Syracuse Planning Commission **Application for THREE-MILE LIMIT SUBDIVISION REVIEW**

City Hall Commons • Room 101 • 201 E. Washington Street • Syracuse, NY 13202-1426 • 315-448-8640

For Office Use: 8-17-2018 (Filing Date) 3S- 18-24 (Case#)

Please Print or Type Information:

SUBDIVISION INFORMATION:

TITLE OF SUBDIVISION: **The Nottingham Resubdivision**

ADDRESS of subdivision: **1301 Nottingham Road, Jamesville, New York 13078**

TOWN of: **DeWitt**

TAX MAP NUMBER(S): **071.-02-09.1 and 071.-02-06.3**

ZONING DESIGNATION: **Residential R-0**

APPLICANT INFORMATION:

NAME: **The Nottingham Retirement Community, Inc.** PHONE: **(315) 413-3600**

MAILING ADDRESS: **1301 Nottingham Road, Jamesville, New York 13078**

CONTACT PERSON: (If someone other than applicant is to be contacted to answer questions)

NAME: **John Brennan, Esq.** PHONE: **315-474-6448**

REASON FOR REQUEST: (*Please be specific regarding use of each lot; i.e. two-family house, yard area, grocery store, etc.*)

Construction of 20-unit memory care residence for persons with Alzheimer's disease, dementia and other types of memory loss and a 22-unit addition to the independent living units.

APPROVAL INFORMATION:

APPROVED by Town or Village as a ☐ Preliminary Plan

☒ Final Plan on Date: **May 24, 2018**

DECLARATION:

I understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York. I declare that, subject to the penalties of perjury, any statements made on this application and any attachments are the truth and to the best of my knowledge correct. I also understand that any false statements and/or attachments presented knowingly in connection with this application will be considered null and void.

CURRENT PROPERTY OWNER SIGNATURE

As listed on the City of Syracuse Tax Assessment Roll. If not listed as the owner on the current rolls, please include a proof of ownership, for example, a copy of the deed. Attorney's signing on behalf of the owner must include a one page letter describing the legal representative arrangement. Architects, engineers, contractors, tenants, etc. cannot sign on behalf of the property owner. If property owner is a Corporation or an Organization, then the person signing must provide verification they are a member of such, and can sign on the owners' behalf.

The Nottingham Retirement Community, Inc. — **August 15, 2018**

CURRENT PROPERTY OWNER SIGNATURE — **DATE**

John R. Brennan, Esq., Secretary

Please legibly PRINT SIGNATURE NAME and TITLE

REQUIRED SUBMITTALS FOR THREE MILE LIMIT APPLICATIONS

NOTE: All applications must contain the following information before being considered complete. Any incomplete applications will be returned.

[X] **APPLICATION**: Completely filled out

[X] **SHORT ENVIRONMENTAL ASSESSMENT FORM**: Completely filled out and signed

[X] **SUBDIVISION MAPS**: Five (5) copies drawn by a licensed land surveyor (indicating existing and proposed lots along with their addresses and new lot numbers) Map must show complete parcel owned by applicant. ***Have your land surveyor contact the County Health Department (435-6600 x 8235) prior to the drawing of your Subdivision/Resubdivision Map to find out what is required on the map.***

- **Reduced copy (11"x17") must also be submitted if original maps are larger than (11x17)**

[X] **APPROVAL RESOLUTION or letter from governing municipality**

[ ] **Stormwater Pollution Prevention Plan (SWPPP)** must be submitted which is in accordance with NYSDEC regulations **if proposed subdivision is tributary to a watershed within the City of Syracuse.**

11/2017

BYRNE, COSTELLO & PICKARD, P.C.

ATTORNEYS AT LAW

MATTHEW V. BYRNE III*
JOHN R. BRENNAN**
F. SCOTT MOLNAR**
JORDAN R. PAVLUS***

*ALSO MEMBER FLORIDA BAR AND DISTRICT OF COLUMBIA BAR
**ALSO MEMBER MASSACHUSETTS BAR
***ALSO MEMBER DELAWARE BAR AND NEW JERSEY BAR

MATTHEW V. BYRNE, JR. (1920-2000)

JOHN J. COSTELLO (1929-2015)

TERRY R. PICKARD (RETIRED)

MICHAEL J. BYRNE (OF COUNSEL)

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E-MAIL: JBRENNAN@BCPLEGAL.COM
WWW.BCPLEGAL.COM

AUGUST 15, 2018

Jeff Harrop
City of Syracuse
Office of Zoning Administration
City Hall Commons, Room 512
201 East Washington St.
Syracuse, New York 13202

Re: Nottingham Retirement Community Subdivision in the Town of DeWitt

Dear Jeff:

We represent The Nottingham Retirement Community, Inc., in connection with the above subdivision which has been approved by the Town of DeWitt for the development of a 20-unit memory care residence and a 22-unit addition to the facility. Consistent with our discussion earlier today, enclosed under this cover are the following:

1. Completed and signed Syracuse Planning Commission Application for Three-Mile Limit Subdivision Review;
2. Final Resubdivision Map (five copies of each sheet);
3. Completed and signed Short Environmental Assessment Form;
4. May 24, 2018, Minutes of the Town of DeWitt Planning Board approving the Resubdivision Map.

Please take note that the Final Resubdivision Map has been executed by The Nottingham Retirement Community, Inc., the Town of DeWitt and the Onondaga County Health Department. Also take note that the resubdivision is not a tributary to a watershed within the City of Syracuse.

We would be grateful if you could review this matter and advise us if City Planning Commission approval can be provided on an expedite basis. We need to file the Resubdivision Map right away.

If you have any questions or need any additional documentation, please call me. Thank you in advance for your attention and courtesy.

Very truly yours,

BYRNE, COSTELLO & PICKARD, P.C.

John R. Brennan

JRB/hs
enclosure
cc: Jennifer Ingerson

Brief Description of Proposed Action:

This Application for Three-Mile Limit Subdivision Review is submitted in conjunction with a Site Plan and Resubdivision approved by the DeWitt Planning Board on May 24, 2018. The applicant is The Nottingham Retirement Community, Inc., which is a New York not-for-profit corporation and owner of a retirement community located at 1301 Nottingham Road in the Town of Dewitt know as The Nottingham. The facility is presently comprised of 186 independent living apartments and cottages, 48 assisted-living units and a 40-bed nursing home. The Nottingham is now developing a specialized 20-unit memory care residence for persons with Alzheimer's disease, dementia and other types of memory loss and a 22-unit addition to the independent living units.

The site is presently made up of two (2) parcels. The larger parcel is 071.-02-09.1 and includes a portion of the assisted-living building as well as the nursing home and the independent living apartments and cottages. The larger parcel also includes undeveloped land along Peck Hill Road and running behind the existing buildings to the Boulder Heights Subdivision. The undeveloped land includes a drumlin just below the north property line which realistically cannot be further developed. The smaller parcel is 071.-02-06.3 and includes the remaining portion of the assisted-living building and the driveway entrance to the facility coming off Nottingham Road. The eastern most point of the smaller parcel includes a small area on land within the bounds of Yellow Wood Parkway which is the access way to the Boulder Heights Subdivision.

The DeWitt Planning Board requested that the larger parcel and the smaller parcel be combined so that all buildings, roads and other improvements will be located on a single parcel. The Town has also requested that The Nottingham grant the small piece of Yellow Wood Parkway over to the Town. The Nottingham accordingly presented the Resubdivision Maps submitted herewith to re-subdivide the two (2) parcels into a single Lot 1. The Nottingham also agreed to grant the small piece of Yellow Wood Parkway over to the Town. Syracuse Planning Commission approval is requested.

MINUTES OF A REGULAR MEETING
OF
THE PLANNING BOARD OF THE TOWN OF DEWITT

May 24, 2018

A regular meeting of the Planning Board of the Town of DeWitt, New York was held at the Town Offices, 5400 Butternut Drive, DeWitt, New York, on May 24, 2018 at 7:00 p.m.

There were present:

Peter Webber, Chairperson
Kathy Kotz
Joseph Mueller
Doug Arena
Leif Kallquist
Kathy Bertuch, alternate for Nathan Brown

There was a quorum of the members of the Planning Board present. Also present were Jamie L. Sutphen, Attorney and Sam Gordon Director of Planning and Zoning and Stephanie Guereschi, Town Environmental Planner. Peter Webber was Chairperson of the meeting and Jamie L. Sutphen acted as Secretary.

Ms. Kotz made a motion seconded by Mr. Kallquist to approve the minutes of the May 10, 2018 meeting. The motion carried with all members voting in favor, except for Ms. Bertuch, who abstained.

There was one work session this week for The Nottingham. Nothing further is scheduled for the next work session.

The Nottingham – PB-447-18
SPR for Building Additions, Parking Lot Expansion and
New Memory Care Facility in R-0 District
1301 Nottingham Road
Tax Map No.: 071.-02-, 071.-02-06.3
(10 minutes)

Dave Harding and Eugenia Brieva were present for the applicant. There had been a work session where many of the site details were worked out. Mr. Harding showed the site plan and Ms. Brieva showed the architecture. The Chairperson commented that the Board appreciates the well-presented work session materials as well as "views" of the site which were well-done. The team that appeared at the Tuesday work session was well-prepared and professional and they presented the Drumlin mitigation issue well for the Board. Mr. Mueller made a motion seconded by Mr. Kallquist as follows:

The applicant has worked with the Planning Board in creating a building addition which is complimentary to the lot and existing structures; however, in connection with the prior development of the lot, the toe of the Drumlin on the site was interfered with, causing erosion and interfering with the structural integrity of the Drumlin. This structural failure is in jeopardy of further erosion and may cause damage to the garage structures located near the bottom of the Drumlin. This Board has heard evidence that a proper study of the Drumlin and the erosion issue will take two seasonal cycles of study. Accordingly, this Board as part of this approval requires that within 24 months of the date of this approval, a full study must be presented to the Board which demonstrates all steps which must be undertaken by the applicant to steady the Drumlin and prevent further damage and erosion. During the 24 month study period, periodic reports must be delivered on or before the following dates: December 31, 2018; June 30, 2019; December 31, 2019; with last report due no later than June 30, 2020. In the event the interim report(s) show continuing erosion, interim remediation may be required; or if a permanent solution is ascertained earlier than 24 months, steps to remediate shall begin immediately and be completed within six months thereafter. In any event the steps to be undertaken for permanent remediation, including aesthetics, must be completed satisfactorily within 6 months of the study's completion and no later than December 31, 2020.

There shall be no disturbance of the Drumlin during the time of this study and until the work to reinforce the Drumlin has been undertaken.

A further condition of this approval is that the subdivision which involves the consolidation of two lots into one must be completed and all conditions of that approval met.

Further, this approval is for plans and other submitted documents "Site Plan Documents" that have been signed by the Planning Board Chairperson and the applicant and requires that all of the work shown be completed by the applicant in order for a Certificate of Occupancy or Compliance to be issued. Any proposed changes, additions or deletions to the scope of work or materials from the Site Plan documents are NOT approved and are subject to further Site Plan Review pursuant to Town of DeWitt Code Section 192-122. The motion carried unanimously.

The Nottingham Resubdivision – PB-461-18
Resubdivision to Combine 2 Parcels into One in a Residential 0 (Zero) District
1301 Nottingham Road
Tax Map No.: 071.-02-06.3, 09.1
(5 minutes)

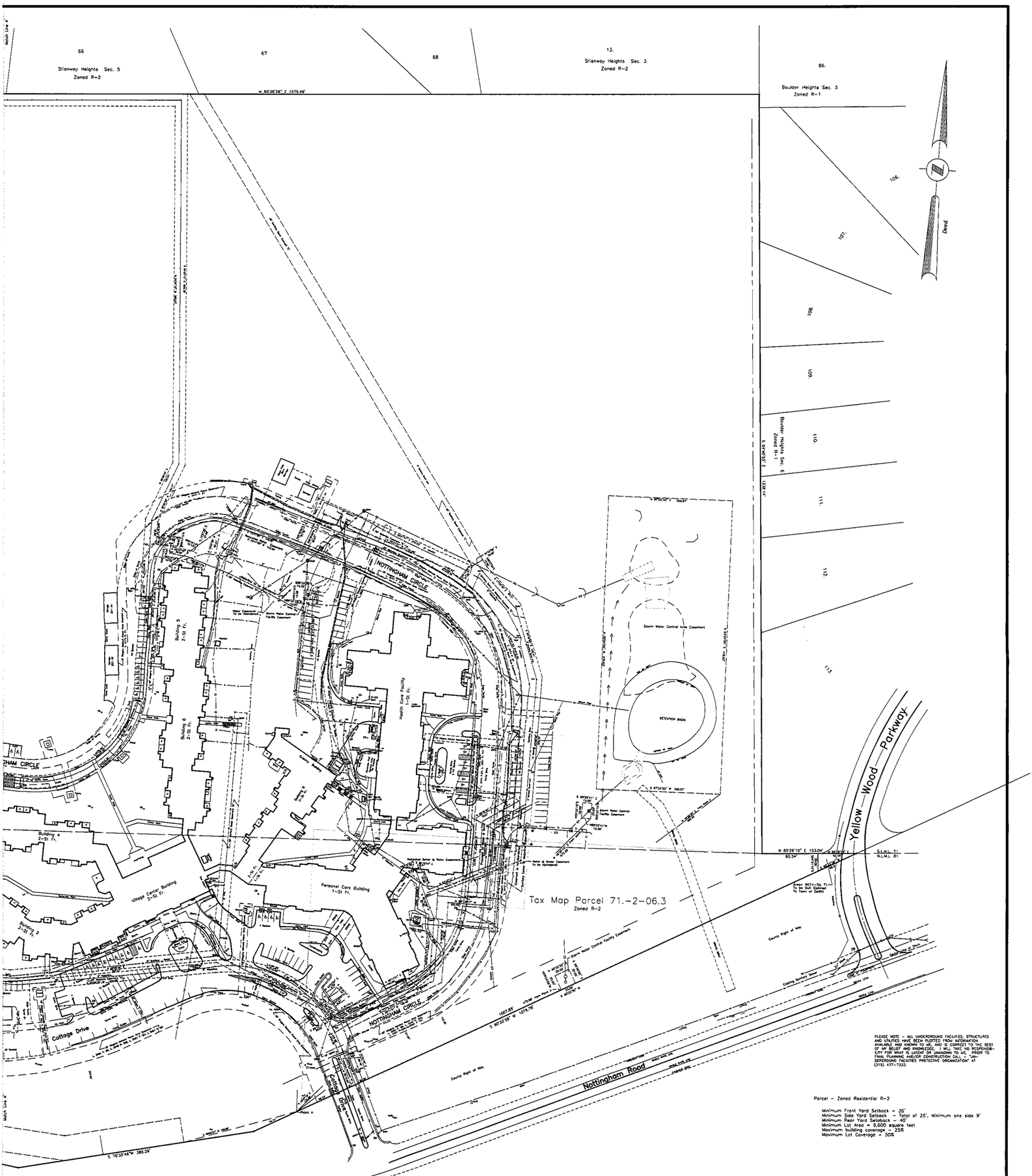
Dave Harding was present for the applicant. The subdivision plan no longer includes dividing the larger parcel. This is a revised plan. After discussion thereon Ms. Bertuch made a motion seconded by Ms. Kotz to approve the subdivision plan with the following conditions and findings:

Conditions:

The subdivision plan must be modified to include the monuments per OBG letter;
The subdivision plan must be filed with the Onondaga County Clerk with copy to the Town;
The parcel to be dedicated to the Town of DeWitt (and added to Yellow wood Parkway) must be completed through the DeWitt Town Board

Findings:

This is a Simple Division of land under the Code as no new lots are ultimately created by the subdivision; this involves consolidation of two lots because the structure on the premises crosses two lots; further the small triangular parcel at Nottingham Rd and adjoining Yellow Wood Parkway will be dedicated to the Town to add to Yellow Wood Parkway in order to "clean up" the parcels to conform how they are actually utilized. Accordingly, the matter will not create any public interest as this matter involves the same owner of all lots and will not create any perceptible change to the public; further, this Board has reviewed the EAF and issues a negative SEQRA declaration for the project. The motion carried unanimously.



PLEASE NOTE - ALL UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM INFORMATION AVAILABLE AND KNOWN TO ME, AND IS CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. I WILL TAKE NO RESPONSIBILITY FOR WHAT IS LATENT OR UNKNOWN TO ME. PRIOR TO FINAL PLANNING AND/OR CONSTRUCTION CALL - "UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION" AT (315) 437-7333.

Parcel - Zoned Residential R-2

Minimum Front Yard Setback = 35'
Minimum Side Yard Setback - Total of 25', Minimum one side 9'
Minimum Rear Yard Setback = 40'
Minimum Lot Area = 9,600 square feet
Maximum building coverage = 25%
Maximum Lot Coverage = 50%

Resubdivision of Tax Lots 71-2-9 & 71-2-6.3 into Lot 1, The Nottingham Resubdivision - Final Plan
Pt of Lots 70, 71, 80, Town of Dewitt
Onondaga Co., N.Y.

50 0 50 100 150
GRAPHIC SCALE - FEET

Scale 1" = 50'

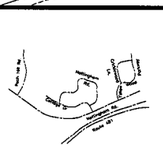
March 22, 2018

D. W. HANNIG L.S., P.C.
SURVEYORS - PLANNERS - CONSULTANTS
THE MARKET PLACE, BUILDING #1
MANLIUS, NEW YORK 13104
PHONE: (315) 682-5225 - FAX: (315) 682-7774

Projects/J054865/base plan/dwg/Final Map Nottingham

7/18/18	Storm Facility Easements
5/11/18	Lot Lines +Utilities
4/23/18	Zoning-Title Block
4/13/18	Lot boundaries
4/11/18	Lot boundaries
4/04/18	Sewer & Water Easements A & E

Revisions



Site Location

Approved By Town DeWitt

Approved By Owner

I hereby approve this tract map

The Nottingham Retirement Comm.
1301 Nottingham Road
Jamesville, N.Y. 13078

I hereby certify that this subdivision plat was prepared by me and was made from an actual survey completed by me on 3/28/18

David W. Hannig L.S. N.Y.S. Lic. No. 047411

STATE OF NEW YORK
LICENSED LAND SURVEYOR

Approved By Onondaga County Health Dept.

Sheet 2 of 2

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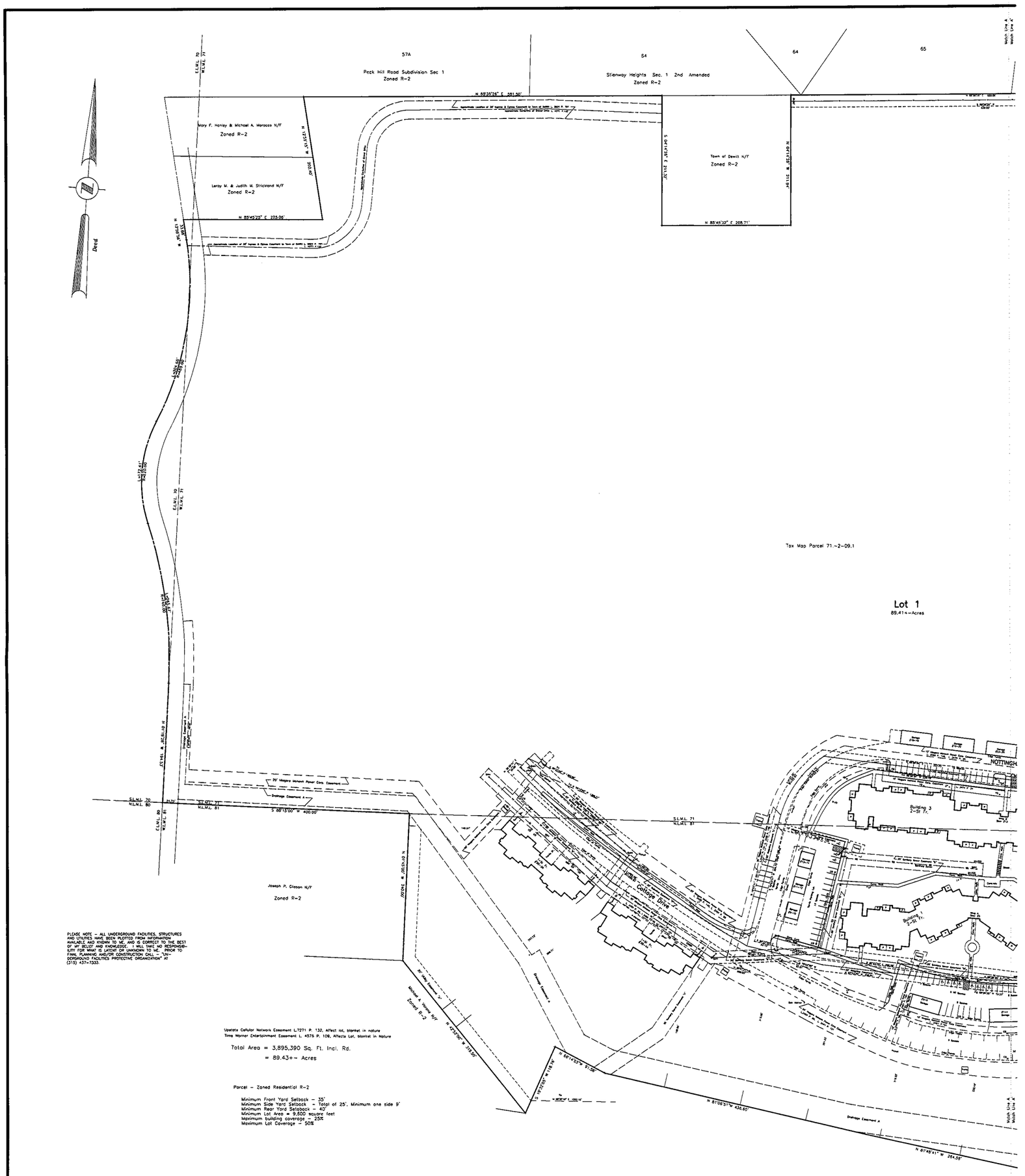
57A
Peck Hill Road Subdivision Sec 1
Zoned R-2
54
Stienway Heights Sec. 1 2nd Amended
Zoned R-2
64
65
Mary F. Hanley & Michael A. Marocco N/F
Zoned R-2
Leroy M. & Judith M. Strickland N/F
Zoned R-2
Town of Dewitt N/F
Zoned R-2
Tax Map Parcel 71.-2-09.1
Lot 1
89.41+-Acres
Joseph P. Gleason N/F
Zoned R-2
Michael A. Marocco N/F
Zoned R-2
Building 3
Building 1
Building 2
Cottage Drive
Drainage Easement A
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Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
The Nottingham Retirement Community

Project Location (describe, and attach a location map):
1301 Nottingham Road, Jamesville, New York 13078

Brief Description of Proposed Action:

Three-Mile Limit Subdivision Review (see next page attached).

Name of Applicant or Sponsor:	Telephone: (315) 413-3600
The Nottingham Retirement Community, Inc.	E-Mail: jbrennan@bcplegal.com

Address:
1301 Nottingham Road

City/PO:	State:	Zip Code:
Jamesville	New York	13078

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	X	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Dewitt Planning Board - Site Plan Approval		X

3.a. Total acreage of the site of the proposed action? 88.01 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 88.01 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Nursing home
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?		X	
b. Consistent with the adopted comprehensive plan?		X	

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	X	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	X	
b. Are public transportation service(s) available at or near the site of the proposed action?	X	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	X	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		X
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? ☐ NO ■ YES] If No, describe method for providing potable water: _____		X
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? ☐ NO ■ YES] If No, describe method for providing wastewater treatment: _____		X
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	X	
b. Is the proposed action located in an archeological sensitive area?	X	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	X	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	X	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ■ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	X	
16. Is the project site located in the 100 year flood plain?	X	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ■ NO ☐ YES		X
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ■ YES _____		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	X	

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: The Nottingham Retirement Community, Inc. Date: August 15, 2018

Signature: John R. Brennan, Esq., Secretary

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)