

# TOWN OF ONONDAGA

## Planning Board

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MARC A. MALFITANO, Chairman  
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JAMES HAGAN  
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### Meeting Conducted at 7:00 p.m. October 13, 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 6:59 p.m.

#### **Newton Subdivision**

Having received proof of publication dated October 2, 2025, of the Notice of Public Hearing in the matter of the Newton Subdivision, Chairman Malfitano opened the Public Hearing.

Mr. Richard Reilly of Kall and Reilly appeared on behalf of the applicant, Frederick Horning, who is seeking to purchase 8 acres of land behind the Newton house to add to his adjoining property. He is seeking to extend the land for recreational purposes and has no plan to build on it. An updated plan was provided to the Planning Board.

Chairman Malfitano reviewed the plan and noted that a review of the prior meeting minutes confirmed that the Planning Board asked that Mr. Horning's lot be shown on a reasonable map scale so they can view it in context with the larger plan so the limits of his property is known and the Planning Board will have a sense of what the new lot will look like. The Town Engineer provided the following three comments: the limits of the Horning lands were not surveyed but an updated insert providing the tax map boundary was included, wetlands on tax lot number 56-03-19.1 can be waived given the nature of the application, and existing contours are not shown.

Chairman Malfitano asked why Mr. Horning's lot was not shown on the plan. Mr. Reilly stated he thought everything needed was provided. Additionally, it was noted that a note on the plan states that the property is located on Howlett Hill Road when it is actually on Griffin Road.

Chairman Malfitano asked if the Planning Board agrees to waive contours. All members agreed to waive contours based upon the size of the lot and the purpose. The Town Engineer confirmed that the wetland is located on Mr. Horning's lot in the northeast corner. He noted that it is small and not an issue given the nature of the application.

Because the requested information was not provided on the plan, Chairman Malfitano asked the Planning Board how they wished to proceed. Mr. Fuller asked how difficult it would be to revise the plan by moving the Newton parcel up and adding the Horning parcel below. Mr. Reilly stated he believed it was shown on the plan. Chairman Malfitano reiterated that we asked for it to be added to the actual plan so we could see it in context. Additionally, it was noted that on the small insert a dotted line is shown running through the Horning property. Mr. Reilly stated that Mr. Horning bought the 19 acres below that dotted line. He then stated he does not know and he is speculating it is a discrepancy between his legal description and perhaps the survey description. He also noted that there are no borders between the properties and they are adjacent. Chairman Malfitano stated that the purpose for that line needs to be determined because if there is a discrepancy, combining the lots could be an issue because the only way this can be done is for conveyance purposes only with the condition that it be appended to and become a part of the contiguous lot. An explanation will be required.

Mr. Hagan asked if the plan is currently in a format that can be filed with the County Clerk's Office because it does not look like a normal map. Chairman Malfitano noted that revisions will be needed and asked if the Planning Board wants to approve the proposed subdivision with various conditions. The Planning Board agreed upon the conditions that will be necessary. Chairman Malfitano asked if there were any further questions or comments.

The residents of 3527 and 3517 Griffin Road asked to speak regarding the proposed subdivision. One person asked if the property is currently zoned agricultural. Chairman Malfitano stated he did not know if it is in the Agricultural District but it is RC Zoning which permits single family homes and farming. The resident stated that Mr. Horning currently leases the land for farming purposes. She noted that people like to make money and there are currently no plans to build but she is concerned that in the future he could do that because there will be road frontage once the properties are adjoined and there will be areas to do that. They enjoy the quiet and peace and they are concerned living across the street about potential traffic if homes were to be built. Chairman Malfitano noted that the current land that Mr. Horning owns does have significant frontage on Griffin Road and he could do that, however, he would have to come in to the Town with a subdivision plan and show all of the required details. Currently, the only matter being determined is the subdivision of the Newton property to be combined with Mr. Horning's property.

Another resident asked to speak. Robyn Tetrault of 3527 Griffin Road explained that Mr. Horning has already made various changes to the property including running electricity, plowed out paths, put up gates, began grading and added two ponds. Photos obtained from Google Earth were shown to the Planning Board. It is unknown if permits were obtained prior to making the improvements and it will be communicated to the Codes Office that work is being done at the property. There being no further comments or questions, Chairman Malfitano closed the public hearing.

Chairman Malfitano then made a motion to grant preliminary plan approval to the Newton Subdivision at 3542 Griffin Road based upon a survey prepared by Spaulding Land Survey dated September 24, 2025, subject to four (4) conditions as to the correction of the site plan which are: 1) A scale for the area map; 2) The proposed subdivision be moved up on the map so the entire adjacent Frederick Horning parcel to which this is proposed to be attached to can be shown; 3) The minor correction on the map Note #3 reference this as being Griffin Road; and 4) That we receive a satisfactory explanation as to the purpose of the dotted line which is shown on the portion of the plan which is showing the tax map which bifurcates Mr. Horning's property

which is Tax Map 56-03-19.1. Separately, it is subject to the condition that proposed Lot 2 is to be for conveyance purposes only and Lot 2 will be combined with the adjacent parcel labeled as Tax Map 56-03-19.1 which is owned by Mr. Horning, and it is a condition of this approval that a recombined deed will be filed with the County Clerk's Office with a perimeter description of the combined parcels within 30 days of the filing of the subdivision map. Mr. Fuller seconded the motion which passed unanimously. It was noted for the record that if there is some innocuous reason why the dotted line is on the plan that is fine, but if it is a substantive issue it may have to come back to the Planning Board.

### **Centerpoint Properties Subdivision**

Mr. Ryan Moore appeared before the Planning Board proposing to subdivide a 3 acre lot into two parcels. He explained that there are two homes on the property which he purchased in foreclosure two years ago. Copies of a survey were presented. He noted that it will be approximately a 60/40 split of the property with that line located at an existing telephone pole. Chairman Malfitano asked if the septic systems are separate. Mr. Moore explained that they are separate and he noted where they are located. Chairman Malfitano stated that those and the leech fields will need to be shown on the map.

Chairman Malfitano asked if the homes are occupied. Mr. Moore stated that they are currently rented. The 2.5 story house is a two-family home and the single story house is a single family. He also noted that there are two entrance driveways off West Seneca Turnpike that join in the back, each having its own curb cut with culvert pipes under the driveways.

Chairman Malfitano noted that the setback is measured from the boundary line rather than the right of way line, which will need to be revised. He explained that the survey goes to the center line of the road but setbacks are measured from the right of way line. Mr. Perrine noted that the right of way is 49.5 feet from the center line. Chairman Malfitano stated that there is little or no setback on the existing houses. Due to the non-conforming element, State Law would require an area variance be granted prior to consideration of a subdivision. This matter will need to go to the ZBA to seek an area variance.

Chairman Malfitano explained that the survey will need to be revised to show the correct setback dimensions. The property is located in the R1 District and has public water and septic, therefore, the lots have to be 2 acres because there is no sewer available. Mr. Moore stated that there are only 3 acres in total for the whole property. Chairman Malfitano stated that based upon that, without an area variance the applicant cannot subdivide the property. Additionally, it was noted that the setback has to be 50 feet which is likely behind the houses.

Chairman Malfitano noted that an application was received and fees have been paid. The first thing that needs to occur if the applicant wants to proceed is the Town Engineer should prepare a comment letter which the applicant can give to the surveyor. Then we will have to refer this matter to the Zoning Board of Appeals for a variance on lot size and setbacks. Ms. Bell further noted that 225 feet of road frontage is required for each lot because it is an arterial road. The Planning Board does not have the authority to proceed without the variances. Mr. Moore noted that 30 or 40 years ago the lots were separate and then they were joined at some point.

Chairman Malfitano stated that once we see the map with all necessary changes, then the applicant can seek the appropriate variances from the ZBA.

## **Seneca Ridge PRC**

Mr. Brian Bouchard, Project Engineer, of CHA Consultants appeared on behalf of the applicant regarding Seneca Ridge. Updated plans were provided. Mr. Bouchard explained that the lots are labeled small, medium and large and it is clarified on the table and the lot diagrams that the lot area and lot width are the minimum required. Side setbacks have been labeled and adequate lot frontage has been verified and measured along the right of way line and the lot width has been measured along the front setback line. Hash lines indicating buildable areas were also added. He noted that the large lots are shown in tan and are greater than 20,000 square feet with a minimum width of 100 feet. The medium lots are shown in yellow and are a minimum of 12,000 square feet with a minimum width of 80 feet. Some are wider but are still considered medium in terms of their area. The small lots are shown in green and are a minimum of 9,300 square feet with a minimum lot width of 60 feet.

Mr. Bouchard noted that the Town provided him with a copy of the previous plat map and they are honoring the forever wild setbacks along the boundary with Fawn Hill and Makyes Road. Chairman Malfitano asked what the salmon colored perimeter line is supposed to represent. Mr. Bouchard explained that the red line is the PRC District boundary. The blue line is the land they have under contract that is part of this amendment. The memory care facility is not land that they own and not part of the amendment. Chairman Malfitano asked what the note on the plan referencing a 15 foot ingress and egress easement. Mr. Bouchard explained that the note was from the original survey and is no longer applicable to the new lots. It was from the street right of way on the original map.

Chairman Malfitano noted that it would be helpful if the number of each size lot was indicated on the plan. He communicated with Ms. Bell regarding the question of the existing roadway extension of Peregrine Way and that there is no record that Peregrine way was dedicated to the Town. The current proposal relies on it for access and we cannot confirm that they can do that currently. Mr. Bouchard will also work on that and determine if it is owned by Peregrine or the Technology Club. He noted that they will answer that question with their preliminary plans. Chairman Malfitano explained that the proposal had gotten watered down such that the last proposal was to build the memory care facility and 13 lots. The 13 lots were not built and the road was not dedicated. Ms. Bell noted that she was advised by Mr. Perrine that they still have security monies with the Town for that purpose. Mr. Perrine noted that the road has been topped and in their ownership since 2021. Letters have been sent to them annually advising them to come back to this Board and the Town and close it out.

Chairman Malfitano explained that the PR Districts require detail such as elevations and materials; however, there is no plan for such information to be available for this proposal. The information will be provided for the apartments, but there will not be a specific plan for the rest of the development. Mr. Bouchard noted it is not the plan to have cookie cutter houses. Further conversations will occur regarding how to address the PRC District requirements.

Mr. Hagan stated he is in favor of the density and general layout of the proposed plan; however, he is concerned with how it will look. Specifically with the small lots there will not be a lot of space and it would be nice to see different rooflines and different materials including a pallet of colors perhaps and establish certain criteria so buildings will have something to follow. Mr. Hagan provided suggestions for spacing out the houses to allow for more flexibility and visual breaks.

Chairman Malfitano noted the Planning Board is in favor of different sized lots in the

development, but every place he looks when there are smaller lots there are covenants or restrictions prohibiting or limiting subsidiary structures and fences. Without the existence of an association, he suggested that there be covenants in place for the 60 foot lots that would prohibit accessory structures and perimeter fences. With the narrower lots it would serve our collective purposes to recommend to the Town Board that the covenants be adopted into the local law. Ms. Bell will send an example of the covenants to the attorney for the applicant and Mr. Bouchard will discuss it with him as well.

Mr. Hillery asked what will be built first. Mr. Bouchard explained that the apartments cannot exist without two ways in and out, so the entire road network will be built first along with the sewer and water. It is possible that the two cul de sac portions could be saved for a second phase; however, the intent of the builder is one phase. Chairman Malfitano noted that the sewer for the apartments will go to the west down to West Seneca Turnpike. Mr. Bouchard noted that the plan was to take it under the roadway. Previously the plan was to take sewer by gravity to the neighborhood shopping piece to a pump station to the west. Mr. Perrine confirmed that the sewer for the apartments would go to City View Terrace. Mr. Bouchard noted that they have also submitted a sewer capacity request to the County and they should have the response for the next meeting along with the offset mitigation. Chairman Malfitano explained that the County was supposed to do a sewer study which would take a year to do and a couple years to implement any corrections. The connections to the sewer here, when not tying in directly to the trunk is a Town approval; however, when tying into a trunk it is a County approval. These types of things have to be sorted through. We do not want to get into a situation expecting a certain level of development and then it changes. We expect to see a level of family residential development that is done at the same time or is a condition of the construction of the apartments. We need some level of agreed upon building timeline.

Mr. Bouchard stated that they are still waiting for comments from the DOT regarding the traffic study, however, he asked Gordon Stansbury, Traffic Engineer, of GTS Consulting to provide an overview of the traffic study. The traffic study follows the standard State requirements. They looked at 7 intersections in the study area. West Seneca Turnpike from the OCC drive to South Avenue as well as two intersections down Makyes, Countryside and Cleveland Road were analyzed. Traffic counts were collected during the morning and evening peak periods during standard weekdays when school was in session in March of 2025. They collected speed measurements, site distance data and all of the basic information. Standard grades were given to all intersections. Based on the existing conditions analysis, all of the study area intersections are operating at an overall level of C or better and during peak hours they are operating at level D or better. There was no existing capacity concerns found in the analysis.

They also completed an accident analysis for the entire study area. During a 3 year period there were a total of 77 accidents in the overall study area. They broke it down by intersection and completed the typical review and there are no intersections in the study area that were identified to have a high accident history. They looked at future conditions including a 5 year build-out and assuming roughly 30 units per year for a project of this size and projected traffic volumes out to 2030. Historically, overall growth rates on the roadways in the area have been negative over the last 11 years, but to be conservative they applied a 1% growth per year and grew the volumes 5%. They contacted the Town and found that there are no specific approved developments to account for during the study. Generally no significant changes in operation are expected from the existing conditions.

Standard traffic trip generation was done before the modifications were made to the plan. The study was completed for 200 apartments, 100 single family homes, and 24 town homes, which

is higher than what is now proposed. Essentially 44 apartments more than the current plan. Based on the trip generation estimates, the whole development, when complete, is going to generate about 120 to 130 cars in the primary directions; roughly 120 leaving in the morning and about 130 coming back in the evening. The opposite directions are 40 to 70 cars. Based on the overall site layout, they are projecting that 80% of the traffic generated will access the site via the proposed access across from OCC. They are expecting that roughly 10% will use City View Terrace and 10% will use Makyes Road, based upon the distribution of housing within the development.

They know there will need to be improvements at the OCC intersection to accommodate the new 4<sup>th</sup> leg. OCC drive is divided by a median so the new driveway will also be separated accommodating that alignment. There will be one lane entering opposite the OCC exiting lane and two lanes exiting aligning with the two OCC entering lanes. There will be re-striping on Route 175 and adding a west bound left turn lane. Signal operation will be modified. There will be a lead east-bound left movement and a lag west-bound left movement and they will have to be protected. The analysis of that intersection is that all movements would operate at a level C or better. There is not a capacity concern with the additional leg. There are minimal impacts throughout the remainder of the study area. There were two drops in level service out of all the intersections and both were one second increases and everything continues to operate at a D or better. The study is currently in review with DOT and they expect it will be a few weeks before any comments are received back from them.

Chairman Malfitano noted that previously when the study was done it included the assumption of the development of the adjacent property. There was a conceptual agreement for another traffic signal if the neighborhood shopping area was developed. He asked if Mr. Stansbury consulted with the DOT as to what the traffic numbers were several years ago, if there was monitoring in the corridor that is more recent, and the Town has noted a definite increase in east bound traffic in the morning and west bound in the evening on Route 175. The volumes at the next intersection at Cedarvale Road have increased. It was suggested that the discussions with the DOT include some additional monitoring at the Route 175 and Route 173 intersection have been done and those numbers should be considered.

Mr. Stansbury asked if Chairman Malfitano, pertaining to the trip generation, is concerned with the percentage or the overall volume. Chairman Malfitano stated that the number of vehicles exiting and entering at a point in time seemed low. Mr. Stansbury explained that the assumption for residential houses is that they generate 2 trips per unit when in actuality for most trip generation apartments generate approximately .5 trips per unit and single family homes generate approximate 1 trip because of the staggered arrival and departure.

Regarding the adjacent property, Mr. Stansbury explained that they do not want to do the traffic study for someone else, but if there is a sensitivity analysis that they could look at they would be willing to talk about that. Chairman Malfitano noted that all of the assumptions were already laid out. He is seeking a comparison for our collective purposes. Mr. Stansbury stated they could do a secondary analysis/addendum to look at the impacts of the neighbor shopping area.

Regarding traffic volumes, Mr. Stansbury stated that typically for a state study, they require volumes no older than three years so having traffic volumes collected within the past 5 months is considered very current counts. Chairman Malfitano asked that he find out when he speaks with the DOT if they have current traffic volumes that were taken for more than one day. Mr. Stansbury noted that as part of the study they compare their counts to all historical data. They did specifically compare their counts to historical counts on Route 173 and their counts were 5%

higher in the morning and 36% higher in the evening. They also compared counts to historical counts on Route 175 and their counts were 13% higher in the morning and 12% higher in the evening. They also compared to volumes on Velasko Road which were 25% higher in the morning and 2% lower in the evening. As a general conclusion their volumes are notably higher than the overall counts collected in the area, but they will ask the DOT if there is something more current.

Mr. Hagan asked if it is relevant to factor in the special events at OCC. Mr. Bouchard noted that special events are always an issue but those events occur off peak. There might be an isolated backup due to an event, but it typically would not overlap with peak commuter hours. The purpose of the traffic study is to look at the highest hour which is the standard morning rush hour. They cannot mitigate for the special events that occur sporadically.

Chairman Malfitano also noted that one factor that has changed since the original counts is that Community Hospital employees are now parking at OCC because the parking garage is being taken down to reconstruct. Non-doctor staff are parking at OCC and it is expected to last several years. That occurred later than when the numbers were collected in March and could cause some volume impacts. Mr. Stansbury stated that as of right now there is a lot of capacity to spare.

Mr. Hagan noted his concern with the intersection at Route 175 and the edge back to the center line where there are only 80 to 90 feet and then a sharp turn. He asked if it could be softened a little for ease of maneuvering in the winter. Mr. Bouchard noted the grading could possibly be modified as long as the approach is still proper to the intersection. Mr. Hagan noted that there is a steep bank now and there are a line of well established mature pine trees that will have to be removed. He is concerned with the grading and how the soil will be stabilized. Mr. Bouchard noted it will look natural once it is re-vegetated. They will return with the DOT comments.

### **Buxton-Cedarvale Subdivision**

No one appeared regarding this matter.

### **Planning Board Minutes**

A motion was made by Mr. Hillery, seconded by Mr. Britt, that after minor changes, the Board approve and accept the meeting minutes of the September 22, 2025, meeting. The motion passed with Mr. Hagan abstaining.

A motion was made by Mr. Fuller, seconded by Mr. Hillery, 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 8:43 p.m.

Respectfully submitted,

Melinda L. Mayer  
Secretary