape buffers, and making efforts to reduce runoff and improve stormwater quality in this area.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-341

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Cicero Planning Board at the request of Dewberry Engineers (Walmart) for the property located at 8064 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 (Route 11), a state highway; and
- WHEREAS, the applicant is proposing a 3,995 sf building expansion for increased online pick-up and delivery capabilities on an 18.17-acre parcel in a Regional Commercial (RC) zoning district; and
- WHEREAS, the Board previously offered No Position on a site plan referral (Z-21-274) to construct an outdoor merchandise pickup area at this Walmart; and
- WHEREAS, the site is located along a highly commercialized stretch of Brewerton Road (US Route 11) with neighboring big box retail stores and smaller commercial outparcels; the site also abuts a residential neighborhood to the south and vacant land to the east; and
- WHEREAS, aerial imagery dated May 2024 shows the site contains a large existing building for Walmart with parking on the north side of the building; the site has access to Route 11 at two signalized intersections, one on the south side of the property and one through an adjacent parcel to the north; and
- WHEREAS, per the Site Plan dated 10/2/24, the applicant is proposing construction of a 3,995 sf expansion along the front/northern side of the existing building, near the northwest corner; per aerial imagery, the expansion will occur in an area currently used for outdoor sales; per the referral notice, the expansion will include relocating current online pick-up parking spaces and signage to the front of the proposed expansion for improved safety and traffic flow in the parking lot; per the Stop Signs and Markings Plan dated 10/2/24, egress lanes from the southern Route 11 access will be revised and signage at the northern end of the parking lot will be revised;  
ADVISORY NOTE: Per the NYS Department of Transportation, all existing or proposed driveways on Route 11 (Brewerton Road) must meet Department requirements; and
- WHEREAS, per the Site Parking Analysis Table dated 10/2/24, the site currently has 916 parking spaces plus 10 spaces assigned for online pickup; the proposed expansion will result in 899 total spaces with 39 online pickup spaces; and
- WHEREAS, the Environmental Assessment Form (EAF) dated 10/14/24, does not detail the amount of acreage to be disturbed by the proposed project, but says any increase in stormwater discharge will be routed to “existing stormwater structures on site”; per the referral materials, the proposed building expansion will be located on areas already covered by concrete or asphalt and

will not change the quantity of impermeable surface on site; and

WHEREAS, the site is served by public drinking water and sewers no changes to the existing infrastructure are proposed; the site is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas, an area designated as flow constrained and impacted by excessive wet weather flow;

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

WHEREAS, the project is within 2,000 feet of a site (ID: V00150) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

WHEREAS, GIS mapping shows a potential riverine wetland under federal jurisdiction crossing the northeast corner of the site; per GIS Mapping, the wetland is located away from the building, but some signage may be changed in that area; wetland boundaries are not indicated on the plans; per EAF Mapper, there are no wetlands or other regulated waterbodies on site; and

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

The applicant is required to coordinate Route 11 access plans with the New York State Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-342

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the City of Syracuse Planning Commission at the request of Jennifer Tiftt for the property located at multiple locations; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and, of the multiple sites, four are referable individually by being within 500 feet of Route 81 and Route 481, state highways, Rock Cut Road (Route 103), a county highway, Harbor Brook, a county-owned drainage channel, the municipal boundary between the City of Syracuse and the Town of Salina, and the municipal boundary between the City of Syracuse and the Town of Onondaga; and
- WHEREAS, the City of Syracuse is expanding the broadband network by installing fiber optic cables, rooftop antenna arrays, and monopoles on 9 parcels located in various zoning districts; and
- WHEREAS, per the local application, this proposal is funded by the New York State ConnectALL Municipal Infrastructure Program and will involve providing internet service to over 13,500 locations in the city with a “hybrid deployment of fiber optic and fixed-wireless access equipment” and “20 miles of fiber optics and 10+ wireless hubs”; and
- WHEREAS, the current referral proposes installation of wireless equipment at nine sites across the City, seven of which will be roof-mounted equipment; per the narrative, the wireless equipment will be approximately 2-4 sf per site; and
- WHEREAS, the seven locations to receive roof-mounted equipment will be 947 Pond Street, 710 Lodi Street, 1153 West Fayette Street, 122 West Seneca Turnpike, 417 Churchill Avenue, 821 East Brighton Avenue, and 510 Kirkpatrick Street; and
- WHEREAS, 369-79 6th North Street is a City-owned property and contains the Syracuse City School District Transportation Center and Bus Garage; this site is located in an industrial area of the City’s north side and is surrounded by a CSX railroad track along the northwest boundary, vacant lands to the south, a bus company to the northeast, automobile service garage to the southeast; per the referral materials, a 150’ steel pole will be installed in a 20’x20’ area in the westernmost corner of the site; per the narrative, the self-support structure is designed “to provide the most minimal ground footprint and vertical appearance”; and
- WHEREAS, 1233-43 West Onondaga Street is a City-owned property listed as the “Onondaga-Geddes Playlot” maintained by the City Department of Parks and Recreation and is located on a hillside, raised above the intersection of West Onondaga and South Geddes Streets; the site is located on the southwest side of the City in a residential neighborhood and is surrounded on all sides by residential; Bellevue School, Upper Onondaga Park, and the Woodland

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

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

Reservoir are in close proximity to the site; per the Pole Site Plan dated 3/9/24 and the Pole Configuration Drawing dated 7/26/23, the applicant is proposing installation of 79'11" monopole for the equipment in the center of the Playlot, surrounded by an 8'x8' chain-link fence with gate; the Site Plan does not depict any screening or landscaping to minimize the appearance of the monopole; per the Streetscape view included in the referral, houses are visible in all directions; and

WHEREAS, per GIS Mapping, Ley Creek is located on the other side of the CSX railroad tracks from the 369-79 6th North Street site; current FEMA Flood Insurance Rate Maps (FIRM) indicate most of the 369-79 6th North Street site is located within the 100-year floodplain, which may require avoidance or elevation of structures and other mitigation; this site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which is maintained by the Department of Water Environment Protection in this area; and

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

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

1. The New York State Department of Transportation reminds the City and applicant any work or installation of facilities within the State right-of-way must be permitted by NYSDOT.
2. The Board encourages the applicant and City to seek alternative siting for the 80' monopole to be located in the center of the Onondaga-Geddes Playlot due to the location being a recreational area for children and the visual prominence of the site to the surrounding residential neighborhood. If an alternative location cannot be found, the Board encourages the impact of the monopole be minimized by relocating the pole from the center of the site and/or screening the pole from view to the extent practicable. Additionally, the municipality should ensure the pole and fence are safe from potential climbing or use by children utilizing their Playlot.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-343

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Town of Cicero Town Board at the request of Town of Cicero for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing a local law to regulate battery energy storage systems in the Town of Cicero; and
- WHEREAS, the Department administratively reviewed (Z-24-163) and offered No Position with Comment on a temporary one-year moratorium on the application, consideration, and/or approval of Tier 2 and/or Tier 3 Battery Energy Storage System installation, encouraging the Town to redefine the “tiers” for Battery Energy Storage Systems to either be consistent with the tiers defined by NYSERDA or to utilize an alternative classification type/system; and
- WHEREAS, per the proposed law, the Town Board acknowledges the “battery energy storage is a clean, readily available, and renewable energy source” and finds the need to properly site and regulate battery energy storage systems to protect “residential business areas, and other land uses”; and
- WHEREAS, the objectives of the proposed law include providing a “regulatory scheme” for the construction and operation of such systems, the systems will be compatible with their locations, and environmental resources such as agriculture, forests, and wildlife are protected from potential hazards; and
- WHEREAS, the Town’s findings include concerns that battery energy storage systems, if not properly planned, sited, and regulated can cause “pollution, compromise aesthetics, and degrade community character,” such systems have dramatically increased in number, can be sited in such a way as to cause hardships for property owners, may make significant noise, and “cause electromagnetic interference with various types of communications”; the Town identifies numerous potential safety concerns including the system rupturing and catching fire, emitting poisonous, noxious, or hazardous gases, and leaking corrosive substances; and
- WHEREAS, the proposed law defined battery energy storage systems by tiers: Tier 1 as either “For one to two-family residential dwellings within or outside the structure with an aggregate energy capacity up to: 40 kWh within utility closets and storage or utility spaces, 80 kWh in attached or detached garages and detached accessory structures, 80 kWh on exterior walls, or 80 kWh outdoors on the ground or Other Battery Energy Storage Systems with an aggregate energy capacity less than or equal to the threshold capacity detailed for specific battery types detailed in the law; Tier 2 Battery Energy Storage Systems that are those not included in Tier 1, have an aggregate energy capacity greater than those detailed in that section, and have an aggregate

energy capacity less than 600 kWh; Tier 3 is defined as Battery Energy Storage Systems with an aggregate energy capacity  $\geq$  600 kWh and Battery Energy Storage Systems with more than one storage battery technology provided in a room or indoor area; and

WHEREAS, General Requirements under the proposed law include a permit to be approved by the Town Board and/or Planning Board, “electrical connections must be inspected by an appropriate licensed electrical inspection person or agency”, and all systems are subject to a permit and fee; Tier1 systems are permitted in all zoning districts, require a permit, and are exempt from site plan review; Tier 2 systems are permitted in Industrial, General Commercial, General Commercial Plus, Regional Commercial, and Commercial Solar zoning districts only, require a permit, and are subject to site plan review; and

WHEREAS, Tier 3 battery energy storage systems requirements include being allowed in the Commercial Solar zoning district only, require a permit, are subject to site plan review, and require a special use permit from the Town Board; applications for Tier 3 systems will be reviewed by the Code Enforcement Office, are subject to a public hearing, referred to Onondaga County Planning Board for review, utility lines shall be placed underground to the extent feasible, detailed signage is required, and will have outdoor lighting that “shall be designed, installed, and operated in such a manner as to reduce light pollution; areas within 20’ of the Tier 3 system will have all vegetation or other combustible growth cleared and noise shall be limited to less than 60 dBA average noise generated for a 10-minute period and “no momentary noise generation shall exceed 90 dBA”; and

WHEREAS, Tier 3 systems which have been abandoned for 1 year shall be removed; a decommissioning plan shall be required and the Town has its option to obtain its own decommissioning plan; the Town will require a security payment, insurance, and a limited site access agreement; Tier 3 systems will have a 250’ setback from all property lines, a minimum 750’ from specific sensitive locations, and 500’ from “critical transportation infrastructure; and

WHEREAS, Tier 3 systems are subject to additional site plan requirements including that the plans and drawings for installation must be approved by an engineer or architect; the plans have requirements including the plans must show property lines and physical dimensions of the proposed site at 5-foot contours, existing above ground utility lines, location of transmission facilities with all lines and wiring buried underground, location of structures, documentation of access, and a stormwater pollution prevention plan (SWPPP); “in the event of a fire or explosion, all expenses related to cleanup and remediation shall be paid or reimbursed by the system owner or operator; and

WHEREAS, Battery Energy Storage Systems are prohibited from specific areas including from flood hazard zones, open space, parcels containing prime agricultural soils (with exceptions for Tier 1 systems), near historically and culturally significant resources, designated conservation areas, within 250’ of any wetland for Tiers 2 or 3 or within 100’ of any wetland for Tier 1 systems, “areas adjacent to public parklands, trails, or active recreation,” and Critical Environmental Areas; and

WHEREAS, the Town Board “may, under appropriate conditions or circumstances, and in its absolute discretion waive one or more of the submission requirements”; the applicant will need to reimburse the Town for any fees incurred by the Town during the application process; and

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

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

To eliminate any potential confusion by applicants or property owners, the Town is encouraged to redefine the “tiers” for Battery Energy Storage Systems to either be consistent with the tiers defined by NYSERDA or to utilize an alternative classification type/system.

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





J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-344

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Village of Fayetteville Planning Board at the request of Keplinger Freeman Assoc. for the property located at 534 East 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 East Genesee Street (Route 5), a state highway, and Salt Springs Road (Route 132), a county highway, and the municipal boundary between the Village of Fayetteville and the Town of Manlius; and

WHEREAS, the applicant is proposing construction of an 11,173 sf service area addition at an existing auto dealership on a 3.76-acre parcel in a Contemporary Business (C-B) zoning district; and

WHEREAS, the Board is concurrently reviewing an area variance referral for maximum building size (Z-24-345) related to this proposed addition; and

WHEREAS, the Board has previously reviewed numerous referrals for this auto dealership (Z-18-64, Z-18-15, Z-18-16, Z-17-171, Z-16-172), advising the applicant to reduce the scale of signage for the dealership in keeping with the Village streetscape and advising the applicant to coordinate with the New York State Department of Transportation (NYSDOT) regarding access and truck movements, provide a Traffic Impact Study, and provide a drainage study or Stormwater Pollution Prevention Plan (SWPPP); the Board also offered comments encouraging a reduction in parking, to check with the Onondaga County Water Authority (OCWA) and Onondaga County Department of Water Environment Protection (OCDWEP) regarding water and sewer availability and requirements; and

WHEREAS, the site is located on NYS Route 5 east of the New York State Route 5/Route 257 intersection in the Village center; surrounding parcels include the Circle K Convenience Store and gas station, a day care center, and a dentist across East Genesee Street (NYS Route 5), and the rear yards of single-family residences and a lumber yard along Salt Springs Road to the south; and

WHEREAS, GIS mapping shows the site consists of two parcels totaling 3.89 acres, with one being a small landlocked parcel located in the Town of Manlius to the east; the site contains an approximately 23,200 sf building (per GIS mapping) located in the northeast corner of the site, along the East Genesee Street frontage; the site has two access points to East Genesee Street, NYS Route 5, that leads to a large parking lot on the west and south sides of the building; per the Neighborhood Plan dated 11/12/24, this proposed addition would result in 274 parking spaces on site; per aerial imagery from May 2024, the site is shown to be covered by asphalt or gravel with existing trees along much of the site's boundary lines and the East Genesee Street frontage includes

sidewalks and a grass planting strip with street trees; and

WHEREAS, per the Neighborhood Plan, the proposed 11,173 sf garage addition will be constructed on the rear of the building and will house 10 service bays; the plan shows a future addition labeled “Future Carwash and Auto Butler” to be added to the rear of the currently proposed addition; no other work is proposed at this time; no proposed work is shown in the portion of the site located in the Town of Manlius; and

WHEREAS, per the referral, the building was previously granted an area variance for building size as 10,000 sf is the maximum allowed in this area; per the Neighborhood Plan, the proposed addition will result in a 33,773 sf total building size, requiring a variance for 23,773 sf; per a letter from Keplinger Freeman Associates to the Village dated 11/18/24, the applicant is seeking a variance for the full buildout and both the future carwash and auto butler are included in the 33,773 sf total building size and variance request; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 11/14/24, 0.75 acres of the site will be disturbed by the proposed addition and carwash and “new points of stormwater discharge shall be directed towards existing stormwater facilities”;

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

WHEREAS, per the referral notice, the site is served by public drinking water and no changes to the existing infrastructure are proposed; the proposed addition may result in an increase in use;

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

WHEREAS, per the referral notice, the site is served by public sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area and no changes to the existing infrastructure are proposed; the proposed addition may result in an increase in wastewater flow;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) may be required due to an anticipated increase in use; additionally, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project is within 2,000 feet of several sites in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (C734110, 734052, C734052); and

WHEREAS, per the EAF Mapper, the site of the proposed action may also contain a species of animal (Northern long-eared bat), or associated habitats, listed by

the state or federal government as threatened or endangered; impacts to bat species are often associated with tree clearing and from aerial imagery it appears that no trees will be removed as part of the proposed project; and

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

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

The municipality is advised to coordinate with the Town of Manlius as a portion of the subject site is located within the Town and may be subject to Town approval. The project has been reviewed as a whole by the County Planning Board with this GML 239 referral and will not require additional referral from the Town of Manlius.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-345

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Village of Fayetteville Zoning Board of Appeals at the request of Keplinger Freeman Assoc. for the property located at 534 East Genesee Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of East Genesee Street (Route 5), a state highway, and Salt Springs Road (Route 132), a county highway, and the municipal boundary between the Village of Fayetteville and the Town of Manlius; and
- WHEREAS, the applicant is requesting an area variance to allow construction of an 11,173 sf service area addition by allowing the building to exceed the maximum size permitted (10,000 sf) at an existing auto dealership on a 3.76-acre parcel in a Contemporary Business (C-B) zoning district; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-24-344) for this proposed addition; and
- WHEREAS, the Board has previously reviewed numerous referrals for this auto dealership (Z-18-64, Z-18-15, Z-18-16, Z-17-171, Z-16-172), advising the applicant to reduce the scale of signage for the dealership in keeping with the Village streetscape and advising the applicant to coordinate with the New York State Department of Transportation (NYSDOT) regarding access and truck movements, provide a Traffic Impact Study, and provide a drainage study or Stormwater Pollution Prevention Plan (SWPPP); the Board also offered comments encouraging a reduction in parking, to check with the Onondaga County Water Authority (OCWA) and Onondaga County Department of Water Environment Protection (OCDWEP) regarding water and sewer availability and requirements; and
- WHEREAS, the site is located on NYS Route 5 east of the New York State Route 5/Route 257 intersection in the Village center; surrounding parcels include the Circle K Convenience Store and gas station, a day care center, and a dentist across East Genesee Street (NYS Route 5), and the rear yards of single-family residences and a lumber yard along Salt Springs Road to the south; and
- WHEREAS, GIS mapping shows the site consists of two parcels totaling 3.89 acres, with one being a small landlocked parcel located in the Town of Manlius to the east; the site contains an approximately 23,200 sf building (per GIS mapping) located in the northeast corner of the site, along the East Genesee Street frontage; the site has two access points to East Genesee Street, NYS Route 5, that leads to a large parking lot on the west and south sides of the building; per the Neighborhood Plan dated 11/12/24, this proposed addition would result in 274 parking spaces on site; per aerial imagery from May 2024, the site is shown to be covered by asphalt or gravel with existing trees along much

of the site's boundary lines and the East Genesee Street frontage includes sidewalks and a grass planting strip with street trees; and

WHEREAS, per the Neighborhood Plan, the proposed 11,173 sf garage addition will be constructed on the rear of the building and will house 10 service bays; the plan shows a future addition labeled "Future Carwash and Auto Butler" to be added to the rear of the currently proposed addition; no other work is proposed at this time; no proposed work is shown in the portion of the site located in the Town of Manlius; and

WHEREAS, per the referral, the building was previously granted an area variance for building size as 10,000 sf is the maximum allowed in this area; per the Neighborhood Plan, the proposed addition will result in a 33,773 sf total building size, requiring a variance for 23,773 sf; per a letter from Keplinger Freeman Associates to the Village dated 11/18/24, the applicant is seeking a variance for the full buildout and both the future carwash and auto butler are included in the 33,773 sf total building size and variance request; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 11/14/24, 0.75 acres of the site will be disturbed by the proposed addition and carwash and "new points of stormwater discharge shall be directed towards existing stormwater facilities";

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

WHEREAS, per the referral notice, the site is served by public drinking water and no changes to the existing infrastructure are proposed; the proposed addition may result in an increase in use;

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

WHEREAS, per the referral notice, the site is served by public sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area and no changes to the existing infrastructure are proposed; the proposed addition may result in an increase in wastewater flow;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) may be required due to an anticipated increase in use; additionally, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) EAF Mapper indicates that the project is within 2,000 feet of several sites in the New York State Department of Environmental Conservation (NYS DEC) Environmental Site Remediation database (C734110, 734052, C734052); and

WHEREAS, per the EAF Mapper, the site of the proposed action may also contain a

species of animal (Northern long-eared bat), or associated habitats, listed by the state or federal government as threatened or endangered; impacts to bat species are often associated with tree clearing and from aerial imagery it appears that no trees will be removed as part of the proposed project; and

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

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

The Board has No Position regarding the proposed area variance, but offers the following comment regarding the project as a whole:

The municipality is advised to coordinate with the Town of Manlius as a portion of the subject site is located within the Town and may be subject to Town approval. The project has been reviewed as a whole by the County Planning Board with this GML 239 referral and will not require additional referral from the Town of Manlius.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-346

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Village of Fayetteville Planning Board at the request of James M. Owen for the property located 408 (aka 410) East 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 East Genesee Street (Route 5) and South Manlius Street (Route 257), both state highways, and Salt Springs Road (Route 132), a county highway; and
- WHEREAS, the applicant is proposing exterior renovations and to establish a new outdoor patio dining area at an existing restaurant tenant space on a 1.47-acre parcel in a Traditional Business (T-B) zoning district; and
- WHEREAS, the site is located in the center of the Village of Fayetteville where streets are lined with a mix of residential and commercial uses; the site contains a multi-tenant commercial building fronting East Genesee Street (NYS Route 5); the site has access to East Genesee Street on the western side of the parcel with parking located on the western side and at the rear; the parking lot has unrestricted access to Spring Street, a local street, at the rear; nearby uses include a hair salon, spa, orthodontics office, church, and hardware store; the front of the property, along East Genesee Street, has a sidewalk in front of the building and along the road, separated by lawn and landscaping; and
- WHEREAS, per the Site Plan dated 5/8/24, the applicant is renovating an existing restaurant space for a future restaurant along with exterior improvements to include replacing and widening the existing sidewalk between the building and parking lot, replacing exterior light fixtures, restriping the parking to include additional parking spaces, and installing a patio on an existing lawn area at the front of the store; the proposed patio dining area will include replacement of lawn with pea gravel, removal of some sidewalk along East Genesee Street, new plantings between the patio and East Genesee Street, and retention of existing trees; no changes to existing access are proposed; ADVISORY NOTE: Per the NYS Department of Transportation, all plans prepared for permit issuance must show the state right-of-way boundary; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 11/15/24, zero acres of the site will be disturbed by the proposed project and no additional stormwater discharge is anticipated; and
- WHEREAS, per the referral notice, the site is served by public drinking water and no changes to the existing infrastructure are proposed; and
- WHEREAS, per the referral notice, the site is served by public sewers and no changes to the existing infrastructure are proposed; the site is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; sanitary sewer infrastructure is located along the site's road frontage, including a manhole cover located within proposed hardscape/stone wall area;

ADVISORY NOTE: The applicant is advised to contact the Onondaga County Department of Water Environment Protection (OCDWEP) Plumbing Control Division to discuss any code requirements for restaurant use of the site, including scheduling a re-inspection of the premises and obtaining the appropriate permits for all plumbing installations or modifications, both within the building and for any exterior improvements. Please contact Plumbing Control Supervisor at 315-435-6614;

ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) may be required due to an anticipated increase in use; additionally, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant must develop a 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online: <http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: C734106, C734110, 734052, C734052) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

WHEREAS, the site is located near the Genesee Street Hill-Limestone Plaza Historic District which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and

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

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

1. Per the Onondaga County and New York State Departments of Transportation, no encroachments into the right-of-way are permitted. Applicant must ensure any hardscape material or seating occurs outside the right-of-way, and permits obtained for any other work to occur within highway right-of-way.
2. The applicant is required to coordinate with the Onondaga County Department of Water Environment Protection (OCDWEP) regarding village-owned, county-leased infrastructure. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.
3. The applicant must contact the Onondaga County Department of Water Environment Protection (OCDWEP) Plumbing Control Division to discuss any requirements for restaurant use of the site, including scheduling a re-inspection of the premises and obtaining the appropriate permits for all



plumbing installations. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-347

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Clay Town Board at the request of The Summit Federal Credit Union for the property located at 5047 West Taft 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 West Taft Road (Route 51), a county highway, and a farm operation located in a NYS Agricultural District; and

WHEREAS, the applicant is requesting a special permit to allow construction of two drive-thru services (teller and ATM) on a 1.86-acre parcel in a Neighborhood Commercial (NC-1) zoning district; and

WHEREAS, the Board previously offered No Position with Comment on a zone change referral (Z-24-303) to change the site from Residential (R-APT) to Neighborhood Commercial (NC-1), advising the applicant to continue to coordinate with Onondaga County Department of Transportation regarding access to the site; and

WHEREAS, the site is located along West Taft Road in a commercial corridor mixed with some residential homes; Wegmans with its expansive parking lot is adjacent to the west, Hafner's Garden Center is adjacent to the rear, and residential homes line West Taft Road to the east; nearby businesses include an urgent care facility, a credit unit, medical offices, and restaurants; the site is comprised of two adjacent parcels located along West Taft Road with the western parcel having frontage on, but no current access to, Cedar Post Road, a local road; the eastern parcel currently contains a house (to be demolished) with driveway to West Taft Road, a county highway; the western parcel is vacant and wooded;

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

WHEREAS, the applicant is requesting a special permit to allow a drive-thru teller and ATM on a proposed credit union; per the Site Improvement Plan dated 11/11/24, the credit union will be constructed at the center of the site, access via two full access driveways, one to West Taft Road and the other to Cedar Post Road; the driveways will circulate around the central building and parking lot, with the driveway expanding to a three-lane drive-thru with bypass lane along the eastern side of the site and building; per a letter to the Town from Benedict Wolfling, Civil Engineer dated 11/11/24, the proposed drive-thru will have two teller windows and one ATM lane and will allow stacking of 5 cars; no landscaping or plantings are indicated on the plans;

ADVISORY NOTE: Per the Onondaga County Department of Transportation, all existing or proposed driveways on West Taft Road must meet Department requirements; and

WHEREAS, included with the referral materials is a Special Permit for Drive Thru map dated 10-30-24 which shows a lot line adjustment to combine the two parcels comprising the site and split into a southern portion for the proposed credit union (proposed Lot No 2A, 1.862 acres) and a northern portion (proposed Lot No 1A, acreage not included); per an email with the Town dated 11/22/24, the subdivision was approved administratively at the local level and the northern portion will be conveyed to the garden center parcel to the north; the subdivision was not referred to this Board; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 11/1/24, 1.64 acres of the 1.86-acre site will be disturbed by the proposed project and “proposed drainage will be directed to existing roadside ditch, which flows into existing culverts going eastwards along W. Taft Rd.”; per the Site Improvement Plan, three bioretention areas will be constructed, one in the northeast corner of the site and areas on either side of the West Taft Road driveway with stormwater connections to roadside drainage infrastructure;  
ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, per the Topographic Survey dated 8/14/24, the site has a 20'-wide Town-owned sanitary sewer easement along the western site boundary and along a portion of the western side of the West Taft Road frontage; the plan shows sewer infrastructure continuing along West Taft Road in the County right-of-way; and

WHEREAS, per the referral notice, a new connection to public drinking water is proposed to serve the credit union;  
ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral notice, a new connection to the public sewers is proposed to serve the credit union; the site is located in the Oak Orchard Wastewater Treatment Plan and Davis Road Pump Station service areas, an area designated as flow constrained and impacted by excessive wet weather flow;  
ADVISORY NOTE: Capacity assurance approval from the Onondaga County Department of Water Environment Protection (OCDWEP) is required in advance of issuance of a plumbing permit from the County's Plumbing Control Division in order to connect into the public sewer system; additionally, the applicant must develop a 1 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer; the Capacity Assurance Form and approval process can now be found online:  
<http://www.ongov.net/wep/CapacityAssuranceReviews.html>; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), West Taft Road has public transit service and bus stops located within 250 feet; per aerial imagery from May 2024, there are no sidewalks in the immediate

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

WHEREAS, surrounding lands are enrolled in NYS Agricultural District 3 and appear to contain an expansive garden center; an Agricultural Data Statement was not included with the referral materials;

ADVISORY NOTE: Any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on or within 500 feet of a property within a NYS Certified Agricultural District is required by the NYS Agricultural and Markets Law to include an Agricultural Data Statement; and

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

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

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

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

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

1. The municipality must ensure that no construction of permanent structures occurs which may encroach into the sanitary sewer easement or affect infrastructure. The applicant must contact the Town for any infrastructure-related disturbance of land within the easement prior to, or as a condition of, municipal approval. The Onondaga County Department of Water Environment Protection encourages Town oversight prior to and during construction affecting sewer infrastructure.

2. The applicant must continue to coordinate West Taft Road access plans with the Onondaga County Department of Transportation. To further meet Department requirements, the applicant must submit the site plan, a copy of the Stormwater Pollution Prevention Plan (SWPPP), and a Traffic Impact Study (TIS) for full build out to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board offers the following comments:

1. 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 Taft Road frontage.

2. Every municipal review provides the opportunity to improve community appearance and the applicant and the municipality are encouraged to improve site design and reinforce walkability by incorporating elements such as

landscaping along the road frontage and around the parking lots, and more vegetative buffering for adjacent residential properties.

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-349

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a OTHER AUTHORIZATION from the City of Syracuse Planning Commission at the request of Stephen Case for the property located 200 South West Street and West Fayette Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review authorizations which a referring body may issue under the provisions of any zoning ordinance or local law the site is located within 500 feet of South West Street, a state-owned arterial; and
- WHEREAS, the applicant is proposing to establish an off-premise sign on a 0.14-acre parcel in a Mixed-Use Transition (MX-3) zoning district; and
- WHEREAS, the Board is concurrently reviewing an "other authorization" referral (Z-24-349) to allow this proposed billboard; and
- WHEREAS, the site is located on the west side of downtown Syracuse; the site is a triangular parcel located at the intersection of West Fayette Street and South West Street, a state road, and abuts the New York, Susquehanna and Western railroad tracks to the rear; Armory Square and the building containing Wunderbar and Subcat Studio are to the east and the buildings for the Reading League, WCNY, and the Delavan Center are to the west; across West Fayette Street are a vacant lot and a parking lot; and
- WHEREAS, the site is a vacant parcel with sidewalks along both road frontages and trees lining the rear of the parcel; two billboards are located to the rear of the parcel and per the Location Survey dated 11/27/20, are located on railroad property adjacent to the site boundary; per Google StreetView, posts for a previous billboard are still located at the rear of the site, between the currently existing signs; and
- WHEREAS, the applicant is proposing an off-premise sign or billboard to be located at the center of the rear site boundary and facing the intersection of West Fayette Street and South West Streets; per the Layout and Planting Plan dated 10/9/24, the proposal includes landscaping the area currently covered by gravel and installing trees, shrubs, and plantings; the proposed sign will be 38' wide and 17' tall from the ground to top of sign;
- ADVISORY NOTE: Off-premises signs located within 660 feet of the right-of-way and intended to be seen from the National Highway System (or 1991 Primary Highway) must be registered with NYS 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, the applicant is seeking a use variance to allow the sign which is not permitted in the MX-3 zoning district; per the local application, the applicant states the small size of the parcel, unique location on two busy roads, and

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abutting the railway prevent the site from other uses allowed in MX-3 and the billboard would be the only way to obtain a return on the applicant's investment; it is noted that the site previously had a billboard in this location; and

WHEREAS, per the City zoning code, the MX-3 district allows uses including educational buildings, clinics, hospitals, day care centers, private clubs, beverage cafes, microbreweries, and hotels; and

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

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: C734157, 734060) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

WHEREAS, the site is located near the WCNY Office which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-350

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the City of Syracuse Zoning Administration at the request of Stephen Case for the property located at 200 South West Street and West Fayette 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 South West Street, a state-owned arterial; and
- WHEREAS, the applicant is requesting a use variance to establish an off-premise sign on a 0.14-acre parcel in a Mixed-Use Transition (MX-3) zoning district; and
- WHEREAS, the Board is concurrently reviewing a use variance referral (Z-24-350) to allow this proposed billboard; and
- WHEREAS, the site is located on the west side of downtown Syracuse; the site is a triangular parcel located at the intersection of West Fayette Street and South West Street, a state road, and abuts the New York, Susquehanna and Western railroad tracks to the rear; Armory Square and the building containing Wunderbar and Subcat Studio are to the east and the buildings for the Reading League, WCNY, and the Delavan Center are to the west; across West Fayette Street are a vacant lot and a parking lot; and
- WHEREAS, the site is a vacant parcel with sidewalks along both road frontages and trees lining the rear of the parcel; two billboards are located to the rear of the parcel and per the Location Survey dated 11/27/20, are located on railroad property adjacent to the site boundary; per Google StreetView, posts for a previous billboard are still located at the rear of the site, between the currently existing signs; and
- WHEREAS, the applicant is proposing an off-premise sign or billboard to be located at the center of the rear site boundary and facing the intersection of West Fayette Street and South West Streets; per the Layout and Planting Plan dated 10/9/24, the proposal includes landscaping the area currently covered by gravel and installing trees, shrubs, and plantings; the proposed sign will be 38' wide and 17' tall from the ground to top of sign;
- ADVISORY NOTE: Off-premises signs located within 660 feet of the right-of-way and intended to be seen from the National Highway System (or 1991 Primary Highway) must be registered with NYS 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, the applicant is seeking a use variance to allow the sign which is not permitted in the MX-3 zoning district; per the local application, the applicant states the small size of the parcel, unique location on two busy roads, and abutting the railway prevent the site from other uses allowed in MX-3 and the



billboard would be the only way to obtain a return on the applicant's investment; it is noted that the site previously had a billboard in this location; and

WHEREAS, per the City zoning code, the MX-3 district allows uses including educational buildings, clinics, hospitals, day care centers, private clubs, beverage cafes, microbreweries, and hotels; and

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

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: C734157, 734060) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

WHEREAS, the site is located near the WCNY Office which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-351

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the City of Syracuse Zoning Administration at the request of Adam Richardson for the property located at 2921 Erie Boulevard East; 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 Erie Boulevard East (Route 5), a state highway; and
- WHEREAS, the applicant is requesting a use variance to allow business-identifying signs facing a private driveway on a 1.76-acre parcel in a Commercial (CM) zoning district; and
- WHEREAS, the site is located on the north side of a commercialized section of Erie Boulevard East in the City of Syracuse; neighboring businesses include multiple restaurants, medical offices, retail, and a hotel; the site is located between Erie Boulevard East and Interstate 690, both state routes; and
- WHEREAS, the site contains an approximately 20,670 sf (per GIS mapping) building containing multiple commercial tenant spaces with a parking lot located along the east side and to the rear of the building; the site has direct access to the westbound lanes of Erie Boulevard East; and
- WHEREAS, the applicant is seeking a use variance to allow business identification signs for an existing cannabis dispensary on the north and east building elevations; per City Code, business identification signs are not permitted facing a private driveway; per the referral materials, the business reports customers having difficulty locating the business, particularly in nighttime hours due to visibility of signage from Erie Boulevard East, and the lack of visibility is financially impacting the business; referral material also included multiple examples of similar signage along Erie Boulevard East; and
- WHEREAS, per the Coordinated Signage Plan (undated), the proposed building signs would be a 5'x20' internally illuminated building sign at the rear of the eastern elevation and a 9'x9' internally illuminated sign on the north/rear elevation; the Plan also shows a proposed 4'x11'9.5" sign to be located on an existing pole sign that does not require a use variance; and
- WHEREAS, GIS mapping shows the north and northwestern boundaries of the site may contain state wetlands and/or the 100-foot state wetland buffer, which appears to include the rear of the parking lot and the northwest corner of the building; the wetlands are not depicted on the plans; per EAF Mapper, the wetland is 63.5 acres in size (ID SYE-19); and
- WHEREAS, per the referral notice, the site is served by public drinking water and sewers and no changes to the existing infrastructure are proposed; the site is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area; and

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

WHEREAS, the project is within 2,000 feet of a site (ID: C734103) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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

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

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



J.Ryan McMahon, II  
COUNTY EXECUTIVE

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 04, 2024

OCPB Case # Z-24-354

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a ZONE CHANGE from the Town of Clay Town Board at the request of Seneca Savings Financial Facility for the property located at 5332 State Route 31; 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 State Route 31, a state highway; and
- WHEREAS, the applicant is proposing a zone change on a 2.698-acre parcel from Residential Agricultural (RA) to Office (O-2) to allow for the construction of a financial institution; and
- WHEREAS, the site is in a rural area of the Town typified by commercial uses along NYS Route 31, surrounded by large vacant parcels containing woodlands and/or agriculture; and
- WHEREAS, the site contains multiple buildings on the east side of the parcel, accessed by a driveway from NYS Route 31; the site appears to be part of a landscaping business that also occurs on the adjacent parcel to the east, with multiple outdoor storage areas for landscaping materials; and
- WHEREAS, the applicant is proposing a zone change from Residential Agricultural (RA) to Office (O-2) to allow construction of a Seneca Savings Bank; per the Town Zoning Code, RA is intended to “accommodate agricultural activities”; the O-2 zoning district is intended to “preserve the existing residential quality along portions of major roads within the Town” while “permitting alternative and compatible office development on selected sites that are no suitable for residential use”; uses allowed by right in O-2 are office buildings, parks/playgrounds, and instructional facilities; and
- WHEREAS, per the Zone Change Map dated 11/2024, the applicant is seeking to demolish existing buildings and construct a 3,663 sf bank with drive-thru, parking areas along the northern and western sides of the building, and a driveway to NYS Route 31; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 11/13/24, zero acres of the site will be disturbed by the proposed project because the EAF evaluates the zone change and does not discuss construction of the bank building; the Zone Change Map shows an “Approximate Stormwater Management Area” to be installed in the southwest corner of the site; and
- WHEREAS, per the referral notice, the site is served by public drinking water and no changes to the existing infrastructure are proposed at this time; the EAF does not discuss public drinking water demands for the proposed bank;  
ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain

hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, a new individual septic system is proposed to serve the site; the Zone Change Map marks the northwest corner for the “approximate proposed septic system location”; the EAF does not discuss waste water service demands for the proposed bank; per the Onondaga County Department of Water Environment Protection (OCDWEP), the nearest sewers are over 0.5 miles to the east; sewer may be extended with continued corridor development; and

WHEREAS, the site is directly south of the recently announced Micron semiconductor campus, slated to attract significant on-site and spinoff development of industrial, manufacturing, commercial and housing development to the area; and

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

1. The Onondaga County Health Department's Bureau of Public Health Engineering must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to, or as a condition of, municipal approval of the site plan.

The Town and applicant are further advised that the proposed site is in a location which does not currently have access to sewer infrastructure. As such, for any proposed development, installation of onsite wastewater systems will be required. However, this area may ultimately see the continued expansion of development and infrastructure in coming years. At such time that public sanitary sewer infrastructure is made available to the parcel, the applicant will be required to connect to the public wastewater system.

2. The applicant is required to coordinate NYS Route 31 access plans with the New York State Department of Transportation. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

The Board offers the following comment:

The Town is encouraged to conduct additional planning for lands along the Route 31 corridor, to translate its desired character, layout and intensity of development, and expectations for changes to public spaces and roadways, into the Town's zoning and regulatory framework. In particular, the Town may wish to revisit its setback requirements to encourage the siting of buildings, aesthetic features such as landscaping and trails, and multi-modal connections to trails and transit, as the prominent frontage element, rather than parking and stormwater accommodations. Reduced setbacks also allows for increased developable area, thereby reducing the need for extensive parcel sizes for smaller developments such as this. The County offers its assistance and coordination as the Town embarks on next steps in the planning process.

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

**OCPB Referrable Actions Breakdown By Review Type**

| Action Type                 | <b>GML 239 Referrable Action</b>   | <b>Exempt from Review</b><br><br><i>No County Action Necessary</i> | <b>Administrative Review</b><br><br><i>Referral to County Planning for Staff Level Review</i> | <b>Onondaga County Planning Board Full Review</b><br><br><i>Referral to County Planning for full OCPB Review</i> |
|-----------------------------|--|--|---|--|
| Area Variance               | Residential front, side, or rear yard setbacks or lot depth (sole referrable action)   | x  |   |  |
|                             | Building height (sole referrable action)   | x  |   |  |
|                             | Residential accessory structures (sole referrable action)  | x  |   |  |
|                             | Reduction in the number of parking spaces (sole referrable action)   | x  |   |  |
|                             | Variances in combination with a related referral requiring Board review  |  | x   |  |
|                             | Any other area variance  |  | x   |  |
| Subdivision                 | Creation of up to 3 lots (sole referrable action)  | x  |   |  |
|                             | Combination of lots (sole referrable action)   | x  |   |  |
|                             | Lot line adjustments (sole referrable action)  | x  |   |  |
|                             | Creation of 4-5 lots   |  | x   |  |
|                             | Creation of 6 or more lots where each resulting lot is 10 acres or more  |  | x   |  |
|                             | Creation of 6 or more lots where any resulting lot is less than 10 acres   |  |   | x  |
|                             | Subdivision actions in combination with a related referral requiring Board review  |  |   | x  |
| Special Permit or Site Plan | Co-location of telecommunication equipment and accessories on existing structures  | x  |   |  |
|                             | Co-location of telecommunication equipment and accessories within prior established project boundaries                                       |  | x   |  |
|                             | Façade or interior building modifications, not affecting square footage  | x  |   |  |
|                             | Minor changes to an existing parking area not affecting square footage (restriping, installation of EV chargers, addition of up to 3 spaces) |  | x   |  |
|                             | Exterior changes limited to fencing  |  | x   |  |
|                             | A change of tenant in an existing building (no other site changes)   | x  |   |  |
|                             | Residential accessory structures   | x  |   |  |
|                             | Commercial accessory structures (up to 1,000 sf)   |  | x   |  |
|                             | On-premises signs (not requiring variance)   | x  |   |  |
|                             | Off-premises signs (not requiring variance)  |  | x   |  |
|                             | Residential accessory uses (including dwelling units and home occs)  |  | x   |  |
|                             | All other special permits and site plans   |  |   | x  |
|                             | Site plans or special permit actions in combination with a related referral requiring Board review   |  |   | x  |
| Zoning Actions              | Administration and fees  | x  |   |  |
|                             | Interpretations of language  | x  |   |  |
|                             | Moratoriums, and extensions thereto  |  | x   |  |
|                             | Use variances  |  |   | x  |
|                             | Zone change  |  |   | x  |
|                             | All other zoning actions   |  |   | x  |
| Other                       | Plan amendment / adoption  |  |   | x  |
|                             | Map amendment / adoption   |  |   | x  |
|                             | Text or Local Law adoption   |  |   | x  |

Please note, this table is an unofficial summary, refer to agreements/policies to make official determination.

Revised 12/2024

# Onondaga County Planning Board **w/PROPOSED CHANGES**

## Rules of Procedure & Referral Policy **Adopted: December 4, 2024**

The Onondaga County Planning Board, hereinafter called the “Board”, is established and vested with the powers and duties set forth in the Onondaga County Charter and Administrative Code. The Board shall be governed by the provisions of all applicable statutes, the Onondaga County Charter and Administrative Code, local laws, ordinances, and these rules.

### **Article I. Membership**

Membership of the Board shall consist of seven (7) voting members: five (5) members appointed by the County Executive and confirmed by the Legislature; and two (2) ex officio members – Commissioner of the Department of Transportation and the County Comptroller.

#### **Section 1.01 Terms**

Appointed Board members shall be limited to two (2) consecutive terms. Each term shall consist of three (3) years.

#### **Section 1.02 Required Training**

All Board members are required to receive four (4) hours of training each year in accordance with New York State General Municipal Law §239-c. The Director of the Onondaga County Department of Planning, hereinafter called “OCDOP”, shall establish a list of eligible training and is authorized to approve such unlisted training programs determined to be of equivalent value in his/her sole discretion, subject to County Executive approval.

### **Article II. Officers & Duties**

The executive officers of the Board shall be the Chair and Vice-Chair. The Director of OCDOP shall serve as Secretary to the Board, without vote.

#### **Section 2.01 Chair**

The Board shall elect annually at the Organizational Meeting its Chair, who shall preside at all meetings and hearings of the Board, decide on all points of order or procedure, appoint all committees and shall be the Board’s spokesperson.

#### **Section 2.02 Vice-Chair**

At each Organizational Meeting, the Board will elect a Vice-Chair who shall serve in the absence of the Chair and in such other capacity as the Chair may delegate.

#### **Section 2.03 Secretary**

The Secretary shall be responsible for keeping all records, conducting all correspondence and supervising the clerical work of the Board, consistent with best practices and applicable New York



State and County laws, rules, regulations, and policies. The Secretary shall prepare the agenda for each meeting, and serve notice of all hearings and public meetings.

## **Article III. Meetings**

All Board meetings shall be open to the public and subject to the provisions of New York State Open Meetings Law (Public Officers Law, Article 7).

### **Section 3.01 Regular Meetings**

The Board shall establish an annual schedule of regular Board meetings.

Whenever there is no pertinent business to be considered at a regular Board meeting or if it becomes apparent that a quorum will not occur, the Secretary at the direction of the Chair may cancel or reschedule such meeting and shall provide each Board member as much prior notice thereof as possible.

### **Section 3.02 Special Meetings**

Special meetings may be called by the Chair, or by the Secretary upon request of at least two (2) Board members, and on at least three (3) days" notice given to each Board member.

### **Section 3.03 Organizational Meeting**

An annual Organizational Meeting shall be held at the first regular meeting of each calendar year with additional business to include election of officers, a review of the Rules of Procedure, and confirmation of any delegations.

### **Section 3.04 Quorum**

No action shall be taken by the Board in the absence of a quorum. A quorum shall consist of a majority of the voting members of the Board, i.e. a minimum of four (4) members.

### **Section 3.05 Voting**

All voting matters before the Board shall be decided in the affirmative or negative by a majority vote of the full Board, i.e. a minimum of four (4) members. Board members shall not vote on any matter for which they are not thoroughly acquainted with the facts and evidence thereof, or on any matter in which they may have a financial or other conflict of interest. Board members shall leave the meeting for any items requiring their recusal.

## **Article IV. Statutory Responsibilities**

### **Section 4.01 Land Use Decision Reviews**

In accordance with New York State General Municipal Law Article 12-B, the Board, or Director of OCDOP to the extent so delegated herein, shall review City, Town and Village applications for land use decisions within Onondaga County, excepting those actions identified in an exemption agreement between the County and a referring body.

### (a) Administrative Review

The Board finds certain actions subject to referral under New York State General Municipal Law §§239-m and n to be routine in nature with minimal and well understood intercommunity and/or county-wide concerns, and delegates review of said actions to the Director of OCDOP. Notification of such determination shall be provided to the referring body.

#### (i) Actions

The following actions are hereby delegated to administrative review:

- Area variances
- Subdivisions, involving:
  - A combination of lots;
  - lot line adjustments;
  - creation of up to 5 lots; or
  - creation of any number of lots, where each resulting lot is 10 acres or more.
- Site plans and special permits, involving:
  - Co-location of telecommunication equipment and accessories on existing towers and structures **or within prior established project boundaries;**
  - Façade, interior or exterior building modifications, not affecting square footage;
  - **Minor changes to an existing parking area not affecting square footage (restriping, installation of EV chargers, addition of up to three (3) spaces;**
  - **Exterior changes limited to fencing;**
  - A change of tenant in an existing building (no other site changes);
  - Residential accessory structures;
  - **Commercial accessory structures (up to 1,000 sf);**
  - **On-premises signs and off-premises signs; or**
  - Residential accessory uses, including but not limited to dwelling units and home occupations.
- Zoning amendments, involving:
  - administration and fees;
  - interpretations of language; or
  - moratoriums, and extensions thereto.

#### (ii) Concurrent Actions

Any action subject to administrative review, **excepting area variances**, that is directly related to, and received concurrently or contemporaneously with, another referral requiring Board review shall also be subject to Board review.

**(iii) Requirements**

Administrative reviews shall be performed in accordance with all applicable requirements of New York State General Municipal Law §§239-l, m, and n.

A schedule of all administrative review decisions shall be provided to the Board. At any time, the Director of OCDOP may refer an administrative decision to the Board for their consideration. If the Director of OCDOP finds it necessary to recommend disapproval of an administrative review action, it shall be referred to the Board for a final recommendation.

**(iv) Exemption Agreements**

Actions identified in an exemption agreement between the County and a referring body authorized by the Onondaga County Legislature per Resolution No. 182 of 1993 shall be delegated to administrative review in the event a referring body has not executed such an exemption agreement with Onondaga County.

**(v) Continuity of Operations**

Should a public health or safety emergency prevent the Board from being able to conduct meetings as scheduled or required, the Board can defer any case or cases to the Director of OCDOP for an administrative review decision. Deferring cases for to the Director of OCDOP for an administrative review will require a quorum of voting members of the Board to agree that such emergency conditions exist and which cases should be deferred for administrative review.

**(b) Board Review**

All other actions subject to referral under New York State General Municipal Law §§239-m and n shall be reviewed by the Board.

**(c) State Environmental Quality Review Act (SEQR)**

The Board hereby declares that it is not an “Involved Agency” as defined under the New York State Environmental Quality Review Act (SEQR) when making recommendations to a referring body pursuant to New York State General Municipal Law Article 12-B.

**(d) Full Statement**

It is important that the Board becomes knowledgeable of facts and evidence before it renders a decision on a referral. For this reason, the thirty (30) day statutory review period shall not commence until the Secretary of the Board has received a full statement regarding the referral from the applicable referring body. A full statement shall include the “full statement of such proposed action” as defined in New York State General Municipal Law §239-m(1)(c) and a ‘Referral Notice’ form completed by an official representing the referring body.

In the event that the Board fails to act on a referral within the statutory review period, or such longer period as may be agreed upon by the Board and referring body, the referring body may take final action on the proposed action without a Board report. However, any Board report received after the thirty (30) day statutory review period, or such longer period as may have been agreed upon, but two (2) or more days prior to final action by the referring body, shall

be considered as having been received within said statutory period, as such may have been extended by mutual agreement.

#### **Section 4.02 Comprehensive Plan**

Per the Onondaga County Charter and Administrative Code and as provided in New York State General Municipal Law §239-c, the Director of OCDOP shall prepare, maintain, and periodically update a county comprehensive plan. The Board will utilize the comprehensive plan and other county planning products such as the Capital Improvement Plan as the principle, but not sole, basis for review of submittals for assessment of inter-community and county-wide impacts.

#### **Section 4.03 Right-of-Way Designations**

The Board shall administer Local Law No. 5 – 1972 of Onondaga County.

#### **Section 4.04 Capital Budget Review**

The Board shall annually review the proposed capital budget, the Capital Improvement Plan.

#### **Article V. Amendments**

These rules may be amended by an affirmative vote of the Board, such vote consistent with Article III, Section 3.05. A copy of any proposed amendment shall be provided to each Board member at least three (3) days prior to the Board meeting at which such vote is to be taken.

#### **Article VI. Enactment**

These rules were reviewed and adopted by unanimous vote at their meeting of December 4, 2024.

# ONONDAGA COUNTY

## DEPARTMENT OF PLANNING



J. Ryan McMahon, II  
County Executive

Troy Waffner  
Director

**TO:** Members, City of Syracuse City Planning Commission  
**FROM:** Troy Waffner, Director *TW*  
Onondaga County Department of Planning (OCDOP)  
**DATE:** 11/26/2024  
**RE:** Administrative Review – East Brighton Avenue Billboard  
**RECOMMENDATION:** Modification

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

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

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

**CASE NUMBER:** Z-24-348  
**REFERRING BOARD:** Syracuse City Planning Commission  
**DATE RECEIVED:** 11/22/24  
**TYPE OF ACTION:** Other Authorization  
**APPLICANT:** Park Outdoor Advertising  
**LOCATION:** 631 East Brighton Avenue  
**WITHIN 500' OF:** Interstate 481, Rock Cut Road (County Route 103), and municipal boundary between Syracuse and Town of Onondaga  
**TAX ID(s):** 061.-05-13.0

### Project Summary:

The applicant is proposing installation of a new billboard along the north side of Interstate 481 on the east side of the City of Syracuse. Nearby uses include the industrial and commercial uses located on Ainsley Drive, more roadways, and Brighton Towers to the south. Location diagrams included in the referral show the billboard will be along the southbound lane of Interstate 481, prior to the Brighton Avenue exit, with the pole positioned at least 20' north of the adjacent railroad tracks. There are other billboards located in this area. The billboard would be of flagpole design, reaching 30' above grade, with the sign located 25' above the railroad tracks. The sign face will be 11' x 40' and will have a static face to the west and a digital face on the east side (facing I-481 southbound drivers). The digital face will be 200-7500 NITS with different settings for day vs night, will have an 8 second message duration, and messages will flip without transition time.

A letter included in the referral is from the New York, Susquehanna and Western Railroad Corporation dated 10/21/24, states the Railway authorizes the applicant to “apply for any and all local and state permits necessary”.

**Advisory Note(s):**

Off-premises signs located within 660 feet of the right-of-way and intended to be seen from the National Highway System (or 1991 Primary Highway) must be registered with NYS 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.

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.

**Recommendation:** Modification

**Modification:**

Per the NYS Department of Transportation regulation criteria for Commercial Electronic Variable Messaging Signs (CEVMS), best practices to prevent distractions and accidents indicate the minimum static time for messages should be eight seconds, transition time between messages should be instantaneous, signs should not be located too close to intersections or in other positions which place a high demand upon driver attention, and drivers should not be able to view more than one CEVMS at any given moment. Regulations further outline maximum brightness levels for day and night, and note that stricter regulations should be implemented if accidents increase in CEVMS locations.

The applicant must obtain approval from the New York Department of Transportation prior municipal approval of the billboard. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

# ONONDAGA COUNTY

## DEPARTMENT OF PLANNING



J. Ryan McMahon, II  
County Executive

Troy Waffner  
Director

**TO:** Members, Syracuse City Planning Commission  
**FROM:** Troy Waffner, Director *TW*  
Onondaga County Department of Planning (OCDOP)  
**DATE:** 11/26/2024  
**RE:** Administrative Review – Tommy’s Diner Special Permit  
**RECOMMENDATION:** No Position

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

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

**CASE NUMBER:** Z-24-352  
**REFERRING BOARD:** Syracuse City Planning Commission  
**DATE RECEIVED:** 11/22/24  
**TYPE OF ACTION:** Special Permit  
**APPLICANT:** Gregory Nies  
**LOCATION:** 623-25 Wolf Street  
**WITHIN 500’ OF:** CNY Regional Market (NYS-owned)  
**TAX ID(s):** 003.-01-12.0

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

### Project Summary:

The applicant is proposing a change to their existing restaurant located on the north side of the City of Syracuse. The site has frontage on Wolf and Second North Street and contains multiple joined building facing Wolf Street. Per the application the site contains the restaurant, three dwelling units, and 20 parking space at the rear. The applicant proposing to change the restaurant from serving alcohol to not serving alcohol. Per the application, no other changes to the site are proposed. A parcel under the same ownership containing an asphalt parking list is adjacent to the rear of the site and appears to have unrestricted access to Second North Street. Per aerial imagery, the site is covered by buildings and asphalt with little to no green space.

### Advisory Note:

This referral would be considered exempt from review by the Onondaga County Planning Board (OCPB) per the inter-municipal agreement between Onondaga County and the City, if executed. If the City would like to revisit execution of the agreement, OCDOP can provide one.

**Recommendation:** No Position

# ONONDAGA COUNTY DEPARTMENT OF PLANNING



J. Ryan McMahon, II  
County Executive

Troy Waffner  
Director

**TO:** Members, Town of DeWitt Planning Board  
**FROM:** Troy Waffner, Director *TW*  
Onondaga County Department of Planning (OCDOP)  
**DATE:** 11/26/2024  
**RE:** Administrative Review – EV Charger Site Plan at former Ethan Allen building  
**RECOMMENDATION:** Approval

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

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

**CASE NUMBER:** Z-24-353  
**REFERRING BOARD:** Town of DeWitt Planning Board  
**DATE RECEIVED:** 11/22/24  
**TYPE OF ACTION:** Site Plan  
**APPLICANT:** Ray Trotta  
**LOCATION:** 100 Dewey Avenue  
**WITHIN 500' OF:** East Genesee Street (NYS Routes 5 and 92) and Interstate 481  
**TAX ID(s):** 064.-01-22.1  
**RELATED CASES:** S-23-7, Z-22-73, Z-22-74

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

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

## Project Summary:

The applicant is redeveloping the former Ethan Allen building located on a 2.02-acre parcel in a Residential zoning district in the Town of DeWitt. The building is located in the commercial corridor of NYS Route 5 and 92, but is surrounded on two sides by residential. The current proposal is installation of one Level 2 Commercial Charging Station on two parking spaces in the northwest corner of the proposed parking lot.

**Recommendation:** Approval