

**City of Oneida  
Planning Commission Zoning Board of Appeals  
Meeting Minutes  
April 11, 2023**

The regular meeting of the Planning Commission Zoning Board of Appeals was held on Tuesday, April 11, 2023, at 6:00 p.m. in the Common Council Chambers, City Hall, 109 N. Main St. Oneida, NY.

The meeting was called to order at 6:00 pm by Chairman Fred Meyers.

**PRESENT:** Fred Meyers  
Todd Schaal  
Randy Bonville  
Pat Thorpe  
Perry Tooker (Arrived at 6:10)  
Barbara Henderson  
Kipp Hicks

**ALSO PRESENT:** Christopher Henry, Director of Planning  
Andy Bennett, Assistant Fire Marshall  
Jim Szczerba, Common Council Ward 1 (Audience)  
Rick Rossi, Common Council Ward 3 (Audience)  
Matt Roberts, Supervisor Ward 1, 2,3 (Audience)  
Mary Cavanagh, Supervisor Ward 1, 2, 3 (Audience)

**Absent:**

**RESOLVED**, that the Tuesday, February 14, 2023, PCZBA meeting minutes are hereby approved.

**Moved by Pat Thorpe  
Seconded by Barbara Henderson**

**Aves: 6  
Nays: 0  
Absent: 1 Perry Tooker**

**Motion Carried**

**Item #1- SEQRA Determination and Scheduling of the Public Hearing for the Site Plan Review and Conditional Use Permit** to establish a large-scale solar facility located at Upper Lenox, Tax Map Number 45.-2-2.111, zoned A, by LSE Norma LLX, file# 2022-035.

**Applicant was not in attendance.**

There was a brief update from Chris about the project related to parking alternatives being pursued off Genesee Street, and the moratorium in Wampsville. Chris relayed that the moratorium does not apply to this project as access roads were not a part of the moratorium language. No copy of an approved permit from Wampsville has been received.

**239 Review-** Comments from Madison County were received and it was returned for local determination.

**RESOLVED**, that the Planning Commission table this item for a later meeting.

**Moved by Kipp Hicks**  
**Seconded by Todd Schaal**

**Ayes: 6**  
**Nays: 0**  
**Absent: 1 Perry Tooker**

**Item #2- Site Plan Modification** for the construction of an amphitheater and flagpole located at 459 Main Street, Tax Map Number 38.33-1-22.12, by Michele Ryan, file# 2023-004.

**Applicant was in attendance with Ed Keplinger the landscape architect.**

Ed Keplinger, a representative of the applicant explained the project. The library will be smoothing out the grade, adding walking paths, lighting, and the funding for an amphitheater. There was a brief discussion about existing drainage in place, the applicant confirmed that there was.

There was a discussion referring to the \$75,000 budget. Pat Thorpe asked if the project cost would be an added financial burden to the taxpayer. The applicant said that it is being paid for through a grant.

A question was asked if adjacent property owners were notified of the project. They were not. It was explained that site plan modifications do not require neighbor notices. There was a clarification about the size of the project. Ed Keplinger clarified that the total acreage will be .3 acres.

A discussion ensued about the use of the amphitheater. Michele Ryan responded that the project will be available to the community.

Fred Meyers asked the audience if there were any questions. Audience members asked a few questions related to the project. Chris informed the audience that it was not a public hearing.

**239 Review –** The county returned for the 239 for local determination, but recommended that a landscaping plan be submitted to the city, and consider having the applicant use dark sky lighting.

**RESOLVED**, that the Planning Commission be declared Lead Agency and classifies the action as Unlisted.

**Moved by Randy Bonville**  
**Seconded by Todd Schaal**

**Ayes: 7**  
**Nays: 0**

**MOTION CARRIED**

The PCZBA discussed Part I and completed Part 2 of the Short EAF, and made a determination that there are no adverse effects associated with this project.

**RESOLVED**, that the PCZBA issues a Negative Declaration under SEQRA.

**Moved by Kipp Hicks**  
**Seconded by Randy Bonville**

**Ayes: 7**  
**Nays: 0**

**Motion Carried**

**RESOLVED**, that the Site Plan Modification for the construction of an amphitheater and flagpole located at 459 Main Street, Tax Map Number 38.33-1-22.12, by Michele Ryan, file# 2023-004 be approved pursuant to Section 190-44, Article B, 2b of the Zoning Ordinance of the City of Oneida with the following condition:

- 1) The applicant will obtain all required permits and approvals, including building and sign permits.
- 2) Construction is completed by the applicant by April 30, 2024; just over 1 year after this approval.
- 3) Landscaping Plan submitted to and approved by the Director of Planning prior to building permits being issued.
- 4) Installation of dark sky approved lighting.
- 5) Comply with the local noise ordinances.

**Moved by Kipp Hicks**  
**Seconded by Randy Bonville**

**Ayes: 7**  
**Nays: 0**

**MOTION CARRIED**

**Item #3- Area Variance for 110' of Height, Site Plan Review and Conditional Use Permit**, to build a Wind Energy Conversion System located at Brewer Rd (4949 Forest Ave, Lincoln), Tax Map Number 46.-2-42.3, zoned Ag, by Patrick Stark and New Leaf Energy- file # 2023-008, 009.

**The Applicant was in attendance. Dave Strong, Brandon Smith, and Camie Jarrell**

Fred Meyers addressed the audience that all public written e-mails providing comments on this project will be made a part of the record. Chris Henry further explained that any verbal comments made will not be an official part of the public comment record, and comments will be noted in the minutes in a generalized manner. Fred went on to further explain that no action will be taken and SEQR will commence once more documentation is provided by the applicant.

Dave Strong initiated the presentation explaining the project and where the electricity is directed to the local community at a discount. He explained that it is what makes it a Community Wind Project and not a Wind Farm. He explained briefly of how community wind projects became allowable in New York.

The applicant team described the finances briefly. They presented that the taxes will be paid to the schools, city, and county through a PILOT. Brandon Smith went on to explain that the project will draft a Host Community Agreement with the city. He then went on to describe the details of the plan and the location of the project on a 154-acre parcel. Camie Jarrell clarified during Brandon's presentation that the nearest home is 2,086 feet away.

The presentation continued with an explanation of the model of turbine, and that no turbine has been acquired, yet. Brandon described the utilities, where, and how the electrical will go underground through an MV trench. He went further to present that the DEC, FAA, and SHPO have been contacted.

There was a question about the wattage for the facility and the capacity. Brandon replied that it is a 5-megawatt facility more likely to produce 4.5 megawatts. Dave Strong explained similar projects nearby in Fenner, but further described the efficiency of the turbines. He noted to the audience and board that the Fenner Wind Farm was built almost 20 years ago. Dave explained that the technology since then has evolved to reduce shadow flicker and noise impact while producing more energy.

There was a discussion with the board about the oils used for the turbine, where Barbara asked for additional information. Dave Strong responded by explaining the maintenance and that there are capturing structures located along the Wind Turbine to catch excess oil. The board conveyed that residents may have concerns related to oils spilling and the impact on their wells. Mr. Strong responded that the PCZBA could set a condition of the approval related to oil spills.

There was a discussion about the geology of the area and the potential use of explosives. It was explained by Dave Strong that geotechnical isn't good enough to know for sure. They will localize any blasting and that any wells damaged in the process will be made right. Their plan is to mitigate the risk and have a process in place in the event any damage occurs.

There was a discussion about the location of the turbine and the necessity of the height. The location was selected by the availability of wind speeds, the size of the parcel, and the willingness of the property owner to allow the project. It was explained by New Leaf Energy that a reduction in the height to meet the zoning requirements would not make the project viable.

There was more discussion related to the PILOT agreement. The applicant explained that the city typically gets the smallest amount among the taxing entities. Usually, 10% of \$30,000. Kipp expressed that the amount is lower after splitting it with the Town of Lincoln. It could end up being closer to 5%. Further discussions ensued where the terms of a PILOT are 15 years when a renegotiation will occur or go on the tax rolls. This led to a discussion about the engineered life which can range between 25 to 40 years.

There was a discussion about coordinating with the FAA, Griffiss, DoD and the Air Force. The applicant expects feedback. There were concerns expressed by the public about communicating with these agencies. Dave Strong explained that the proper communication channels must be adhered to. Chris Henry added that the SEQRA process has yet to begin and that a list of involved and interested agencies will be generated and coordinated with. It was further explained by Fred Meyers that the Oneida PCZBA intends to be lead agency.

There were further discussions about alternative locations and wind speeds. The applicant explained that wind speeds in Central New York typically don't meet the necessary thresholds, unless they are on a hill. They further explained that they are actively testing the site for wind speeds to ensure the site is appropriate.

**RESOLVED**, that the SEQRA process be initiated where the PCZBA will coordinate with involved and interested agencies, informing all the PCZBA's intention to declare lead agency.

**Moved by Kipp Hicks**  
**Seconded by Todd Schaal**

**Ayes: 7**  
**Nays: 0**

**MOTION CARRIED**

**Item #4- Site Plan Modification** for the construction of a temporary parking lot located 170 Kenwood Ave, Tax Map Number 47.10-1-24.1-1, by John Raynsford, file# 2023-010.

**The applicant was in attendance with Erin Trojan, Landscape Architect**

There was a brief discussion about the project. Erin Trojan explained the location and there was a discussion further clarifying it. There is a possibility that the light pole on the plan will not have to move. Erin Trojan explained that the lot will be painted despite it being temporary and that the paint will not hold. The reason is to help train employees on how they need to park in the temporary area. The applicant further presented that this project will be a part of multi-phase parking master plan that they will be working on for the property.

**239 Review-** none required

**SEQRA**

**RESOLVED**, that the Planning Commission be declared Lead Agency and classifies the action as Type II requiring no further action be taken.

**Moved by Kipp Hicks**  
**Seconded by Barbara Henderson**

**Ayes: 7**

**Nays: 0**

**MOTION CARRIED**

**RESOLVED**, Site Plan Modification for the construction of a temporary parking lot located 170 Kenwood Ave, Tax Map Number 47.10-1-24.1-1, by John Raynsford, file# 2023-010 be approved with the following conditions:

- 1) The applicant will obtain all required permits and approvals, including building and sign permits;
- 2) Construction is completed by the applicant by April 30, 2024; just over 1 year after this approval.

**Moved by Kipp Hicks**

**Seconded by Perry Tooker**

**Ayes: 7**

**Nays: 0**

**Motion Carried**

**RESOLVED**, that there being no further business to be brought before the PCZBA, the meeting is hereby adjourned.

**Moved by Kipp Hicks**

**Seconded by Barbara Henderson**

**Ayes: 7**

**Nays: 0**

**MOTION CARRIED**

Meeting adjourned at 7:25 p.m.