



Onondaga County Planning Board

December 11, 2019

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

I. ATTENDANCE

MEMBERS PRESENT

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

STAFF PRESENT

Dan Kwasnowski
Megan Costa
Allison Bodine
Robin Coon

GUESTS PRESENT

II. CALL TO ORDER

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

III. MINUTES & OTHER BUSINESS

Minutes from November 20, 2019 were submitted for approval. James Corbett made a motion to accept the minutes. David Skeval seconded the motion. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.

IV. ACTIONS ON GML SECTION 239 REFERRALS

Summary

S-19-100	TCamPB	No Position With Comment	S-19-94	TVanPB	No Position
S-19-95	TPomPB	No Position	S-19-96	TLysPB	No Position With Comment
S-19-98	TLafPB	No Position With Comment	S-19-99	TElbPB	No Position With Comment
Z-19-362	CSyrZA	No Position	Z-19-363	TVanZBA	No Position With Comment
Z-19-364	CSyrZA	No Position	Z-19-365	TOnoTB	No Position
Z-19-366	TTuITB	No Position	Z-19-367	TCicPB	Modification
Z-19-368	TClaZBA	No Position With Comment	Z-19-369	CSyrZA	No Position With Comment
Z-19-370	TManTB	No Position	Z-19-371	TCicTB	No Position
Z-19-372	TLafPB	No Position With Comment	Z-19-373	TLafZBA	No Position With Comment
Z-19-374	CSyrZA	No Position	Z-19-375	TClaPB	Modification
Z-19-376	CSyrPB	No Position	Z-19-377	TOnoZBA	No Position With Comment
Z-19-378	TCamPB	Modification	Z-19-379	TClaTB	Modification



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # S-19-100

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Camillus Planning Board at the request of M & M Hill Subdivision for the property located at 2986 Warners 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 Warners Road (Route 173), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 37.95-acre parcel into two new lots, Lot 8A (31.30 acres) and Lot 8B (6.65 acres), in a Residential (R-1) zoning district; and
- WHEREAS, in 2006, the Board reviewed a preliminary subdivision referral (S-06-41) proposing to correct an existing non-conforming subdivision that created two lots, including the subject parcel; per the Board's recommendations for the preliminary subdivision referral (S-06-41), "No further subdivision shall be permitted for either proposed lot, which must be noted on the filed subdivision plan"; the Board has since reviewed two preliminary subdivision referrals (S-17-65, S-18-29) for iterations of a proposed 3-lot subdivision of the subject parcel and recommended disapproval for each, citing the 2006 recommendation; the 3-lot subdivision was disapproved locally in 2018; and
- WHEREAS, the site is located in a rural area in the Town of Camillus; adjacent lands south and east of the site are enrolled in NYS Agricultural District 3 and appear to contain active farmland; an Agricultural Data Statement was not included with the referral; and
- WHEREAS, the submitted subdivision plan dated January 30, 2018 shows Lot 8 and Lot 9, which were created in the 2006 subdivision, with Lot 8 being a flag lot and Lot 9 a landlocked parcel at the rear of Lot 8; per the plan, the subject site, Lot 8, has a 60' right-of-way with frontage on Warners Road, a county road, and an existing 12' wide gravel driveway; the driveway extends to an existing turnaround at the front of Lot 8 and from the turnaround to an existing barn; ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Warners Road must meet Department requirements; and
- WHEREAS, the plan shows the right-of-way includes a 60' easement for ingress and egress and utilities for all lots, which extends to the turnaround and almost the entire length of the driveway; there is a 30' easement along the western lot line for ingress and egress to Lot 9, which ultimately connects to the turnaround and right-of-way; and
- WHEREAS, per the plan, proposed Lot 8A (31.30 acres) will contain the right-of-way, driveway, turnaround, and existing barn; the plan shows a proposed 24' wide

turn out for the driveway, to occur in the right-of-way; a proposed house is also shown adjacent to the barn on Lot 8A; and

WHEREAS, Lot 8B (6.65 acres) is shown in the plan to be vacant and landlocked; the proposed parcel will be served by the existing driveway and turnaround; the plan states “adequate turnaround to be provided near the end of access drive for emergency vehicles” on Lot 8B; and

WHEREAS, GIS mapping shows the site’s topography is fairly severe, dropping more than 150’ from the top of the hill centered on Lot 9 to the turnaround at the front of Lot 8; and

WHEREAS, per the referral notice, the site has an existing connection to public drinking water services and has an individual septic system; a new connection for public drinking water is proposed; the plan states “Lots 8A and 8B are not residential building lots under Onondaga County Health Department regulations and therefore are not approved for residential use. An individual sewage disposal plan must be approved by the Onondaga County Health Department prior to conversion to a residential building lot and issuance of a building permit”; and

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

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

WHEREAS, 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

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 continues to express concern regarding further subdivision of lands with minimal access and the creation landlocked parcels that do not meet Town dimensional requirements. The Board further discourages buildout of hillside lands and encroachment of development into farmlands and forests.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # S-19-94

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Van Buren Planning Board at the request of Ed & Lauren Jordan for the property located at 7472 West Dead Creek 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 West Dead Creek Road (Route 272), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing a lot line adjustment to convey 12.29 acres from a 35.09-acre lot to an adjacent 1.9-acre lot to create Lot 1 (14.19 acres) and Remaining Lands (22.8 acres) in an Agricultural Residential (AR-80) zoning district; and
- WHEREAS, the site is located in a rural area in the Town of Van Buren with surrounding residential uses, wooded areas and agriculture; the site and surrounding lands are enrolled in NYS Agricultural District 3; some parcels in the surrounding area appear to contain active farmland; and
- WHEREAS, the submitted subdivision plan dated October 22, 2019 shows the site has frontage on West Dead Creek Road, a county road, and consists of two tax parcels, a 1.9-acre parcel at the northwest corner of the site and an adjacent 35.09-acre parcel; each parcel contains an existing house and is served by an existing driveway on West Dead Creek Road; and
- WHEREAS, per the plan, the proposed subdivision will convey 12.29 acres from the larger parcel, TM# 043.-03-04.1, to the smaller parcel, TM# 043.-03-04.2; proposed Lot 1 (14.19 acres) will include the entirety of the smaller parcel and the conveyed lands; the remainder of the larger parcel is labeled "Remaining Lands" (22.8 acres) and includes the existing house and driveway; no development plans are indicated; and
- WHEREAS, the houses are each served by an individual well and septic system, though they are not shown in the subdivision plan; no changes to the existing infrastructure are proposed; and
- WHEREAS, the rear of the site is encumbered by the 100-year floodplain and floodway associated with Dead Creek, a tributary to the Seneca River which is located along the rear lot line, and potential state and federal wetlands; the rear half of the site, including these environmentally-constrained lands, appears to be undeveloped and vegetated; and
- WHEREAS, the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building

within a floodplain is therefore discouraged; and

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

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board 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 Lisa Dell and seconded by James Corbett. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Lisa Dell - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # S-19-95

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Pompey Planning Board at the request of Zac & Lisa Dean for the property located at 3850 Pompey Center 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 Pompey Center Road (Route 10), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 13.963-acre parcel into two new lots, Lot No. 1 (7.73 acres) and Lot No. 2 (6.23 acres), in a Farm (F) zoning district; and
- WHEREAS, the site is located along Pompey Center Road, a county road, with surrounding residential land uses and wooded and agricultural land; the site and parcels to the south, east and west are enrolled in NYS Agricultural District 4; lands west across Pompey Center Road appear to contain active farmland that is in the process of securing an agricultural easement, which would be held by the New York Agricultural Land Trust; these lands would be preserved for agricultural use, and care should be taken to discourage activities on nearby lands that could threaten the viability of farming; and
- WHEREAS, 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 submitted subdivision plan dated September 26, 2019 shows the site contains an existing house, an attached garage, and a barn; there is an existing asphalt driveway onto Pompey Center Road; aerial imagery shows the remainder of the site is a mix of maintained lawn and trees; and
- WHEREAS, the subdivision plan shows proposed Lot No. 1 (7.73 acres) will contain the undeveloped, northern portion of the site; proposed Lot No. 2 (6.23 acres) will contain the existing structures and driveway; no development plans are indicated; and
- WHEREAS, ADVISORY NOTE: any future or proposed driveways onto Pompey Center Road will require highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, the subdivision plan indicates both proposed lots meet the lot area and width requirements of the Town's Farm (F) zoning district; and

WHEREAS, the house is served by an individual well and septic system; per the submitted Environmental Assessment Form (EAF) dated October 14, 2019, “no new utilities are proposed”; and

WHEREAS, GIS mapping shows potential state and federal wetlands on adjacent parcels to the east and north; the northeast corner of proposed Lot No. 1 appears to encroach in the potential wetland area; and

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # S-19-96

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the Town of Lysander Planning Board at the request of Corey Figueiredo for the property located at 9237 River Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of River Road (Route 37), a county highway, and the Three Rivers Wildlife Management Area, a state recreation area; and
- WHEREAS, the applicant is proposing to subdivide a 142.80-acre parcel into two new lots, Proposed Parcel 1 (5 acres) and Proposed Remaining Lands (137.80 acres), in an Agricultural Residential (AR-40) zoning district; and
- WHEREAS, in 2010, the Board recommended modification of a subdivision referral (S-10-18) that subdivided a 5.16-acre lot from the subject parcel, which was 148 acres at the time; the Board cited requirements from the Onondaga County Department of Transportation to show a 60-foot right-of-way on one of the proposed lots to provide access to River Road for any future subdivision or development of the lots; and
- WHEREAS, the site is located in a rural area in the Town of Lysander with surrounding residential land uses and wooded and agricultural lands; the site abuts the Three Rivers Wildlife Management Area to the south; and
- WHEREAS, the submitted subdivision plan dated February 28, 2010 shows the undeveloped parcel has frontage on River Road, a county road; the parcel is bisected by an area labeled "Syracuse Lake Shore and Northern Railroad Company"; aerial imagery shows the rear of the parcel is wooded, including the old railroad line area, and the front of the parcel includes active farm fields; per the Agricultural Data Statement, 47 acres of the site is currently being farmed; and
- WHEREAS, per the subdivision plan, proposed Parcel 1 (5.00 acres) will have 250' of frontage on River Road and contain active farmland and a wooded area; the remainder of the site is shown as proposed Remaining Lands (137.80 acres) with 594.30' of River Road frontage;
ADVISORY NOTE: any proposed or future driveways onto River Road require highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, per the referral notice, proposed Lot 1 is intended to allow for construction of a single-family residence; the remainder of the site that is not wetlands will remain agricultural; there is no additional information regarding construction of a new house; and
- WHEREAS, the subdivision plan shows the site is encumbered by fairly significant wetland areas; the plan notes that the wetland boundaries were obtained from

County GIS maps, which shows the approximate location of state wetland boundaries derived from NYS Department of Environmental Conservation (DEC) data; GIS mapping shows the site may also contain federal wetlands; proposed Lot 1 appears to be entirely outside of the potential wetland areas and associated buffer area; and

WHEREAS, the site does not have existing drinking water or wastewater services and is located outside of the Onondaga County Sanitary District; and

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

WHEREAS, the site may contain the Henslow's sparrow, Indiana bat, or bald eagle, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); and

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

The Town and applicant are encouraged to avoid strip development of road frontages, which can create conflicts with agricultural operations, changes to the rural character, increased public service demands and costs, reduction of open space and farmland, and impacts to road safety and mobility.

Alternatively, the applicant is encouraged to consider a long term strategy to cluster any new residential parcels in order to minimize fragmentation or development of viable farmland, avoid and/or buffer sensitive features such as wetlands, and minimize tree and vegetation clearing. The applicant is advised to consult with the Onondaga County Health Department early in the process to discuss wastewater provisions to ensure any new parcels can accommodate wastewater management. Consideration for shared access to any clustered lots is also encouraged to minimize driveway cuts on River Road and should be coordinated with the Onondaga County Department of Transportation early in the planning process.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # S-19-98

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the Town of LaFayette Planning Board at the request of Estate of Shirley Wood for the property located at 2785 LaFayette 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 LaFayette Road (Route 112), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 74.10-acre parcel into 5 new lots, Lot A-1A (6.25 acres), Lot B-1A (16.18 acres), Lot B-1B (24.58 acres), Lot B-1C (8.36 acres) and Lot B-1D (21.88 acres), in an Agricultural Residential zoning district; and
- WHEREAS, in 2010, the Board offered no position for a subdivision referral (S-10-57) to convey 1.64 acres of the subject parcel to an adjacent residential lot, which was approved locally; and
- WHEREAS, the site is located in a rural area in the Town of LaFayette with surrounding residential land uses and large tracts of forested and wooded lands; the site abuts a parcel enrolled in NYS Agricultural District 4, which appears to contain active farmland; an Agricultural Data Statement was not included with the referral materials; and
- WHEREAS, the submitted subdivision plan dated November 20, 2019 shows the site has frontage on LaFayette Road, a county road, and contains an existing two-story house, a detached garage, and an existing blacktop driveway; the LaFayette Road frontage consists of two 60' rights-of-way, one each near the northern and southern ends of the property, and approximately 635' of frontage occurring between adjacent residential lots; and
- WHEREAS, per the referral notice, the proposed subdivision is intended to allow division and sale of a family estate; no development plans are indicated; and
- WHEREAS, the subdivision plan shows proposed Lots B-1A (16.18 acres), B-1B (24.58 acres), B-1C (8.36 acres), and B-1D (21.88 acres), all with frontage on LaFayette Road; proposed Lot B-1C will contain the existing house, garage, and driveway; per the plan, the subdivision will also create Lot A-1A (6.25 acres), a landlocked parcel to be combined with an adjacent residential lot fronting on LaFayette Road; and
- WHEREAS, the subdivision plan shows Lot B-1D will contain the northernmost 60' right-of-way, which has an existing blacktop driveway onto LaFayette Road that serves an adjacent landlocked residential parcel; per the local application, use of the driveway and 60' right-of-way has been granted to the adjacent property owner for the purposes of ingress and egress; and
- WHEREAS, ADVISORY NOTE: any proposed or future driveways onto LaFayette Road will

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E-mail Address: countyplanning@ongov.net

require highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and

WHEREAS, the existing house is served by an individual well and septic system; per the subdivision plan, "Lots B-1A, B1-B, & B-1D are not residential building lots under Onondaga County Health Department regulations and therefore are not approved for residential use. An individual sewage disposal plan must be approved by the Onondaga County Health prior to conversion to a building lot and issuance of a building permit."; and

WHEREAS, GIS mapping shows a potential federal wetland area, which appears to occur at the rear of proposed Lot B-1C where there is an existing pond; and

WHEREAS, 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

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

1. The applicant is advised to consult with the Onondaga County Health Department early in the process to discuss wastewater provisions to ensure any new parcels can accommodate wastewater management.
2. The applicant is advised to coordinate LaFayette Road access plans with the Onondaga County Department of Transportation prior to municipal approval of the subdivision to ensure the proposed lots meet minimum sight distance requirements.
3. The Town and applicant are encouraged to avoid the creation of irregular shaped parcels or landlocked parcels, in the absence of a cluster development strategy that formally manages access, wastewater and open space.
4. The Board particularly discourages fragmentation of forested land and open space through subdivision, which can cumulatively result in negative effects on plant and wildlife habitats, wildlife management options such as deer culling, coordination among multiple owners, drainage patterns, recreation, scenic viewsheds and community character. Additionally, forestland less than 50 acres does not qualify for reduced tax assessments, and smaller forested parcels can be more costly to manage, impacting long-term viability.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # S-19-99

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a PRELIMINARY SUBDIVISION from the Town of Elbridge Planning Board at the request of Jerry and Lynee Hamm for the property located at 6607 River Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of River Road (Route 61), a county highway, the municipal boundary between the Town of Elbridge and Cayuga County, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 31.176-acre parcel into two new lots, New Lot 1 (30.018 acres) and New Lot 2 (1.158 acres), in an Agricultural zoning district; and
- WHEREAS, the site is located in a rural area in the Town of Elbridge, adjacent to the Town's western boundary and Cayuga County; parcels to the south of the site and east across River Road are enrolled in NYS Agricultural District 3 and appear to contain active farmland that is protected by an agricultural easement held by the New York Agricultural Land Trust; these lands are to be preserved for agricultural use, and care should be taken to discourage activities on nearby lands that could threaten the viability of farming; other surrounding land uses are low density residential; and
- WHEREAS, the submitted subdivision plan dated October 7, 2019 shows the site has frontage on River Road, a county road, and contains an existing house, detached garage, and a shed; there is an existing asphalt driveway onto River Road; aerial imagery shows an active farm field at the rear of the house and surrounding yard and a wooded area occupying the rear half of the site; and
- WHEREAS, per the subdivision plan, proposed New Lot 1 (30.018 acres) will contain the agricultural and wooded lands and New Lot 2 (1.158 acres) will contain the existing structures and driveway; each lot will have frontage on River Road and appears to meet the Town's minimum lot size and lot width requirements; and
- WHEREAS, no development plans are indicated;
ADVISORY NOTE: any future or proposed driveways onto River Road will require highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and
- WHEREAS, GIS mapping shows the rear, wooded portion of New Lot 1 may be encumbered by state and/or federal wetlands; current FEMA Flood Insurance Rate Maps (FIRM) indicate this area is also within the 100-year floodplain and more restrictive floodway associated with the Seneca River, which occurs just west of the site; the Seneca River is part of the historic Erie Canalway National

Heritage Corridor; and

WHEREAS, the site is served by an individual well and septic system; no changes to the existing infrastructure are proposed; per the subdivision plan, “[New Lot 1] is not a residential building lot under Onondaga County Health Department subdivision regulations and is therefore not approved by the Department for residential use. Individual sewage disposal plans must be approved by the Health Department prior to conversion to residential building lot and issuance of a building permit”; and

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

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

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

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

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-362

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a THREE-MILE LIMIT from the City of Syracuse Zoning Administration at the request of Cornerstone Crossings Subdivision for the property located at Woodchuck Hill Road; and
- WHEREAS, the site is located within three miles of the City of Syracuse and subject to the extra-territorial jurisdiction of the City of Syracuse under the three-mile limit rule and the site is located within 500 feet of Jamesville Road (Route 7), a county highway, and Interstate Route 481, a state highway; and
- WHEREAS, the applicant is proposing to combine four parcels totaling 3.079 acres and convey 0.503 acres from TM #076.-06-03.1 to create New Lot 1 (3.582 acres) in an Office and Professional (O&P) zoning district; and
- WHEREAS, the Board recently offered no position for a final subdivision referral (S-19-42) for the lot line adjustment, resulting in 0.503 acres of conveyed lands, associated with the three-mile limit referral currently under review; the resubdivision to combine four lots into one, also part of the three-mile limit review, has not been reviewed by the County Planning Board; the Town of DeWitt meeting minutes dated September 26, 2019 indicates the subdivision has been approved locally; and
- WHEREAS, in 2016, the Board recommended modification of a preliminary subdivision referral (S-16-46) to subdivide three of the subject parcels and a right-of-way to create three reconfigured lots, citing traffic data and drainage requirements for full build out of the three parcels; the referral materials indicated the site was generally proposed to include three new commercial buildings, each with their own parking, access off Old Woodchuck Road, and stormwater accommodations; and
- WHEREAS, the site is located just south of I-481 near the Jamesville Quarry; the submitted Lot Line Adjustment Map/Resubdivision Map dated June 29, 2019 shows the four westerly parcels, under common ownership, will be combined into New Lot 1; a proposed lot line adjustment will convey 0.503 acres from a parcel to the east, TM# 076.-06-03.1, to New Lot 1 (3.582 acres); the easterly parcel will be reduced in size from 6.194 acres to 5.691 acres; no new lots will be created; and
- WHEREAS, aerial imagery and the subdivision plan show New Lot 1 has frontage on Jamesville Road, a county road, and Woodchuck Hill Road, a local road, and abuts an I-481 on-ramp to the north; the proposed lot contains a privately owned right-of-way and is otherwise vacant; the easterly parcel is owned by Niagara Mohawk Power Corporation and contains existing overhead utility lines; and
- WHEREAS, per the Town meeting minutes, the proposed subdivision is intended to facilitate further development of the site; and

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WHEREAS, the site is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area and has access to public drinking water; no drinking water or wastewater services are proposed as part of the project; and

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

WHEREAS, the site may contain the Indiana bat or Northern long-eared bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); 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 Lisa Dell and seconded by James Corbett. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Lisa Dell - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-363

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the Town of Van Buren Zoning Board of Appeals at the request of Patricia Palumbo for the property located at 7758 Maple 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 Maple Road (Route 48), a state highway, and the municipal boundary between the Town of Van Buren and the Village of Baldwinsville; and
- WHEREAS, the applicant is requesting a use variance to allow administrative offices for a home care agency and social day program in an existing building, formerly a church, on a 13-acre parcel in a Residential (R-40) zoning district; and
- WHEREAS, the site is located along NYS Route 48, across from the intersection with Van Buren Road, a county road, and just outside the Village of Baldwinsville; surrounding land uses are primarily residential with interspersed pockets of commercial uses; and
- WHEREAS, the submitted survey map dated September 12, 2018 shows an existing building, a church, surrounded on three sides by asphalt parking, and a detached garage adjacent to the parking lot; there is an existing driveway onto Route 48; aerial imagery shows the developed area is surrounded by maintained lawn and there is more than 6 acres of wooded area along the north and east lot lines; and
- WHEREAS, the property appears to be for sale; per the local application, the use variance request is intended to allow for operation of administrative offices for a NYS-licensed home care agency and social day program; per the Town of Van Buren Zoning Code, Administrative Office uses are permitted in the R-40 zoning district upon approval of the Town Zoning Board of Appeals and Planning Board; and
- WHEREAS, uses permitted by right in the R-40 district include single-family detached dwellings, single-family attached dwellings, and agriculture; the Town Zoning Map dated January 2014 shows parcels north of the site are zoned Local Business (LB) and include a florist shop and gas station; the LB zoning district permits Administrative Office uses with Planning Board approval; and
- WHEREAS, the survey map shows the site is bisected by the "approximate location of former Oswego & Syracuse Railroad Company right of way"; there is no existing or proposed development within the right-of-way; and
- WHEREAS, the site is served by public drinking water and sewers and is located in the Baldwinsville-Seneca Knolls Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and
- WHEREAS, aerial imagery shows Crooked Brook, a tributary to the Seneca River, is located on multiple parcels north of the site; current FEMA Flood Insurance

Rate Maps (FIRM) indicate that the northern, wooded portion of the site is located in the 100-year floodplain associated with Crooked Brook and a small part of the northeast corner of the site encroaches in the more restrictive floodway; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and

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

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:

Given the nature of the existing use of and development on the site and the site's location within a transitional area from residential to commercial uses, the Town and applicant are encouraged to consider a zone change for this site, which would allow for more commercial-type uses, as an alternative to granting a use variance. Additional consideration should be given to any Town land use planning goals for this area.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-364

- 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 City of Syracuse Zoning Administration at the request of Washington / Walton Company, LLC for the property located at 200 South Franklin Street aka 333 West Washington Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of South West Street, a state arterial; and
- WHEREAS, the applicant is requesting a special permit to allow additional signage on an existing office building on a 1.04-acre parcel in a Central Business District - General Service (CBD-GS) zoning district; and
- WHEREAS, in 2008, the Board offered no position with comment for concurrent subdivision (S-08-69) and special permit (Z-08-121) referrals to combine two lots into one, creating the subject parcel, and construct a 128,000-square foot, 6-story multi-tenant building with office, retail and public parking, which has since been constructed; as part of the review, the Board recommended that the City develop a traffic improvement plan for the Washington and Fayette corridors and relocate the new building's loading dock to preserve the identity and fabric of South Franklin Street; and
- WHEREAS, the site is located in Downtown Syracuse at the intersection of West Washington Street and South Franklin Street, both city streets; the submitted survey map dated October 12, 2010 shows the site contains an existing 4-6 story building, which occupies the eastern half of the site, and has a rear parking lot; the rear parking lot is accessed via an existing curb cut on West Washington Street and aerial imagery shows a loading dock and curb cut on South Franklin Street; there are existing concrete sidewalks and street trees along both road frontages; and
- WHEREAS, per the survey map, the parcel abuts Onondaga Creek and includes a portion of the creek that passes under a bridge and the rear parking lot; there is an area labeled "Lands Appropriated by the People of the State of New York" along the southwest parcel boundaries that includes a concrete sidewalk for the Syracuse Creekwalk; current FEMA Flood Insurance Rate Maps (FIRM) indicate that a small western portion of the site is located within the 100-year floodplain and floodway associated with Onondaga Creek; and
- WHEREAS, per the local application, the proposed signage is intended for two of the building's anchor tenants, Ramboll Engineering and Terakeet marketing firm, who occupy more than 70,000 square feet of the building; the sign plans show the proposed signage includes (4) 144" x 30" wall-mounted signs, two for each tenant; per the submitted elevation drawings, two of the new signs, one for each tenant, will be mounted on both the east and north faces of the building so as to face both road frontages; signs will be installed on the 5th and 6th

floor; and

WHEREAS, sign plans show the building has 4 existing wall-mounted signs for three of the building's other tenants; the existing signage is installed on the east and north faces of the building; there are two signs on each face, with one first floor and one second floor sign per face; and

WHEREAS, a letter from a representative for the applicant to the City, dated September 6, 2019, indicates the City previously approved exterior signage rights, as part of the tenants' lease agreements, when the building was originally constructed in 2010; and

WHEREAS, a sign waiver is requested to allow for the proposed signage; per the City Zoning Ordinance, signage in the CBD district shall not be located above the first floor of the building; and

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

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

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

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

WHEREAS, the site is located near the Armory Square Historic District and the Amos Block, which are listed on, or have been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; the site or a portion of it is 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 Lisa Dell and seconded by James Corbett. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Lisa Dell - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-365

- 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 Onondaga Town Board at the request of Town of Onondaga Town Board for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law F-2019 to regulate the placement of Small Cell Wireless Communication Facilities in Town of Onondaga rights-of-way; and
- WHEREAS, in September 2018, the FCC issued an order to facilitate installation of small cells for 4G and 5G wireless service by implementing rules and interpretations that limit the impact of local zoning regulations on such installations; the Board is concurrently reviewing a local law referral (Z-19-171) for the Town of Cicero and has recently reviewed local law referrals from other municipalities, the Village of Fayetteville (Z-19-91), Town of Manlius (Z-19-93), Village of Manlius (Z-19-166), Town of Van Buren (Z-19-280), Village of Solvay (Z-19-332), and Village of Marcellus (Z-19-336), for local regulations relating to small cell wireless installations; and
- WHEREAS, proposed Chapter 130 is intended to regulate the placement of certain Wireless Communication Facilities in the Town of Onondaga and “provide objective, technically feasible criteria applied in a non-discriminatory manner that reasonably match the aesthetics and character of the immediate area”; a Communications Facility is defined in the Chapter as the collective equipment, including radio transceivers, antennas, coaxial, fiber-optic or other cabling, power supply, and comparable equipment, that enables cable service, information service or broadband, or telecommunications service; and
- WHEREAS, per the local law, “[t]his Chapter applies to the Public ROW but does not restrict the Town’s right to regulate Wireless Communication Facilities on non-Town owned property or outside of the Public ROW under the same terms and conditions set forth herein”; in the Chapter’s definitions, it states that the term Public ROW “does not include a federal interstate highway or other areas that are not within the legal jurisdiction, ownership or control of the Town”; and
- WHEREAS, per the Onondaga County and New York State Departments of Transportation, any work in the county or state right-of-way relating to the construction, installation or maintenance of wireless communications facilities will be subject to a work permit; approvals from other service providers or infrastructure owners in the right-of-way may be required as a condition of work permit approval; and
- WHEREAS, per the local law, “[p]rior to installing any Communications Facility in a Public ROW, or any Pole built for the sole or primary purpose of supporting a

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

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

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

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

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

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

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

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

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-366

- 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 Tully Town Board at the request of Town of Tully for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law 1 of 2019 to impose a 7-month moratorium on the placement, construction or erection of commercial free standing solar systems anywhere within the Town of Tully; and
- WHEREAS, the local law provides the following definition: “Freestanding Solar Collection System and area of land principally used to convert solar energy to electricity with the primary purpose of supplying electricity to a utility grid or company for wholesale or retail sales of electricity to the general public and or utility provider”; and
- WHEREAS, the purpose and intent of the proposed local law is to “address the development of commercial solar energy systems while providing due consideration for and the protection of quality agricultural lands, open lands and other unique, natural, environmentally and aesthetically significant features in the Town of Tully”; and
- WHEREAS, the County Planning Board reviewed a local law referral (Z-16-235) in 2016 to add comprehensive regulations for solar energy system management, which were approved locally and filed with the State; the Tully Town Board wishes to amend the existing laws concerning commercial solar energy systems, and the moratorium will enable Town officials to review and comprehensively address the various issued involved with commercial solar systems; and
- WHEREAS, commercial freestanding solar collection systems which have previously been approved or are located in the town or on town property are excluded from the moratorium; and
- WHEREAS, property owners affected by this local law may apply to the Town Board for relief in writing and must demonstrate unnecessary hardship; an application for relief may be referred to the Town Planning Board for advice and recommendations, but the request will ultimately be decided on by the Town Board; and
- WHEREAS, the Syracuse-Onondaga County Planning Agency (SOCPA) has provided guidance to the Town on local and state resources that offer best practices for regulating solar energy systems, to be considered prior to enacting new solar regulations; 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 Lisa Dell and seconded by James Corbett. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Lisa Dell - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-367

- 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 Benderson Development Company, LLC for the property located at 5789-5813 East Taft Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of East Taft Road (Route 19) and Church Street (Route 20), both county roads, and the municipal boundary between the Town of Cicero and the Village of North Syracuse; and
- WHEREAS, the applicant is proposing to reconfigure and improve the existing parking lot on a 22.61-acre site in a Regional Commercial (RC) zoning district; and
- WHEREAS, the Board recently recommended modification of a site plan referral (Z-19-59) to construct a 60,892-square foot addition onto a tenant space, SRCTec electronic manufacturing, in the existing rear building on the site; the Board cited traffic, drainage, and lighting data requirements and encouraged reductions in on-site parking to allow for infill development opportunities and improved stormwater quality; in 2017, the Board recommended modification of a site plan referral (Z-17-373) to renovate the former Wynyit Building on the site to allow for an orthopedic surgery center, Specialists' One-Day Surgery (SOS), which was approved by the Town; the Board cited traffic and drainage data requirements for the project; in 2018, the Board reviewed a site plan referral (Z-18-321) to construct a 25,000 sf building for Five Star Equipment on two adjacent parcels that the Town also approved; and
- WHEREAS, the site is located north of East Taft Road, a county road, and the Syracuse Hancock International Airport in the Town of Cicero; the site abuts residential properties to the north, east, and south and is near the municipal boundary between the Town of Cicero and the Village of North Syracuse; other surrounding land uses are a mix of commercial, including some auto uses and restaurants; and
- WHEREAS, the submitted Overall Site Plan dated November 5, 2019 shows the site contains the Airport Business Park, including an existing one-story, multi-tenant building, SRCTec and NYS License Bureau, at the rear of the site and a second one-story building, Specialists' One Day Surgery, at the southeast corner of the site; the remainder of the site consists of associated parking lots, two full access driveways onto Church Street, a county road, and a full access driveway onto Kreischer Road, a local road; the Airport Business Park is also served by a full access driveway on East Taft Road occurring on an adjacent parcel;
- ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on East Taft Road and Church Street must

meet Department requirements; and

WHEREAS, per the submitted Detailed Site Plan dated November 5, 2019, an existing, diagonal drive lane in the parking lot will be straightened and extended the full width of the parking lot; each row of parking will end in a proposed curbed landscape island at the new drive lane; drive aisles between rows of parking will have a stop bar before entering the new drive lane; existing parking spaces impacted by the realignment will be repaved and restriped; the submitted Landscaping Plan shows each landscape island will be planted with a tree and/or shrubs; and

WHEREAS, per the Detailed Site Plan, the proposed project also includes removing the median from the southernmost driveway on Church Street to allow easier access to the site for large trucks;
ADVISORY NOTE: the proposed work within the county right-of-way is subject to a work permit from the Onondaga County Department of Transportation; and

WHEREAS, the Overall Site Plan shows the parking lot, with modifications, will include 950 parking spaces where 776 are required in the RC zoning district; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated November 12, 2019, 0.87 acres of the site will be disturbed by the proposed project; runoff from pavement will be conveyed to on-site storm sewer structures; a letter from the applicant to the Town Planning Board, dated November 13, 2019, indicates that the proposed project will include raising the grades along the new drive lane to improve the slopes towards the existing storm sewers within the parking lot for improved drainage; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Oak Orchard Wastewater Treatment Plant and Davis Road Pump Station service areas; no changes to the existing infrastructure are proposed; and

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

WHEREAS, GIS mapping shows a portion of the site falls within a Runway Protection Zone (RPZ) associated with the Syracuse Hancock International Airport; the portion of the site within the RPZ consists of the existing parking area;
ADVISORY NOTE: compatible land uses in a Runway Protection Zone (RPZ) are dictated by the Federal Aviation Administration (FAA); the municipality is advised to adhere to the guidelines of the FAA and minimize the risk to people and property in an RPZ; and

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

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

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

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

The applicant is required to coordinate Church Street 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 also offers the following comment:

As Town parking requirements are significantly less than what is provided for the Airport Business Park as a whole, the Town and applicant may wish to consider opportunities for infill development or to reduce stormwater runoff and improve stormwater quality by converting unused parking areas to lawn or planting areas.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-368

- 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 Rev. R.S. Yost / Immanuel Evangelical Lutheran Church for the property located at 4947 NYS Route 31; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of Route 31, a state highway; and
- WHEREAS, the applicant is requesting an area variance to reduce the front yard setback from 25 feet to 8 feet to allow the replacement of an existing monument sign on a 2.6-acre parcel in a Recreation (REC-1) zoning district; and
- WHEREAS, the site is located along New York State Route 31 in the hamlet of Clay; the site abuts a CSX rail line to the east and is located at the southern edge of a large industrially zoned area, which includes the White Pines Industrial Park and additional vacant land designated for industrial development; the Town is considering a hamlet plan, in coordination with SOCPA, for this area; and
- WHEREAS, aerial imagery and the submitted survey map show the site contains an existing two-story house, an attached garage, and a church with a rear two-story addition; there is an existing asphalt parking lot adjacent to the church and addition with unrestricted access to Route 31; the site has another existing driveway (less than 20' wide) onto Route 31 that serves the house and garage; the site abuts a recreation area owned by the Town of Clay to the north, which appears to have access via the church parking lot and an additional driveway onto Route 31 adjacent to the west lot line of the subject parcel; and
- WHEREAS, aerial imagery shows the church has an existing monument sign located in a parking space near the Route 31 frontage, which appears to occur outside the state right-of-way; per the submitted Environmental Assessment Form (EAF) dated October 16, 2019, the existing sign will remain and the bottom section will be replaced with an LED message center approximately the same size; per the sign plans, the LED sign will be full color and 29" x 5'-3";
ADVISORY NOTE: per the NYS Department of Transportation, signage is not permitted in the state right-of-way; and
- WHEREAS, per the local application, the sign is existing non-conforming as it does not meet the front yard setback requirements of the REC-1 zoning district; the sign has a front yard setback of 8' where 25' is required; per the Town zoning code, structural alterations, renovation and additions may be made to a non-conforming structure upon issuance of a building permit as long as any modifications do not increase or expand the non-conformity; and
- WHEREAS, per the Town zoning code, electronic message signs are permitted in the REC-1 zoning district upon issuance of a special permit; per the Town, a special

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permit application will not be made until the area variance is decided; and

WHEREAS, 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; and

WHEREAS, the site is served by public drinking water and an individual septic system; no changes to the existing infrastructure are proposed; and

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

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

The New York State Department of Transportation recommends bringing the existing Route 31 access to current commercial driveway standards, including reducing the width of the driveway.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-369

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the City of Syracuse Zoning Administration at the request of Smith Building, LLC for the property located at 500 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 Route 690 and Route 81, both state highways; and
- WHEREAS, the applicant is requesting an area variance to allow residential apartments on the first floor of an existing building as part of a mixed-use redevelopment project on a 0.25-acre parcel in a Central Business District - Office & Service (Restricted) (CBD-OSR) zoning district; and
- WHEREAS, the site is located in Downtown Syracuse near the I-81 and I-690 interchange; the elevated section of I-81 in this area is nearing the end of its useful life; discussions regarding the fate of I-81 have been ongoing and have identified several project alternatives; per the NYS Department of Transportation, this parcel may be impacted by one of the project alternatives, which could result in property acquisitions; and
- WHEREAS, the submitted survey map dated June 13, 2019 shows the site has frontage on Erie Boulevard East, South Townsend Street, and East Water Street, all city streets, and contains an existing 3-6-story building, the Smith Restaurant Supply building; and
- WHEREAS, per the local application, the applicant intends to renovate the existing building for a mix of residential and commercial uses; the submitted floor plans show (3) first floor store areas, 1,723 sf, 107 sf, and 799 sf in size, and (37) apartment units, including (6) first floor apartments, ranging in size from 462 to 734 sf; per the City Zoning Ordinance, first floor residential uses are not permitted in the CBD-OSR zoning district; and
- WHEREAS, a letter from the applicant to the City Board of Zoning Appeals, dated November 22, 2019, indicates the proposed apartment units, on average, will be affordable to households earning 80% of Average Median Income (AMI) and 20% of the apartments will be affordable to households earning 65% of AMI; the commercial uses have not been finalized, but are anticipated to include retail, office and/or fitness uses; as such, hours of operation, number of employees, and items for sale are currently unknown; and
- WHEREAS, per the submitted Concept Plan dated September 6, 2019, site improvements will include installing grass and sidewalks around the building to better delineate the parcel's existing access and parking areas; the small existing parking area on the north side of the building will be reduced to a 4-space parking lot, "Parking A," with a delineated driveway onto Erie Boulevard East in place of the current, unrestricted access; the rear parking area, "Parking B," will be reconfigured to provide 7 on-site parking spaces with a delineated

driveway onto East Water Street, which appears to occur in the place of an existing curb cut; the existing perpendicular parking on East Water Street frontage, which currently requires backing into the right-of-way, will be converted to a curbed pull-off area for 4 on-street parallel parking spaces, “Parking C”; and

WHEREAS, the Concept Plan shows a proposed addition (263 sf) at the rear of the building for a new stairway and elevator; there is a waste enclosure adjacent to Parking B and new street trees are shown along the East Water Street and Erie Boulevard East frontages; and

WHEREAS, the City of Syracuse is currently undertaking a comprehensive project to revise and modernize zoning in the City; per the ReZone Syracuse draft zoning map dated June 2019, the proposed zoning for this lot is Mixed Use Office (MX-3), which would act to “provide for pedestrian-friendly, transit-supportive areas of higher-density residential development and compatible nonresidential uses, such as offices and supporting commercial uses”; the proposed zoning under ReZone appears to permit ground-floor residential units subject to certain standards intended to provide privacy and an enhanced streetscape; and

WHEREAS, the site is located along a stretch of East Water Street that is part of plans for a large New York State Department of Transportation (NYSDOT) project to install bicycle, pedestrian, and roadway enhancements to accommodate the Empire State Trail; designs for the project are currently being finalized and all applicants and municipalities are advised to coordinate with NYSDOT on site planning within the right-of-way that may impact the Empire State Trail plans; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed;
ADVISORY NOTE: prior to the next phase of development, the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office to determine sewer availability and capacity; and

WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);
ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, unless it can be demonstrated that anticipated sanitary flows will not exceed previous flows in excess of one sewer unit over prior uses, the applicant will be required to develop a 1 gallon to 1 gallon sanitary flow offset plan/project for the proposed project in coordination with the municipal engineer; and

WHEREAS, per the submitted Environmental Assessment Form (EAF) dated November 22, 2019, the subject site will undergo remediation as required by NYS standards; the project is also within 2,000 feet of multiple sites (IDs: V00502, B00003, C734111) 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

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 City and applicant are advised to consider the potential property impacts to this site and neighboring sites that any major changes to the Interstate 81 and Interstate 690 configuration may have prior to City approval and applicant investment.
2. Modifications along East Water Street should be carefully coordinated with the City to ensure the proposed project will not negatively impact plans for the Empire State Trail in this area.

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



J.Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-370

- 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 Manlius Town Board at the request of Town of Manlius Town Board for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law 2019-7 amending Section 155-26 of Chapter 155 of the Code of the Town of Manlius related to the regulation of temporary signs; and
- WHEREAS, the proposed local law will amend §155-26 entitled “Temporary signs”; temporary signs that are currently regulated under this section of the Town zoning code include commercial real estate signs, residential real estate signs, portable (A-frame) signs, roadside stand signs, garage sale signs, not-for-profit signs, and residential contractor signs; all other signs are considered permanent signs requiring Planning Board approval and/or a building permit; and
- WHEREAS, the proposed local law will amend §155-26 by deleting section C(4) Annual Permit in its entirety; this provision, to be deleted, requires the commercial real estate representative/developer displaying a temporary commercial real estate sign to register with the Town Clerk and obtain an annual permit; and
- WHEREAS, the proposed local law will add a new temporary sign provision to read as follows: “E. All signs not expressly permitted under this Article are prohibited, unless regulation of such signs are specifically pre-empted by State or Federal Law”; and
- WHEREAS, the proposed local law will add a new temporary sign provision to read as follows: “M. Temporary signs permitted pursuant to this Chapter shall be removed no later than two weeks after the last date of the event or activity for which the temporary sign was erected”; and
- WHEREAS, the proposed local law will add a new temporary sign provision to read as follows: “N. Notwithstanding anything to the contrary in this Chapter, any sign which is in the nature of a banner, beacon or pennant, or which is inflated by air, helium or gas, may be erected and/or used for no more than 30 total days in any calendar year, provided such temporary sign is otherwise permitted under this Chapter”; 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 Lisa Dell and seconded by James Corbett. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Lisa Dell - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-371

- 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 Town Board for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing A Local Law to Amend the Code of the Town of Cicero to Create New Section 83-7 Titled "Small Cell Wireless Deployment Requirements"; and
- WHEREAS, in September 2018, the FCC issued an Order to facilitate installation of small cells for 4G and 5G wireless service by implementing rules and interpretations that limit the impact of local zoning regulations on such installations; the Board is concurrently reviewing a local law referral (Z-19-365) from the Town of Onondaga and has recently reviewed local law referrals from other municipalities, the Village of Fayetteville (Z-19-91), Town of Manlius (Z-19-93), Village of Manlius (Z-19-166), Town of Van Buren (Z-19-280), Village of Solway (Z-19-332), and Village of Marcellus (Z-19-336), for local regulations relating to small cell wireless installations; and
- WHEREAS, proposed §83-7 will be added to Chapter 83 Communications Towers; the new section is intended to regulate the placement of certain Wireless Communication Facilities in the Town of Cicero and “provide objective, technically feasible criteria applied in a non-discriminatory manner that reasonably match the aesthetics and character of the immediate area”; a Communications Facility is defined in the section as the collective equipment, including radio transceivers, antennas, coaxial, fiber-optic or other cabling, power supply, and comparable equipment, that enables cable service, information service or broadband, or telecommunications service; and
- WHEREAS, per the local law, “[t]his Chapter applies to the Public ROW but does not restrict the Town’s right to regulate Communication Facilities on non-Town owned property or outside of the Public ROW under the same terms and conditions set forth herein”; in the Chapter’s definitions, it states that the term Public ROW “does not include a federal interstate highway or other areas that are not within the legal jurisdiction, ownership or control of the Town”; and
- WHEREAS, per the Onondaga County and New York State Departments of Transportation, any work in the county or state right-of-way relating to the construction, installation or maintenance of wireless communications facilities will be subject to a work permit; approvals from other service providers or infrastructure owners in the right-of-way may be required as a condition of work permit approval; and
- WHEREAS, per the local law, “[p]rior to installing any Communications Facility in a Public

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ROW, or any Pole built for the sole or primary purpose of supporting a Communications Facility or any Tower, a Person shall enter into a License Agreement ("License Agreement") with the Town, which shall be filed with the Onondaga County Clerk's Office, expressly authorizing use of the Public Right Of Way for the purpose of deploying Small Wireless Facilities and necessary support structure"; the service provider shall keep and maintain \$1 million in liability insurance for each incident and a \$5 million umbrella policy; and

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

WHEREAS, the proposed Chapter outlines the fees associated with installation of a Communications Facility; there is a \$500 Permit application fee for a single, up-front application, which may include up to 5 Small Wireless Facilities, for a co-location of a Small Wireless Facility and \$100 per application for each additional facility; there is a \$1,000 permit application fee for a new pole; additional fees include a \$250 ROW use fee per facility per year for as long as the License Agreement is effective, attachment fees for use of Town-owned Poles, Towers, Support Structures, ducts, conduits or other structures in the Public ROW, and any other generally applicable fees of the Town or other government body; per the local law, applicants may simultaneously submit up to 5 permit applications, or may file a single, consolidated application covering a batch of up to 30 facilities of a similar nature; and

WHEREAS, per the local law, the following uses will be permitted in the Public ROW, subject to administrative review and issuance of a permit by the Town: (i) Collocation of a Small Wireless Facility that does not exceed maximum height (35 feet), (ii) Modification of a Pole, Tower or Support Structure or Replacement of a Pole for Collocation of a Communications Facility, (iii) Construction of a new Decorative Pole or a monopole Tower to be used for a Small Wireless Facility that does not exceed maximum height (35 feet), and (iv) Construction of a Communications Facility; and

WHEREAS, per the local law, other uses within the Public ROW that do not fall under the purview of administrative review will be subject to discretionary review and site plan approval by the Town Planning Board; as part of the site plan review process, the Planning Board shall consider: (i) the established design standards; (ii) the compatibility of the proposed facilities with the character of the surrounding neighborhood; and (iii) the potential for Collocation of other Provider's Communication Facilities; and

WHEREAS, the proposed local law will also establish Design Standards and General Guidelines relating to the placement of small cell wireless facilities in the Town; the proposed guidelines outline requirements to install service lines underground in areas where other utilities are also underground and to house all wiring and cables within the steel or other metal support structure pole, or to protect and cover wiring and cables in the case of non-steel or solid support structures; lighting and signage will be prohibited; and

WHEREAS, per the proposed guidelines, collocation of Communication Facilities is encouraged; where antennas are collocated at the top of an existing wireless

support structure, the antenna may not increase the height by more than 5 feet or a total of 35 feet from grade; location requirements for new Wireless Poles, Towers, or Support Structures include aligning the centerline of a new Pole, Tower or Support Structure with existing street trees or other poles along the right-of-way, locating new Poles, Towers or Support Structures at least 6 feet from any permanent object in the right-of-way, providing a minimum of 300 linear feet between Poles, Towers or Support Structures, and aligning new or replacement Poles, Towers or Support Structures with property lines; maximum height restrictions for new Wireless Poles, Towers, or Support Structures and any collocated Antennas is 35 feet; and

WHEREAS, the proposed guidelines also outline location, size, and design criteria for antenna installations, small wireless facilities installed on wireless support structures, and ground mounted small cell facilities; antenna installations may not exceed 3 cubic feet in volume, entirely contained, or 12 cubic feet for antennas with exposed elements, and must be cylindrical in shape and match the color of the Pole, Tower or Support Structure; small wireless facilities may not cumulatively exceed 28 cubic feet in volume, including all wireless equipment, provide a minimum of 10 feet of clear space from grade to the lowest point of any equipment, or extend more than 10 inches beyond the Pole, Tower or Support Structure centerline; ground mounted small cell facilities must be located at least 6 feet from any permanent object, may not exceed 28 cubic feet in volume or 2.5 feet in height, and must incorporate concealment elements into the proposed design; 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 Lisa Dell and seconded by James Corbett. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Lisa Dell - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-372

- 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 LaFayette Zoning Board of Appeals at the request of Susan LaManna for the property located at 6301 Reidy Hill 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 Reidy Hill Road (Route 232A) and Eager Road (Route 232), both county highways, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting an area variance to reduce the required road frontage from 60 feet to 0 feet to allow for a proposed subdivision of a 3.44-acre parcel in an Agricultural Residential (AR) zoning district; and
- WHEREAS, the site is located in a rural area in the Town of LaFayette with surrounding residential land uses; the site abuts a residential lot to the east that is enrolled in NYS Agricultural District 4; lands north of the site are also enrolled in the NYS Agricultural District and appear to contain active farmland; and
- WHEREAS, aerial imagery and the submitted plan show the site has frontage on Reidy Hill Road, a county road, and contains an existing house and several shed structures, situated on less than an acre of land at the front of the site, and a detached building (40' x 30') set back roughly 290' from the road; there are two existing driveways onto Reidy Hill Road, one serving the house and one serving the building;
ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Reidy Hill Road must meet Department requirements; and
- WHEREAS, per the plan, the proposed subdivision will create "Future Lot A," with 200' of frontage on Reidy Hill Road and containing the house, sheds, and driveways, and "Future Lot B," a landlocked parcel containing the building and rear lands of the site; a formal subdivision plan was not included with the referral materials; a subdivision application will not be submitted to the Town until the area variance is decided on; and
- WHEREAS, per the Town zoning code, 60' of frontage is required for lots in the AR zoning district; an area variance is required as Future Lot B will not have any road frontage as currently shown; per the local application, an easement will be provided on Future Lot A to allow for use of the existing driveway that serves Future Lot B; and
- WHEREAS, the existing house is served by an individual well and septic system; no development plans are indicated;
ADVISORY NOTE: 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 the proposed lots prior to Department endorsement of the subdivision; 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 offers the following comments with regards to the proposed subdivision of the site:

1. The Board discourages the creation of parcels that do not meet minimum lot requirements.
2. The applicant should coordinate driveway requirements with the Onondaga County Department of Transportation early in the planning process to ensure any existing or proposed driveways meet Department requirements, particularly given any change of use or development of the rear lot. Per the Onondaga County Department of Transportation, a 30-foot wide right-of-way will be required for the shared driveway and should be shown on the filed subdivision map.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-373

- 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 LaFayette Zoning Board of Appeals at the request of Herbert Brodt for the property located 2721 Webb 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 Webb Road (Route 255), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting an area variance to reduce the side yard setback from 25' to 13'9" to allow for future subdivision of a 16.8-acre parcel in an Agricultural Residential zoning district; and
- WHEREAS, the Board has reviewed multiple subdivision referrals (S-05-88, S-10-47, S-10-56) involving the subject parcel, with various iterations of 2- and 3-lot configurations proposed; the Board also reviewed an area variance referral (Z-10-194), concurrent with the S-10-47 subdivision review, for relief from side yard setback requirements; and
- WHEREAS, the site is located in a rural area in the Town of LaFayette with surrounding residential land uses and large tracts of agricultural and wooded lands; parcels in the surrounding area are enrolled in NYS Agricultural District 1 and appear to contain active farmland; and
- WHEREAS, aerial imagery shows the site has frontage on Webb Road, a county road, and Amidon Road, a local road; the northern half of the site, roughly 10 acres, contains an existing house and driveway onto Webb Road and a mix of maintained lawn and trees; and
- WHEREAS, the southern portion of the site is separated from the north by a residential lot that contains an existing house and u-shaped driveway with two access points onto Webb Road; the southern portion of the site has an existing "shop" building that is served by the adjacent u-shaped driveway and a second detached building that is served by an existing driveway on another adjacent residential lot; per a conversation with the Town, there is an existing driveway onto Webb Road located on the southern portion of the lot that serves a storage building at the rear of the site, neither of which appear in aerial imagery; and
- WHEREAS, per the referral materials, the requested area variance is intended to allow for future subdivision of the parcel; a formal subdivision plan was not included with the referral materials and the plan that was submitted does not show the subject site in its entirety; per the Town, a subdivision plan and application will not be submitted to the Town until the area variance is decided on; and
- WHEREAS, per a conversation with the Town, the subdivision is intended to create multiple parcels; the area variance is needed for a proposed lot line that will

occur 13'-9" from the existing shop, allowing for the shop to be combined with the adjacent residential lot as part of the future subdivision; per the Town zoning code, a 25-foot side yard setback is required for structures and uses in the AR zoning district; and

WHEREAS, the site is served by an individual well and septic system; no changes to the existing infrastructure are proposed; 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:

Subdivision actions that also require contemplation of variances should first be submitted to the Town Planning Board for review, if the Planning Board will ultimately approve the subdivision. This process ensures there is a preliminary review of the proposed lot configuration with regard to any proposed or future development, drinking water and/or wastewater services on-site, and road access, and confirms that, if determined to be necessary, any area variances are the narrowest remedy possible. The Planning Board would then authorize the applicant to apply for the necessary variances with the Town Zoning Board.

The Board also offers the following comments with regards to any future subdivision of the site:

1. The applicant is advised to coordinate Webb Road access plans with the Onondaga County Department of Transportation prior to municipal review of the subdivision to ensure the proposed lots meet minimum sight distance requirements, particularly given any change of use or development. Any proposed or future driveways onto Webb Road will require highway access and work permits from the Onondaga County Department of Transportation.
2. The applicant is advised that 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 subdivision.
3. The Board encourages the Town to consider the potential long-term effects of land fragmentation and large-lot, strip subdivisions along road frontages on the economic viability of agricultural lands, particularly within areas containing New York State Agricultural District properties and in farm/agricultural zoning districts. Potential conflicts with agricultural operations, changes to the rural character, increased public service demands and costs, reduction of open space and farmland, and impacts to road safety and mobility may cumulatively occur as a result of such subdivisions.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-374

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a THREE-MILE LIMIT from the City of Syracuse Planning Commission at the request of Hematology-Oncology Assoc. of NY, PC for the property located at 5008 Brittonfield Parkway; and
- WHEREAS, the site is located within three miles of the City of Syracuse and subject to the extra-territorial jurisdiction of the City of Syracuse under the three-mile limit rule and the site is located within 500 feet of Interstate Route 481, a state highway; and
- WHEREAS, the applicant is proposing to combine two properties into one new lot, Lot 5E (5.35 acres), in a Hi-Tech zoning district; and
- WHEREAS, the proposed resubdivision has not been reviewed by the County Planning Board; the submitted Final Plan dated August 12, 2014 notes "This map is the same as file map #8970 (...Brittonfield 2nd AMD) except that Lots 5E-1 and 5E-2 are now recombined into original Lot 5E; the submitted Three-Mile Limit Subdivision Review application indicates the Final Plan was approved on August 28, 2014; and
- WHEREAS, the Board recently offered no position for a site plan referral (Z-19-329) to construct an addition on the medical office building, Hematology Oncology Associates of CNY, on the subject parcels; in 2009, the Board recommended modification of a site plan referral (Z-09-228) to expand the existing parking on the subject site, citing drainage requirements by the NYS Department of Transportation; and
- WHEREAS, the site is located in an existing office park along Brittonfield Parkway, a local road; surrounding land uses include various professional and service offices; aerial imagery shows that the site abuts I-481 to the east; and
- WHEREAS, aerial imagery shows the site contains an existing two-story building and an existing three-story building, connected by an entrance/atrium area and second floor bridge; the buildings are surrounded on all sides by asphalt parking; there is an existing full access driveway onto Brittonfield Parkway; and
- WHEREAS, the site is served by municipal drinking water and sanitary sewer and is located in the Metropolitan Wastewater Treatment Plant service area; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO); and
- WHEREAS, the site is located in an Onondaga County Drainage District for Bear Trap and Ley Creek, which are maintained by the Department of Water Environment Protection in this area; and

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

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and from 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 Lisa Dell and seconded by James Corbett. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Lisa Dell - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-375

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SITE PLAN from the Town of Clay Planning Board at the request of DG New York CS, LLC for the property located at 4363 Ver Plank Rd.; 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 Ver Plank Road (Route 141) and Morgan Road (Route 46), both county highways, and the Oak Orchard Wastewater Treatment Plant, a county-owned facility; and
- WHEREAS, the applicant is proposing to construct and operate a 5 megawatt solar photovoltaic project on 31.24 acres of two lots totaling 116.70 acres in a Residential/Agricultural (RA-100) zoning district; and
- WHEREAS, the Board recently reviewed a special permit referral (Z-19-228) as part of the proposed project; a comparison of that referral with the current site plan referral shows all proposed solar panels will now occur to the west of Mud Creek, whereas Z-19-228 showed solar areas were previously planned for both sides of the creek; the lease area has also been reduced from 35.13 acres to 31.24 acres; and
- WHEREAS, the site is located at the intersection of Morgan Road and Ver Plank Road, both county roads, in a rural area north of the NYS Route 31 corridor; the site abuts the Oak Orchard Wastewater Treatment Plant to the north and is across Ver Plank Road from a municipally-owned park; other surrounding land uses include low density residential and agricultural land; and
- WHEREAS, aerial imagery and the submitted survey map dated August 28, 2019 show an existing barn structure located at the southeast corner of the site and an existing gravel driveway onto Ver Plank Road; the site otherwise contains plowed fields and wooded areas; per the submitted Description of Proposed Use, the site consists of previously undeveloped land and currently used for agriculture;
- ADVISORY NOTE: per the Onondaga County Department of Transportation, all existing or proposed driveways on Morgan and Ver Plank Roads must meet Department requirements; and
- WHEREAS, the site appears to have multiple environmental constraints; the survey map shows Mud Creek running north-south through the site, and two smaller waterways, including one that flows to Mud Creek; wetland areas are shown interspersed throughout the site; per the survey map, the wetlands data was obtained from Dudek on 5/10/2019 and 8/28/2019, though it is not clear whether the wetlands have been confirmed by the NYS Department of Environmental Conservation (DEC) or US Army Corps of Engineers (USACE); and
- WHEREAS, current FEMA Flood Insurance Rate Maps (FIRM) show the site is also

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encumbered by the 100-year floodplain and more restrictive floodway associated with Mud Creek, which may require elevation of structures and other mitigation;

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

WHEREAS, the submitted Site Plan dated July 18, 2019 shows four proposed areas for solar photovoltaic (PV) panels, all four occurring to the west of Mud Creek; each area is shown to be enclosed by a proposed perimeter security fence; there are three proposed gravel driveways on Ver Plank Road; each driveway will serve a separate enclosure and the center driveway, which appears to use an existing path, will serve two; the plan shows two proposed concrete equipment pads, each situated within a fenced enclosure and containing a battery energy storage system (BESS); the equipment areas appear to be connected by an underground electric line, which ultimately connects to an existing 13.2 KV overhead pole line along Ver Plank Road; portions of the proposed solar PV panel areas encroach on the site's wetlands; no other development appears to encroach on the floodplain or floodway areas, and all existing wooded areas appear to remain;

ADVISORY NOTE: the proposed driveways onto Ver Plank Road require highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; and

WHEREAS, the Description of Proposed Use indicates the PV arrays will be ground-mounted on a single axis tracking system, which is designed to rotate and track the sun's movement for a higher solar energy capture efficiency; the maximum height of the solar arrays will be 10-12 feet above ground; appropriate signage will be installed at the facility, including warning signs and contact information; and

WHEREAS, the submitted Environmental Assessment Form (EAF) dated November 14, 2019 indicates 33 acres of the site will be disturbed by the proposed project; temporary runoff from construction will be discharged on-site and controlled by stormwater and sediment/erosion control best management practices; sheet flow from solar panels will infiltrate ground surface or be directed to existing wetlands or natural swales; a copy of the Preliminary Stormwater Pollution Prevention Plan (SWPPP) was included in the referral materials; ADVISORY NOTE: any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; and

WHEREAS, the site is served by an individual well and septic system; no changes to the existing infrastructure are proposed; per the survey map, the site is bisected by a sanitary sewer line with two sewer manholes and a 66' sewer easement; all proposed development appears to be located entirely outside the sewer easement, except for a portion of the underground electric line; and

WHEREAS, per the Onondaga County Department of Water Environment Protection (WEP), the sewer line that crosses the site is a county-owned force main; per WEP, no permanent structures are permitted within the County easement; for

any other improvements, such as underground electric lines, the applicant must execute agreements with WEP for any work within the County easement; and

WHEREAS, the site may contain the pied-billed grebe or Indiana bat, or their associated habitats, which have been listed by the state or federal government as threatened or endangered animal species (per EAF Mapper); per the EAF, other endangered or threatened species, or species of concern, including the Northern long-eared bat, bald eagle, cerulean warbler, and bobolink, are potentially present in the project area; the applicant has submitted a request to the New York Natural Heritage Program (NHP); based on the response from the NHP, impacts to bat species are often associated with tree clearing and 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);
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 applicant is advised to contact the U.S. Army Corps of Engineers and/or NYS Department of Environmental Conservation to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site. All confirmed wetlands should be shown on the plans for the site and any necessary permits must be obtained for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers prior to, or as a condition of municipal approval.
2. The applicant must contact the Onondaga County Department of Transportation to coordinate requirements for the proposed driveways on Ver Plank Road, which will require paving the portion of the driveway in the right-of-way in order to satisfy commercial driveway standards. To further meet Department requirements, a copy of the Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
3. The Town must ensure that no construction of permanent structures occurs which may encroach into the county sanitary sewer easement or affect the county infrastructure. The applicant must also sign an indemnity agreement with Onondaga County for any infrastructure-related disturbance of land (including the proposed underground electric) within the county easement prior to, or as a condition of, municipal approval.

The Board also offers the following comments:

1. The installation of solar energy systems on active or prime farmland should be designed to minimize disruption to existing and future agricultural operations by avoiding configurations that fragment farm fields and

production, siting solar systems in more remote areas with marginal soils and less productive lands, minimizing disturbance of topsoil, soil erosion and compaction during construction, requiring maintenance and reuse of disturbed topsoil on the same site, planting pollinator-friendly and native species between solar panels, using lands around solar panels as pasture for grazing, installing ground mounted solar systems that do not require footings, allowing for small animal movement through fencing, and avoiding nearby wetlands or floodplains.

2. The applicant is encouraged to provide additional buffering along frontages and sensitive environmental features, such as Mud Creek and its related wetlands, and avoid siting solar arrays within these areas.
3. The Town is encouraged to require a decommission plan that would allow for the project area to be returned to agricultural use following future removal of solar arrays. The NYS Energy Research and Development Authority (NYSERDA) has produced a solar guidebook, which includes information for local governments and landowners regarding options for decommissioning solar panel systems and restoring project sites to their original status.
4. The Board encourages the Town to consider incorporating regulations for solar energy systems into its zoning ordinance or local laws. The CNY Regional Planning Development Board (RPDB) Energy Management office offers guidance to municipalities regarding best practices for regulating solar energy systems.
5. Any excavation should utilize Dig Safely NY (811) to allow the Onondaga County Department of Water Environment Protection (WEP) and other utilities to stake out the location of their infrastructure prior to work being done.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-376

- 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 Baruch Park Place LLC for the property located at 300 South State 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 the New York State Office Building and the Carnegie Building, Onondaga County Sheriff's Office, Onondaga County Justice Center, and Onondaga County Courthouse, all county-owned facilities; and
- WHEREAS, the applicant is appealing a sign waiver decision to allow installation of four wall-mounted signs exceeding height, area and number allowances on a 0.77-acre parcel in a Central Business District - Office and Service (CBD-OS) zoning district; and
- WHEREAS, the site is located in Downtown Syracuse across South State Street from Firefighter's Memorial Park and near a number of city- and county-owned facilities, including the Onondaga County Sheriff's Office, Syracuse City Court, Syracuse Police Department, and Onondaga County Justice Center; this area is part of the Connective Corridor, providing bicycle, pedestrian, and transit connections between Syracuse University and Downtown; and
- WHEREAS, the site has frontage and existing concrete sidewalks on East Fayette Street and South State Street, both city streets, and contains an existing 10-story office building, One Park Place, that occupies the entirety of parcel, except for an 18' wide utility and ingress/egress easement with an existing driveway and curb cut on East Fayette Street; the driveway serves a parking lot located on an adjacent parcel at the rear of the site, which has additional access to East Onondaga Street to the south; and
- WHEREAS, per the referral materials, a sign waiver application was made to the Syracuse Zoning Administrator in July 2019 to permit four proposed wall-mounted LED signs (55" x 68.92' and 315.88 sf each), one mounted on each face of the building at a height of more than 90'; the signage is intended to identify one of the building's tenants, which will occupy nearly 40,000 sf on the top two floors of the building; and
- WHEREAS, per the City zoning ordinance, signs identifying individual uses are not permitted above the first floor, except where the use is the sole tenant of a building, and only one sign per wall is permitted for identifying a business; signs identifying individual uses, which are not the sole tenant of a building, may not exceed 1 sf per foot of linear building street frontage; the proposed signage appears to exceed these allowances; and
- WHEREAS, per the referral materials, a sign waiver was previously granted in March

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2006, allowing installation of two signs totaling 318 sf; per the Zoning Administrator Decision, dated October 23, 2019, the current sign waiver application was approved in part, allowing for 2 signs with a total area of 318 sf as permitted with the previously approved sign waiver; and

WHEREAS, the applicant is appealing the decision of the Zoning Administrator to the City Planning Commission; and

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

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

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: B00003, C734111) 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 South Salina Street Historic District, Montgomery Street-Columbus Circle Historic District, Central New York Telephone and Telegraph Building, St. Paul's Cathedral and Parish House, Syracuse City Hall, and Hanover Square Historic District, which are listed on, or have 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 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 Lisa Dell and seconded by James Corbett. The votes were recorded as follows: Daniel Cupoli - yes; James Corbett - yes; Lisa Dell - yes; David Skeval - yes; Jim Stelter - yes; Marty Voss - yes.



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-377

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the Town of Onondaga Zoning Board of Appeals at the request of Dennis Greeley for the property located at 100 Hoover Drive; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of South Salina Street (US Route 11), a state highway; and
- WHEREAS, the applicant is requesting a use variance to install a parking lot, to be used by an adjacent commercial property, on a 0.67-acre lot in a Residential (R-3) zoning district; and
- WHEREAS, aerial imagery shows the site is located in a residential neighborhood along Hoover Drive, a local road, and contains an existing house and a driveway; the site is just west of South Salina Street (US Route 11), which is primarily a commercial corridor; commercial uses on the western side of Route 11 generally extend only one lot deep, and less than 150', along this section of the corridor; and
- WHEREAS, the local application indicates the house on the site was in disrepair and has already been demolished; per the application, the lot is not in conformance with the dimensional and area requirements of the R-3 district, necessitating area variances for any use of the site other than an open lot; and
- WHEREAS, per the local application, the site is adjacent to a commercial property, an auto and tire service shop under common ownership; the requested use variance is intended to allow for an overflow parking area for the adjacent business; and
- WHEREAS, the submitted Site Plan dated September 26, 2019 shows 9 parking spaces on the vacant lot; an existing wood fence and a gate are shown; it is not clear if the proposed parking area will be paved and cover the entirety of the site and if the existing fence, gate and driveway will remain; and
- WHEREAS, the site has access to public drinking water and sewers and is located in the Metropolitan Wastewater Treatment Plant service area; no changes to the existing infrastructure are proposed; and
- WHEREAS, the site is located over, or immediately adjoining, a principal aquifer (per EAF Mapper); and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

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

1. Granting the requested use variance would extend commercial uses further into the residential neighborhood than is typical in this area. Encroachment of commercial uses deeper into residential portions of neighborhoods can sometimes have destabilizing effects on nearby housing. The Board encourages the Town to carefully consider the requested use variance in concert with an analysis of zoning along the corridor, to identify an appropriate scale and depth for commercial uses, and appropriate zoning and buffering options for these transitional parcels.
2. Should the Town approve the use variance, landscaping around the perimeter of the site and parking area is encouraged to provide a buffer to adjacent residential uses and improve stormwater quality.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-378

- 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 Camillus Planning Board at the request of Superior Waste Removal for the property located at 2399 Tacoma Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of the municipal boundary between the Town of Camillus and Town of Van Buren and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to construct a 52' x 76' pole barn-style structure on a 16.43-acre lot in an Industrial zoning district; and
- WHEREAS, the site is located just north of the old Erie Canal and the canalway trail in a rural area in the Town of Camillus; lands east of the site are enrolled in NYS Agricultural District 3 and appear to contain active farmland; and
- WHEREAS, aerial imagery and the submitted survey map show the site has frontage on Tacoma Road, a local, dead end road that runs parallel to the canal, and contains two existing one-story buildings generally surrounded by gravel outdoor storage and parking; there are two existing gravel driveways onto Tacoma Road; the rear half of the site is wooded; and
- WHEREAS, the submitted Site Plan shows the proposed 52' x 76' pole barn adjacent to one of the existing buildings in a portion of the existing gravel area; an existing office trailer will be relocated; per the local application, the pole barn will have 3,120 sf of enclosed space and an 832 sf open porch; and
- WHEREAS, the Site Plan also shows parking at the front of the site for 12 trucks and 38 cars; the front of the site will be delineated and screened by a double row of 12 staggered conifer trees; and
- WHEREAS, the front half of the site, including the proposed barn, may be encumbered by state and/or federal wetlands; current FEMA Flood Insurance Rate Maps (FIRM) indicate that the front of the site is also located within the 100-year floodplain associated with the Erie Canal, which may require elevation of structures and other mitigation; the Onondaga County Hazard Mitigation Plan has identified flooding as one of five primary natural hazards of local concern, with the potential to cause extensive threat to property and safety; buildings within the floodplain can negatively affect the free flow of nearby waterways and drainage, and building within a floodplain is therefore discouraged; and
- WHEREAS, the site is served by an individual well and septic system, which are not shown in the Site Plan; no changes to the existing infrastructure are proposed; and
- WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper); and

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

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

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

1. The applicant must contact the Onondaga County Health Department's Bureau of Public Health Engineering to confirm the location of the existing sewage disposal system to ensure it will not be impacted by the proposed project.
2. The applicant must contact the U.S. Army Corps of Engineers and/or NYS Department of Environmental Conservation to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site. All confirmed wetlands should be shown on the plans for the site and any necessary permits should be obtained for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers prior to, or as a condition of, municipal approval.

The Board also offers the following comment:

1. Given the site's location within floodplain and wetland areas and proximity to the Erie Canal, the applicant is encouraged to provide additional landscaping for wetland and canal buffering and convert any unused gravel areas to lawn.
2. The municipality is encouraged to minimize exposure to damage from natural hazards and uphold local flood ordinance requirements, as required for good standing in the National Flood Insurance Program, by ensuring that any proposed development would not negatively affect drainage patterns in or near the floodplain.

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



J. Ryan McMahon II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 11, 2019

OCPB Case # Z-19-379

- 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 Scot Owens for the property located at 4530 Wetzel 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 Wetzel Road (Route 252), a county highway; and
- WHEREAS, the applicant is requesting a special permit to allow for expansion of a recycling facility to accommodate recycling, handling, and recovery of concrete, brick, rock, asphalt pavement, and asphalt millings on a 27.63-acre lot in an Industrial (I-1) zoning district; and
- WHEREAS, in 2018, the Board offered no position with comment for a special permit referral (Z-18-139) to install an exterior storage tank as an accessory use to the existing manufacturing operation; in 2015, the Board recommended modification of a site plan referral (Z-15-358) proposing to construct an office addition to the existing building on the subject parcel, citing access and drainage requirements; the Board previously reviewed subdivision (S-08-98), site plan (Z-08-460), and area variance (Z-09-09) referrals to combine three lots into one and construct an addition to an existing building and a new warehouse; and
- WHEREAS, the site is located along Wetzel Road, a county road, in the Woodard Industrial Park of the Town of Clay; surrounding land uses are a mix of industrial and residential with large tracts of vacant forestland in the immediate area; the site is bisected into two portions by a rail line; the westerly portion of the site (19.26 acres) is vacant and wooded and the easterly portion (46 acres) contains existing buildings for Barrett Paving Materials, Inc.; and
- WHEREAS, aerial imagery shows the easterly portion of the site contains two existing buildings set towards the front of the site, a front asphalt parking lot, and an existing driveway onto Wetzel Road, which appears to also provide access to the adjacent parcels for Whitacre Engineering; at the rear of the buildings there is a large gravel storage area for equipment and materials; and
- WHEREAS, the submitted Concept Plan dated November 25, 2019 shows the Town's S-1 Special Use Overlay District would be applied to 27.63 acres of the site where the proposed facility will be located; per the Town zoning code, recycling bulk process facilities are permitted in the S-1 district upon special permit approval; the submitted Environmental Assessment Form (EAF) dated November 22, 2019 indicates approval from the NYS Department of Environmental Conservation (DEC) will be required, including application and registration for a solid waste management facility permit; and
- WHEREAS, the Concept Plan shows the proposed facility to include three separate areas for asphalt recycling, concrete recycling, and finished product stockpile, with

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a portable processing plant (to be relocated as needed); the area will be served by a proposed gravel access road onto Wetzel Road; there is a future scale and 10' x 10' future scale house along the access road and adjacent to three proposed parking spaces; a proposed sign is shown at the front of the site; ADVISORY NOTES: the proposed driveway onto Wetzel Road requires highway access and work permits from the Onondaga County Department of Transportation and will be subject to the availability of sight distance; per the Onondaga County Department of Transportation, signage is not permitted in the county right-of-way; and

WHEREAS, the Concept Plan shows proposed 5'-6' and 6'-7' high berms at the front of the project area; a densely wooded area also separates the project area from the road frontage; per the EAF, a 75' minimum existing tree buffer will be maintained on the site to act as a noise barrier; and

WHEREAS, the Concept Plan shows the site is encumbered by 10 small wetland areas; it is not clear if the wetland boundaries have been confirmed by the NYS DEC or US Army Corps of Engineers; per the EAF, two unregulated and isolated wetlands, Wetlands G and F, totaling 0.49 acres in will be removed as part of the proposed project; the Concept Plan shows a proposed vegetated wetland protection berm separating the project area from the wooded and wetland areas to the south; and

WHEREAS, per the EAF, 15 acres of the site will be physically disturbed by the proposed project; the Concept Plan shows three proposed stormwater management ponds on the site and various diversion swales, which will ultimately discharge to the adjacent wetlands; per the EAF, water for dust suppression will be drawn from stormwater ponds; ADVISORY NOTES: any project that will create stormwater discharges associated with industrial activity 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; per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; and

WHEREAS, the site is served by public drinking water and sewers and is located in the Wetzel Road Wastewater Treatment Plant service area; a force main is shown to occur at the front of the site, roughly parallel to Wetzel Road; the access road is shown to cross the force main; no changes to the existing infrastructure are proposed; and

WHEREAS, the site may contain the Indiana bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and the Concept Plan shows a tree clearing area of 12.61 acres; per the EAF, an Endangered/Threatened Species Habitat Assessment was performed by Terrestrial Environmental Specialists, Inc. in 2017 and concluded that tree clearing should take place from November 1 to March 31 to minimize impacts to the Indiana bat; and

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

1. The applicant must contact the Onondaga County Department of

Transportation to coordinate requirements for the proposed driveway on Wetzel Road in order to satisfy commercial driveway standards, which will require paving the portion of the driveway in the county right-of-way. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) for Department review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

2. The applicant must contact the U.S. Army Corps of Engineers and/or NYS Department of Environmental Conservation to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site. All confirmed wetlands should be shown on the plans for the site and any necessary permits should be obtained for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers prior to, or as a condition of, municipal approval.

The Board also offers the following comment:

Any excavation should utilize Dig Safely NY (811) to allow utilities to stake out the location of their infrastructure prior to work being done.

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