

OSWEGO COUNTY

JIANCHENG HUANG, DIRECTOR OF PUBLIC HEALTH
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218113 County Health Scope Response

HEALTH DEPARTMENT

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February 8, 2013

John Klucsik, Esq.
Gilberti Stinziano Heintz and Smith, P.C.
Attorneys and Counselors at Law
555 East Genesee Street
Syracuse, NY 13202

Re: Central New York Raceway Park, Inc.

Dear Mr. Klucsik:

The Oswego County Health Department has reviewed the NY SEQRA draft scoping document for the proposed CNY Raceway Park. Based upon its review, the following codes have been identified as potentially applicable to the project and operation of the facility. As you are likely aware, certain permit applications may be required prior to construction and/or operation of the raceway, as well as prior to some of the proposed scheduled events.

- **Subpart 14-1 of the State Sanitary Code: Food Service Establishments (10 NYCRR 14-1)**
The draft scoping document proposes a 350 seat full-service restaurant, a banquet room, and snack bar facilities. At least one overall food service permit, and possibly one for each separate food service, will be required. The annual permit fee (\$100 to \$225) depends on food served and food preparation. Under the authority of Subpart 14-1, section 14-1.191, the department requires a pre-operational review prior to construction. Plans showing floor layout, equipment, plumbing, ventilation, refuse storage facilities, sewage disposal facilities and similar information are required.
- **Subpart 14-2 and Subpart 14-4 of the State Sanitary Code: Temporary Food Service Establishments and Mobile Food Service Establishments (10 NYCRR 14-2, 14-4)**
Food Vendors at events (i.e. Lioness Club of Central Square Apple Festival) are required to obtain Temporary or Mobile Food Service Permits.
- **Subpart 7-4 of the State Sanitary Code: Mass Gatherings (10 NYCRR 7-4)**
A permit for a Mass Gathering is required for any event likely to attract 5000 people or more and continue for 24 hours or more.
- **Subpart 7-3 of the State Sanitary Code: Campgrounds (10 NYCRR 7-3)**
The scoping document mentions 2 to 3 day events attended by 150-200 participants, support personnel and spectators. If these people stay on site in camping units (RV's, tents, and/or camping cabins) a campground permit would be required per Subpart 7-3. Engineered plans and specifications must be submitted at least 30 days before the proposed date of the beginning of construction. The annual permit fee is dependent on the size of the campground.

- **Subpart 7-1 of the State Sanitary Code: Temporary Residences (10 NYCRR 7-1)**
The draft scoping document indicates proposals for shower facilities, VIP suites, and large events, some of which may last for 2-3 days. It is unclear whether there will be on-site accommodations for overnight stays. Subpart 7-1 applies to a temporary residence occupied or maintained for occupancy by 11 people or more. Notification of plans to construct a temporary residence must be submitted 60 days before construction commences. The building permit and certificate of occupancy/certificate of compliance as issued by the code enforcement official and a copy of the plans as approved by the CEO must be available for review. The permit fee is dependent on the size of the facility.
- **Local Law #1 of 1982, as amended by Local Law #4 of 1984: Public Assemblage Law of the County of Oswego**
This law applies to:
 - a. Any gathering of people at a carnival, circus, music festival, concert, sporting or recreational event, or other festival or public amusement for which an admission charge is required, or in connection with which a charge is made for the use of or enjoyment of any parcel of land or participation in any facility thereon or activity thereat or therein; except as otherwise sponsored or licensed by the County of Oswego and State of New York, and /or
 - b. Any gathering of more than 5000 persons.
- **Part 18 of the New York Sanitary Code: Public Functions with Attendance of Over 5000 People (10 NYCRR 18)**
A public function is defined as any scheduled or advertised event open to the public and likely to attract 5000 or more people at any one time, except that the term shall not apply to any single day of a planned multi-day series of events at which 5000 or more people are not likely to attend. The New York State Department of Health is responsible for Part 18 permits.

Copies of the above codes are enclosed for your review along with OCHD-17, Application for Food Service Facility Plan Review. All other applications can be provided upon request. If you have any questions or concerns, call Natalie Roy or Dorothy Cloonan at (315) 349-3557.

Please be advised that all correspondence to the Oswego County Health Department regarding the Central New York Raceway Park, Inc. should be addressed to Jiancheng Huang, Director of Public Health.

Sincerely,



Jiancheng Huang
Director of Public Health

- c: Natalie J. Roy, Oswego County Health Department
- Christy Carrington, Assistant County Attorney
- Mark Bombardo, Town of Hastings Code Enforcement (Attachments included)
- Alan Hanson, Chairperson, Town of Hastings Planning Board
- Dorothy Cloonan, Oswego County Health Department
- File