

**City of Oneida
Planning Commission Zoning Board of Appeals
Meeting Minutes
June 13, 2023**

The regular meeting of the Planning Commission Zoning Board of Appeals was held on Tuesday, June 13, 2023, at 6:00 p.m. in the Basement Activities Room, 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
Perry Tooker
Barbara Henderson (Arrived Late 6:12 p.m.)
Kipp Hicks

ALSO PRESENT: Christopher Henry, Director of Planning
Brian Burkle, Fire Marshall
Andrew Bennet Assistant Fire Marshall

Absent: Pat Thorpe

RESOLVED, that the Tuesday, May 9, 2023, PCZBA meeting minutes are hereby approved.

Moved by Perry Tooker
Seconded by Randy Bonville

Aves: 5
Nays: 0

Motion Carried

Item #1- Area Variances for 6 ½ ft of side yard, and 6 ½ feet from the principal structure to allow for the construction of an above-ground swimming pool located at 312 Lenox Ave, Tax Map Number 30.79-1-45, zoned R-3, by Hope Winne Barlow, file# 2023-013.

The applicant was in attendance.

There was a discussion initiated by Todd Schaal about what existed in the backyard. Hope responded that there was an existing fence, and clarified that the aerial photo depicts a shed that is no longer present. The applicant is requesting a variance for the proposed location because she can see her grandkids and it is the location that gets the most sun. Kipp asked about the one outstanding neighbor statement. Hope replied that she attempted to get their signature, but no response was received.

239 Review- Was determined to not be required.

RESOLVED, that the Planning Commission be declared Lead Agency and classifies the action as a Type II action requiring no further review pursuant to § 617.5.

Moved by Kipp Hicks
Seconded by Todd Schaal

Ayes: 5
Nays: 0

MOTION CARRIED

Motion to Open the Public Hearing at 6:05

Moved by Randy Bonville
Seconded by Kipp Hicks

Ayes: 5
Nays: 0

Motion Carried

No comments were made.

Motion to Close the Public Hearing at 6:06

Moved by Kipp Hicks
Seconded by Randy Bonville

Ayes: 5
Nays: 0

Motion Carried

Chris went through the five criteria for area variances for 6 ½ ft of side yard, and 6 ½ feet from the principal structure to allow for the construction of an above-ground swimming pool located at 312 Lenox Ave, Tax Map Number 30.79-1-45.

- 1.) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of an area variance.

Moved by Kipp Hicks that an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance because the proposed location is tucked behind the house, and it is a small lot.

Seconded by Randy Bonville

Ayes: 5

Nays: 0

Motion Carried

- 2.) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.

Moved by Randy Bonville that the applicant can't achieve the benefit by some other method by some method feasible for the applicant to pursue due to needing a certain spot.

Seconded by Kipp Hicks

Ayes: 5

Nays: 0

Motion Carried

- 3.) Whether the requested area variance is substantial.

Moved by Todd Schaal that the requested area variance is not substantial because it is behind a fenced area.

Seconded by Randy Bonville

Ayes: 5

Nays: 0

Motion Carried

- 4.) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Moved by Randy Bonville that the proposed variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or district because most other people have pools in that area.

Seconded by Kipp Hicks

Ayes: 5

Nays: 0

Motion Carried

- 5.) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance.

Moved by Kipp Hicks that the difficulty was self-created, but it is relevant, and it does not necessarily preclude the granting of the area variance.

Seconded by Randy Bonville

Ayes: 5

Nays: 0

Motion Carried

RESOLVED, that the Area Variances for area variances for 6 ½ ft of side yard, and 6 ½ feet from the principal structure to allow for the construction of an above-ground swimming pool located at 312 Lenox Ave, Tax Map Number 30.79-1-45 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 a building permit.

Moved by Randy Bonville
Seconded by Perry Tooker

Ayes: 5

Nays: 0

MOTION CARRIED

Item #2- Area Variance for 3 feet from the accessory structure to allow for the construction of a swimming pool located at 1204 Hubbard Place, Tax Map Number 37.-1-23, zoned C, by Donna Wagner, file# 2023-015.

The Applicant was in attendance.

There was a discussion about what structure it was too close to. Kipp asked about the 2 Neighbor Statements and inquired about the 3rd. The applicant Donna Wagner said that she attempted to get the signature and her neighbor said he would. Chris commented that the third neighbor statement did come in, and there was no objection to the requested variance.

239 Review- Was determined to not be required.

RESOLVED, that the Planning Commission be declared Lead Agency and classifies the action as a Type II action requiring no further review pursuant to § 617.5.

Moved by Todd Schaal
Seconded by Randy Bonville

Ayes: 5
Nays: 0

MOTION CARRIED

Motion to Open the Public Hearing at 6:11

Moved by Randy Bonville
Seconded by Kipp Hicks

Ayes: 5
Nays: 0

Motion Carried

No comments were made.

Motion to Close the Public Hearing at 6:12

Moved by Kipp Hicks
Seconded by Todd Schaal

Ayes: 5
Nays: 0

Motion Carried

Chris went through the five criteria for area variances for 6 ½ ft of side yard, and 6 ½ feet from the principal structure to allow for the construction of an above-ground swimming pool located at 312 Lenox Ave, Tax Map Number 30.79-1-45.

- 1.) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of an area variance.

Moved by Kipp Hicks that an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance because there was approval from all three neighbors, and it is in the outside district.

Seconded by Barb Henderson

Ayes: 6
Nays: 0

Motion Carried

2.) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.

Moved by Todd Schaal that the applicant can't achieve the benefit by some other method by some method feasible for the applicant to pursue due to it being already installed.

Seconded by Barb Henderson

Ayes: 6

Nays: 0

Motion Carried

3.) Whether the requested area variance is substantial.

Moved by Randy Bonville that the requested area variance is not substantial because it is behind a fenced area.

Seconded by Kipp Hicks

Ayes: 6

Nays: 0

Motion Carried

4.) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Moved by Kipp Hicks that the proposed variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or district because it is in the outer district.

Seconded by Todd Schaal

Ayes: 6

Nays: 0

Motion Carried

5.) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance.

Moved by Todd Schaal that the difficulty was self-created, but it is relevant, and it does not necessarily preclude the granting of the area variance.

Seconded by Barbara Henderson

Ayes: 6
Nays: 0

Motion Carried

RESOLVED, that the area variance for 3 feet from the accessory structure to allow for the construction of a swimming pool located at 1204 Hubbard Place, Tax Map Number 37.-1-23, zoned C, by Donna Wagner 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 a building permit.

Moved by Randy Bonville
Seconded by Barbara Henderson

Ayes: 6
Nays: 0

MOTION CARRIED

Item #3- Area Variances for 10' from the principal structure and 10' from the accessory structure for the construction of a deck located at 430 Lincoln Ave, Tax Map Number 38.38-1-61, zoned R-2 by Phyllis Stoker, file# 2023-016.

The Applicant was in attendance.

A quick discussion about the neighbor statements. It was determined that the 10' from the principal structure was not necessary. Fred Meyers commented that he did not need one for his house. Chris Henry agreed. Based on this conversation the area variance was modified.

RESOLVED, that the Planning Commission be declared Lead Agency and classifies the action as a Type II action requiring no further review pursuant to § 617.5.

Moved by Randy Bonville
Seconded by Kipp Hicks

Ayes: 6
Nays: 0

MOTION CARRIED

Motion to Open the Public Hearing at 6:18

Moved by Randy Bonville
Seconded by Barbara Henderson

Ayes: 6
Nays: 0

Motion Carried

No comments were made.

Motion to Close the Public Hearing at 6:19

Moved by Randy Bonville
Seconded by Perry Tooker

Ayes: 6
Nays: 0

Motion Carried

Chris went through the five criteria for an area variance of 10' from the accessory structure for the construction of a deck located at 430 Lincoln Ave, Tax Map Number 38.38-1-61.

- 1.) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of an area variance.

Moved by Barbara Henderson that an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance because it will provide a more walkable area heading toward the accessory structure.

Seconded by Kipp Hicks

Ayes: 6
Nays: 0

Motion Carried

- 2.) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.

Moved by Randy Bonville that the applicant can't achieve the benefit by some other method by some method feasible for the applicant to pursue due to it being the only place for it.

Seconded by Kipp Hicks

Ayes: 6
Nays: 0

Motion Carried

3.) Whether the requested area variance is substantial.

Moved by Todd Schaal that the requested area variance is not substantial because it is between the house and garage.

Seconded by Kipp Hicks

Ayes: 6

Nays: 0

Motion Carried

4.) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Moved by Perry Tooker that the proposed variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or district because it is improving ground conditions.

Seconded by Randy Bonville

Ayes: 6

Nays: 0

Motion Carried

5.) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance.

Moved by Todd Schaal that the difficulty was self-created, but it is relevant, and it does not necessarily preclude the granting of the area variance.

Seconded by Barbara Henderson

Ayes: 6

Nays: 0

Motion Carried

RESOLVED, that area variance for 10' from the accessory structure for the construction of a deck located at 430 Lincoln Ave, Tax Map Number 38.38-1-61, zoned R-2, by Phyllis Stoker 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 a building permit.

Moved by Randy Bonville
Seconded by Barbara Henderson

Ayes: 6
Nays: 0

MOTION CARRIED

Item #4 – SEQR Review and Scheduling of the Public Hearing for a 3-lot minor subdivision at 1691 Fairview Ave, SBL# 46.-1-1, zoned A, by Andrew Coulthart- file #2023-017.

The applicant was not in attendance.

Chris briefly described the subdivision along with Perry. It was noted to be the first subdivision ever, related to this property. The ultimate intent is to divide it amongst the family. There was a discussion about the zone and the future use of the parcels. Chris stated it is assumed to be residential, but nothing has been described.

239 Review- Not required.

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

Moved by Randy Bonville
Seconded by Barbara Henderson

Ayes: 6
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: 6
Nays: 0

Motion Carried

RESOLVED, that the PCZBA shall conduct a public hearing as to the 3-lot minor subdivision located at Oneida City Hall– Common Council Chambers located at 109 N. Main Street, Oneida, New York on July 11, 2023, at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Moved by Randy Bonville
Seconded by Perry Tooker

Ayes: 6
Nays: 0

MOTION CARRIED

Item #5- Area Variance for 2' of fence height to allow for the expansion of an existing fence located at 357 Elizabeth Street, Tax Map Number 38.25-1-8, zoned R-2, by Rogerlee Westcott, file# 2023-018.

The applicant was in attendance.

There was a discussion about the bushes that were removed. The applicant stated that he agreed with his neighbor that he would remove the bushes and put up a fence. Kipp asked if a neighbor statement was received by Michael Krueger. Mr. Westcott said that because the project did not affect his property he did not get Mr. Krueger to sign.

RESOLVED, that the Planning Commission be declared Lead Agency and classifies the action as a Type II action requiring no further review pursuant to § 617.5.

Moved by Kipp Hicks
Seconded by Randy Bonville

Ayes: 6
Nays: 0

MOTION CARRIED

Motion to Open the Public Hearing at 6:32

Moved by Randy Bonville
Seconded by Kipp Hicks

Ayes: 6
Nays: 0

Motion Carried

No comments were made.

Motion to Close the Public Hearing at 6:33

Moved by Barbara Henderson

Seconded by Perry Tooker

Ayes: 6

Nays: 0

Motion Carried

Chris went through the five criteria for Area Variance for 2' of fence height to allow for the expansion of an existing fence located at 357 Elizabeth Street, Tax Map Number 38.25-1-8.

- 1.) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of an area variance.

Moved by Kipp Hicks that an undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance because it is blocking the view of the parking lot.

Seconded by Barbara Henderson

Ayes: 6

Nays: 0

Motion Carried

- 2.) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.

Moved by Barbara Henderson that the applicant can't achieve the benefit by some other method by some method feasible for the applicant to pursue because the applicant needs the extra feet to block the view.

Seconded by Todd Schaal

Ayes: 6

Nays: 0

Motion Carried

- 3.) Whether the requested area variance is substantial.

Moved by Todd Schaal that the requested area variance is not substantial because it is only blocking the parking lot.

Seconded by Barbara Henderson

Ayes: 6
Nays: 0

Motion Carried

- 4.) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Moved by Kipp Hicks that the proposed variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or district because the bushes were covering the same area.

Seconded by Todd Schaal

Ayes: 6
Nays: 0

Motion Carried

- 5.) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance.

Moved by Barbara Henderson that the difficulty was self-created, but it is relevant, and it does not necessarily preclude the granting of the area variance.

Seconded by Todd Schaal

Ayes: 6
Nays: 0

Motion Carried

RESOLVED, that area variance for 2' of fence height to allow for the expansion of an existing fence located at 357 Elizabeth Street, Tax Map Number 38.25-1-8, zoned R-2, by Rogerlee Westcott be approved pursuant to Section 190-44, Article B, 2b of the Zoning Ordinance of the City of Oneida.

Moved by Randy Bonville
Seconded by Todd Schaal

Ayes: 6
Nays: 0

MOTION CARRIED

Item #6- SEQR Review and Scheduling of the Public Hearing for the Site Plan Review, and Conditional Use Permit to establish a restaurant and residential use in the former Hotel Oneida, located at 181 Main Street, Tax Map Number 30.80-1-54, zoned DC, by The Oneida Group, LLC, file# 2023-019.

The applicant was in attendance.

Kipp Hicks addressed the chairman and recused himself from the dais, as he anticipates his agency will be a part of the project.

Chris started the conversation by clarifying why there was a statement from the Mayor granting the applicant the authority to submit an application to the PCZBA. Chris went on to describe potential ownership issues along Route 46 and Lenox. He had to consult with NYS Region 2 DOT and the City engineer to determine property ownership boundaries.

Ed Riley, and Bob Sullivan from the Oneida Group, LLC, presented the plans and illustrations for the proposed project located at 181 Main Street.

Mr. Riley initiated the presentation with contextual information. It was over a year's worth of work that included being one of the funded projects through the DRI. Mr. Riley went on to describe the mixed-use rehabilitation of the former Hotel Oneida building. The basement would host a catering service and the ground floor is dedicated to a restaurant/pub. He then described the upper floors as residential. A particular note was made that one of the residential units merged due to layout constraints resulting in a reduction of the residential units from 19 to 18.

He described that there has been partial demolition and cleanup done on the property and the condition of the building. Mr. Riley stated that they submitted their project for SHPO for tax credits. They are no longer pursuing that avenue because SHPO wanted them to preserve the blue 1960s façade because it was a contributing structure when the Downtown Historic District was approved. Mr. Riley and his team had no interest in retaining the blue façade.

Mr. Riley went on to explain the demolition plan. He then presented the proposed seating area and the buffer landscaping. He then explained the loading requirements that he discussed with the City on the back area of the building, so there is nothing on Lenox and Main Street.

A portion of the 1920s building will remain, and portions will be redone. They will recondition the old windows, keep some windows or replace some. There will be cleanup done, and they will address egress and ingress.

Mr. Riley explained that the entry into the apartments will be on the Lenox side of the building. The main entrance for all retail will be on the front facing Main Street. Mr. Riley then described the ground floor plans. The Elk Lodge side will have an entrance for catering use. Catering will be located where it is today. There will be 20 to 25 seats for the private dining rooms. Mr. Riley described that much of the 1920s design is in the private dining room. They proposed to reopen a door that will lead to a proposed mailroom. They proposed handicap accessibility lifts and elevators to the apartments. There will be all new partitions on the ground floor. The applicant described a plan to reconstruct the former façade of the 1920s building that is now located in the interior. He envisions a high ceiling.

Mr. Riley explained the landscaping features and monument signage that is proposed are intended to bring the building back from the road, but also create activity in the front of the building. They hope the proposed features will bring activity and softness to the building.

The applicant then displayed renderings and went on to describe the basement level. He highlighted the proposed storage that is located in the same area. He also described a 120 to 150 seating area with all new partitions and construction. They described adding no exits and elevators to get access to the lobby. Mr. Riley then described the second floor with units facing the street. They will have a balcony with outdoor seating. Mr. Riley described the stairways, mechanical areas, and fire escapes.

Mr. Riley described the axonometric drawings, the building materials for the main area of the restaurant, and the outside dining area. He went further on to explain various ingresses and egresses of the building.

He explained that there will be decarbonization in the housing. He described natural gas as possibly being in the commercial kitchen.

There were a few comments from the board about the approved aesthetic, and the board was happy the blue was not retained. Perry asked about the improvements, and how much will be on state property. Ed explained none. The only state property was the signalization easement. Ed Riley went on to describe the ownership boundaries and their proposed sign will not encroach on State property. The landscaping will occur on the City property to dress up the building. Ed went on to explain that utility work will require permits. Perry asked if parking will be on Lenox due to the rendering. The applicant responded that no, it is not allowed by State DoT. An audience member asked about where parking is likely to occur. Ed Riley said they are reviewing and working with the City. He explained that no parking will be provided for employees. Perry asked about any other encroachments. Ed Riley said anything that is on their building that is encroaching will be removed. He went on to explain that they are working with the Elks for an easement. Regarding the rear encroachment, Ed Riley explained that he is working with the property owner adjacent to the rear of the building.

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

Moved by Todd Schaal
Seconded by Randy Bonville

Ayes: 5
Nays: 0
Recused: 1 (Kipp Hicks)

MOTION CARRIED

The PCZBA discussed Part 1 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 Barbara Henderson
Seconded by Kipp Hicks

Ayes: 5
Nays: 0
Recused: 1 (Kipp Hicks)

Motion Carried

RESOLVED, that the PCZBA shall conduct a public hearing as to the Site Plan Review and Conditional Use Permit at Oneida City Hall – Common Council Chambers located at 109 N. Main Street, Oneida, New York on July 11, 2023, at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Moved by Todd Schaal
Seconded by Perry Tooker

Ayes: 5
Nays: 0
Recused: 1 (Kipp Hicks)

Item #7- Site Plan Review and Conditional Use Permit to establish a Large-Scale Solar Energy System located at Upper Lenox Ave, Tax Map Number 45.-2-2.111, zoned A, by the LSE Norma, LLC, file# 2022-035.

Kipp Hicks rejoins the board.

The applicant was in attendance. Erik Anderson (LSE, Norma), Nicholas Vamvas (Labella), Jeff Macel (LSE Norma).

There was a quick discussion about wetland issues between Kipp and Fred. Erik Anderson from LSE Norma, LLC, and Nicholas Vamvas from Labella. Erik presented quickly provided some background on the project. He explained that his organization is the owners and the locations of the property in the City of Oneida and the Village of Wampsville.

Mr. Anderson explained the last time they presented to the board was in November of 2022. The applicant explained the fenced area was shrunk. They also removed construction out of the wetlands. He went on to describe that they presented to the Village of Wampsville. They made modifications and received the necessary approvals from the Village. Erik Anderson went on to explain that they had their approval from National Grid. Fred Meyers asked where the connection point was. Erik explained it was off Upper Lenox Avenue using a gravel access road.

An unannounced audience member asked how far off up South Court Street. Mr. Anderson responded that they will be over 900 feet. Another unnamed audience member asked if it could be seen. Mr. Anderson said no. He further explained the line-of-sight analysis that was conducted, which considered the topography and nearest residential points. The fence line adjustments and berms moved the facility further down the slope. The same audience member asked if views from second-story windows were considered. Fred Meyers interjected explaining to the audience that questions were best saved for the public hearing, and please save them for then. He further clarified the agenda of the meeting before the public hearing.

Barbara Henderson asked for more specifics related to the project site being returned to pre-development conditions. Jeff (SP) described the construction materials that will be removed and returned to their current state. Follow-up questions were asked about it being returned to a field, and concrete remaining. The applicant verified that all will be removed, and it will be returned to a field. Todd Schaal asked if there was a bond for the decommissioning plan. Mr. Anderson explained that the amount in the decommissioning plan is an estimate for the amount for the bond. Fred and Chris explained that there will be a condition of the approval to revisit the amount every few years to ensure the amount is firm and costs haven't gone up.

The 239 review was received and returned for local determination.

SEQR- Fred explained the status of the SEQR. He explained that parts 2 and 3 of the Full Environmental Assessment Form were drafted for review and consideration. He explained that there were mitigation methods outlined in Part 3 and that they have to make a determination.

Fred asked the PCZBA if there were any comments or concerns related to the drafted SEQR documents. Kipp asked about it being an archeologically sensitive site, any further information on that? Erik Anderson responded that SHPO was consulted and Phase 1a and 1b was done. A letter was provided to the City and placed on file in response to that.

Chris was asked about the contents of Part 3. Fred asked if there were any questions. Chris explained any minor non-substantive edits could be provided for editing.

Fred asked about tree clearing. Erik Anderson explained there wasn't going to be full tree clearing. There will be some tree topping.

The PCZBA discussed Part 1 and completed Part 2 and Part 3 of the Full EAF, and made a determination with proposed mitigation that there are no adverse effects associated with this project.

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

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

**Ayes: 6
Nays: 0**

Motion Carried

Motion to Open the Public Hearing at 7:16

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

**Ayes: 6
Nays: 0**

Motion Carried

Jack Walter (Palmer Drive): Explained that he walked the property 100 times. He asked, "How far will you be away from the creek?" Erik Anderson and Nicholas Vamvas asked for clarification. The resident explained. The applicant responded that there would be several hundred feet and significant vegetation will be present. Erik Anderson explained that the gap in Palmer Drive would be where a potential access road would have gone but right now nothing. Nicholas Vamvas explained to the public the coterminous environmental buffer along the creek.

An audience member asked if they could approach and look. Fred Meyers invited the audience up to review the drawing. During this portion of the meeting the number of comments, questions and noise made it difficult to keep track of the record. Fred Meyers asked the members of the public to sit back down, he explained that he prefers to have the public get their questions answered by developers and requested the audience re-ask some of their questions. Once the audience returned to their chairs, Chris requested that any outstanding questions please be asked, so we can get them on the record.

Marcia Rafte (Wampsville): Asked about the site lines. Erik Anderson explained that they did the visual assessment at height, and from the location of a pool that was nearby. Marcia asked at what height. The applicant explained that the view is obscured, and the height is 6'. Marcia asked about the second story. Erik Anderson responded that currently, no neighbors have a second story. Marcia retorted, "Today". An audience member asked which pool. Erik Anderson explained the closest one to Debra West's property.

Marcia asked about the site line and if it is because they might be putting in trees. The applicant responded that he didn't feel the need for it right now. There was a brief discussion about future two-story buildings, but the applicant ultimately said that designing for potential uses 20 or more years down the line is very difficult. Marsha Rafte discussed with the applicant the possibility that a neighbor's kitchen window height was higher. Erik Anderson responded that if they get a height, they could look at the analysis.

Ms. Rafte's second question was about the access road, she requested a description and its use. Nicholas Vamvas described the material, maintenance routine, and mostly used for agricultural use. Marcia Rafte commented that the solar facility was never mentioned, only for agricultural use. She asked that the description is written that for any change in use of the entire operation, they have to come back before the PCZBA. The applicant responded that any changes in operation would require that they come back before the PCZBA. Ms. Rafte asked if the strip goes along S. Court Street. The applicant responded that he didn't think so, they would have to go before the Village of Wampsville. Fred reiterated the same. Marcia asked if was being considered as one project. The applicant said no, the solar facility is considered a stand-alone project. Marcia Rafte asked if the language is clear. Fred stated that it is in the site plan. Erik Anderson explained DEC approvals for stormwater plans and that stormwater runoff conditions must be mitigated to pre-development conditions. Marsha asked if it could be put in writing and provided it to the gentlemen who left. Erik Anderson said that he would. Fred and Chris responded that it is New York State law. Nicholas Vamvas explained that the report was submitted to the City that the runoff amounts will be less than what exists and that the plan is for the entire project for both Wampsville and Oneida. Kipp explained that the document is available for review.

Maryanne Anderson (S. Court Street): Explained that her location is across from the access road, and if the gate that was requested at the entry was put on the plan. Erik explained that the gate is at the boundary where the solar facility starts and that they wanted to discuss further with the City. Maryanne

explained they were concerned about people going up the road. She also asked about traffic and the speed limit and people not obeying. The respondent said that they will use slow construction signs. They will also coordinate with County DOT for those activities, and it is in their site plan. Ms. Anderson also asked if the runoff plan was approved by the DEC. The applicant responded that it was better than it is currently. Ms. Anderson commented that they can see from the living room in the woods, and it doesn't mean they won't see the panels. Erik Anderson explained that the trees are a lot higher than the panels. He explained that the panels are over 1,000 feet away. He further explained that the proposed fence will be in the character of the neighborhood; it won't be a random black fence. Maryanne asked about the start of construction. The applicant responded that it will be sometime next year. They have additional coordination with the utility company. Fred asked how long construction was. Erik Anderson responded that it would be 3 to 4 months. Fred asked if there will be continuous construction vehicles. The applicant said no, maybe early on.

Jerry Seymour (Mayor of Wampsville): Commented that the berm isn't high enough. They don't want another greenhouse. They were supposed to install a second berm, and the trees are "really far apart". Erik Anderson promised that post-construction that they will walk the site with the Code Enforcement Officer, and if the site is visible from public rights-of-way, they will install more trees and it can be put in the resolution of the approval and placed on the site plan. Erik explained that pulling the fence back provides additional agricultural use; placing trees where proposed could limit the current use. Mayor Seymour commented that they don't want another Roberts Street. Mayor Seymour made an additional comment about the gate. They don't want people partying down where the facility is. Another concern was the fence; a green fence would almost be camouflaged. The applicant explained they are showing an agricultural fence. Pushing the fence back off the hill made it look a lot better, so it was not necessary. Kipp asked about the definition of ag fencing. The applicant responded that it doesn't have an opaque cover or vinyl siding; just like a deer fence.

Tari Lloyd (111 S. Court St.), not recognized by the chairman officially, made a comment that was inaudible due to audience noise. It was about the number of deer in the area.

Jerry Seymour made another comment about mowing. Erik explained that there was a lease agreement with the tenant farmer to maintain portions that are not ag, and there will be regular maintenance. Jerry Seymour asked Chris Henry to be kept in the loop. Chris went on to explain that grass maintenance is a part of the New York State Property Maintenance Code.

Perry Tooker commented about 3D visualizations. He recommended a physical vertical observation that uses helium balloons at a specific height. It would automatically answer the visualization question. Erik Anderson responded that the main issue expressed during the meeting is the number of points of concern. Perry countered that there are critical points of concern that are not beyond the capabilities of the applicant. Mr. Anderson responded that with any approval that the Board makes, they would be happy to walk the site post-construction and where there is visibility from homes, they will plant trees along the perimeter. Physical assessments may not address everyone's issues. Kipp retorted that if a balloon was floated upfront, we will know if plantings are necessary. Jeff Macel, Co-founder of LSE Norma asked the City's position of where the point of view should be. Mr. Macel stated that they have done these assessments for the federal government at a variety of standards, and it is always from the street. Erik Anderson elaborated further that they try to simulate as best they can from private property, but it is technically supposed to be from the public right-of-way. There was further discussion with the board, where the current visualizations may not be accurate enough. There was a discussion where residents

would allow access to the visual assessments, and several audience members stated that they would allow it.

Kipp asked what the law requires. Erik Anderson responded that it is from the public right-of-way. There was further discussion with the board where Kipp Hicks and Todd Schaal made examples where if it is allowable use, "you can't say, I don't like that". There was a back and forth with the audience and the ultimate determination was what the zoning law allows.

There was a back and-forth between a resident from Wampsville and the applicant where the resident asserted that most solar farms do not occur in residential neighborhoods. Mr. Anderson stated that they are not, they are agricultural. The Wampsville resident stated that they are residential. Erik Anderson responded that "1,000 feet is a long way". The applicant further stated that there won't be much to see due to the berm, fence, and trees. It was again reiterated that they will walk with the Codes Department to ensure that it is up to specs and if there are any visibility issues, they will put a row of trees in. They don't want to illustrate it now, because their physical measurements are showing that there will not be visibility issues.

A resident from 151 South Court Street made a comment that trees can take 10 to 15 years to grow, she asked why not do it at the start of the project, so there is time for them to grow. Erik Anderson responded that where it is an allowable use, they have done their best to respond. The applicant elaborated that the extra measures go above and beyond what the DEC requires. Invisibility is impossible to achieve, and it would be impossible. Mr. Vamvas continued by stating that based on their measurements the site would have very limited visibility due to the topography and trees. During the inspection, they will walk around the perimeter of the site. He further stated that this was done with a municipality downstate, where it was a condition of the approval.

Stacy Hurlbut: Asked about the access point/road. The applicant pointed it out. They are trying to avoid erosion issues. Ms. Hurlbut asked how far from the nearby residents, and Erik Anderson responded over 700'.

Heidi LaSalle: Asked why not Lenox Ave. Mr. Anderson responded that it was due to the creek. Ms. LaSalle immediately responded; they should build a bridge. Erik Anderson responded that they wanted to minimize the impacts because the DEC designated it as a trout spawning creek. He went further by saying the creek can become "raging". Ms. LaSalle asked who should be contacted if the site can be seen. Mr. Anderson responded that the City should be contacted, and he was willing to provide his business card to anyone as he is the project manager for the applicant. He is willing to provide additional information and documents upon request. Chris Henry clarified to the audience that he would check with legal counsel, but the City of Oneida cannot technically enforce anything that would occur on the Wampsville side.

There was a discussion with the Board and Mayor Seymour about coordination occurring between the two municipalities to get conditions enforced. It was clarified that no solar arrays occur in Wampsville, and no permits were required, so they had no say in the project. It is why they are all attending this meeting.

Dawn Collins from the public asked if pesticides were used for weed control. Erik Anderson responded, "No". Fred asked the kind of grass used. Mr. Anderson responded, "With a pollinator mix and a solar mix that would be low growing to stay below the panels". Fred asked if they rotated, they won't touch. The applicant said no. Ms. Collins asked if there was access from Wemple Lane. The applicant answered no.

Motion to Close the Public Hearing at 7:56 p.m.

Moved by Barbara Henderson

Seconded by Randy Bonville

Ayes: 6

Nays: 0

Motion Carried

Barbara interjected, requesting Perry to ask one further question. Fred allowed it. Perry referenced the grading plan and asked why there were no proposed contours. The applicant responded that they didn't need to for the array. They roll with the hills. It has a steep contour and then goes flat; they can't build beyond a certain grade. They looked very closely; Perry asked a clarifying question that there will be no alteration to the existing topography. Fred stated, "Except for the road". Perry said the topography is not flat. Nicholas Vamvas said, when they can construct panels that work with the topography, and any areas that would be too steep it could change. Perry asked if there will be cutting or filling in the northern area they discussed. Erik Anderson said no. Jeff Macel added that it is very common for no grading to occur. Fred Meyers made a clarifying question asking if they will be cutting or filling the road. The applicant said yes.

PCZBA Resolution Granting Site Plan Approval for Large-Scale Solar Energy System

WHEREAS, the Joint Zoning Board of Appeals/Planning Commission (hereinafter referred to as "the Planning Board") has carefully considered the New York State SEQR review, declared lead agency and classified the action as Unlisted on November 7, 2022; and

WHEREAS, the Planning Board has carefully considered the New York State SEQR review, completed on June 13th, 2023, and has determined that the proposed project is in compliance with the applicable regulations and standards; and

WHEREAS, the Planning Board has reviewed the application, conducted public hearings completed on June 13, 2023, and considered the potential impacts and benefits of the proposed development; and

WHEREAS, the GML 239 Referral was received on April 21, 2023, and it was returned for local determination; and

WHEREAS, the Planning Board finds that the proposed development LSE Norma, LLC (the "Applicant"), located at Upper Lenox Ave, Tax Map Number 45.-2-2.111, is in compliance with the applicable zoning regulations and is consistent with the goals and objectives of the City Comprehensive Plan; and

WHEREAS, the Planning Board has reviewed the application and conducted the necessary assessments; and

WHEREAS, the Planning Board finds that the proposed Large-Scale Solar Energy System is in compliance with the applicable site plan review and zoning regulations, subject to the conditions set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT ZONING BOARD OF APPEALS/PLANNING COMMISSION, does hereby grant site plan approval of the Large-Scale Solar Energy System in accordance with the following site plan documents: G002; C100; C105; C110; C111; C130; C131; C140; C141; C530; C531, dated August 30th, 2022, Revised on April 27, 2023, by LaBella Associates subject to the following conditions:

1. The Applicant shall obtain all required permits and approvals, including building and sign permits, from the relevant authorities before commencing any construction activities.
2. Any dumpsters, trash, recycling, or other refuse receptacles associated with the project shall be appropriately screened and covered to ensure their visual impact is minimized.
3. In accordance with §47-21 of the Oneida City Code, the decommissioning plan for the Large-Scale Solar Energy System shall be finalized, submitted to the Director of Planning and Development, and approved prior to the issuance of any permits.
4. The Applicant shall submit a Security Bond to the Director of Planning and Development, which complies with §47-21(3) of the Oneida City Code. The value of the bond shall be reviewed, confirmed, and adjusted to meet existing market conditions every three years to include additional monies for screening.
5. A final Stormwater Pollution Prevention Plan (SWPPP) shall be submitted and approved by the Director of Planning and Development before any permits are issued, ensuring that adequate measures are in place to manage stormwater runoff.
6. All solar panels within the Large-Scale Solar Energy System shall be equipped with an anti-reflective coating to minimize glare and potential impacts on neighboring properties.
7. The Applicant shall submit a finalized landscaping plan to the Director of Planning and Development, which shall be consistent with §143-18. The plan shall incorporate appropriate vegetation and screening elements to enhance the visual aesthetics of the site.
8. A self-locking gate shall be added to the entry of the access road, ensuring controlled access and security measures for the Large-Scale Solar Energy System.
9. A Key Box/Knox box shall be installed on the premises in accordance with the New York State Fire Code to provide emergency access for authorized personnel.

The aforementioned conditions shall be binding upon the Applicant, its successors, and assigns. Failure to comply with these conditions may result in the revocation of the site plan approval.

The Applicant is hereby granted site plan approval for the establishment of the Large-Scale Solar Energy System, subject to the conditions outlined in this resolution.

PASSED AND ADOPTED this 13th day of June, 2023.

Fredrick Meyers
Chairperson, City of Oneida Planning Board

ATTEST:

Christopher Henry
Director of Planning and Development, and Secretary to the Planning Board

Moved by Kipp Hicks
Seconded by Todd Schaal

Ayes: 6
Nays: 0

MOTION CARRIED

Resolution Approving Conditional Use Permit for Large-Scale Solar Energy System

WHEREAS, an application for a Conditional Use Permit to establish a Large-Scale Solar Energy System located at Upper Lenox Ave, Tax Map Number 45.-2-2.111, zoned A, has been submitted by LSE Norma, LLC (hereinafter referred to as "the Applicant"); and

WHEREAS, the Joint Zoning Board of Appeals/Planning Commission (hereinafter referred to as "the Planning Board") has carefully considered the New York State SEQR review, declared lead agency and classified the action as Unlisted on November 7, 2022; and

WHEREAS, the Planning Board has carefully considered the New York State SEQR review, completed on June 13th, 2023, and has determined that the proposed project is in compliance with the applicable regulations and standards; and

WHEREAS, the Planning Board has reviewed the application, conducted public hearings completed on June 13, 2023, and considered the potential impacts and benefits of the proposed development; and

WHEREAS, the Planning Board finds that the proposed development by the Applicant, located at Upper Lenox Ave, Tax Map Number 45.-2-2.111, is in compliance with the applicable zoning regulations and is consistent with the goals and objectives of the City Comprehensive Plan; and

WHEREAS, the GML 239 Referral was received on April 21, 2023, and it was returned for local determination; and

WHEREAS, the Planning Board has reviewed the application and conducted the necessary assessments; and

WHEREAS, the Planning Board finds that the proposed Large-Scale Solar Energy System is in compliance with the applicable zoning regulations, subject to the conditions set forth herein;

WHEREAS, the Planning Board finds that the proposed Large-Scale Solar Energy System meets the requirements for a Conditional Use Permit, subject to the conditions outlined herein;

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT ZONING BOARD OF APPEALS/PLANNING COMMISSION, that a Conditional Use Permit is hereby approved, subject to the following conditions: as follows:

1. The Applicant shall file the approval with Madison County within 62 days of this approval, as required by applicable regulations.
2. Proof of filing the Conditional Use Permit with the County shall be submitted to the Director of Planning and Development within 30 days of the filing.
3. Reasonable vegetative screening, preserving existing vegetation to the greatest extent possible, shall be added post-construction subject to the approval of the Codes Department and the Planning Department. The specifics of the screening measures shall ensure the visual impact to neighboring properties is minimized.
4. Construction of the Large-Scale Solar Energy System shall be completed within two years from the date of this approval. Any extensions to this timeframe shall require the submission of a request to the Director of Planning and Development.

The aforementioned conditions shall be binding upon the Applicant, its successors, and assigns. Failure to comply with these conditions may result in the revocation of the Conditional Use Permit.

The Applicant is hereby granted a Conditional Use Permit for the establishment of the Large-Scale Solar Energy System, subject to the conditions outlined in this resolution.

PASSED AND ADOPTED this 13th day of June, 2023.

Fredrick Meyers
Chairperson, City of Oneida Planning Board

ATTEST:

Christopher Henry
Director of Planning and Development, and Secretary to the Planning Board

Moved by Randy Bonville
Seconded by Todd Schaal

Ayes: 6

Nays: 0

MOTION CARRIED

Item #8 – SEQR Review and Scheduling of the Public Hearing for the site plan review, conditional use permit, and area variance for 110 feet of height to establish a Wind Energy Conversion System (WECS) located at Brewer Road, Tax Map Number 46.-2-42.3, zoned A, by New Leaf Energy, file# 2023-008/009.

The applicant was in attendance. Brandon Smith (New Leaf Energy), Cammie Jarrel (GHD), and Dave Strong (New Leaf Energy).

Brandon Smith started with an introduction citing that the last meeting they presented was during the April meeting.

Fred clarified what was before the board that it was to be SEQR and the scheduling of the Public Hearing. Chris Henry further added that if there are any substantive changes to the SEQR there can be a motion to approve an amended SEQR with the enclosed edits.

Fred commented that the last meeting discussed potential impacts on water that may occur during blasting. Mr. Smith stated that they submitted additional documentation and that there would be pre and post-testing of wells within a 3,000-foot radius, and they would be amenable for it to be a condition of the approval to ensure that they are testing the closest residents.

Barbara asked for clarification regarding the "testing" of wells. She explained that if a well collapses, she wasn't sure how they correlate. Brandon Smith responded that it would be on a list to be monitored, and therefore "testing" probably is not the proper term, and it should be monitored. Fred Meyers asked if they would be testing quantity and quality. Mr. Smith answered, "Yes".

The applicant was questioned about why soil testing wasn't done. Todd Schaal commented that the depth is only 10 feet, and a backhoe can go that far down, and it will help them determine if they have to blast. Camie Jarrell responded that they would have to get a backhoe back into the property. The applicant was further questioned about having the ability to get a small piece of equipment back onto the property. Mr. Smith replied that there is typically a long lead time regarding geotechnical studies. Dave Strong responded that to get a wind turbine foundation design it would require at least \$80,000. There was a further dialogue about the necessary depth for a geotechnical study. The board questioned why a basic sample doesn't get performed. Dave Strong conveyed that uncertain soil conditions where the soil could be bad, or there are boulders underground, a complete certified study is necessary. Dave went further to say that is why the 10' depth is a starting point and regardless, if blasting occurs, their company will do pre and post-blasting monitoring "to make everyone whole". Todd Schaal further explained that what was presented did not illustrate the possibility of going below 10 feet deep. Fred Meyers concurred; it was not his understanding either. Mr. Strong said if they could do a simple dig and stand behind it, he would.

An audience member requested to ask a question. Fred allowed it. The audience member asked, "If you are more than 3,000 feet away, your well doesn't matter?" He was concerned about water being interrupted or affected if something happened with his well. Dave Strong responded that that is a

comment that could come up during the public hearing, where the ultimate concern is that if there is a problem, they will make everyone whole, they will fix anything they break. Even if it means monitoring needs to occur for an additional well. Dave Strong stated, "Their obligation doesn't stop at 3,000 feet or 3,001 feet." There was a conversation related to the aquifer, and there is no map of the aquifer available. Barbara commented that her property is roughly 5,000 feet away, and her well is 180 feet deep. The audience member said his well is 75 feet deep and his neighbor is 200 feet deep.

Fred asked if there were concerns about impacts on animals, and Kipp didn't think there were. Chris Henry stated that Pat Thorpe, "who is a board member, could not attend and provided a list of statements and comments that were submitted for the record. Chris read through the questions with the below responses:

- "Those across the street in Lincoln were unaware of this, who is representing them?" The applicant responded that they included those in Lincoln in their neighbor's statements. Chris Henry added that this was also a coordinated review, and they did not provide any comments.
- "Endangered birds won't be killed but what all about the thousands of ordinary birds that will be on the bottom of the turbine and insects?" Chris Henry responded that the SEQR form only addresses endangered or threatened species.
- "Shadowing of the tower in surrounding properties." Brandon Smith responded that a shadow study for shadow flicker was done, and it is under the 30 hours per year industry standard threshold for surrounding properties. Their study was done by a third party, Epsilon.
- Invisible thumping and humming are not heard by human ears but will be felt by all animals. Mr. Smith answered that they have not considered the impacts on animals, but the third part, Epsilon, did address all the local law items related to noise that are tailored to humans.
- "People live up there for peace and quiet. This will be destroyed." Brandon Smith stated that the city did a really conservative limit of 45 decibels, and they are adhering to that. That would protect the adjacent homes from undue noise.
- "Will the roads be able to carry the heavy equipment that will be used? Will the company pay for any road damage?" Brandon Smith responded that they would, and it would be a part of the State and County DOT permitting. Chris Henry added that NYS DOT requested a transportation plan be submitted. Fred asked if the 239 had been received yet. Chris stated that wasn't started yet, but they did return the coordinated review statement.
- "Property values will be decreased because of this." Dave Strong stated that NYSERDA did a really good job compiling these studies and that a company called Hoen did a study and it determined that property values are not affected long-term for wind farms and community wind. Kipp added the impacts are short-term but rise again quickly. Dave Strong elaborated that there are impacts that are definitively bad, like landfills, and impacts that are definitively good, like parks. Wind turbines are somewhere in the middle.
- "The plus is revenue from this project. This is like placing a high-rise casino in their backyard and saying it will increase the revenue for the area." Dave Strong responded that the energy stays local at a discount. The electricity is at a discount and the tax agreements that are created with the city, county, and schools, plus the host community agreement. Kipp asked if the community hot agreement conversations have been initiated. Dave stated that a basic draft of one was provided and that he is happy to continue discussions. Kipp asked a follow-up question about the amount. Mr. Strong said that it is \$30,000 per year, which is roughly \$7,000 per year per megawatt. It can be over 15 years, or it can be a single payment, year one. It is up to the city.

- "When storm and lightning go by this will be a draw for lightning strikes." Dave Strong responded that it isn't how lightning works. They also go to great lengths to ground the turbine. Fred asked if they are fiberglass. Mr. Strong responded that they were, and they use copper wire at the tip of the blade to dissipate the charge to prevent it and help it dissipate down into the ground. A lot of design and time goes into designing the structure to protect it from lightning.
- "Who will pay to drill for new wells for area residents that no longer have water? How long will they help people while there is no water?" Chris attempted to clarify that if the resident loses water how long will they obtain assistance? Dave Strong responded that they would rebuild the well as good or better, like the SWPPP. Fred asked how long after the blasting. The applicant responded that they didn't stipulate that in the plan. They are willing to review maybe doing it based on the last monitoring inspection post-construction. They are happy to comply with the stipulations set by the conditions of the approval. Dave Strong went further to clarify that if there is a rock-solid inspection, and it is determined that the blasting did not affect the well, then they would not be responsible for any further deterioration. Fred responded that some families don't use a lot of water, you may not notice. There was a discussion about the monitoring and testing of the well, where reports will be generated for the pre-monitoring to get the baseline, and a post-construction report to determine if there were any impacts. Perry asked what is involved in the Geotechnical study. Camie Jarrel responded that they bring a specialist in to analyze the core to get the type of rocks etc. They issue a report that is stamped with their license, which then goes to a structural engineer. Water is a part of that analysis with the depth of the water table.
- "Will all the items in the turbine be made in America?" The applicant stated that many of them. Mr. Strong stated that it is an international supply chain that includes domestic products. Mr. Strong continued saying that tax breaks require a certain percentage of domestic products and that a significant number of components will be made in America.
- "Appropriate mitigation for killing a Bald Eagle." Brandon Smith committed to work with the DEC and they would defer to them. It could vary. They do not have specifics, and it may depend on the number killed. Dave Strong elaborated it would include protecting nests. The project could fund nest guards. Fred asked if there were nests up there. Barbara didn't think that there were.

Randy Bonville asked why one of the wind turbines caught fire. Dave Strong said it is typically electrical. Randy asked how high up. Dave Strong, said you don't respond up the tower. There was a discussion about where the site would be secured, and prevent the spread of fire.

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

Moved by Randy Bonville
Seconded by Perry Tooker

Ayes: 6
Nays: 0

MOTION CARRIED

The PCZBA discussed and reviewed Part 1, Part 2, and Part 3 of the Full EAF, and made a determination with proposed mitigation that there are no adverse effects associated with this project.

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

Moved by Randy Bonville

Seconded by Todd Schaal

Ayes: 6

Nays: 0

Motion Carried

Resolved, that the PCZBA shall conduct a public hearing as to the Site Plan Review, Conditional Use Permit, and Area Variance for 110 feet in height located at Oneida City Hall – Common Council Chambers located at 109 N. Main Street, Oneida, New York on July 11, 2023, at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

Moved by Barbara Henderson

Seconded by Randy Bonville

Ayes: 6

Nays: 0

Motion Carried

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

Moved by Barbara Henderson

Seconded by Perry Tooker

Ayes: 6

Nays: 0

MOTION CARRIED

The meeting adjourned at 8:44 p.m.