

New Business

March 4, 2024

3S-24-02

Three-Mile Limit Resubdivision Review-Town of Onondaga Resubdivision of Lot "C" of The ISGAR Tract

Resubdivide one lot into five new lots

Pursuant to the City of Syracuse Three-Mile Limit Review Ordinance, the applicant is submitting this request. The applicant intends to split one lot (Young Road) into five new lots.

- The purpose of the Resubdivision is to split one lot (existing Lot C) into five new lots.
Proposed Lot C-9: 37.36 Acres/1,627,401.6 SF;
Proposed Lot C-5: 2.58 Acres/ 112,384.8 SF;
Proposed Lot C-6 :2.31 Acres/ 100,623.6 SF;
Proposed Lot C-7: 2.05 Acres / 89,298 SF;
Proposed Lot C-8: 2.03Acres / 88,426.8 SF
- The Town of Onondaga Planning Board approved the Resubdivision plan on January 29, 2024.
- The application included a Resubdivision map dated November 13, 2004 with final revision on November 21, 2023. The map illustrates the existing regular lot and five proposed lots; the map is with the scale of 1" = 100', Drawn by State of New York Licensed land Surveyor Jay Donald Holbrook.
- The Resubdivision map was reviewed by the City of Syracuse Department of Engineering, Onondaga County Health Department, and Onondaga County Planning Agency, Onondaga County Planning Board.
- Pursuant to the New York State Environmental Quality Review Regulations, the proposed Resubdivision is an unlisted action and the Town of Onondaga made a Negative SEQRA determination on November 14, 2023.

City of Syracuse
Office of Zoning Administration

THREE MILE LIMIT SUBDIVISION REVIEW

City Hall Commons - Room 500 * 201 E. Washington Street * Syracuse, NY 13202-1426
315-448-8640 * zoning@syrgov.net * www.syrgov.net/Zoning.aspx

Office Use Filing Date: 2/13/2024

Case: 35-24-02

	<u>TAX ASSESSMENT ADDRESS(ES)</u>	<u>TAX MAP ID(S)</u> (000.-00-00.0)	<u>ACRES</u>
1)	Young Road, Syracuse, NY 13215	051.-04-06.1	46.33
2)			
3)			
4)			
5)			
6)			
7)			
8)			
9)			
10)			

As listed in the *Municipal Assessment property tax records.*

PROJECT INFORMATION

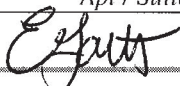
Municipality:	Town of Onondaga
Subdivision Name:	Resubdivision of Lot "C" of the Isgar Tract into Lots C-5, C-6, C-7, C-8 & C-9
Number of Proposed Lots:	5
Existing/Proposed Land Use(s):	Agricultural/Agricultural & Residential
Number of Dwelling Units:	4
Local Approval(s):	<input checked="" type="checkbox"/> Preliminary Date:11/20/2023 <input checked="" type="checkbox"/> Final Date:11/20/2023

PROJECT DESCRIPTION (Combining/Dividing/Realigning X Lot(s) into Y New Lot(s))
(Provide a brief description of the project, including if it is a residential or commercial project.)

Subdivision of a 46.33 acre agricultural parcel into four 2 to 2.5 acre residential parcels and a remaining 37.36 acre that is to remain agricultural.

City of Syracuse Office of Zoning Administration

PROPERTY OWNER(S) *(required)*As listed in the Town's **Department of Assessment** property tax records.

Eric	Gantley	Managing Member	Limestone Ridge, LLC		
<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		
5860 McKinley Road		Brewerton	NY	13029	Phone: 315-427-4117
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i> eric@frigodesign.com
* Signature: 			Date: 1/31/24		

<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		
<i>Phone:</i>					
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>
<i>* Signature:</i>			<i>Date:</i>		

<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		
<i>Phone:</i>					
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>
<i>* Signature:</i>			<i>Date:</i>		

<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		
<i>Phone:</i>					
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>
<i>* Signature:</i>			<i>Date:</i>		

<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		
<i>Phone:</i>					
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>
<i>* Signature:</i>			<i>Date:</i>		

*** OWNER SIGNATURE DECLARATION**

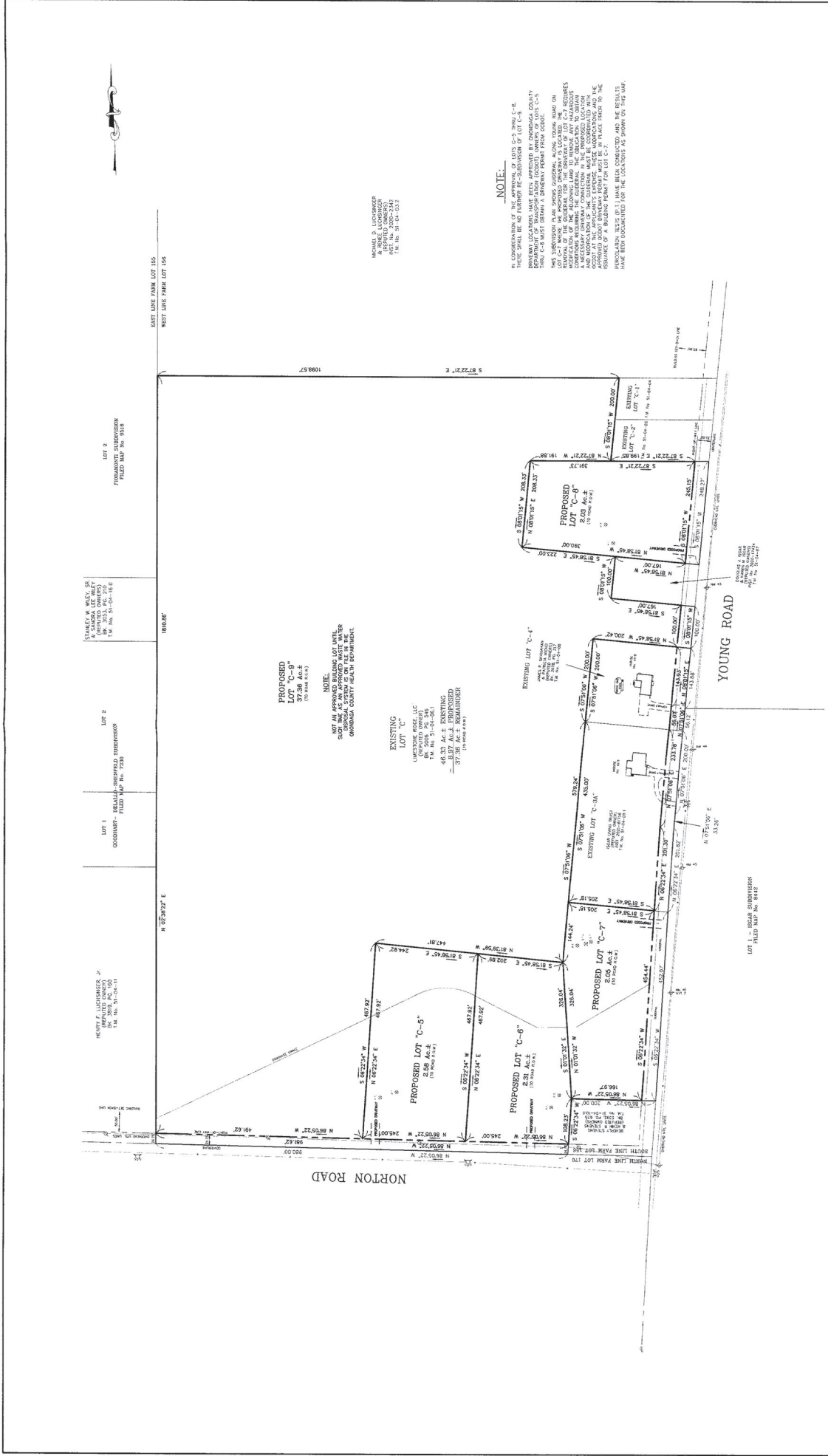
I understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York. I declare that, subject to the penalties of perjury, any statements made on this application and any attachments are the truth and to the best of my knowledge correct. I also understand that any false statements and/or attachments presented knowingly in connection with this application will be considered null and void.

APPLICANT(S) *(if applicable)*

<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		
<i>Phone:</i>					
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i>

REPRESENTATIVE(S)/CONTACT(S) *(if applicable)*

Jay	Holbrook	Land Surveyor			
<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>Company</i>		
3795 Abbey Road		Syracuse	NY	13215	Phone: 315-243-9125
<i>Street Address</i>	<i>Apt / Suite / Other</i>	<i>City</i>	<i>St</i>	<i>Zip</i>	<i>Email:</i> jdobby@twcny.rr.com



FILE # 10389

FINAL PLAN

RESUBDIVISION OF LOT "C"
 OF THE
ISGAR TRACT
 IN TO
LOTS C-5, C-6, C-7, C-8 & C-9
 PART OF FARM LOT 156
 TOWN OF ONONDAGA
 SURVEY DATE: NOV. 13, 2004
 SCALE: 1" = 100'

IT IS A VIOLATION OF ARTICLE 143 OF THE GENERAL OREGON LAWS TO MAKE ANY TRACT ON THIS MAP WITHOUT THE SIGNATURE OF THE UNDERSIGNED SURVEYOR ON HIS SUCCESSOR.

JAY D. HOLBROOK
 LAND SURVEYOR
 3795 ABBEY ROAD, SHRAUSE, KY 12115
 PHONE 315-489-4220

REVISIONS	LOCATION MAP	NOTES	APPROVED BY OWNERS
09/17/22 11/27/22 11/27/22 11/27/22		- This area is zoned P-C, Residential and County. - Single lot only, no subdivisions, easements, restrictions. - Paced Street Level on Horton Road and Young Road is 35.00'. - Horton Road and Young Road are County roads.	MARC A. MALTINS, CHAIRMAN Lynette Bogg, LLC 2585 McKinley Road Baltimore, NY 12024

APPROVED BY THE TOWN OF ONONDAGA PLANNING BOARD

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Resubdivision of Lot "C" of the Isgar Tract into Lots C-5, C-6, C-7, C-8, and C-9			
Project Location (describe, and attach a location map): Northwest corner of Norton Road and Young Road, T.M. Parcel No. 51-04-06.1, Town of Onondaga, County of Onondaga			
Brief Description of Proposed Action: Subdivision of a 46.33 acre parcel into 4 residential lots (2.03 to 2.58 acres in size) and a remainder parcel of 37.36 acres to remain agricultural.			
Name of Applicant or Sponsor: Eric Gantley		Telephone: 315-427-4117	
		E-Mail: Eric@frigodesign.com	
Address: 5860 McKinley Road			
City/PO: Brewerton		State: New York	Zip Code: 12029
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Syracuse Planning Commission - Three Mile Limit Subdivision Review			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		46.33 acres	
b. Total acreage to be physically disturbed?		8.97 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		46.33 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Private septic systems _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>ERIC Gantley</u>	Date: <u>1/31/24</u>	
Signature: <u></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

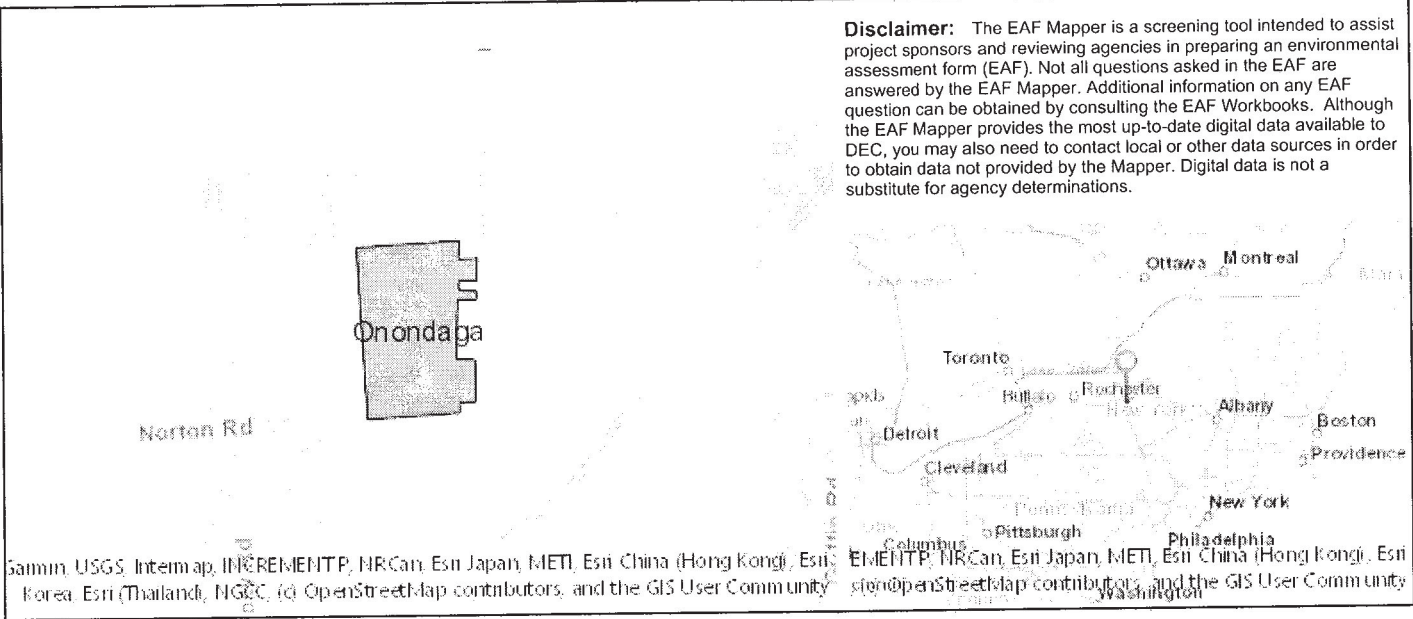
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

EAF Mapper Summary Report

Thursday, October 13, 2022 1:49 PM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



- Part 1 / Question 7 [Critical Environmental Area] No
- Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] No
- Part 1 / Question 12b [Archeological Sites] Yes
- Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
- Part 1 / Question 15 [Threatened or Endangered Animal] No
- Part 1 / Question 16 [100 Year Flood Plain] No
- Part 1 / Question 20 [Remediation Site] No

THREE MILE LIMIT SUBDIVISION REVIEW**INSTRUCTIONS AND REQUIRED SUBMITTALS****Incomplete forms will not be processed.**

The form, together with the required submittals listed below must be submitted in **HARD COPY, SINGLE-SIDED**, and **NOT BOUND** to the City of Syracuse Office of Zoning Administration, City Hall Commons – Room 500, 201 East Washington St., Syracuse, NY 13202-1426.

Please submit **ONE (1) COPY** of the following:

- FORM** – filled out completely, dated, and **signed by property owner(s) as instructed.**
- APPROVAL RESOLUTION, LETTER, or SURVEY MAP** signed by the Town.
- SWPPP** - when required by NYSDEC regulations and if the proposed subdivision is tributary to a watershed within the City of Syracuse.
- SUBDIVISION MAP APPROVED BY the TOWN** (per the Syracuse-Onondaga County Guide 11-17-2011). Please submit **TWO (2) FULL-SIZED, SCALED** paper maps, and **ONE (1) REDUCED** (11X17” or smaller) paper map.

TOWN OF ONONDAGA

Planning Board

ALFRED J. FULLER
4564 Cole Road
Syracuse, NY 13215

DAVID C. BAKER
5577 Bull Hill Road
LaFayette, NY 13084

TOWN HALL
5020 Ball Road • Syracuse, NY 13215

MARC A. MALFITANO, Chairman
5155 Jupiter Inlet Way
Syracuse, NY 13215

LINDA M. CAMPBELL
4929 MacGregor Lane
Syracuse, NY 13215

PATRICK BRITT
401 Broadview Drive
Syracuse, NY 13215

Meeting Conducted at 7:00 p.m. November 14, 2022

Present:

Marc Malfitano, Chairman
Alfred Fuller
David Baker
Patrick Britt
Nadine Bell, Attorney
Bill Perrine, Engineer

Chairman Malfitano called the Planning Board to order at 7:00 p.m. noting that Ms. Campbell is excused.

Isgar Tract, Lot C – Re-Subdivision

Mr. Jay Holbrook presented a plan for the Isgar Tract Lot C Re-Subdivision which addressed most of the comments he received. He also stated that the note indicating that no further subdivision of Lot C9 will be allowed and adding Lot C9 to the title block were mistakenly left off the plan but will be added to the final plan.

Chairman Malfitano clarified that this proposed subdivision will add four (4) incremental lots. Mr. Holbrook agreed. Chairman Malfitano noted that fees have been paid and Mr. Perrine provided a comment letter dated November 11, 2022. He confirmed that there are a couple of items to clean up on the plan and noted that a Public Hearing will be held and a referral will be made to the County Planning Board. It was noted by Mr. Holbrook that the perimeter description was provided to Ms. Bell. A copy of the addresses for the Agricultural Data Statement will be provided to her as well.

The Short Environmental Assessment Form for the Isgar Tract Lot C Re-Subdivision, signed by Mr. Eric Gantley and dated October 18, 2022, was then reviewed and completed. A motion was made by Mr. Fuller and Seconded by Mr. Baker accepting the Short Environmental Assessment Form, declaring the matter an unlisted action and a negative declaration was issued. With all in favor the motion passed unanimously. A public hearing for this matter was scheduled for December 12, 2022.

It was noted that a SWPPP will need to be filed because there are 4 incremental lots. Additionally, percolation testing will now be completed.

Re-subdivision of Lot 3 of the Shimp Tract

Mr. and Mrs. Christopher and Tamara Lilly presented a plan for the re-subdivision of Lot 3 of the Shimp Tract located at 3127 Hogsback Road. It was noted that the subdivision application has not yet been filed. Chairman Malfitano noted that they should file the application during business hours with the Codes Office and pay the filing fees. Once that is done, the Town Engineer will review the proposed plan and provide a comment letter.

The applicant provided a letter indicating that perc testing was completed. Chairman Malfitano asked that the location of those tests need to be added and shown on the subdivision plan. He also noted that since Bailer Road is a Town Road, the approved driveway location needs to be shown on the map.

Chairman Malfitano explained that a Public Hearing will be required for this subdivision; however, it cannot be scheduled until the application is filed and fees are paid. Mrs. Lilly asked what will happen after the Public Hearing. Chairman Malfitano explained that there will be a legal notice published in the newspaper and a Public Hearing must legally be held prior to approval of any subdivision. It was noted that this matter will not require a referral to the County Planning Board.

Chairman Malfitano asked if the applicant has arranged for a septic plan. Mr. Lilly stated that they were not going to do a septic plan. Chairman Malfitano stated that a septic plan is required when creating a building lot. There was discussion regarding this requirement. Additionally it was noted that when the applicant appeared previously, he was unsure if the person purchasing the lot was going to combine it with their current property or have it remain a separate building lot.

Mr. Lilly noted that they have now decided that it will remain a separate building lot. Mrs. Lilly asked if a septic plan is required if no one is planning to build on the lot at this time. Chairman Malfitano explained that the requirement must be met for a building lot to be approved. The applicants asked if there is another way. If the lot was to be combined with an adjoining property owner's deed after they subdivide the property. Chairman Malfitano agreed that was an alternative that was discussed, selling the lot to a neighbor who will combine it with their lot so it would not be a separate building lot. Alternative two was to separate it and try to sell it as a building lot.

Mrs. Lilly asked if the purchaser was to add the lot to their existing property, then we don't need to do this? Chairman Malfitano clarified that there is a house on the existing property. He then agreed, if the neighbor wants to buy the lot and then it would be subdivided on the condition that it will be added to and become part of an adjoining lot that also has road frontage. The neighbor would be required as a condition of approval to file a recombined deed. He further explained if the lot is created as a separate building lot, the Planning Board is required to determine if there is adequate water and sewer. It was suggested that the applicants talk with the neighboring property owner. Mr. Lilly expressed that they are seeking to get the process done quickly.

Chairman Malfitano stated if the applicant is going to sell the lot to their neighbor and they are going to agree to make it a part of their lot, so that it is not a separate lot, then a note will be required on the plan and that would negate the need to do a septic design because it will not be a separate lot. Mr. Lilly noted that they understand the requirement but they are trying to make the process as easy as possible and avoid having the neighbor have to subdivide it again in the future if they decide to build on it. Mr. Fuller stated that if the applicant decides to sell it as a separate building lot they will have to incur the cost of a well and the design of a septic system. Mr. Lilly asked if they will have to put the well in. Chairman Malfitano indicated that the location of the approved septic needs to be on the plan and there will be a condition that the well is at least 100 feet away from the septic.

Mr. Lilly asked what they need to do to speed up the process. Chairman Malfitano explained that either way, a Public Hearing will need to be held and the Planning Board must follow the process that complies with the law. Before a final approval can be granted, if a separate lot is being created then a septic plan will be required; and if they are not creating a separate lot, then the Planning Board will need acknowledgement that the neighbor is going to purchase the lot and combine it with their property by filing a recombined deed.

Chairman Malfitano stated that the applicant should file the subdivision application and pay the required fees so the Town Engineer can write a comment letter. He noted that a public hearing will need to be

scheduled and before final approval, the applicant will need to determine if this will be a separate building lot or combined with the adjacent property. It was also noted that if the applicant decides to create a separate lot, there will be an additional park fee of \$600 for the creation of one new incremental lot. This matter will be placed on the November 28, 2022, Planning Board meeting agenda.

Cherry Valley Holdings Subdivision

Mr. Mike Balestra of Hancock Estabrook appeared before the Planning Board presenting a plan for Cherry Valley Holdings Subdivision. He noted that there is a large lot on Cherry Valley Turnpike. On the far east side is Lot 1, which is where the Beak and Skiff distillery building is located and Lot 2 is where the hemp house is located and the remainder of that parcel is agricultural. The original plan showed Lot 4, which is a landlocked parcel owned by Sally Berry. On this revised plan, it provided for 225 feet of road frontage to make Lot 4 conforming.

Mr. Balestra explained that the critical part of the proposed plan is the creation of Lot 2, taking the hemp house out of Beak and Skiff to be transferred to a real estate holding company to keep the operation separate. There will be no building lots created. Lot 1 and Lot 2 presently are serviced by their own water and septic.

Chairman Malfitano asked if there is separate water and separate septic for each of them. Mr. Balestra confirmed that to be true. Chairman Malfitano noted that the location of the well and septic should be shown on the final plan. Mr. Balestra noted that Lot 4 also has its own septic and water and there is a single family home located on the lot and the location of the home will need to be added to the plan.

Mr. Balestra explained that in the late 1970's the Skiff family parceled out Lot 4 with a driveway easement and it was conveyed to the current owner, Sally Berry, in 1978. She has an easement over what is shown on the plan as Lot 3 to get to her parcel. The revised plan will provide her with deeded property rights around her driveway. A signed letter from Ms. Berry stating she has no objection to the proposed plan was provided for the record.

Mr. Fuller asked about the driveways for Lots 1 and 2. Mr. Balestra stated that there will have to be an agreement for Lots 1 and 2 and the driveway will be shared subject to the terms of an easement. Mr. Fuller noted there are no setback lines for the existing buildings or proposed lot lines. Mr. Balestra noted they can be added to the plan. Chairman Malfitano noted the building line itself is shown on the plan.

In summary Chairman Malfitano noted that the location for wells and septic on Lot 1 and Lot 2 need to be shown, as well as the well, septic and house location for Lot 4. He acknowledged the letter dated November 11, 2022, to the Planning Board signed by Sally Berry acknowledging participation approval for this application to get a conforming lot with 225 of road frontage. Chairman Malfitano asked if Lot 3 will be a farm lot. Mr. Balestra confirmed that it will be a farm lot.

Chairman Malfitano asked that there be a notation on the plan for a recorded easement for the driveway location serving Lots 1 and 2 as shown on the plan and that there is an easement for ingress and egress to provide access to and from the parcels from Cherry Valley Turnpike.

The Short Environmental Assessment Form for Cherry Valley Holdings Subdivision, signed by Mr. Tim Coyer and dated June 13, 2022, was then reviewed and completed. A motion was made by Mr. Britt and Seconded by Mr. Baker accepting the Short Environmental Assessment Form, declaring the matter an unlisted action and a negative declaration was issued. With all in favor the motion passed unanimously.

A public hearing for this matter was scheduled for December 12, 2022, and a referral to the County Planning Board will be submitted. A legal description of the perimeter should be provided to Ms. Bell as soon as possible to file the notice of public hearing.

Brittany Hills Subdivision Section 13 and Lands of DeMauro Subdivision

Attorney Edward O'Hara appeared on behalf of Britthill Development LLC regarding Brittany Hills Subdivision Section 13 and Attorney Tom Valerino appeared on behalf of Mr. DeMauro regarding the Lands of DeMauro Subdivision.

Plans were presented for each subdivision concurrently. Mr. O'Hara explained that the purpose of the application is to permit the parties to conclude a resolution of a disputed .39 acre parcel situated between the DeMauro parcel and the Britthill parcel. He noted that the majority of the disputed parcel is now a part of the proposed Lot 243 and a corner section of Lot 242.

Chairman Malfitano explained that Lots 243 and 242 were combined as 242A and it is currently under construction because preliminary approval was granted under the alternate procedure. Based upon that plan, which was last revised June 14, 2021, we are now amending that preliminary plan to reflect Lot 242A is to be broken into Lots 242 and 243. He noted that there is also a change to the configuration of the DeMauro parcel and a separate application was submitted for that proposed subdivision.

Chairman Malfitano stated that the previous owner of the Britthill property conveyed land to Mr. DeMauro in 2009 and did not obtain subdivision approval for the conveyance. The purpose of these proposed subdivision applications is to correct the illegal subdivision.

Mr. O'Hara explained that the Brittany Hills plan shows land to be conveyed to Mr. DeMauro and the Lands of DeMauro plan shows a reverse subdivision and the remainder merged into the existing parcel of DeMauro. He also noted that this will be accomplished by doing reciprocal deeds one to the other.

Chairman Malfitano noted that the Land of DeMauro Subdivision should be completed first because they will be subdividing the improperly conveyed property into 2 lots, a piece of which will be conveyed to Britthill. That will become a portion of what is then revised Lot 242 and 243. Chairman Malfitano explained that Mr. O'Hara's client needs to acquire that piece of land by approved subdivision and then seek to amend the prior preliminary plan in the form of the reallocated lines of Lot 242A into two separate building lots, 242 and 243.

It was noted that the Brittany Hills Subdivision fees have been. The subdivision application for Brittany Hills Subdivision was received and signed by Mr. Shanahan.

Mr. Fuller asked what the application for Lands of DeMauro covers. Mr. O'Hara responded that it covers the entire parcel. There was further discussion regarding the purpose of these proposed subdivisions. Mr. O'Hara explained that the problem goes back some 20 years because the original property from McDonald, all the property north of the portion of Brittany Hills that Britthill bought, was conveyed with a description that related to neighboring properties, monuments for the course, and the distance was in links and chains. It was difficult to decipher and plot the description. He noted that there is a question as to the land itself and what was bought from McDonald versus what Vinciguerra bought from McDonald. Chairman Malfitano explained that Vinciguerra conveyed a piece by metes and bounds. Regardless of how good the chain of title was, he conveyed this piece to Mr. DeMauro who accepted it without doing the due diligence to say that conveyance of a piece of land is a subdivision. Between the two parties they are now correcting the problem.

Chairman Malfitano noted that we have a receipt from 2021 for fees being paid for Sections 13 and 14 of the Brittany Hills Subdivision and the Short Environmental Assessment Form was done as part of the prior approval and a new application will not be required. He explained that the Lands of DeMauro Subdivision should be done first because they have a deed for this property. Then a revised preliminary plan for Brittany Hills Section 13 can be done.

Chairman Malfitano found that there was a prior application from Mr. DeMauro and fees were paid. There is a receipt in the file signed by the Codes Officer. He explained that we should proceed with the Lands of DeMauro Subdivision application because we do not have a lot line adjustment provision. This will be processed as a subdivision and a Public Hearing will be required. At the conclusion, we will do a resolution to amend and substitute the new updated preliminary plan for this section and reflect in the resolution the change in lot numbers on the amended plan. It was determined that this matter will not require a referral to the County Planning Board because there are less than three lots in the re-subdivision.

The Short Environmental Assessment Form for the Lands of DeMauro Subdivision, signed by Mr. Tim Coyer, dated October 18, 2022, was then reviewed and completed. A motion was made by Mr. Fuller and Seconded by Mr. Britt accepting the Short Environmental Assessment Form, declaring the matter an unlisted action and a negative declaration was issued. With all in favor the motion passed unanimously. A public hearing for this matter was scheduled for November 28, 2022.

A perimeter metes and bounds description for the DeMauro property needs to be sent to Ms. Bell as soon as possible for the Notice of Public Hearing. Chairman Malfitano clarified that the description should be the existing Lot 234A of Brittany Hills Section 10A plus the perimeter legal description of the entire piece that Mr. DeMauro got from the Vinciguerras. Mr. O'Hara stated they will reference the original filed map for Lot 234 plus the additional parcel being conveyed (that was from Vinciguerra).

Chairman Malfitano stated that Mr. Perrine will provide a comment letter. He asked that the applicant label the two back pieces of property, the piece they are keeping and the piece that is being conveyed to Britthill, as 234B and 234C. Following the public hearing, the Lands of DeMauro Subdivision can be considered for approval and in a separate agenda item, the amendment to the Brittany Hills Subdivision Section 13 plan can be considered for approval. The DeMauro approval will be contingent upon the filing of a recombined deed on a metes and bounds description basis to eliminate the separate tax lot that is land locked.

Chairman Malfitano noted that there is a shed on the property that could possibly have a setback issue. He asked that the dimensions and the setback be added to the plan. Mr. Perrine will address the issue on the comment letter. Rear setback for R1 for an accessory building is 10 percent of the lot width. Additionally, if the shed is bigger than 12 x 12 it should have had a permit. There was discussion regarding labeling the lots for clarification.

Planning Board Minutes

A motion was made by Mr. Fuller, seconded by Mr. Britt, that after minor changes, the Board approve and accept the meeting minutes of the October 24, 2022, meeting. The motion passed with Chairman Malfitano abstaining.

A motion was made by Mr. Fuller, seconded by Mr. Britt, that there being no further business to come before the Board the meeting be adjourned. The motion passed unanimously and the meeting was adjourned at approximately 8:54p.m.

Respectfully submitted,

Melinda L. Mayer
Secretary

Jake Dishaw
Zoning Administrator



300 South State St, Suite 700
Syracuse, NY 13202

OFFICE OF ZONING ADMINISTRATION
Ben Walsh, Mayor

To: City Of Syracuse
From: Haohui Pan, Zoning Planner
Date: 2/27/2024 4:09:34 PM
Re: Three-Mile Limit Review 3S-24-02
Three Mile Limit, ,

The Departments and/or Boards below have reviewed your application and provided the following comments for your information and action as appropriate.

Please modify the proposal as necessary to address the comments/recommendations. Upon receipt of any revisions and/or written justification to the Office of Zoning Administration, a Public Hearing will be scheduled.

Please contact the Zoning Office at (315) 448-8640 or Zoning@syr.gov if you have any questions.

Approval	Status	Status Date	Reviewer	Comments
Planning Commission	Pending	02/13/2024		
Eng Stormwater (SWPPP)-Zoning	Internal Review Complete	02/27/2024	Mirza Malkoc	<ul style="list-style-type: none"> Proposed development shall follow all local & state regulations. Proposed development shall not deviate from the approved SWPPP and the site plans that were submitted to the City of Syracuse. Any changes to the approved site plans & SWPPP will
Eng Sewers- Zoning	Internal Review Complete	02/27/2024	Mirza Malkoc	No concerns
Eng. Mapping - Zoning	Internal Review Complete	02/23/2024	Ray Wills	No impact on Mapping Division assets.
Eng. Design & Cons. - Zoning	Internal Review Complete	02/27/2024	Mirza Malkoc	<ul style="list-style-type: none"> Project site is located in the West Branch Onondaga Creek Basin. Ok for re-subdivision.