

# ***Route 92 Corridor Policy Committee***

## Final Report and Recommendations

### **Members of Committee:**

John Loeffler, Town Board – chair  
Elaine Coppola, Town Board  
Don Brandt, Planning Board  
Les McDermott, Planning Board  
John Touchette, Zoning Board of Appeals  
Susan Moliski, Zoning Board of Appeals  
Al Hanzalik, Town Building and Zoning Officer  
Ric Maar, Town Engineering Department  
Catherine Johnson, Town Attorney

### **BACKGROUND:**

The Route 92 Corridor Committee was formed by the Manlius Town Board in July, 2000 to evaluate the Route 92 corridor east of the Village of Manlius. The Committee was charged with analyzing the issues present in the corridor and bringing recommendations to the Town Board to enhance the corridor if appropriate.

The subject of protecting and enhancing the Rte 92 corridor has been raised several times to the Manlius Town Board, most recently during a fairly contentious debate over a development proposal in 1998. The Committee has attempted to look at this subject with an eye towards solving the many issues that exist today while attempting to maintain or improve the property values in the area.

The intent of the Committee with this Report is to propose a Corridor Policy that will achieve the following goals:

- Maintain and/or improve the current character of the corridor
- Mitigate traffic concerns to the extent possible and as reasonable and necessary
- Support the general Town policy of promoting the Villages as central business centers within the township

To achieve these goals, the Committee reviewed several aspects of the corridor and its surrounding environs. Specifically, it looked at 1) traffic intensity and mitigation, 2) maintenance and potential improvement to character of the corridor, 3) intensity of use of properties adjacent to Rte 92, 4) historical preservation of any sites deemed in need of such protection, and 5) protection of natural surroundings such as creeks, streams and waterways.

## **GENERAL OBSERVATIONS ON THE RTE 92 CORRIDOR:**

The corridor in question runs from the Manlius Village line eastward until it reaches the Town line with the Town of Pompey. Within that stretch of road are several key landmarks, including an important intersection with Pompey Center Rd. Enders Road Elementary School and Eagle Hill Middle School are located just off Rte 92 to the north resulting in a significant amount of school traffic utilizing the road. To the north and south, there are neighboring housing developments which lead to a significant amount of traffic entering onto the road from several points, most notably from the Pompey Center intersection.

There are 51 individual properties on this stretch of Route 92. Most of these are small lots zoned residentially (RA, R1 or R5) with private owners. Of the 42 residentially zoned properties, 19 lots are zoned Residential District R1. There are several small commercial lots as well where businesses currently exist. There is only two commercial lots over 1 acre in size. One is approximately 3 acres and is already built out, and the other is the property to the southeast of the Rte 92 – Pompey Center Rd intersection (henceforth called the LBA Property). This lot, which is approximately 45 acres in size, is zoned Commercial “A” and is mostly vacant at this time.

One of the key issues concerning this corridor is the fact that the increasing traffic on the route has the potential to detract from the value of the residential lots that are located on it. This issue is similar to the problem seen on Route 5 and addressed in the Town’s Rte 5 Corridor Policy for that route set forth several years ago, although the issue is certainly not as acute.

As second issue (and distinctly different from the Rte 5 situation) is that this route has a wide diversity of zoning within the corridor, including R1, RA, R5, and Commercial A. This leaves open the possibility that the corridor could continue to migrate towards an un-controlled and potentially undesirable mixture of uses, further diminishing its residential character and overall property value.

The LBA Property in particular has an interesting history relevant to this study. Approximately 30 years ago, its owner petitioned the Town with the consent of his neighbors to change the property from Restricted-Agricultural to Commercial A in order to develop a small commercial/retail complex for the residents living in the rural area between the villages of Cazenovia and Manlius and entered covenants into the property deed to that effect. He subsequently sold the property to its current owner without developing it. Over the last 20 years, small commercial operations have intermittently existed on the northwest corner of the lot – most recently Flannery’s Dairy.

In the interim, a large amount of residential development has occurred both to the north and south of this property, and it is no longer as open as it once was. Current residents are now much more concerned about the intensity of use along the corridor and the traffic impact that a full commercial build-out of this property could bring. That being said, there is a potential need for a small commercial complex on the property centered towards serving the convenience needs of the many residents in the area.

## **Review of Historical Sites and Natural Setting:**

The Committee also reviewed the potential historical significance of the properties along the corridor with special focus on the LBA Property, as it is the only parcel of significant size that is undeveloped and would therefore have the largest potential impact on any previously undisclosed historical artifacts. More detailed information on the area history is provided in Appendix B.

In its review, the Committee found that there is not a known historical value to any parcel of land within the corridor. However, it did find that many parcels in the south part of the Town, including some parcels in this corridor, have been designated as archaeologically sensitive by the State of New York. Specifically, there is an increased potential that land in this area of the town may contain historical artifacts from the Onondaga Nation of the Iroquois. This potential should be a concern of the Town Board during any future proposed development of the property and addressed by the Board and the potential developer at that time.

The Committee also found that there are houses along the south side of Rte 92 towards the Pompey town line that were part of the Turnpike era. Some of these houses date back before 1820. It is advisable that the Town Board also considers the preservation of these structures in any future proposals that come before it.

The topography of the land itself is one of sloping hills and a mixture of grassland and small woodland. The very southern portion of the LBA Property borders a nice pond the ownership of which is divided with Austin Wildlife Refuge, which owns a significant strip of property along the southern border. The Austin Wildlife Refuge is currently publicly accessible by footpath from Pompey Center Road. The Committee has tried to review this property with the desire to retain or improve upon the natural settings in this area.

## **RTE 92 CORRIDOR COMMITTEE RECOMMENDATIONS:**

The Route 92 Corridor Committee recommends to the Town Board two distinct actions for the Rte 92 Corridor. First it proposes a set of zoning changes for the corridor that it believes will improve the long-term character of the corridor. It will accomplish this by limiting the potential for drastic increases in traffic and by providing for a more uniformly-zoned corridor. Secondly, it proposes a Policy Statement that would help guide the Town in its future review of developments in this area.

### ***I. Zoning Recommendations.***

#### **Change specific RA and R1 properties along Route 92 to RM**

The Committee recommends that 17 of the 19 properties zoned R1 along the corridor be re-zoned to RM. It also recommends that all five of the RA properties between Enders Road and the Village of Manlius be re-zoned to RM. The specific properties are specified by tax map numbers in Appendix A of this report.

There are several objectives for taking this action. Firstly it will make the zoning of residential properties in the corridor more consistent. This will limit the variability of development in the future.

Secondly, it is anticipated that the change to RM zoning would improve the value of the residential properties in the corridor over the long term without altering the character of the neighborhood. The Rte 5 Corridor Policy discussed earlier in this report chose to re-zone several lots to RM (which requires a residential character to the lot but allows very limited, professional businesses). This policy stabilized the Rte 5 corridor and its overall character. Although the situation on Rte 92 is admittedly not as acute as it was on Rte 5, the change in zoning would be a pro-active approach designed to prevent deterioration of the character of the area.

Thirdly, for those properties that are currently zoned RA, the change to RM would prohibit some of the more commercial uses allowed under RA while enhancing the potential for limited professional uses because the residence does not have to be owner-occupied.

#### Re-zone the LBA Property from its current Commercial A zoning

The Committee also recommends that the LBA Property in the southeast portion of the corridor be re-zoned as well.

The Committee's primary concern with this property has focused on limiting the potential for intense commercial development that this property has as it is currently zoned. This parcel is large enough to hold a retail or grocery mega-store and is properly zoned for that kind of development. Such a development would have adverse affects on the adjacent communities in terms of traffic, intensity of use and the character of the area.

Over the past few months, the Committee has had several discussions with the owner of this property regarding the concerns of the Committee. In accordance with these discussions, the owner has come up with a proposal that the will help the Committee achieve its goals.

Specifically, the proposal asks that the property be split into three distinct segments. It requests that approximately 20% of the original lot (8 acres on the corner of Rte-92 and Pompey Center Rd) be changed from Commercial A to Commercial B. It further requests that approximately 75% of the original lot be changed from Commercial A to R3 for subsequent residential development. Finally, it requests that the southern 5% of the lot be donated to the Austin Wildlife Refuge thereby providing that organization with complete ownership of the pond and improving the property (which is publicly-accessible).

In fact, the proposal serves all three of the Goals that were originally established by the Committee – it maintains the current character of the corridor, mitigates traffic concerns and supports the general Town policy of promoting the Villages as central

business centers within the township. Concerning traffic in particular, the proposed use of the property would cap its affect on Rte 92 traffic to approximately 10%-20% of the “maximum build-out” scenario noted in the Route 92 Traffic Study conducted 2 years ago<sup>1</sup> (see Appendix “C” for traffic analysis) . In addition, it may help reduce traffic that enters the Village of Manlius for the purposes of purchasing convenience items only.

It is important to note that the light commercial use intended by the owner for the proposed Commercial B property is consistent both with the prior use of the lot and with the Committee’s concern for the future. However, if the Town Board does move forward with the re-zoning, the committee recommends that the following restrictions be placed on the Commercial B zone approval:

- No adult uses
- No truck stops
- No liquor stores
- No commercial repair garages
- No outdoor theatres
- No farm implement distributors
- No lumber yards
- No wholesalers with outside storage

These restrictions would stay with the re-zoned lot regardless of ownership.

It should be noted that a very important part of the re-zone proposal is the donation of approximately 2 acres to the Austin Wildlife Refuge. This contribution places the entire pond into the ownership of Austin Wildlife Refuge. It will further enhance the Wildlife Refuge, which is open to the public, and the neighboring community as well.

In summary, it is the position of the Committee that this proposal is conceptually sound and represents an important part of the Committees overall recommendation for the corridor. *However, although the Committee has outlined the proposal for the Town Board, we feel it is necessary for the owner to sponsor the zone change so that he may respond to all of the specific concerns of the Town Board with certitude and authority.*

## ***II. Rte 92 Policy Statement:***

The second deliverable of the Rte 92 Committee is a policy statement regarding the corridor. The Committee felt that this statement was a very important part of the final recommendation because if it is accepted by the Town Board it can be used to help guide future decisions by the various governing boards of the Town in this critical area.

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<sup>1</sup> Traffic Evaluation Within Town of Manlius, New York State Route 92 & 173 Corridor, O’Brien & Gere Engineers, Inc, May 1999

## **Findings:**

The Committee has come to the following conclusions about the Rte 92 Corridor:

### General Character of the Corridor:

A large majority of the property directly adjacent to Rte 92 is residential in nature. Furthermore, adjoining properties that exist to both the north and the south are almost all residential.

It is advantageous to the residents in this area that the character of the corridor remain residential in nature. The zone changes to RM are meant to maintain the character of the corridor and improve the potential value of the properties directly on Rte 92.

This residential character should also be supported by the commercial building and lots properties that exist today or may be built on the commercially-zoned properties. Whether non-residential use is proposed on RM or commercially-zoned property, it should be encouraged to be undertaken in such a way so as to not detract from this residential character.

### Traffic:

The traffic flow through the corridor is a significant concern to the residents of the area and the Town. Of most importance is limiting the potential of a significant worsening of the situation in the future. The proposed re-zoning of the LBA Property in the southeast section should greatly diminish the potential for large negative traffic impacts in the future.

As noted in Appendix C, approximately 40% of the traffic today comes from outside of the Town and is not under control of the town's governing boards. With concern to locally-sourced traffic, the Committee feels it is not practical to place hard limitations on future increases caused by new development. However, the Town should encourage any efforts by potential developers to limit increases in traffic when practical.

The second concern with regards to traffic is the prevalence of speeding as motorists face the reduced speed limit as they near the village. The town should continue to re-assess its application to New York State for a reduction in the speed limit in the corridor. Meanwhile, it should continue to work to control speeding through local law-enforcement. The Committee is hopeful that as the corridor continues to develop in a residential manner that the speeding seen today will diminish.

### Intensity of Use -- Residential:

Whether or not the proposed zone changes occur, the intensity of use in the Residentially-zoned properties should not change significantly from what it is today. Even assuming that some of these properties are developed into professional businesses, the increase in traffic flow should be minimal and the impact on

neighboring properties should not be noticeably greater than if it were used solely for residential purposes.

A particular concern that may arise with the RM zone is the potential for one owner to purchase and consolidate two or more adjacent RM lots in order to establish a viable business. While this action would most probably be done in a manner consistent with the surrounding neighborhood, it is possible that the resulting proposed site plan would not retain characteristics consistent with the community. It is recommended that during the site plan review process that the Planning Board ensure that all consolidated lots be designed so as not to alter the residential character of the surrounding area.

Intensity of Use – Commercial:

The intensity of use on Commercially zoned properties is limited greatly by the relatively small size of the lots. Any significant changes to current businesses on these properties will require site plan approval and possibly permitting approval as well. At these key points in the process, the Town has the ability to manage the marginal impact of such changes on the surrounding community.

For any new developments, it is recommended that architectural approaches to new buildings be consistent with the overall residential character being emphasized for the corridor. Considerations for architectural features that contribute to this character (such as pitched roofs, etc.) should be encouraged at the time of site plan review.

Signage:

Signage within the corridor must conform with the current sign regulations relating to the various zoning ordinances that exist in the corridor. In the case of the RM zone, these include such restrictions as only using signs for identification purposes and not using illuminated signs. Signs on commercial properties should also be encouraged to blend with the community as there will not be a strong “competitive” requirement to make highly visible impacts.

Potential Impact on Natural Surroundings:

The proposed contribution of 2 additional acres to Austin Wildlife Refuge will enhance the local community and the Town at large. Other additions to improving the natural surroundings of the area -- including appropriate landscaping for commercial site plans -- should also be encouraged.

# Appendix A:

## *Zoning by Tax Parcel*

## Appendix B:

# *Overview of Historical and Environmental Factors*

### **Historical Summary**

The following historical factors should be taken into account when zoning and developing land along the Rte 92 Corridor:

1. The Onondagas lived in this area. Remains of the longhouses have been found on the hills south of the Village of Manlius. This area has been designated as archaeologically sensitive by the State of New York. Disturbance of the earth in this area may uncover a site of archaeological significance. *Consideration for such an event should be given by the Town Board prior to approving any development in the area.*
2. Along the south side of the Rte 92 Corridor towards the Pompey town line, there are houses that were part of the turnpike era, most being built before 1820. *Consideration of these properties should be given by the Town Board prior to approving any development that may impinge upon their historical value.*

## **Environmental Summary**

The following environmental factors should be taken into account when zoning and developing land along the Rte 92 Corridor:

1. The proximity of Limestone Creek, tributaries, and drainage areas need to be considered when developing land in the corridor so as to prevent flooding problems, to protect the banks of the creek from erosion, and to prohibit pollution of the creek waters.
2. The steep slopes and floodplain bordering Limestone Creek may limit development in nearby areas, especially development requiring extensive impervious paved areas.
3. Land suitable for agricultural purposes lies in this corridor. Care should be taken before irrevocably removing land from agricultural use or possible future agricultural use.
4. Austin Wildlife Refuge. On the southern and eastern boundaries of the LBA Property is the Austin Wildlife Refuge, which is presently part of the Save The County Land Conservancy. The refuge consists of approximately eight acres of land along Limestone Creek donated in 1998 by Willard Lipe and his wife Barbara as “forever wild” acreage. It is named in memory of Mrs. Lipe’s parents who lived nearby.

# Appendix C:

## *Summary of Rte 92 Traffic Situation and Potential for Improvement*

The Rte 92 Traffic Study reviewed the Rte 92 / Rte 173 corridor with regards to current traffic and the potential for it to worsen over the coming years. The survey makes many important points regarding Rte 92 east of the Village of Manlius. The most notable of these are:

- Approximately 40% of the traffic on Rte 92 (1997) originated from outside of the town
- Total trips generated at the Rte 173 / Rte 92 intersection (1997) was 24,800
- The “Full-build” estimate of the study representing the “worst case” scenario for the Rte 173 / Rte 92 corridor was an incremental 16,951 trips
- The “Full-build” estimate of the study representing the “worst case” for traffic coming from Rte 92 was an incremental 13, 439 trips

One of the most important goals of the Rte 92 Corridor Study is to limit the potential increase in traffic that could occur within the Rte 92 Corridor. The proposed re-zoning of the LBA property will have a very positive and very significant impact on the “worst case” traffic scenario. This proposal, if passed, coupled with recent developments in other properties identified by the study results in a *decrease of approximately 65%* in the potential increase in traffic at “full build” (please see table below). It is important to note that this estimate does not include the potential incremental traffic from the proposed Commercial B property. However, it also does not account for the fact that the estimate for the LBA property that is re-zoned to R3 is probably very high, as the lots are aimed directly at a portion of the population that generate relatively few vehicle trips/day.

<i>Property</i>	<i>Zoning</i>	<i>Old</i>		<i>Old</i>	
		<i>Old Estimate Full-build Potential</i>	<i>Projected Trips @ Full Build</i>	<i>New Estimate Full-build Potential</i>	<i>Projected Trips @ Full Build</i>
Brinnan Fields	Residential	59 lots	668	34 lots	390
Lee Property	Residential	13 lots	159	0 lots	0
Lee Property	Commercial	31 acres	7368	80 lots +	830
Regiment Way	Commercial	3 acres	1910	1.5 acres	800
Mallards Landing	Residential	200 lots	1961	150 lots	1450
Hunter's Ridge	Residential	31 lots	353	31 lots	353
Suburban Park	Residential	128 units	1043	128 units	1043
<b>Total Vehicle Trips ==&gt;</b>			<b>13462</b>		<b>4866</b>