



J.Ryan McMahon, II
COUNTY EXECUTIVE

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: July 10, 2024

OCPB Case # Z-24-182

WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a AREA VARIANCE from the Village of Marcellus Zoning Board of Appeals at the request of Stewarts Convenience Store & Gas for the property located at 27 East Main Street; and

WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the granting of use or area variances and the site is located within 500 feet of East Main Street (Route 41), a county highway; and

WHEREAS, the applicant is requesting area variances for fence height and signage related to the construction of a convenience store and fueling facility on three parcels totaling 1.46 acres in a Village Center zoning district; and

WHEREAS, the Board is concurrently reviewing a site plan referral (Z-24-177) for this proposed gas station and store and a special permit referral (Z-24-178) to operate a gas station; and

WHEREAS, the site is the former location of Nojaims grocery store and parking lots, located at the corner of East Main Street and Orange Street in the Village of Marcellus; the site is located among the mix of commercial and residential uses along Main Street, backed by residential neighborhoods; and

WHEREAS, the site contains an approximately 14,188 sf single-story building in the southeast corner of the site, constructed to the parcel boundaries, and its parking lots; a lawn comprises the southwest corner of the site and a small wooded/shrubbed area is located at the rear of the parking lot, between the lot and an adjacent residence; and

WHEREAS, the applicant is proposing an area variance for fence height and sign height and area; the applicant is requesting an 8' fence between the site and the adjacent residential property where 6' is the maximum height allowed by Village Code; the applicant is proposing three signs: two will be building signs and are allowed by right, the third will be located near the corner of East Main Street and Orange Street and the proposed sign is 7'2" in height where 6' is the maximum allowed and 35 sf in area where 6sf is the maximum area allowed; and

WHEREAS, the applicant is proposing to demolish the existing building and parking lot to construct a 4,500 sf convenience store and gas station; per the Proposed Site Plan dated 6/5/24, the proposal includes constructing the store on the western side of the site's frontage on East Main Street with gas pumps and 1,800 sf canopy to be constructed between the store and the Orange Street frontage, parking will be along the building and in a parking lot at the rear of the store, the existing driveway from East Main Street will be narrowed to 30'-wide, and a new driveway to Orange Street is proposed;

ADVISORY NOTE: Per the Onondaga County Department of Transportation, all

existing or proposed driveways on East Main Street must meet Department requirements; and

WHEREAS, per the Landscape Plan dated 6/5/24, planting islands will be constructed along road frontages and conifers planted along shared parcel boundaries; existing sidewalks occur along both road frontages, to be evaluated and replaced as needed, and striped crosswalks are noted across driveways; and

WHEREAS, per the Environmental Assessment Form (EAF) dated 1/8/24, “Stewart’s stormwater infrastructure that will direct water to the north for temporary storage” and “overflow discharge to Main or Orange Street upon further investigation”; the number of acres to be disturbed by the proposal was not detailed on the EAF, but the Site Plan details an increase in greenspace from 35% to 43%; the Grading Plan dated 6/3/24 shows a proposed infiltration basin to be constructed at the rear of the site, stormwater infrastructure to be constructed under the parking lot and along the store building, and a 6” overflow connection to and existing catch basin next to the Orange Street driveway;

ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, per the referral notice, a new connection to public drinking water is proposed to serve the new store;

ADVISORY NOTE: The applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/rights-of-way, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and

WHEREAS, per the referral notice, a new connection to the public sewers is proposed to serve the site which is located in the Village of Marcellus Wastewater Treatment Plant service area; and

WHEREAS, a Photometric Plan dated 6/3/24 was included in the referral materials; and

WHEREAS, per the Central New York Regional Transportation Authority (CENTRO), East Main Street has public transit service and bus stops are located within 670’ of the site; per aerial imagery from May 2024, sidewalks are present throughout the immediate area; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper);

ADVISORY NOTE: The applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT(S) in regards to the above referral:

While the Board offers no position on the requested variances, it offers the following comment on the overall project for the Zoning Board's consideration:

The proposed gas station and convenience store is to be located within a dense village main street environment, with historic buildings and residences largely surrounding the site. The applicant and Village are encouraged to take efforts to more closely integrate the proposed use into the village fabric to the extent possible. Most importantly, the Board encourages the placement of the building in the corner location of the site as the most prominent feature of the parcel, rather than the gas pump islands. This would also provide additional distance of the gas pumps from residences on Orange Street, and provide better opportunity for screening pumps from street view. Building setbacks should mimic the prominent and desired setbacks established on the street, which appear to be less than is proposed. Maintenance of street trees and vertical landscaping along both road frontages is also encouraged.

A handwritten signature in black ink, appearing to read 'Martin E. Voss', written in a cursive style.

Martin E. Voss, Chairman
Onondaga County Planning Board

GML 239 Report of Final Action

NYS GML § 239-m.6. and n.6. require the referring body to file a report of the final action it has taken on a referred matter with the county planning agency within 30 days after the final action (separate from the minutes taken at the meeting). A referring body which acts contrary to a County Planning Board recommendation of MODIFICATION or DISAPPROVAL of a referred matter shall also set forth the reasons for the contrary action in such report.

This section to be completed by the Syracuse-Onondaga County Planning Agency

To: Onondaga County Planning Board **From:** Village of Marcellus Zoning Board of Appeals

Fax: 435-2439 **Phone:** 435-2611

Re: Applicant: Stewarts Convenience Store & Gas

Address: at 27 East Main Street

Referral Type: AREA VARIANCE

OCPB Date: July 10, 2024

OCPB Action: No Position With Comment

OCPB Case #: Z-24-182

The local board took the following action regarding the above referenced referral (Check one box. If checking Other, please specify the final action taken. Use the space at the bottom of the report to identify reasons if acting contrary to the OCPB recommendation.):

- Approved the proposed action with regard to the OCPB's No Position or No Position with Comment.
- Approved the proposed action as modified by the OCPB.
- Approved the proposed action contrary to some of the modifications recommended by the OCPB.*
- Approved the proposed action contrary to all of the modifications recommended by the OCPB.*
- Approved the proposed action contrary to the disapproval recommended by the OCPB.*

- Disapproved the proposed action with regard to the OCPB's no position or no position with comment.
- Disapproved the proposed action with regard to the recommended modification(s) by the OCPB.
- Disapproved the proposed action as recommended and for reasons set forth by the OCPB.
- Disapproved the proposed action as recommended but for reasons other than those set forth by the OCPB. (Please list reasons below for local disapproval.)

- Other _____

Local Board Date: _____

*List reasons for acting contrary to the OCPB recommendation and include a copy of the local board resolution. Attach additional reasons on a separate sheet of paper as necessary.

