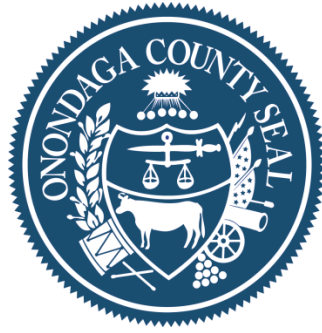


**J. Ryan McMahon, II**  
*County Executive*



**Daniel Cupoli**  
*Chairperson*

## **Onondaga County Planning Board**

Guide to

# **Onondaga County Planning Board Referrals**

June 2019





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## INTRODUCTION

The Onondaga County Planning Board (OCPB) operates under NYS General Municipal Law § 239-l, m & n<sup>1</sup> (GML 239) to advise local boards on the potential intermunicipal or county-wide impact of local land use decisions.

The OCPB consists of seven members, five of which are appointed by the County Executive and confirmed by the Onondaga County Legislature. Two members are ex-officio members by virtue of their positions as the Onondaga County Comptroller and the Commissioner of the Onondaga County Department of Transportation.

The Syracuse-Onondaga County Planning Agency (SOCPA) Division of County Planning provides staff support to the OCPB and receives and reviews municipal land use referrals, coordinates with agencies and County departments, and incorporates guidance and recommendations from County plans into staff reports for Board consideration.

The OCPB reviews over 500 referrals from over 100 municipal boards or other bodies per year. This guide outlines administrative procedures for the various municipalities and applicants to help users to navigate the municipal review process.

The Board encourages you to use the referral process as a resource and venue for collaboration. We welcome your feedback at any time.

### Been to the OCPB web page yet?

Visit [www.ongov.net/planning/ocpb.html](http://www.ongov.net/planning/ocpb.html) to find:

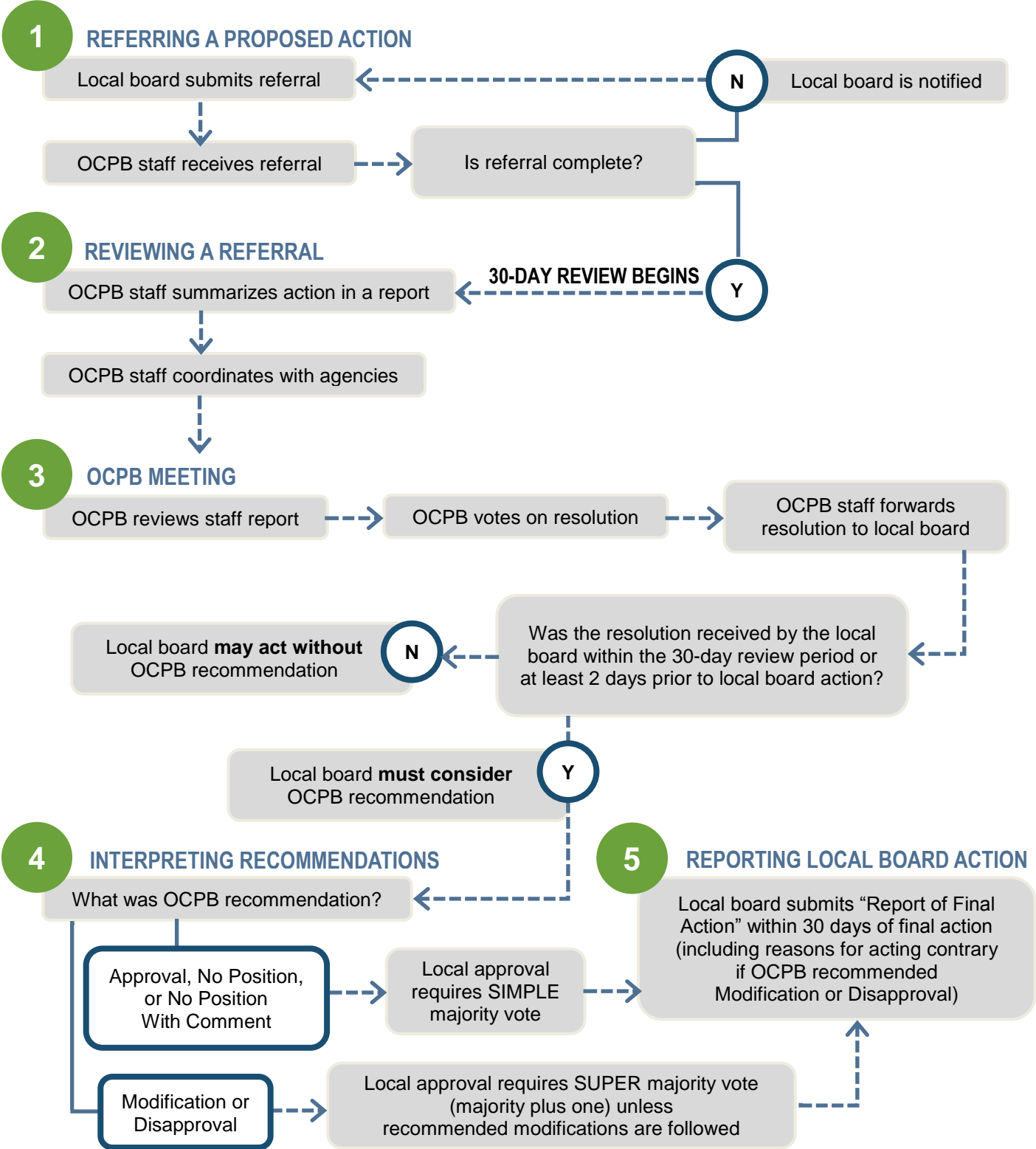
- Latest Referral Materials
- SEQRA Forms
- Agendas and Minutes
- Meeting Schedules and Deadlines
- Board Member Listing
- Coordinating Agency Contact Info
- Links and Resources

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<sup>1</sup> For more information on NYS General Municipal Law regarding County Planning Boards, visit: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO>:

# THE OCPB REFERRAL REVIEW PROCESS

The following flow chart shows an overview of the County Planning Board review process. Each step is explored in more detail in the sections of the guide to follow.



## STEP 1: REFERRING A PROPOSED ACTION

Certain proposed actions reviewed by a municipal board, i.e., city/town/village board, planning board, or zoning board of appeals, or other duly authorized body of a city, town or village, are subject to referral to the OCPB under GML 239. The OCPB sees projects from over 100 different boards, and more than 500 referrals in a year.

### Why do I need to involve the County?

Failure to follow the requirements of GML 239 is a procedural defect that may allow for a local board action to be challenged and rendered void, but there are benefits to the review process aside from the legalities.

Onondaga County is a diverse region made up of rural communities, agricultural areas, suburbs, and the City of Syracuse. Municipalities have varying levels of access to professional planning services. Through SOCPA, OCPB provides all municipalities with planning guidance that is comprehensive and takes into account the local community, adjacent municipalities, and the County as a whole. Part of the OCPB review involves coordination with relevant County and State agencies which provides an avenue for municipalities to receive requirements and recommendations from these agencies early in their local review process.

### What is a referable action?

Per GML 239, there are two criteria for determining if a proposed action is referable to the OCPB: **type of action** and **location**. An action is referable when both criteria are met.

#### ❖ **Criteria 1: Type of Action**

- adoption or amendment of a comprehensive plan<sup>2</sup>
- adoption or amendment of a zoning ordinance or local law pertaining to zoning or subdivisions
- issuance of special use permits
- approval of site plans
- granting of use or area variances
- other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law
- approval of preliminary and/or final subdivision plats or proposal to develop an undeveloped plat

#### ❖ **Criteria 2: Location** - project is located within 500 feet of any of the following:

- the boundary of any city, village or town
- the boundary of any existing or proposed County or State park or other recreation area

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<sup>2</sup> Pursuant to Section 272a of the Town Law, Section 7-722 of the Village Law, or Section 28a of the General City Law.

- the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway
- the right-of-way of any existing or proposed stream or drainage channel owned by the County or for which the County has established channel lines
- the boundary of any existing or proposed County or State owned land containing a public building or institution
- the boundary of a farm operation located in an agricultural district<sup>3</sup> (not applicable to the granting of area variances)

**Not sure if your action meets the location criteria?**

Check out this mapping application:  
Onondaga County GIS on the Web at  
[www.fsihost.com/onondaga/](http://www.fsihost.com/onondaga/)

A municipality may enter into an agreement with the OCPB and designate certain low impact actions as being of local, rather than intermunicipal or county-wide concern. In that instance, the designated action would not be subject to referral. The OCPB has several longstanding 'Exemption Agreements' in place with municipalities, which commonly exempt actions pertaining to accessory structures or certain area variance requests.<sup>4</sup>

## What is the process for submitting a referral?

Once a proposed action is determined to be referable, a complete referral package must be submitted to the OCPB for review prior to a decision being made by the local board. It is the responsibility of the local board reviewing the project to submit the project to the County for review, not the applicant. The applicant may, however, be asked by the local entity to supply information to the County that is needed in order to satisfy referral requirements.

The when, what, and where of referral submissions are detailed in the following sections:

## When should I submit a referral?

The OCPB typically meets to review cases once every three (3) weeks. The OCPB schedule<sup>5</sup> of submission deadlines and meeting dates is forwarded to municipalities each year and is available at: <http://www.ongov.net/planning/ocpb.html>.

The Board has established a submission deadline generally 12 days (two Fridays) prior to Board meeting dates in order to allow adequate time for review, mailing, and posting of agendas and meeting details. A complete referral package must be either received or postmarked by the submission deadline in order to be placed on the next meeting agenda.

<sup>3</sup> NYS Agricultural Districts are defined in Article 25-AA of the Agricultural and Markets Law.

<sup>4</sup> Contact SOCPA to determine if your municipality has an Exemption Agreement, if you would like to enter into an agreement, or if you want to revise an existing agreement.

<sup>5</sup> File by deadlines and meeting dates may change due to the timing of holidays or other events, and will be specifically noted in each year's schedule.



Most OCPB recommendations are returned within 15-20 days, due to the Board's frequent meeting schedule.

Once a referral is received, per GML 239, the OCPB has 30 days (or up to 2 days prior to local board action) to review a proposed action and return any recommendations to the municipality.

The timing of when to send a municipal referral for a locally proposed project is ultimately a decision for the municipality and may depend upon the type and complexity of a project and how the municipality desires to coordinate its review of a project.

There are benefits and drawbacks of submitting referrals either too early in the local process or too late. In order to minimize delays and to encourage coordination with appropriate agencies, the Board encourages referrals to arrive relatively early in the design process which can greatly benefit a project and save time and expense. However, if a project is sent too early and elements of the project change substantially during the course of review or if further information is needed, the project may need to be referred for a second review by the OCPB, adding time to the process.

Some projects require multiple approvals from the municipality (e.g., zone change, subdivision, site plan, and variances) for which the OCPB may receive several referrals concurrently or each referral sequentially. For projects requiring multiple local approvals, concurrent referrals are generally preferred by the OCPB since they allow for a project to be reviewed in its entirety and make for timely review of projects.

Regardless of when a referral is forwarded to the OCPB, there are a few other important timing-related matters to keep in mind:

- The municipality must not act prior to the 30-day review period or the timely receipt of the OCPB's recommendations. **Failure by the municipality** to follow the requirements of GML 239 is a procedural defect that may allow for a local board action to be challenged and rendered void. Similarly, the municipality is not authorized to act contingent upon future approval by the OCPB.
- **Failure by the OCPB** to provide its recommendations in a timely fashion, i.e., within 30 days of receipt of the full statement of such proposed action from the referring body or 2 or more days prior to final action, allows the municipality to legally act without the OCPB's recommendation.

Occasionally, the OCPB will request an extension of the 30-day requirement from the municipality to allow for additional time to review a proposed action, particularly for large, complex projects.

## What do I need to submit?

Upon receipt of a referral, OCPB staff will review the referral materials for completeness. If staff determines a project is not a complete referral package, the referring body will be notified. The OCPB's 30-day review period does not begin until a complete referral package is received.

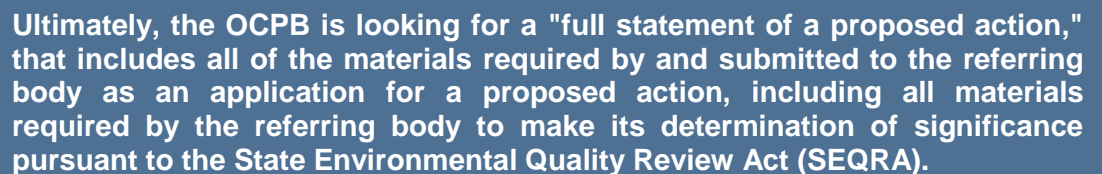
Per GML 239, the referring body must provide the OCPB with “all materials required by and submitted to the referring body as an application on a proposed action.” The following are required for a referral to be considered complete:

- The project must meet **jurisdictional requirements** for type of action and location. See **What is a referable action?** on pages 3-4.
- A fully completed **Referral Notice** prepared by an appropriate municipal official. Blank referral forms and instructions are available on the OCPB web page at <http://www.ongov.net/planning/ocpb.html>.
- A copy of the **local application** as required by the referring municipal board.
- A **survey, site plan and/or subdivision plan**, except where the proposed action is the adoption of a local zoning law or an amendment to a zoning ordinance.
- The **complete text of a proposed new ordinance or law** or the proposed amendments to an existing law or map, where applicable, including details about the proposed amendment that shows changes from the existing to the proposed text or map. Red-line versions and summaries of changes are encouraged.
- **SEQR**: A “completed environmental assessment form and all other materials required by such referring body in order to make its determination of significance.” The referral should include the Type of SEQR Action, Lead Agency (if known), and Determination of Significance (if known) and a Draft Environmental Impact Statement if it is required for the project.

Per GML 239, the OCPB does not “undertake, fund, or approve” actions and is therefore not considered an “involved agency” under SEQRA. However, referring bodies are still encouraged to provide all relevant project information and documentation in order to better facilitate thorough reviews of proposed actions.

The latest SEQRA forms, revised January 1, 2019, and the NYS Department of Environmental Conservation’s EAF Mapper Application are available at <http://www.dec.ny.gov/permits/6191.html>.

- Any additional information that is required by the local board to act or would facilitate the OCPB review of the proposed action, such as: board minutes, agency correspondence, permits and other materials which may provide additional details about the review status of a local project are encouraged.



Ultimately, the OCPB is looking for a "full statement of a proposed action," that includes all of the materials required by and submitted to the referring body as an application for a proposed action, including all materials required by the referring body to make its determination of significance pursuant to the State Environmental Quality Review Act (SEQRA).

## How do I submit a referral?

The OCPB will accept referral materials that are in paper or digital format. To prevent delaying the start of the 30-day review period, referring bodies are advised to send all referral materials required for a complete referral package at one time, and submit all referral materials using only one format (i.e., paper or digital) and only one delivery method (i.e., hand, mail, upload, or email).

Referrals in paper format may be submitted to the OCPB by:

- ❖ **Hand delivery** or by **mail** to:  
Syracuse-Onondaga County Planning Agency  
John H. Mulroy Civic Center  
421 Montgomery Street, 11th Floor  
Syracuse, NY 13202

For hand delivered referrals, the date of submission will be considered the date of the delivery. For mail delivered referrals, the date of submission will be the date on which the package is postmarked.

Referrals in digital format may be submitted electronically to the OCPB by:

- ❖ **Uploading** to SharePoint or by **email** to **countyplanning@ongov.net**

Digital files can also be hand delivered or mailed to the address above using data storage devices, such as a CD or USB flash drive.

For uploaded or emailed referrals, the date of submission will be the date on which the referral is uploaded or emailed.

Please keep in mind the following guidelines when preparing digital materials:

- Documents that have been scanned must be high resolution and easy to read. If they are not, paper copies may be required.
- Use common file formats, such as:
  - PDF
  - Microsoft Office – DOC, DOCX
  - Image files – PNG, JPEG, TIFF, GIF

A single pdf file, zip file, or folder containing all referral materials is encouraged.

- The **countyplanning@ongov.net** email address cannot receive emails greater than 50 MB in size so large email submissions may require multiple emails. Zip files or compressed folders are encouraged since they take up less storage space and can be transferred quickly.

### What is SharePoint?

It's an online service that facilitates file sharing and storage between individuals or groups. By accepting referral submissions electronically at the SOCPA SharePoint site, municipalities and the County can save on postage and time, and avoid file size restrictions that are common with email submissions.

Visit [www.ongov.net/planning/ocpb.html](http://www.ongov.net/planning/ocpb.html) for more information.

## How about a Coordinated Review?

### WHAT

The Syracuse-Onondaga County Planning Agency staff, on behalf of the OCPB, offers to convene and facilitate coordinated review meetings for particularly large or complex projects. Coordinated reviews may be requested by the municipality or the applicant and may be specifically proposed by the OCPB.

### WHY

The purpose of a coordinated review meeting is to give the opportunity for a project applicant to present and obtain feedback from a variety of permitting and interested agencies on a proposed project. This can take place either prior to or as a part of the formal review process by the local board and the Onondaga County Planning Board. Open dialogue and sharing of agency requirements with applicants and municipal representatives early in the process can facilitate needed coordination and open communication on complex projects.

### WHEN

Coordinated reviews can be conducted anytime. Municipal Boards and/or applicants are encouraged to request a coordinated review at the earliest stage possible. Meetings can also occur as part of the OCPB review cycle. However, an extension to the 30-day review timeline may be necessary. Alternatively, the OCPB may recommend convening a coordinated review as part of its formal recommendations to a municipality.

### WHO

Coordinated reviews can involve a number of participants. Most often they include the applicant, members of the local municipal board(s) reviewing the project, SOCPA staff and/or OCPB members, County, State, and/or federal permitting or authorizing agencies involved or interested in the project, and if desired, the public.

**Please feel free to contact SOCPA staff for more information.**

## STEP 2: REVIEWING A REFERRAL

Once a referral is determined to be complete, the County Planning Board's 30-day review period begins. During this time OCPB staff creates a staff report concerning the proposed project based on the referral materials, any communication with the municipality, and feedback from federal, State, or local agencies that may have an interest in the project.

### What are the OCPB and staff looking at when they review a referral?

The County Planning Board's review of a proposed action and ultimately the recommendations that they provide to the local municipality are informed by the staff report and guided by the development principles established by County plans, local planning documents, and community planning efforts.

Per GML 239, the intent of the OCPB review is to bring pertinent intercommunity and county-wide planning, zoning, site plan, and subdivision considerations to the attention of the local board, neighboring municipalities, infrastructure and service providers, and the public.

In doing so, GML has defined a list of county-wide and intermunicipal impacts used to evaluate a project. Under each item are examples of specific project components typically considered by the Board in assessing the following impacts:

- compatibility of various land uses with one another;
  - proposed use of land and buildings
  - scale and proportion of new buildings, parking, and other site elements
  - zoning of the site and its surroundings
  - local plans, land use, and design objectives
- traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities;
  - new or increased traffic generation data
  - breaks in access (driveways/local roadways to be created)
  - site circulation and parking accommodations
  - interconnections with adjacent parcels and roadways
  - multimodal access and accommodations: transit, bicycle, pedestrian
- impact of proposed land uses on existing and proposed County or State institutions or other uses;
  - impacts on State or County highways/roads
  - impacts to community, County, or regional wastewater infrastructure
  - impacts to OCWA, community or other regional drinking water infrastructure
  - impacts to County or State buildings, parks, facilities, infrastructure, rights-of-way, or other land holdings

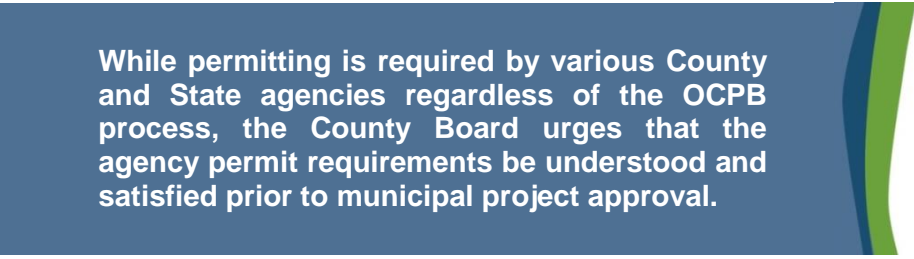
- protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas
  - neighboring land uses, scale, and design
  - community and County-wide planning goals
  - historic, community, or cultural resources
  - pedestrian and bicycle access and safety
  - building and site design
  - parking, screening, and landscaping
  - signage and lighting
- drainage;
  - effects of impervious surfaces on the flow of stormwater to neighboring lands, wetlands/floodplains/waterways, or other natural or manmade stormwater management facilities
  - stormwater facilities in compliance with local and State regulations
  - drainage impacts on State or County facilities and rights-of-way
  - inflow and infiltration of stormwater into County wastewater conveyances
  - incorporation of green infrastructure or other means to reduce stormwater flow and improve stormwater quality
  - ownership and maintenance of nonpublic drainage features such as stormwater ponds
- community facilities;
  - protection of natural features, sensitive environments, and habitats, including waterways, wetlands, floodplains and floodways, steep slopes, other natural drainage ways, forests, and valued open spaces
  - effects on schools, emergency service providers, parks, and other public service providers that serve the proposed development
  - adequate and efficient access of proposed developments to community goods and services
  - multi-modal access and infrastructure
- official municipal and County development policies as may be expressed through comprehensive plans, capital programs, or regulatory measures; and
  - compatibility with County plans goals and objectives, community and regional planning studies and documents, and planning and capital programs of infrastructure providers
  - compatibility with the municipality's comprehensive plan, other corridor/community type planning studies and documents, capital programs, and zoning, site plan, and subdivision regulations
  - compatibility with County, regional, State, and federal permitting requirements
- such other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.

- regional economic benefit
- environmental justice
- impacts to taxpayers

### **How are other agencies involved in the review process?**

In addition to reviewing the planning and design aspects of a project, the OCPB's staff review often includes consultation with relevant infrastructure providers and regulatory agencies to discuss proposed actions and their potential impacts on local and regional infrastructure, services, and systems.

Agencies provide design guidance for municipalities and applicants, information on permitting requirements, status of permits and reviews, and any project elements requiring additional coordination with the agency. OCPB staff provides information within its staff reports on these permits and approvals, facilitates communication on outstanding agency needs, and assists in the local review of projects.



**While permitting is required by various County and State agencies regardless of the OCPB process, the County Board urges that the agency permit requirements be understood and satisfied prior to municipal project approval.**

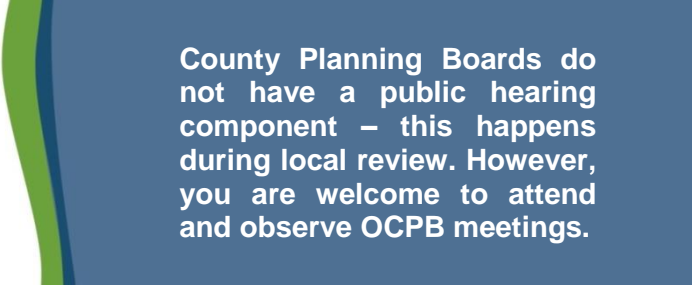


## STEP 3: OCPB MEETING

Following staff review and agency coordination, staff reports are presented to the OCPB for review and recommendation.

The OCPB meets every three (3) weeks to review referrals. The OCPB schedule<sup>6</sup> of meeting dates is forwarded to municipalities each year and is available at: <http://www.ongov.net/planning/ocpb.html>. OCPB meetings are held on Wednesdays at 11:00am in the SOCPA conference room on the 11th floor of the Civic Center.

Municipal boards, not property owners, are considered the referring entity to the OCPB. As this dynamic is different from the local process, the public input process is also different. The OCPB does not require project applicants to attend or present to the Board, and the Board does not conduct public hearings. Public input into a project is conducted during the local approval process, and those with an interest in expressing views regarding a proposed project are directed to contact their municipality as to their venue for public input.



County Planning Boards do not have a public hearing component – this happens during local review. However, you are welcome to attend and observe OCPB meetings.

### How will I hear back from the OCPB?

The OCPB must report its recommendations to the referring board accompanied by a statement of the reasons for such recommendations by the end of its 30-day review period. A formal, signed resolution is forwarded via email to the municipality by OCPB staff, usually within 24 hours of the Board meeting.<sup>7</sup>

If the municipality receives the OCPB resolution for a proposed action within 30 calendar days of the County Planning Board receiving a complete referral package, then the local board must consider the OCPB's recommendations in its local decision. The local board is also obliged to consider the OCPB's recommendations if the resolution is received outside the 30-day period, but at least 2 days prior to local board action.

If the municipality does not receive the OCPB resolution within 30 calendar days of OCPB receipt of a complete referral or at least 2 days prior to local board action, then the local board may act without the OCPB's recommendations. Draft minutes are posted to the OCPB web page shortly after each meeting. These minutes include resolution language and voting records for each referral reviewed during the meeting. Minutes are in draft form until the Board votes to finalize them at their next meeting.

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<sup>6</sup> Meeting dates may change due to the timing of holidays or other events and will be specifically noted in each year's schedule.

<sup>7</sup> OCPB staff email prepared resolutions to individuals who have been indicated for distribution. Municipal staff and board members can be added to the email distribution list for a municipal board by sending a request to SOCPA at [countyplanning@ongov.net](mailto:countyplanning@ongov.net).



## STEP 4: INTERPRETING RECOMMENDATIONS

Per GML 239, the County Planning Board will recommend approval, modification, or disapproval of proposed actions or report that the proposed action has no significant county-wide or intercommunity impact. Actions for which the OCPB recommends approval, modification, or disapproval will include a statement of reasons for such recommendations in the OCPB resolution. The Board may also offer informal comments included in the resolution for the consideration of the referring municipal board in its local review of the proposed action.

### The County Planning Board has five recommendation options per GML 239:

- Approval
- Modification
- Disapproval
- No Position with Comment
- No Position

### What are the OCPB recommendations and what do they mean?

The OCPB resolution may include one of the following recommendations:

#### ❖ **Approval**

*“NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends that said application be APPROVED.”*

The OCPB recommends that the local board approve the proposed action for the reasons included without any significant proposed changes.

*Approvals* are usually reserved for proposals that meet both local and County planning goals, have prior consultation and review requirements completed satisfactorily, or provide for a clear betterment of the community and for commending good comprehensive plans and beneficial zoning updates that incorporate a number of elements of good urban design and land use that are in keeping with the goals of local and County comprehensive plans.

#### ❖ **Modification**

*“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 OCPB recommends that the proposed project be revised to incorporate the listed modifications before the local board approves it.

*Modifications* are usually recommended for projects or actions that do not have a ‘fatal flaw.’ However, there are important county-wide or intermunicipal impacts that are still outstanding. An applicant will typically be directed to make certain changes to a project plan to avoid negative impacts or provide information to the municipality to show that permitting agency requirements have been identified and reflected appropriately on the submitted plan. Municipalities and the applicants must address all recommended modifications.

Some modifications will require extensive revisions to a proposed project, while others may require that basic information be provided to a permitting agency to obtain sign-off.

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

The OCPB recommends that the local board disapprove the proposed action for the reasons included.

*Disapprovals* are projects or actions that the Board feels have some sort of ‘fatal flaw’ or serious, unavoidable impact that is commonly derived from inconsistencies with County or local plans, infrastructure constraints, unsafe site design, ineffective site planning, development in environmentally-sensitive areas, incompatible land uses, or a lack of information to assess all of the phases of a project and make an adequate determination of its full impact.

Municipalities and applicants must either disapprove the project at the local level or revise the project or plan significantly to address OCPB concerns, if possible.

- ❖ **No Position With Comment**      *“NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse intercommunity or county-wide implications. The Board has also offered the following COMMENT(S) in regards to the above referral:”*

The local board may act as they see fit, though the OCPB offers informal Board comments and agency advisory notes for the local board’s consideration in their decision-making process. A *No Position With Comment* is offered for projects that the OCPB determines are generally of local rather than of intercommunity or county-wide concern and that may benefit from the recommended revisions.

Municipalities are encouraged to take Board comments and agency advisory notes into consideration during local review.

❖ **No Position**

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

The local board may act as they see fit with no recommendations from the OCPB. *No Position* is reported for projects that the OCPB feels are of local rather than of intercommunity or county-wide concern.

### **What is an advisory note?**

Advisory notes are a type of informal comment intended to remind applicants and municipalities of any federal, State, or local regulations, such as approvals and permits, which may be required for a project.

While these advisory notes concern regulatory requirements, they are generally not anticipated by the Board to require substantial changes as part of agency review and thus do not rise to the level of modification for purposes of County Board review. However, the OCPB recommends that these regulatory requirements be met prior to local project approval.

### **How do OCPB recommendations impact local approval of an action?**

For all referable actions, the local board must receive the County Planning Board’s recommendations prior to local approval. The OCPB recommendations for a proposed action must be read into the public record and each Modification or Disapproval recommendation be recorded and responded to as part of the local board review process.

Per GML 239, the local board can only act contrary to a recommendation of Disapproval or Modification by a super majority vote, which is a majority plus one of all the members thereof.

The OCPB’s recommendations for a proposed action must be read into the public record, recorded and responded to as part of the local board review process.

Alternatively, if the OCPB recommends Approval, No Position, or No Position With Comment, the local board may approve or disapprove the proposed action with a simple majority vote, which is the majority of all the members thereof or as the local board dictates.

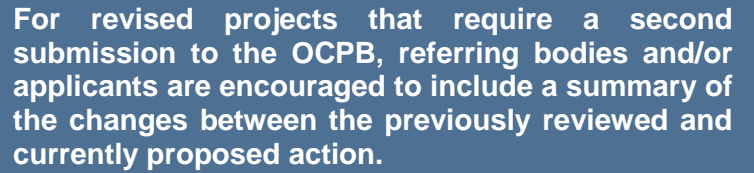
The distinction between modifications and comments is important to consider during the local board decision-making process because a modification has implications for a local board deciding to act contrary to an OCPB recommendation, whereas a comment does not affect the local board voting process.

### **What if the project changes after OCPB recommendations have been made?**

While proposed actions are under review at the local level, they are often subject to change from the beginning of the review process to the end. Changes to a proposed

action may sometimes occur for projects that have already been submitted to the OCPB and for which the local board has already received a resolution with the County Planning Board's recommendations.

In the event that a proposal is significantly changed after it has been reviewed by the OCPB, the local board shall refer the project to the OCPB for another review. The municipal board is responsible for determining whether changes are substantial and whether resubmission is required to comply with State law procedural requirements.



**For revised projects that require a second submission to the OCPB, referring bodies and/or applicants are encouraged to include a summary of the changes between the previously reviewed and currently proposed action.**

## STEP 5: REPORTING LOCAL BOARD ACTION

### What is a report of final action?

Per GML 239, referring bodies must file a report of the final action it has taken on a referred matter with the OCPB (separate from the meeting minutes). The referral process is not complete until a notice of final action has been filed. To simplify this reporting, a "Report of Final Action" form is included with each OCPB resolution that is forwarded to the municipality. A blank form is also available as a Microsoft Word document at: <http://www.ongov.net/planning/ocpb.html>.

The local board must indicate on the form whether it approved the action, and if a referring body acts contrary to an OCPB recommendation of modification or disapproval, the reasons for the contrary action must be included in the report.

The Report of Final Action must be filed with the OCPB within 30 days after the final action and may be submitted by hand delivery, mail, fax, or email to:

- Address: Syracuse-Onondaga County Planning Agency  
John H. Mulroy Civic Center  
421 Montgomery Street, 11th Floor  
Syracuse, NY 13202
- Fax: 315-435-2439
- Email: [countyplanning@ongov.net](mailto:countyplanning@ongov.net)

### Why is this important to the County?

The OCPB encourages individuals filling out the Report of Final Action form to be as detailed as possible, particularly in instances where the local board acted contrary to a recommendation. A thorough list of reasons for acting contrary to an OCPB recommendation of modification or disapproval and the local board resolution or meeting minutes should be included with the Report of Final Action form.

This information helps the County Planning Board to better understand local planning concerns and advise relevant infrastructure providers and regulatory agencies who may have an interest in the project about the progression of the proposed action. The Report of Final Action form is filed with the case records and may be used to inform future proposed actions at the same site or nearby.

These reports are also extremely helpful to the OCPB and its staff as feedback for our process. Feedback is always welcomed and appreciated.

## CONCLUSION

The OCPB and its staff recognize that the municipal referral review process can be a complicated one to navigate for both municipalities and applicants. However, the ultimate goal is to provide planning guidance to all municipalities within Onondaga County that protects the interests of each municipality and the County as a whole and makes the best use of infrastructure, promotes economic vitality, and protects valuable farmland and natural resources to the benefit of the entire community.

Municipalities and applicants are always encouraged to contact SOCPA. The staff is happy to answer questions about navigating the municipal referral review process, provide clarification for OCPB resolutions, take suggestions for improving the process, connect municipalities and applicants with appropriate agency contacts, and facilitate coordinated review meetings for large or complex projects.

Visit the OCPB website at: <http://www.ongov.net/planning/ocpb.html>



**Also check out the Annual Planning Symposium, hosted by the Onondaga County Planning Federation!**

This annual conference is offered to help municipalities meet minimum training standards required by NYS law (i.e., four hours each year for members of county, city, town and village planning and zoning boards) and to learn of local planning initiatives.

Find information about the next symposium at:  
[www.ongov.net/planning/ocpf.html](http://www.ongov.net/planning/ocpf.html)

PREPARED FOR THE OCPB BY THE



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