

# TOWN OF ONONDAGA

## Planning Board

ALFRED J. FULLER  
4564 Cole Road  
Syracuse, NY 13215

DAVID HILLERY  
4832 Breckenridge Run  
Syracuse, NY 13215

TOWN HALL  
5020 Ball Road • Syracuse, NY 13215

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

PATRICK BRITT  
401 Broadview Drive  
Syracuse, NY 13215

JAMES HAGAN  
5091 Webster Mile Drive  
Syracuse, NY 13215

**Meeting Conducted at 7:00 p.m.  
July 14, 2025**

### Present:

Marc Malfitano, Chairman  
Alfred Fuller  
Patrick Britt  
David Hillery  
James Hagan  
Nadine Bell, Attorney  
Bill Perrine, Engineer

Chairman Malfitano called the Planning Board to order at 7:02 p.m.

### **Michael Bonacci Subdivision**

Mr. Michael Bonacci appeared before the Planning Board. Chairman Malfitano asked the applicant if Mr. Mangan, his representative at the prior meeting, brought him up to speed regarding the discussion of this matter during the last Planning Board meeting. It was noted that the new subdivision application was received but there was a miscommunication regarding the fees being waived which has now been clarified.

Chairman Malfitano explained that the Planning Board outlined in detail to Mr. Mangan during the June 23, 2025, Planning Board meeting that creating a 5 acre lot does not alleviate the problem of not having a septic plan approval prior to the approval of the subdivision. The County does not issue the subdivision approval, the Town Planning Board issues approval and our regulations allow us to make a determination as to the adequacy of utilities to the property. The County advised that as far as it is concerned, it is a non-issue if the lot is 5 acres but the Planning Board disagrees with that.

Chairman Malfitano suggested that the Public Hearing for the new proposed subdivision application be scheduled for July 28, 2025. He also stated that should this matter reach final approval, there will be clear notations on the plan that it is not an approved building lot and it will require a re-visit to the Planning Board and filing maps prior to the consideration of building permits in the future. Chairman Malfitano noted that an updated review letter from the Town Engineer will be provided and one issue is that the surveyor shows the lot line going from the center of the road rather than from the right of way line which is not in accordance with the Zoning Code. That will need to be corrected and the size of the lots will then need to be recalculated. That will need to be addressed prior to the Public Hearing.

There was discussion about occurrences when a plan shows the property going to the center line and a deed conveyance possibly being required for the area between the center line and the right away line to the Town or County as appropriate.

Chairman Malfitano confirmed that Mr. Perrine will provide a comment letter regarding this matter. He noted that the subdivision can be considered but again clarified that the lot will not be an approved building lot and there will be very clear notations on the plan to be sure that the buyer understands the circumstances.

### **Limestone-Norton Subdivision**

An updated plan for the Limestone-Norton Subdivision was presented by Mr. Jay Holbrook. It was noted that the configuration of the lots was modified based upon discussion at the prior Planning Board meeting. A letter from the Department of Transportation dated May 23, 2025, was submitted stating that the sight distance prepared by Mr. Holbrook was reviewed and the proposed driveways for Lots 1, 2, 3, 4 and 6 on Norton Road and Lot 7 on Abbey Road meet the required sight distance.

There was discussion about the center line and the chain of title for the applicants' property. Mr. Holbrook stated that basically through the process of subdividing property the County or Town has been given property from the center line to the right of way. Chairman Malfitano explained that in the past as a condition of subdivision a deed was required to be given to the Town or the County from the applicant by metes and bounds for the area between the center line and the right of way line. Mr. Holbrook stated it is his understanding that the County does not want the deed. They use the subdivision map to show defacto proof of ownership. Chairman Malfitano stated he does not see how that addresses the title issue because the description is still on the original deed. Mr. Holbrook explained that a filed subdivision excludes that particular part of the land which is road bed and by the owner signing the map they are giving that land to the Town or County of jurisdiction. Chairman Malfitano indicated that the process needs to be established but perhaps there should be a notation on the map dedicating the title of the area between the center line and the front edge of the lot to the appropriate municipality.

It was noted that the perc tests, septic approvals and SWPPP still need to be done. The submission of the plan last revised July 10, 2025, is the current applied for configuration. The applicant will appear again after the perc tests are completed.

### **Green Hills Manor Section 2**

Mr. Steven Calocerinos appeared to provide an updated grading plan for Green Hills Manor Section 2. He noted that the plan is a copy of what was approved with the original contract drawings in August of 2024. An email from Mr. Perrine was received which explained the need for the modifications. Chairman Malfitano asked how many feet the grading is off.

Mr. Calocerinos stated that it was always known that there is excess material on the site which is driven in large part by this being the last section and it ties into existing drainage and that is how the road profiles were designed so the water can continue to go down towards the creek. He explained that they are trying to spoil as much of the excess material as possible over the lots. When they originally did the design they did not exceed 5% but there ended up being approximately 12,000 yards of excess material leftover after the initial grades. They are trying to get rid of as much of it as possible and it was noted that approximately 200 truckloads has been trucked off the site which is 2,000-2,500 yards. This leaves the applicant with approximately 8-9,000 yards of excess material.

Chairman Malfitano asked Mr. Calocerinos to explain the proposal to deal with the theoretical 8-9,000 yards. Mr. Calocerinos explained that they raised the finished grade elevations of primarily Lots 15 to 24 on the eastern half of the site. They raised the rest of the lots around the cul-de-sac a bit but the other lots were raised about a foot all the way across Lot 20 to 24. That raised the grade on driveways coming in to no more than 8% which is still within the town standards. He estimates that this will allow them to spoil about 1,500 yards of material. It gets rid of a little more of the material and defers exporting that off site until the houses are built because they still have basements to dig.

Chairman Malfitano confirmed that adjusting the finished floor elevations uses approximately 1,500 yards of material and yet there are still approximately 7,500 yards to deal with. Mr. Calocerinos noted that some portion of the 1,500 yards will come out of the basements. The material from the basements was never taken into account, just the material from the existing site grades and the proposed site grades. The basement spoils would have had to be dealt with by removing approximately 150 yards per basement from the site. That will be approximately 150 yards times 17 lots.

Chairman Malfitano reviewed that they are at a theoretical agreement with the remaining 9,000 yards to be addressed. Certain finished floor elevations are being raised which will take care of approximately 1,500 yards bringing it down to 7,500. The spoils from the excavation of the basements will account for approximately 2,500 yards which leaves about 5,000 yards that have to be trucked off site as part of the construction process before any building permits are granted. Chairman Malfitano noted that the Town will not issue any building permits until the site is substantially built in accordance with the plan specifications and the binder coat is on the road. Chairman Malfitano asked how the process of removing the material off site as the basements are dug will be documented. Mr. Decker indicated that as suggested in Mr. Perrine's letter there will be verbiage on the building permits when they are issued about removing the basement spoils. Mr. Perrine noted that was his suggestion and one of many, including that there will also be a note on the plan.

Chairman Malfitano asked Mr. Perrine if he had calculated and confirmed Mr. Calocerinos' numbers. Mr. Calocerinos noted that this was determined by an actual survey but he does not know how old the survey was. It is his understanding that in the past spoils were placed on the site and he does not know if the survey was updated to include that. The original survey was done in 2006 or 2007 by Ianuzi and Romans. This was not an unknown and was part of the discussion between the prior owner and the current owner trying to negotiate a settlement for the costs associated with it. Mr. Calocerinos also noted that the figure of 12,000 yards was provided by JK Tobin.

Chairman Malfitano stated that based on our engineer's recommendation as to the magnitude of the issue, we conceptually agree that we are moving towards the modification of the elevations based upon Mr. Calocerinos recommendation, but before we make a final amendment, we need to somehow get to the point of how the 5,000 yards are dealt with and also figuring out the conditions of the amendment.

Mr. Perrine suggested that before this applicant comes back to this Board for final approval of the subdivision map under the alternate procedure, they should submit topographic as-builts of all over-land facilities and some spot elevations on the lots. Then he can confidently say that the grades on site reflect this plan. That does not deal with the building permit issues or the basements, however. Final approval cannot be granted until there is proof that the excess 5,000 yards of material has been removed from the site.

Chairman Malfitano explained that ordinarily the Town Engineer would inspect the site to determine if it had been built in accordance with the preliminary plan and give the Planning Board a letter. Then the applicant could come in and ask for approval of the final plan.

Chairman Malfitano noted if Mr. Perrine is comfortable with what the applicant's engineer has submitted, then we agree to conceptually move in that direction. One of the assumptions is that the plan has give or take 5,000 yards of material that is to be moved off site and that needs to occur to get to the point that everything is built in accordance with the proposed revision and that needs to be determined as part of the inspection process before building permits are issued. Then as conditions of further Planning Board action, conditions will be added that the spoils of the basements need to be hauled off site and a verification process needs to be determined between now and that time.

Mr. Perrine noted that in fairness to the Board and the applicant, we are not imposing much of an additional cost. They will have to submit over-land as-builts of all swales anyway so the only addition will be some spot elevations of the lots. Mr. Calocerinos reviewed that they are looking to amend the grading plan to reduce the amount of spoils to minimize the cost to make the development a bit more affordable and regardless of the amount of excess material it will be taken off site prior to building permits being issued.

Chairman Malfitano re-stated that the Planning Board conceptually is in agreement and the applicant should move towards the revised grading elevations in accordance with the Green Hills Manor Plan last revised April 10, 2025. Further discussion and verification with the Town Engineer will be required when it is ready for inspection to determine if it has been substantially built in accordance with the plans. Mr. Calocerinos noted that the only remaining pile of dirt will be the topsoil. Mr. Perrine agreed and noted that we will require topographic as-builts from the applicant's surveyor of all over-land facilities anyway but we will expand that to include six spot elevations on all proposed building lots. Chairman Malfitano noted that will also provide information as to the slope of the driveways.

Mr. Perrine will communicate with OCWA so the applicant can move forward.

### **Planning Board Minutes**

A motion was made by Chairman Malfitano, seconded by Mr. Fuller, that after minor changes, the Board approve and accept the meeting minutes of the June 23, 2025, meeting. The motion passed with Mr. Britt abstaining.

A motion was made by Mr. Britt, seconded by Mr. Fuller, 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 8:03 p.m.

Respectfully submitted,

Melinda L. Mayer  
Secretary