

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.
January 9, 2023**

Present:

Marc Malfitano, Chairman
Alfred Fuller
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 and Mr. Baker are excused.

Cherry Valley Holdings Subdivision

Having received proof of publication dated January 1, 2023, of the Notice of Public Hearing in the matter of Cherry Valley Holdings Subdivision, Chairman Malfitano opened the Public Hearing.

Mr. Tim Coyer of Ianuzi and Romans appeared before the Planning Board and presented a proposed plan for Cherry Valley Holdings Subdivision. He noted that on Lot 4 the original septic system was located and is identified on the current plan.

Mr. Coyer explained that the proposal is for a 4 lot subdivision located on the north side of Cherry Valley Turnpike consisting of approximately 152 acres. The existing distillery buildings are located on Lot 1 and Lot 2 which have a common driveway with an existing easement. Lot 4 has an existing house and all features are shown on the current plan. Mr. Coyer also noted he is unsure of the reason for the subdivision.

Chairman Malfitano asked if Lot 1 and Lot 2 have septic leach fields servicing the improvements on each lot separately. Mr. Coyer indicated that the septic systems are existing and sewer vents were located on each lot and each has its own septic field.

Chairman Malfitano asked if there is an approved driveway access for Lot 3. Mr. Coyer responded that there is not an approved driveway access for Lot 3. Chairman Malfitano asked that a driveway location be determined and approved prior to subdivision approval since this lot could now be conveyed out.

It was determined that a letter from the owner of Lot 4, Sally Barry, dated November 11, 2022, was provided to the Planning Board giving her consent to join in the application for the proposed subdivision.

The referral was received back from the County Planning Board dated November 30, 2022. The response was reviewed and it indicated that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may be acted upon solely by the referring Board.

Chairman Malfitano asked if anyone wished to speak or raise a question regarding this application. He asked that anyone wishing to speak state their name and address for the record.

Mr. David Schlosser of 3064 Ironside Road asked if the parcels are entirely agricultural. Mr. Coyer responded that they are. Mr. Schlosser asked if they were to develop the land, if the owner would need to come back to the Planning Board. Chairman Malfitano explained that there are improvements on Lot 1 and Lot 2, and the proposed subdivision is correcting a conveyance out of Lot 4. Lot 3 currently has apple trees on it and the owner would need to seek approval from the Town if they want to construct site improvements. He noted that the current application is solely to divide the property into lots. Mr. Schlosser indicated that there is a ton of water that comes off that hill from Parcel 2 and 3. Chairman Malfitano reiterated that if the owner wants to build improvements they would need site plan approval from the Town Board. He noted that it is his understanding that they are currently seeking to divide the lots for business purposes, and the improvements on Lots 1 and 2 have existed for quite some time and the house on Lot 4 has been there for decades.

Mr. Richard Owens of 3885 Ironside Road asked if the future developmental plans are known. Chairman Malfitano indicated that we do not know of any. The current proposed subdivision just divides the property into lots.

Ms. Valerie Bullock of 2986 Lords Hill Road asked if the land is zoned agricultural. Chairman Malfitano indicated that the land is zoned residential country which allows for single family homes. He further explained that it is zoned Residential Country but is in an agricultural district and he believes that the buildings were constructed pursuant to the state's exemption that allows the construction of agricultural, farm and other such buildings. The rest of the property is zoned residential country and the primary use in residential country is single family homes on lots not less than 2 acres where there is no public water and public sewer.

Ms. Bullock asked if an entertainment venue would be permitted there. Ms. Bell responded that it would depend on the Agricultural and Markets Rules. She explained that Agricultural and Markets regulates what agricultural uses can do. Within that context, if Ag and Markets determines that the use is agricultural, the Town is precluded from intervening and taking steps to the contrary. Chairman Malfitano explained as an example that there is a location in the Town where a microbrewery was constructed on land that would have been residential use only because Ag and Markets Law trumps Town Law and/or zoning for those purposes.

There being no further comments or questions, Chairman Malfitano declared the Public Hearing closed. He noted that a comment letter from Mr. Perrine dated November 16, 2022, was received and all comments were completed except the easement for the shared driveway covering Lots 1 and 2 needs to be recorded and referenced on the plan. Additionally, a letter from the State Department of Transportation approving a driveway location on Lot 3 is required. Chairman Malfitano asked the members of the Planning Board if they will agree to waive contours for this proposal and they were in agreement.

New Business

Chairman Malfitano asked to discuss a request made by Mr. Paul Fowler regarding the Cedarvale Ridge Subdivision located on Cedarvale Road with access through Underwood Way. Mr. Fowler has requested that the Planning Board consider amending the preliminary plan to eliminate extension of the road to connect at Kasson Road. This raises multiple questions including the length of the distance between Cedarvale Road and where Underwood Way would end as well as the connection of the water line at Kasson Road. Chairman Malfitano asked Mr. Perrine to obtain from OCWA the hydrant flow as it exists for the hydrants that are in the development and second their model with flows and pressures assuming it would be connected to a line on Kasson Road. Additionally he will seek input from the Howlett Hill Fire Chief regarding these issues. Mr. Fuller asked approximately how far it is from Cedarvale Road to

Kasson Road. Mr. Perrine noted it is approximately 2,600 feet not following the road. Mr. Fuller noted that it was suggested to Mr. Fowler previously to contact the Fire Department for input since the Planning Board was not in favor of having a single access.

Chairman Malfitano then dictated a letter to Chief Fred Isgar of the Howlett Hill Fire Department. A copy is attached hereto.

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 December 12, 2022, meeting. The motion passed with all in favor.

Chairman Malfitano made a motion to retain the firm of Costello, Cooney & Fearon, PLLC, as counsel for the Town Planning Board and Ms. Nadine Bell, Esq., of Costello, Cooney & Fearon, PLLC, as Planning Board Attorney for calendar year 2023 in accordance with the compensation level set forth in the Town budget. The motion was seconded by Mr. Britt and passed with all in favor.

Chairman Malfitano then made a motion to appoint Melinda Mayer as Secretary for the Planning Board for the calendar year 2023 in accordance with the approved compensation level set forth in the Town budget. The motion was seconded by Mr. Fuller and passed with all in favor.

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 7:29 p.m.

Respectfully submitted,

Melinda L. Mayer
Secretary

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January 11, 2023

Chief Fred Isgar
Howlett Hill Fire Department, Inc.
3384 Howlett Hill Road
Syracuse, NY 13215

Dear Chief Isgar:

The Town of Onondaga Planning Board would like your input on a matter that is before us. Mr. Paul Fowler is the developer of the Cedarvale Ridge Tract with current road access on Cedarvale Road at the intersection of Underwood Way.

This development which was proposed many years ago and has taken a number of years to build out included a preliminary plan which was approved by the Town that showed road improvements from Cedarvale, which ultimately connected with and provided a second means of access along Kasson Road.

The development has taken a number of years to get to its current point of completion and Mr. Fowler now requests that the Town consider amending the plan so as to allow him a change that would not extend Underwood Way to an intersection and connection with Kasson Road. In addition, such change would also eliminate the connection of the water line in the development with the public waterline on Kasson Road.

The Town Engineer is researching and requesting help from OCWA (Onondaga County Water Authority) to assess the flow from the hydrants that exist in the development and to model the impact of a connection with the waterline on Kasson Road. The distance, as the crow flies, from Cedarvale Road to Kasson Road is approximately 2,600 feet.

We would ask for your thoughts and opinions regarding the possible elimination of a second means of ingress and egress, the flow from the hydrants, and any other comments you may have.

Very truly yours,

Marc A. Malfitano/mlm

Marc A. Malfitano, Chairman
Town Planning Board

cc Mr. John Mahar, Town Supervisor
Mr. Bill Perrine, PE, C & S Engineers