



Onondaga County Planning Board

J.Ryan McMahon, II
COUNTY EXECUTIVE

December 23, 2024
Onondaga County Department of Planning
Carnegie Building
335 Montgomery Street, 1st Floor
Syracuse, New York 13202

I. ATTENDANCE

MEMBERS PRESENT

Marty Voss
Mike LaFlair
Marty Masterpole
Don Radke
David Skeval
Jim Stelter

STAFF PRESENT

Troy Waffner
Megan Costa
Rachel Woods
Ellison McMahon

GUESTS PRESENT

II. CALL TO ORDER

The meeting was called to order at 11:00 AM on December 23, 2024.

III. MINUTES & OTHER BUSINESS

Minutes from December 4, 2024 were submitted for approval. Marty Voss made a motion to accept the minutes. Mike LaFlair seconded the motion. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes; Jim Stelter - yes.

IV. ACTIONS ON GML SECTION 239 REFERRALS

Summary

S-24-55	TSkaPB	<i>Modification</i>	Z-24-355	TPomZBA	<i>Modification</i>
Z-24-356	CSyrPB	<i>No Position</i>	Z-24-357	TClaTB	<i>No Position With Comment</i>
Z-24-358	TGedTB	<i>No Position With Comment</i>	Z-24-359	TDewZBA	<i>No Position</i>
Z-24-361	VMarVB	<i>No Position</i>	Z-24-363	TMarTB	<i>No Position</i>
Z-24-364	TSkaPB	<i>Modification</i>	Z-24-365	TSkaPB	<i>Modification</i>
Z-24-367	TCicZBA	<i>Disapproval</i>			

V. ADMINISTRATIVE REVIEWS



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # S-24-55

- 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 Skaneateles Planning Board at the request of David Schnapp for the property located at 4081 O'Neil Lane; 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 Jordan Road (Route 22), a county highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is proposing to subdivide a 9.0-acre parcel into four new residential lots and one new conservation lot in a Rural Residential (RR) zoning district; and
- WHEREAS, the Board previously recommended Modification of a site plan referral (Z-19-86) to construct a single family dwelling on this site, advising the applicant to coordinate with the Onondaga County Health Department regarding plans and requirements for on-site wastewater disposal; and
- WHEREAS, the site is located in a rural area south of the Mottville hamlet in the Town of Skaneateles; per aerial imagery from May 2024, the site has frontage on O'Neil Lane, a local road, and contains a mix of open field and trees; the site is shown to have varied terrain with lands generally sloping down towards the center of the site where it is transected by a tributary to Skaneateles Creek running east to west; Skaneateles Creek and the Charlie Major nature trail are adjacent to the parcel; and
- WHEREAS, the applicant is proposing to create a conservation subdivision with four residential lots and a conservation lot; per the Conservation Subdivision Map dated 12/2/24, the residential lots will be arranged around a shared driveway in the northern and eastern areas of the site; the Conservation Lot (5.4 acres) will comprise the western and southern portions of the site and will contain the whole of the watercourse that crosses the site along with several of the steepest slopes; the proposed residential lots will be Lot 1 (1.41 acres), Lot 2 (0.85 acres), and Lot 3 (0.68 acres) along the eastern site boundary and Lot 4 (0.65 acres) along the northern site boundary; an emergency turn-around will be located on Lot 1, on the opposite side of the shared driveway from the proposed house; per the Project Narrative, the Conservation Lot will be "owned by one of the 4 lots and have walking trails for the 4 lot owners to use; and
- WHEREAS, the Subdivision Map shows a 30'-wide property easement for the shared driveway; legal access for the conservation lot for future residential lot owners is not shown or included with the referral materials; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 12/2/24, zero acres of the site will be disturbed by the proposed project; the EAF only addresses the subdivision and not the whole of the construction project and does not address stormwater discharge from the proposed development of the site;

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

E-mail Address: countyplanning@ongov.net

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

WHEREAS, per the referral notice, the site has access to public drinking water and new connections to public drinking water to serve the residential lots are proposed; the site is located within the Skaneateles Water District service area; and

WHEREAS, per the referral notice, new individual septic systems are proposed to serve the residential lots; the Subdivision Map shows proposed septic locations; ADVISORY NOTE: The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve any existing or proposed septic system for all lots less than five acres prior to Department endorsement of the subdivision; and

WHEREAS, the lands just west of the site are enrolled in NYS Agricultural District 2 and appear to contain active farmland; an Agricultural Data Statement is incorporated into the Town Common Application; and

WHEREAS, GIS mapping shows the watercourse, which divides the site in half, is tributary to the Skaneateles Creek just west of the site, and appears to contain some areas of federal wetlands; Skaneateles Creek is listed as a water-quality impaired waterbody (per EAF Mapper); the Subdivision Map shows the centerline of the watercourse, with the note that "site information is obtained from survey done by Paul J. Olszewski, PE, LLS dated 2/12/19", that survey is included with the referral materials, but does not detail origins of the watercourse data;

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

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

WHEREAS, the 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); 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 must ensure legal access to the shared driveway and shared conservation lot for all residents. The Town must ensure legal restrictions are in place for this Conservation Lot to remain undeveloped. Ownership, maintenance, and stewardship responsibilities must be clearly defined.
2. The Onondaga County Health Department's Bureau of Public Health Engineering must formally approve sewage disposal plans for the proposed lots prior to Department endorsement of the subdivision.
3. The applicant must conduct a formal wetland delineation to determine the presence and location of any federal wetlands on the site. Any delineated wetlands must be confirmed by the U.S. Army Corps of Engineers and shown on the plans for the site. The applicant is also advised to obtain any necessary permits from the Corps for any proposed development or placement of fill in a federal wetland, or drainage of federal wetlands on site.

The Board offers the following comment:

Given proximity to Skaneateles Creek and Charlie Major trail, the applicant is encouraged to explore public connection and shared benefits of conservation lands as community benefit.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-355

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Town of Pompey Zoning Board of Appeals at the request of Deborah Grenier for the property located at 2010 Cemetery 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 Cemetery Road (Route 170) and Number 5 Road West (Route 171), both county highways, Route 91, a state highway, and a farm operation located in a NYS Agricultural District; and
- WHEREAS, the applicant is requesting several area variances related to a potential three-lot subdivision in a Farm zoning district; and
- WHEREAS, the site is located in a rural area characterized by large parcels containing agriculture or wooded areas; the site is a 17.63-acre irregularly shaped parcel with access to Cemetery Road and Number 5 Road West, both county routes; the site is located south of the Old Fly Marsh; per aerial imagery from May 2024, the site contains a house and outbuildings located near the center of the parcel with a driveway to Cemetery Road; and
- WHEREAS, the applicant is proposing multiple area variances to allow a proposed subdivision which will be referred at a later date; per the Proposed Resubdivision on Lot One of the Barber Subdivision – 2 map dated 6/18/24, the applicant is proposing to divide the site into three new lots; proposed Lot One C (2.13 acres) will include the westernmost portion of the site and the 260' of frontage on Cemetery Road; proposed Lot One B (13.42 acres) will include the center of the site and the existing house and buildings as a landlocked parcel; proposed Lot One A (2.08 acres) will include the northeastern portion of the site the 130.62' of frontage on Number 5 Road West; and
- WHEREAS, per the referral notice, the lots require 200' of frontage and a 2.5:1 dimensional requirement; proposed Lot One A will have 130.62' of frontage and seeks relief of 70' and doesn't meet the dimensional requirement; proposed Lot One B will be landlocked and requires relief from frontage requirements; per the referral notice, proposed Lot One C will need a written easement for the existing driveway to proposed Lot One B; per an email with Town staff, the intent of the subdivision is to allow construction of homes on Lots One A and C and the existing driveway will remain in its current location; ADVISORY NOTE: Per the Onondaga County Department of Transportation, all existing or proposed driveways on Cemetery Road and Number 5 Road West must meet Department requirements; and
- WHEREAS, the site and surrounding lands are enrolled in NYS Agricultural District 4; the site does not appear to contain active farmland, though the surrounding lands do; an Agricultural Data Statement dated 10/29/2024 was included with the

referral materials; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 10/29/24, new individual wells are proposed to serve the lots; the Proposed Resubdivision Map shows an existing well located on proposed Lot One B near the existing house; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 10/29/24, new individual septic systems are proposed to serve the new lots; the Proposed Resubdivision Map shows an existing septic vent located on proposed Lot One B near the existing house;

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

WHEREAS, the site is located over, or immediately adjoining, the Cortland-Homer-Preble sole source aquifer (SSA), supplying at least 50% of the drinking water consumed in the overlying area (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 recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

1. The Onondaga County Health Department's Bureau of Public Health Engineering must formally accept or approve, respectively, any existing or proposed septic system to service each lot prior to, or as a condition of, municipal approval of the variance request.
2. The applicant is required to coordinate Cemetery Road and Number 5 Road West 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 motion was made by David Skeval and seconded by Jim Stelter. The votes were recorded as follows: Marty Voss - yes; Mike LaFlair - yes; Marty Masterpole - yes; Don Radke - yes; David Skeval - yes; Jim Stelter - yes.



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-356

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the City of Syracuse Planning Commission at the request of Erwin Kost, Jr. for the property located at 3564-3570 Erie Boulevard East; 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 Erie Boulevard East (Route 5), a state highway, and the Empire State Trail, a state recreation area; and
- WHEREAS, the applicant is requesting a special use permit to establish an "Automobile Repair, Light" facility on a 0.89-acre parcel in a Mixed-Use Transitional (MX-3) zoning district; and
- WHEREAS, the site is located in a highly commercialized section of Erie Boulevard East, east of Seeley Road; neighboring uses include an Aikido studio, a financial advisor, book store, and market; Price Chopper Grocery store and a Hyundai dealership are located across Erie Boulevard East from the site; and
- WHEREAS, the site contains a 4,000 sf masonry building in the northeast corner of the site, along the Erie Boulevard East frontage, surrounded by asphalt parking; the rear of the site is steeply sloping and is covered by trees; the site shares a large curb cut to Erie Boulevard East with the adjacent parcel to the west; and
- WHEREAS, the applicant is proposing a special use permit for light automobile repair with both interior and exterior improvements to the building; per the referral notice, the applicant is proposing updating interior finishes, partitioning, and entrance area; per the Site Plan and Building Information dated 11/12/24, the applicant also proposes a 1,200 sf (40'x60') addition to the rear of the existing building to contain an additional service bay; per Elevations dated 8/14/24, the addition will add three overhead doors to the building's existing six; a gravel area is shown to the rear of the proposed addition; it is unclear from the plans if there will be a change in impermeable surface; per the Site Plan, the proposal includes restriping the parking lot and will result in 18 parking spaces; per an email from the City, the site plan will be referred to this Board at a later date; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 11/12/24, 0.124 acres of the site will be disturbed by the proposed project and "stormwater from the site (roof & parking area) will be directed to the storm drains on Erie Blvd. No modification to existing system"; and
- WHEREAS, per the referral notice, the site is served by public drinking water; and
- WHEREAS, per the referral notice, the site is served by public sewers and is located in the Metropolitan Wastewater Treatment Plant and Ley Creek Pump Station service area and the proposal is anticipated to result in an increase in flow;

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

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

WHEREAS, the project is within 2,000 feet of multiple sites (IDs: B00072, C734103) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); and

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

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



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Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-357

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a ZONE CHANGE from the Town of Clay Town Board at the request of Marc Lebiezinski for the property located at 7985 Morgan Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law and the site is located within 500 feet of Morgan Road (Route 46), a county highway; and
- WHEREAS, the applicant is proposing a zone change on a 3.09-acre parcel from Residential / Agricultural (RA-100) to One Family Residential (R-15); and
- WHEREAS, the site is located on Morgan Road, in an area characterized by a mix of commercial along major routes, interspersed with and surrounded by residential; nearby commercial includes a storage facility and a dance school; railroad tracks belonging to NY Central Lines abuts the site to the rear; residential developments are located north and south of the site; and
- WHEREAS, the site is a triangular shaped parcel with 514.58' of frontage on Morgan Road; the site contains an approximately 3,400 sf building and driveway to Morgan Road, surrounded by trees and brush; and
- WHEREAS, the applicant is proposing a zone change from Residential/Agricultural (RA-100) to One Family Residential (R-15); the referral materials do not include any information regarding proposed future use of the property; per the Town Zoning Map dated 12/2017, parcels on the west side of Morgan Road are predominantly in Residential zoning districts and parcels on the east side of Morgan Road are in Industrial zoning districts; some parcels along Morgan Road are zoned RA-100, but none adjacent to the site; and
- WHEREAS, per the Town Code, RA-100 allows single-family homes, farms, cropland, and farm stands by right, cemeteries, nurseries, and greenhouses with site plan approval, and schools, day-care centers, religious institutions, libraries, community centers, and marinas with a special use permit; and
- WHEREAS, per Town Code, the R-15 district is intended to "permit moderate-density, single-family and supportive nonresidential development on sites in the Town served by both public water and sewer" and allows similar uses; significant differences between RA-100 and R-15 are bulk requirements which are defined in RA-100 by Residential, Nonresidential, and Agricultural uses with the smallest minimum lot area of 100,000 sf where R-15 has a minimum lot area of 15,000 sf; the front yard setback requirement for R-100 is 75' where R-15 requires 25'; the parcel is not currently served by water or sewer and a septic system is proposed which is inconsistent with R-15 zoning standards; 15,000 sf lots are not typically feasible for septic systems; and
- WHEREAS, per the referral notice, a new connection to public drinking water is proposed

to serve the site; per GIS Mapping, OCWA infrastructure traverses the site adjacent to the northern parcel boundary before connecting to water lines along Morgan Road;

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

WHEREAS, per the referral notice, a new individual septic system is proposed to serve the site; per GIS mapping, the nearest sewers are located approximately 250' from the site, on the opposite side of the adjacent railroad tracks, and located within the Wetzel Road Wastewater Treatment service area or located approximately 2,500' north of the site and located within the Oak Orchard Wastewater Treatment Plant service area; 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 the plans do not include any proposed changes to the site; and

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

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

1. Given the R-15 district is intended for parcels with public sewer access, its location on a major roadway, and proximity of incompatible land uses such as Industrially zoned lands and rail lines, the Town is encouraged to consider if other zoning options may better address need and conditions of the site.
2. The Onondaga County Health Department's Bureau of Public Health Engineering must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to any development of the site.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-358

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a ZONE CHANGE from the Town of Geddes Town Board at the request of Forest Tarolli and John & Linda Manzano for the property located at 102 Fay Road and 2305 West Genesee Street; and

WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law and the site is within 500 feet of West Genesee Street (Route 5), a state highway, and the municipal boundaries between the Town of Geddes, the Village of Solvay and the City of Syracuse; and

WHEREAS, the applicant is proposing a zone change on three parcels from Residential A: Single-Family Residential to Commercial B: Highway Commercial; and

WHEREAS, the site is located in the Town of Geddes between the City-owned Westcott Reservoir and the Village of Solvay; and

WHEREAS, the site is comprised of three parcels along West Genesee Street (NYS Route 5) with a mix of residential and commercial south of West Genesee Street and commercial plazas (Westvale Plaza and Geddes Plaza); the site is flanked by Robertson Terrace to the west and Fay Road to the east; City-owned Westcott Reservoir is located across Robertson Terrace from the site; and

WHEREAS, the site contains two residential parcels, separated by a vacant parcel; the site has driveway access to Robertson Terrace and Fay Road; residential abuts the site to the south; and

WHEREAS, the applicant is proposing to change the zoning of the site from a Residential A to Commercial B zoning designation; per the Town Code, Residential A is primarily for single-family housing; Commercial B: Highway Commercial District allows uses including single-family dwelling, religious uses, and family daycare by right, retail businesses, business offices, schools, and community centers with site plan approval, and restaurants, banks, gas stations, vehicle sales and service, and car washes with a special permit; and

WHEREAS, per the Town zoning map dated 2/2010, neighboring parcels within the Town of Geddes are in a Residential A zoning district; per the Village of Solvay Zoning Map dated 2010, neighboring parcels along West Genesee Street are in a Commercial (C) zoning district; other neighboring parcels in the Village, south of West Genesee Street, are in a Residential 1 (R-1) zoning district; per the Town Zoning Map, the only Commercial B zoning districts are located north of the Village, along State Fair Boulevard; and

WHEREAS, per the referral materials, “the applicant’s three lots were specifically referenced [in the the Town and Village Joint Comprehensive Plan from 2019] and carved out of the Single-Family residential area on Robertson Terrace and Fay Road, and were newly designated as lands for “Rehabilitation” to

Neighborhood Commercial/Mixed Use property”; the referral materials do not include details regarding any proposed future development; and

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

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

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

1. The applicant is advised there is limited transmission capacity in the County wastewater system serving this site. The applicant must coordinate on any proposed development with the Onondaga County Department of Water Environment Protection early in the planning process and prior to local review processes.
2. The Town is encouraged to develop an access strategy which meets requirements of New York State for access management and shows sensitivity to nearby residential uses.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-359

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a USE VARIANCE from the Town of DeWitt Zoning Board of Appeals at the request of Michael Roberts Associates, Inc. for the property located at 5575 Thompson 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 Erie Boulevard East (Route 5), a state highway; and

WHEREAS, the applicant is requesting a use variance to establish a business office in a vacant building in a Residential (R-2) zoning district; and

WHEREAS, the Board has previously offered No Position on use variance referrals (Z-21-282 and Z-05-424) to allow a non-charitable office use in the building; a site plan referral (Z-22-76) to establish an education facility in an existing building was administratively reviewed and No Position offered; the Board previously recommended Disapproval of a site plan (Z-06-2) to renovate the existing building, noting the parking as drawn did not meet Town minimum parking and setback requirements and discouraged reductions in greenspace in a residentially zoned area; and

WHEREAS, the site is located at the edge of a residential neighborhood just west of Erie Boulevard; the site has frontage on Thompson Road, a local road, and contains a vacant building, previously used as a non-profit charitable and religious office use, with a small parking area and existing driveway onto Thompson Road; the site has rear frontage on Winston Way and Alwyn Road, both local roads; across Thompson Road are the commercial uses of Erie Boulevard East including a jeweler, auto service/tire store, and dry cleaner; the former Shoppingtown Mall is located less than 250' from the site; and

WHEREAS, per the referral materials, the applicant is seeking to use the existing building for offices while improving the property; per the narrative, the 4,696 sf commercial building was constructed in 1984 and used as offices for the American Heart Association until being sold to the United Church of Christ where it continued use as administrative offices; the property has been for sale since 2020 and has remained unused and on the market due to the site's incompatibility with the allowed uses of R-2; the applicant states the use variance should be granted as the property is not suitable for permitted uses in R-2, has been consistently used as offices since construction, and would not change the essential character of the neighborhood; per the Sketch Plan and Zoning Map dated 11/7/24, proposed improvements include replacement of the front steps and sidewalk along the building with landscaping, installation of an ADA ramp, and installation of asphalt along the northwest and southeast corners of the parking lot; and

WHEREAS, per the Town Code, the Residential R-2 zoning district allows single-family

dwellings, home occupation, residential accessory use, family day-care homes, and group family day-care homes by right; uses allowed with site plan approval include cemeteries, crypts, educational facilities, government facilities, religious uses, private stables, and golf courses; uses allowed with a specific use permit are farms, emergency service facilities, and nursing homes; per the Town Zoning Map from 2008, the site is in a large R-2 area with some nearby parcels zoned Residential 3 (R-3); nearby parcels in Business Transitional (BT) and Business (B) zoning districts are those along the commercial corridors of Erie Boulevard East and East Genesee Street; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 11/22/24, 0.01 acres of the site will be disturbed by the proposed project and no additional stormwater will be created by the proposal; and

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

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

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

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

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE
ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-361

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a LOCAL LAW from the Village of Marcellus Village Board at the request of Village of Marcellus for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law #3 of 2024 to amend Chapter 188 (Rental Dwelling Registration) of the Code of the Village of Marcellus to define and prohibit short term rentals; and
- WHEREAS, per the referral notice, the applicant is proposing to amend Chapter 188 (Rental Dwelling Registration) of the Code of the Village of Marcellus; a section would be added to the code chapter; during a public meeting 10/28/2024, it was decided that the term “short-term rental” shall not include month-to-month tenancies in dwelling units, bed-and-breakfasts, hotels or motels; the law does not apply to yards or outdoor spaces because it would eliminate the opportunity for property owners to allow for short-term RV camping and use of outdoor spaces for rental opportunities; and
- WHEREAS, the proposed law prohibits short-term rentals in the Village of Marcellus; 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 and may consequently be acted on solely by the referring board.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE

ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-363

- 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 LOCAL LAW from the Town of Marcellus Town Board at the request of Town of Marcellus for the property located ; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law; and
- WHEREAS, the applicant is proposing Local Law No. D-2024 to amend Section 235-26M of the Town of Marcellus Code to add a new section regulating solar energy systems within the Town of Marcellus; and
- WHEREAS, per the Purpose and Intent of the proposed law, the Town recognizes “that solar energy is a clean, readily available and renewable energy source” and wishes to “establish provision for the placement, design, construction, operation and removal of” solar energy systems; the Town also expresses that solar energy systems can “enhance agricultural viability” and would like to promote co-location of solar energy systems “within active farming and agricultural lands” while ensuring no significant adverse impacts; and
- WHEREAS, numerous definitions pertaining to solar energy are being added to the Town Code including “Commercial Solar Project”, “a solar energy system or collection of solar energy systems” with “the primary purpose of supplying electricity to a utility grid for wholesale or retail sales of electricity”; a Solar Energy System is defined and categorized as either “Building-Integrated Solar Energy System”, “Flush-Mounted Solar Energy System”, “Ground-Mounted Solar Energy System”, or Rooftop-Mounted Solar Energy System; and
- WHEREAS, proposed section 235-26M (7) details “general requirements applicable to all solar energy systems” with requirements including the system must be installed by a qualified solar installer, non-commercial systems are only permitted to provide power for use by owners, lessees, tenants, residents or other occupants of the premises on which they are erected; electrical connections must be inspected by the Town Code Enforcement Officer or other appropriate person/agency; the system must be “maintained in good working order”, “be consistent in size and use with the character of surrounding neighborhood”, must comply with appropriate NYS Uniform Fire Prevention and Building Code Standards, and the owner shall completely remove a system which ceases performing as intended for a period of 12 months; and
- WHEREAS, building-integrated and rooftop-mounted Solar Energy Systems will be allowed in all zoning districts, is subject to the general requirements, and “application for and review and issuance of an applicable building permit”; roof-top mounted systems are also subject to provisions for firefighter and emergency responder safety and safe access to the rooftop; and
- WHEREAS, ground-mounted solar energy systems are “permitted as accessory structures in all zoning districts” subject to site plan approval by the Planning Board;

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E-mail Address: countyplanning@ongov.net

they're prohibited from front yards and requirements include a minimum lot size of 3 acres, maximum height of 15', they must be screened "when possible and practicable from adjoining lots and street right-of-ways," and are subject to the general requirements; and

WHEREAS, commercial solar projects will be allowed, with a building permit and special use permit, in the Agricultural (A-1), Business (B-1) and Light Industry (L-1) zoning districts; commercial projects may be allowed in a State Certified Agricultural District "but only when it is demonstrated not to have negative impacts on the soils deemed to be USDA prime soils, prime farmland, prime soils, prime soil lands and lands deemed to be farmlands of statewide importance; bulk regulations for commercial solar projects include a minimum street frontage of 200', minimum lot area of 25 contiguous acres, minimum front yard setback of 250', and minimum rear and side yard setbacks of 50'; the projects must also be set back 100' from any Important Bird Area and federal or NYS wetlands; and

WHEREAS, additional requirements for special use permits for commercial projects include having protections for scenic viewsheds, require emergency shutdown/safety and signage, the project cannot have "a significant impact on fish, wildlife, animal or plant species or their critical habitats or other significant habitats", additional setbacks may be required by the Zoning Board of Appeals, screening, berms, and other screening methods may be required, and the Town may require "compensatory offsets to reduce the overall impacts to visual resources"; and

WHEREAS, commercial solar project have extensive submission requirements including plans and drawings showing details including the proposed layout of the site, existing vegetation, proposed clearing, grading, and fencing, property lines and contours with five-foot intervals, location and approximate dimensions of all structures, location and elevations of the proposed commercial solar project, all existing aboveground utility lines within 1,200 linear feet of the site, a landscape plan, screening, soil types, submission of a written operation and maintenance plan, photographic simulations, electrical diagrams detailing installation, components, and interconnection methods, access road maintenance agreement, a Stormwater Pollution Prevention Plan (SWPPP), a NYS Agriculture and Markets findings and report (if applicable), a US Army Corps of Engineers wetlands determination (if applicable), details for all gates and fencing, neutral colors so the system may "achieve visual harmony with the surrounding area", signage, and details of "the proposed noise that may be generated by solar inverter fans or other commercial solar project components"; and

WHEREAS, commercial solar projects also require a public hearing compliance with the NYS Uniform Fire Prevention and Building Code, compliance with state, local, and national codes, all disturbed area shall be reseeded with grass or vegetation, post-construction certification, insurance, and a Decommissioning Plan and security; the Town reserves the right to inspect the premises and has the power to impose conditions; and

WHEREAS, for commercial projects located on agricultural lands, additional protections and requirements including consideration of soils on site, cooperation with NYS Agriculture and Markets where practicable; an environmental monitor is required for projects located on Prime Farmland, Prime Soils, Prime Soil Lands, and/or Farmland of Statewide Importance; topsoil areas to be used for vehicle and equipment traffic, parking, equipment laydown, and storage areas

are to be stripped and all topsoil stockpiled, along with additional restoration requirements; and

WHEREAS, the proposed law also includes Solar Project Guidelines regarding which lands are best suited for commercial solar projects with guidance regarding types of agriculture, soil types, woodland sites, visual mitigation, and design and construction of commercial solar arrays; 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 and may consequently be acted on solely by the referring board.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-364

- 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 Town of Skaneateles Planning Board at the request of MC Skaneateles, LLC / Sonbyrne Sales for the property located at 1387 East Genesee Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of East Genesee Street (Route 20), a state highway; and
- WHEREAS, the applicant is requesting to amend a special permit to allow gasoline sales / convenience store usage for a proposed Bryne Dairy convenience store and fuel facility on a 5.5-acre parcel in Highway Commercial (HC) and Lake Watershed Overlay (LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a special use permit referral (Z-24-365) to amend an existing special permit to replace an existing gasoline sales/convenience store with the proposed gasoline sales/convenience store; and
- WHEREAS, the site is located in a transitional area between the dense residential of the Village of Skaneateles to the west and the large agrarian and wooded parcels of the Town to the east; surrounding uses include a dance school, pizzeria, sports facility, an auto dealer, and propane retailer; and
- WHEREAS, the site contains an inactive gas station, convenience store, and car wash in the southern half of the parcel, along the East Genesee Street (NYS Route 20) frontage; the rear half of the parcel contains woodlands; the site has two full access driveways to Route 20; and
- WHEREAS, the applicant is proposing demolition of the existing gas station, convenience store, and car wash while retaining the existing auto detailing and storage building (12,400 sf); per the Project Narrative, a new 4,232 sf convenience store with a 3,125 sf porch will be constructed along with three fueling islands, a new 76'x24' canopy, a new septic system, dumpster enclosure, and stormwater management area; road access to NYS Route 20 will remain the same; per the Site Plan dated 11/2024, the building will be located along the eastern site boundary with parking and fueling islands to the west, a dumpster enclosure will be constructed off the rear corner of the store; a gravel area containing the detailing and storage building is located to the rear of the asphalt area; the proposal will result in 34-36 parking spaces located along the western and rear sides of the building and along the western site boundary; and
- WHEREAS, per the Skaneateles Byrne Dairy Signage Package, the applicant is proposing a 25'-high, 90 sf internally illuminated freestanding sign, a 3'6"x14' (49 sf) internally illuminated wall/façade sign, and non-illuminated 2'x8' graphics on all sides of the proposed canopy;

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E-mail Address: countyplanning@ongov.net

ADVISORY NOTE: Signage and outdoor advertising along state highways is regulated under federal and state law; and

WHEREAS, per the Site Plan, the applicant proposes installation of red maples in the landscape strip along the NYS Route 20 frontage and will plant conifers along the eastern site boundary; and

WHEREAS, per notes on the Site Plan, a "Future sidewalk along Rt. 20 to comply w/ Town of Skaneateles Future Eastern Gateway Standards. Access easement to Town of Skaneateles to be provided, if necessary. Sidewalk and Crosswalk from store to be provided when Rt. 20 sidewalk constructed"; the only sidewalks shown on the Site Plan circulate the store building on three sides; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 11/13/24, 3.5 acres of the site will be disturbed by the proposed project and stormwater will be discharged to a "on-site stormwater management system"; per the EAF, impervious surfaces will increase from 1.05 acres to 1.48 acres; per the Site Plan, a stormwater management area will be installed in the southwestern corner of the site with connections to roadside drainage;

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

WHEREAS, per the referral notice, the site is served by an individual well and no changes are proposed; per the EAF, the proposed store and fueling station is anticipated to use 1,500 gallons per day; and

WHEREAS, per the referral notice, the site is served by an individual septic system and a new septic system is proposed; per the EAF, the proposed store and fueling station are anticipated to generate 1,500 gallons per day; the Site Plan shows the septic leach field will be located at the rear of the parcel; the referral materials included a letter from the Onondaga County Health Department dated 10/15/24, approving the proposed disposal system; and

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

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

1. The applicant is required to coordinate NYS Route 20 access plans with the New York State Department of Transportation. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

2. The applicant and municipality are advised to ensure the appropriate approvals and permits are obtained from the NYS Department of Transportation for the proposed signage prior to, or as a condition of, municipal approval.

3. Facilities producing total onsite wastewater flow in excess of 1,000 gallons per day, 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, or as a condition of, municipal approval.

The Board offers the following comment:

Given the site's proximity to Village Center and location in the Town of Skaneateles Eastern Gateway, the Town is encouraged to consider requiring installation of sidewalks and enhanced aesthetic appeal from Route 20. The Town is further encouraged to require additional screening of parking areas.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-365

- 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 SITE PLAN from the Town of Skaneateles Planning Board at the request of MC Skaneateles, LLC / Sonbyrne Sales for the property located at 1387 East Genesee Street; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review approval of site plans and the site is located within 500 feet of East Genesee Street (Route 20), a state highway; and
- WHEREAS, the applicant is proposing to renovate an existing gasoline sales / convenience store on a 5.5-acre parcel in Highway Commercial (HC) and Lake Watershed Overlay (LWOD) zoning districts; and
- WHEREAS, the Board is concurrently reviewing a site plan referral (Z-24-364) to replace an existing gasoline sales/convenience store with the proposed gasoline sales/convenience store; and
- WHEREAS, the site is located in a transitional area between the dense residential of the Village of Skaneateles to the west and the large agrarian and wooded parcels of the Town to the east; surrounding uses include a dance school, pizzeria, sports facility, an auto dealer, and propane retailer; and
- WHEREAS, the site contains an inactive gas station, convenience store, and car wash in the southern half of the parcel, along the East Genesee Street (NYS Route 20) frontage; the rear half of the parcel contains woodlands; the site has two full access driveways to Route 20; and
- WHEREAS, the applicant is proposing demolition of the existing gas station, convenience store, and car wash while retaining the existing auto detailing and storage building (12,400 sf); per the Project Narrative, a new 4,232 sf convenience store with a 3,125 sf porch will be constructed along with three fueling islands, a new 76'x24' canopy, a new septic system, dumpster enclosure, and stormwater management area; road access to NYS Route 20 will remain the same; per the Site Plan dated 11/2024, the building will be located along the eastern site boundary with parking and fueling islands to the west, a dumpster enclosure will be constructed off the rear corner of the store; a gravel area containing the detailing and storage building is located to the rear of the asphalt area; the proposal will result in 34-36 parking spaces located along the western and rear sides of the building and along the western site boundary; and
- WHEREAS, per the Skaneateles Byrne Dairy Signage Package, the applicant is proposing a 25'-high, 90 sf internally illuminated freestanding sign, a 3'6"x14' (49 sf) internally illuminated wall/façade sign, and non-illuminated 2'x8' graphics on all sides of the proposed canopy;
- ADVISORY NOTE: Signage and outdoor advertising along state highways is regulated under federal and state law; and

- WHEREAS, per the Site Plan, the applicant proposes installation of red maples in the landscape strip along the NYS Route 20 frontage and will plant conifers along the eastern site boundary; and
- WHEREAS, per notes on the Site Plan, a "Future sidewalk along Rt. 20 to comply w/ Town of Skaneateles Future Eastern Gateway Standards. Access easement to Town of Skaneateles to be provided, if necessary. Sidewalk and Crosswalk from store to be provided when Rt. 20 sidewalk constructed"; the only sidewalks shown on the Site Plan circulate the store building on three sides; and
- WHEREAS, per the Environmental Assessment Form (EAF) dated 11/13/24, 3.5 acres of the site will be disturbed by the proposed project and stormwater will be discharged to a "on-site stormwater management system"; per the EAF, impervious surfaces will increase from 1.05 acres to 1.48 acres; per the Site Plan, a stormwater management area will be installed in the southwestern corner of the site with connections to roadside drainage;
ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and
- WHEREAS, per the referral notice, the site is served by an individual well and no changes are proposed; per the EAF, the proposed store and fueling station is anticipated to use 1,500 gallons per day; and
- WHEREAS, per the referral notice, the site is served by an individual septic system and a new septic system is proposed; per the EAF, the proposed store and fueling station are anticipated to generate 1,500 gallons per day; the Site Plan shows the septic leach field will be located at the rear of the parcel; the referral materials included a letter from the Onondaga County Health Department dated 10/15/24, approving the proposed disposal system; and
- WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper); and

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

1. The applicant is required to coordinate NYS Route 20 access plans with the New York State Department of Transportation. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.
2. The applicant and municipality are advised to ensure the appropriate approvals and permits are obtained from the NYS Department of Transportation for the proposed signage prior to, or as a condition of, municipal approval.
3. Facilities producing total onsite wastewater flow in excess of 1,000 gallons per day, 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, or as a condition of, municipal approval.

The Board offers the following comment:

Given the site's proximity to Village Center and location in the Town of Skaneateles Eastern Gateway, the Town is encouraged to consider requiring installation of sidewalks and enhanced aesthetic appeal from Route 20. The Town is further encouraged to require additional screening of parking areas.

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



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: December 23, 2024

OCPB Case # Z-24-367

- 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 AREA VARIANCE from the Town of Cicero Zoning Board of Appeals at the request of Joseph Verdi for the property located at McKinley 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 Pardee Road (Route 253), a county highway, and Interstate Route 81, a state highway; and
- WHEREAS, the applicant is requesting several area variances related to the construction of a storage facility on a 14.99-acre parcel in an Industrial zoning district; and
- WHEREAS, the Board previously recommended Modification of a site plan referral (Z-22-247) for this proposed self-storage facility, advising the applicant to coordinate Pardee Road access plans with the Onondaga County Department of Transportation and submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and lighting plan, to contact the U.S. Army Corps of Engineers (USACOE) and NYS Department of Environmental Conservation (NYSDEC) to confirm the presence and location of wetlands on site and obtains all necessary approvals and permits, and the Onondaga County Health Department (OCHD) must formally accept or approve any proposed sewage disposal provisions; and
- WHEREAS, the site is located at the corner of Pardee Road, a county road, and McKinley Road, a town owned road; surrounding land uses include Interstate Route 81 to the west, vacant land and scattered commercial businesses, and some roadside housing; and
- WHEREAS, the parcel is currently vacant, with a large New York State Power Authority Easement and Niagara Mohawk Power Corporation right-of-way running through a significant portion of the parcel and containing regional high-voltage overhead electric transmission lines and gravel access drive from Pardee Road; an unspecified gas easement is present along the Pardee Road frontage of the property; and
- WHEREAS, per the Preliminary Site Plan dated 10/2024, the applicant is proposing seven self-storage buildings ranging in size from 2,500 to 8,250 sf and a 11,250 sf climate controlled storage building to be constructed along the McKinley Road frontage, separated from the road by trees, plantings, and shrubs; an 18,000 sf indoor storage building will be constructed in the rear half of the site; two 24'-wide driveways from Pardee Road will provide access to the buildings; an office with storage will be located near the southern driveway's entrance;
ADVISORY NOTE: Per the Onondaga County Department of Transportation, all existing or proposed driveways on Pardee Road must meet Department requirements and any work within the county right-of-way is subject to a work permit from the Department; and

WHEREAS, per the Site Plan dated 10/2024, the 24'-wide asphalt drives accessing both sections of the site encroach on or occur within the easements belonging to Niagara Mohawk (now National Grid) and the NYS Power Authority for the high-voltage overhead electric transmission lines; the proposed buildings appear to occur outside of the easement, but proposed internal roads, one stormwater management area, an electric access gate, and the four parking spaces for the office building are shown encroaching into the existing easements; and

WHEREAS, per the Variance Request Narrative, the applicant is requesting area variances to allow front yard setbacks of 15' to Pardee Road and 30' to McKinley Road where 75' is required by Town Code and to allow a 2' rear yard setback where 25' is required; and

WHEREAS, per the Site Plan, three areas of the site are encumbered by wetlands (delineated by Plumley Engineering on 5/12/23); a wetland occurring within the area encumbered with overhead electrical transmission lines, within easements owned by Niagara Mohawk (National Grid) and the NYS Power Authority; the other wetlands occur in the rear portion of the site, one in the southwest corner, along the Pardee Road frontage, and the other located along the southern parcel boundary; and the Site Plan shows no construction to occur within the wetlands, but driveways, the rear of the two northeasternmost storage buildings, and the septic leach field encroach on the 100' buffer; a proposed stormwater management area at the rear of the site is also located within the buffer; per the Variance Request Narrative, permits will be required from DEC and ACOE for disturbance in the wetlands and the "layout was completed to minimize development in the 100' buffer";

ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a state and/or federal wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation and/or the U.S. Army Corps of Engineers; and

WHEREAS, changes from the previously referred Site Plan dated 8/2022, show the recently delineated wetlands and buffer, reducing the self-storage buildings along the McKinley Road frontage from ten to seven, placing the Climate Controlled Storage in the northwest corner of the site, the proposed Indoor Storage building, and location of proposed stormwater management areas; the currently referred Site Plan also show septic tank and leach field location to the rear of the office building; landscaping and plantings proposed for the McKinley Road frontage are new improvements to the proposal; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 11/26/24, 9 acres of the site will be disturbed by the proposed project; the Site Plan shows two proposed stormwater management areas, one to the rear of the self-storage buildings, within the NYS Power Authority Easement, and the other to the rear of the Indoor Storage building, within one of the wetland's 100' buffer;

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

ADVISORY NOTE: Per the Onondaga County Department of Transportation, additional stormwater runoff into the county's drainage system is prohibited; and

WHEREAS, the site has access to public drinking water service and per the referral notice,

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

WHEREAS, per the referral notice, there is no existing wastewater service to the site and a new individual septic system is proposed near the office building located off the rear driveway; the septic leach field is depicted at the rear of the office building;

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 this property prior to municipal approval of the variances; and

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

The Board notes a number of potential significant issues with the proposed site plan, and as such, disapproves the Area Variances as currently proposed. The Board advises the applicant and Town to coordinate further with related agencies, and adjust the site plan accordingly, prior to consideration of the proposed variances or other zoning actions.

- The applicant is requesting significant reductions to front yard setbacks along County and Town roadways, in a location which may be subject to modifications and increased traffic in coming years. Multiple buildings, paved areas, offices, and wastewater treatment facilities are all proposed within established setbacks. Variances to allow such significant encroachment within the established setbacks is not endorsed by the Board or the New York State and Onondaga County Departments of Transportation.
- The applicant must coordinate with the Onondaga County Department of Transportation regarding the location of proposed driveway access, and may be required to relocate site access to McKinley Road.
- The site plan shows significant encroachment of driveway entrances, roadways and paved driving surfaces within the Niagara Mohawk Power Corporation (now National Grid) and New York State Power Authority Rights of Way, which contains regional scale electric transmission infrastructure. The Town must ensure plan review and approval from National Grid and New York State Power Authority prior to any local approvals for this project.
- The site plan shows substantial encroachment of buildings and paved surfaces, and roadway crossing within the New York State wetland buffer area. The applicant is advised to revise plans to further minimize encroachment and disturbance in these areas.

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

ONONDAGA COUNTY

DEPARTMENT OF PLANNING



J. Ryan McMahon, II
County Executive

Troy Waffner
Director

TO: Members, Town of Van Buren Zoning Board of Appeals
FROM: Troy Waffner, Director *TW*
Onondaga County Department of Planning (OCDOP)
DATE: 12/6/2024
RE: Administrative Review – TJ’s Cannabis Area Variance
RECOMMENDATION: No Position

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

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

CASE NUMBER: Z-24-360
REFERRING BOARD: Town of Van Buren Zoning Board of Appeals
DATE RECEIVED: 12/5/24
TYPE OF ACTION: Area Variance
APPLICANT: TJ’s Cannabis
LOCATION: 2239 Downer Street Road
WITHIN 500’ OF: Downer Street Road (County Route 92)
TAX ID(s): 034.-04-07.0
PREVIOUS CASES: Z-24-310, Z-24-311

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

Project Summary:

The applicant is proposing to open a cannabis dispensary in a former restaurant building in River Mall Plaza. The Board previously offered No Position with Comment on site plan and special permit referrals, encouraging the applicant and Town to improve site design and walkability, specifically encouraging removal of a proposed dumpster enclosure away from the road frontage, add sidewalks connecting the building to roadside sidewalks, and add landscaping and planting islands. The new referral materials show a sidewalk connecting the building to the sidewalk along the Downer Street Road frontage and the removal of the dumpster enclosure. Per the referral notice, the Town has requested a landscaping island with greenery to separate the building from the parking lot for the remainder of the plaza.

The current referral is the applicant requesting an area variance to allow a 4.1’ side yard setback along the eastern parcel boundary where Town Code requires 20’. While the building and parcel boundary are existing, the applicant has previously proposed an addition to the rear and west sides of the building. The eastern side of the addition will match current building lines.

Recommendation: No Position

ONONDAGA COUNTY

DEPARTMENT OF PLANNING



J. Ryan McMahon, II
County Executive

Troy Waffner
Director

TO: Members, Town of DeWitt Zoning Board of Appeals
FROM: Troy Waffner, Director *TW*
Onondaga County Department of Planning (OCDOP)
DATE: 12/18/2024
RE: Administrative Review – Chick-fil-A sign variance
RECOMMENDATION: No Position

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

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

CASE NUMBER: Z-24-362
REFERRING BOARD: Town of DeWitt Zoning Board of Appeals
DATE RECEIVED: 12/9/24
TYPE OF ACTION: Area Variance
APPLICANT: Chick-fil-A
LOCATION: 5761 Celi Drive
WITHIN 500' OF: Erie Boulevard East (NYS Route 5) and Bridge Street (NYS owned)
TAX ID(s): 053.-06-03.0, 053.-06-04.0, 053.-06-05.0
PREVIOUS CASES: Z-22-240, Z-23-79, Z-23-80

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

Project Summary:

The applicant is proposing multiple area variances to allow directional signs at a Chick-fil-A (currently under construction) in DeWitt. The restaurant building with drive-thru is located on Celi Drive with frontage on Bridge Street and Erie Boulevard East. The Board previously recommended Modification of site plan and area variance referrals, advising the applicant to continue to coordinate with NYS Department of Transportation (NYSDOT) and providing a comment encouraging the applicant to consider aesthetic enhancements to the site like adding landscaping and screening of the large parking area, particularly along the shared boundary between the site and the Empire State Trail. The previously referred area variance was for business identification signs and the current referral is for proposed directional signs directing traffic flow on site.

The applicant is requesting relief from two sections of Town Code, §192-106C(5)(a)[5] requiring the signs to be “less than 3’ above grade” and §192-106C(5)(a)[4] limiting the area of directional signs to 2 sf per face or less. The applicant is proposing 7 directional signs, each with a height of 55” above grade, and 1 directional sign with a 3.75 sf area.

The applicant is proposing the seven requested 55”-high signs will have a mobile base that will allow the applicant to shift sign locations to “assist patrons and employees with navigating specific area of the site”. The signs will direct patrons to areas designated for “Curbside Delivery” and “Delivery Drivers” and advising drive-thru patrons “Pull Forward Here”, “Caution Team Member Crossing”, and “Merge Left”. The proposed “Pull Forward Here” sign will have a 3.75 sf face area and is the only sign requiring a variance for face area. None of the signs requiring a variance will be illuminated.

Recommendation: No Position

ONONDAGA COUNTY

DEPARTMENT OF PLANNING



J. Ryan McMahon, II
County Executive

Troy Waffner
Director

TO: Members, Town of DeWitt Zoning Board of Appeals
FROM: Troy Waffner, Director *TW*
Onondaga County Department of Planning (OCDOP)
DATE: 12/18/2024
RE: Administrative Review – Upstate Pathology Lab Area Variances
RECOMMENDATION: Modification

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

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

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

CASE NUMBER: Z-24-366
REFERRING BOARD: Town of DeWitt Zoning Board of Appeals
DATE RECEIVED: 12/11/24
TYPE OF ACTION: Area Variance
APPLICANT: Upstate Pathology Lab
LOCATION: 6624 Fly Road
WITHIN 500' OF: Fly Road and New Venture Gear Dr (both county highways) and Interstate 481
TAX ID(s): 029.-02-27.3
PREVIOUS CASES: Z-24-30

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

Project Summary:

The applicant is Upstate Pathology Lab which is constructing a 3-story 108,928 sf building next to the Upstate Bone and Joint Center on a recently subdivided property between Fly Road and Interstate 481 in DeWitt. The Board recently recommended Modification of a site plan, requiring the applicant to coordinate with NYS Department of Transportation (NYSDOT) regarding stormwater, to coordinate with the Onondaga County Department of Transportation (OCDOT) regarding access to Fly Road and to provide a Stormwater Pollution Prevention Plan (SWPPP) and Traffic Impact Study (TIS), and to coordinate with the Onondaga County Department of Water Environment Protection (OCDWEP) regarding sewer connection and drainage. The Board also provided comments encouraging the installation of sidewalks and pedestrian lighting along the site's internal road, encouraging the use of green infrastructure, and in light of a significant increase in new employers and employees in the area, encouraging the Town to work with employers and CENTRO to increase access and ease of access to transit, including installation of bus shelters, benches, and pedestrian pathways along Fly Road.

The site is a 23-acre parcel divided by an internal road already serving the Bone and Joint Center on an adjacent parcel to the southeast. The proposed building will be located along the south side of the internal road with parking lots containing 412 spaces surrounding the remaining three sides. Truck docks, mechanical and electrical equipment, and the dumpster enclosures will be constructed along the southwest corner and southeastern sides of the building.

The applicant is requesting an area variance to allow 320 parking spaces to be located on the north side of the internal road to be banked for future needs to prevent construction of unnecessary parking and impermeable surface. Per the project narrative, Upstate Pathology projects their facility to require 255 parking spaces and the proposed 412 exceeds their needs. Town Code requires 726 parking spaces. Banking 320 parking spaces would total 732 at full build out.

The applicant is requesting a second area variance to allow the dumpster enclosure to be located in the front yard, the side of the building facing Fly Road. The applicant notes the proposed dumpster location is ideal due to the location, slopes, and vegetation screening the dumpster location from Fly Road, Interstate 481, and the internal road.

Changes to the proposed site plan show a concrete sidewalk along a portion of the internal road connecting the parking lot to the site's entrance from Fly Road. Sidewalks are also shown connecting the future (banked) parking lot to the internal road. The previously referred site plan also showed two wet ponds to be located between the proposed building and the Bone and Joint Center will now be parking lot. Proposed bioretention areas to be located along the northeast and northwest sides of the building and existing stormwater basins located across the internal road remain.

Recommendation: Modification

Modifications:

1. Per the New York State Department of Transportation, additional stormwater runoff into the state's right-of-way is prohibited, and no direct connection into the state stormwater system is permitted. The applicant must contact the Department for further information. 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 continue to coordinate with Onondaga County Department of Water Environment Protection regarding the proposed transmission connection to the town and county sewer system. 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, site plan approval.
3. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga County Department of Water Environment Protection for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on project plans prior to, or as a condition of, municipal approval.

Comments:

1. This portion of Fly Road has seen a significant increase in new employers and employees in recent years (Inficon, Byrne Dairy, New Venture Gear site), and is currently seeing multiple new large scale proposals (TTM Industries, Upstate Pathology, ONX1) which could bring several hundred additional employees to the area. With this increased density of workers, the Town is encouraged to coordinate with existing employers, new applicants, and CENTRO on any opportunities to increase transit usage access and ease of access along this corridor. Potential improvements include provision of more hospitable bus shelters, benches, and/or concrete pads by employers along Fly Road, provision of pedestrian access between buildings and bus stop locations, and a pedestrian pathway system adjacent to the Fly Road right-of-way.
2. The applicant and municipality are encouraged to consider the use of green infrastructure, such as permeable pavement, planting islands, increased landscaping along the road frontage and around the parking lots, and more vegetative buffering for adjacent properties to further reduce stormwater runoff and improve stormwater quality.