

**Town of Marcellus Planning Board
24 East Main Street
Marcellus, New York 13108**

March 1, 2010

Present: Chairperson Gerard Wickett, Robert Oliver
Chris Christensen, Michelle Bingham, Kathy Carroll
Absent: David Peatfield, Bob Ciota
Town Counsel: James Bell of Costello, Cooney, Fearon
Town Engineer: Jeffery Nadge of Barton & Loguidice
Codes Officer: William Reagan

The Planning Board of the Town of Marcellus met in regular session in the Town Hall for the Town of Marcellus, located at 24 E. Main Street, Marcellus, New York, on March 1, 2010.

Paul LaPlant, 3002 Cherry Valley Turnpike – 2 lot subdivision

A continuation of a public hearing was held for a two (2) lot subdivision. A fax was received from the neighbor's attorney, Peter Hakes, dated March 1, 2010, stating that they no longer wish to pursue the property line dispute. An abstract of the property and title insurance, requested by the town attorney, was received. Hearing no further questions from the PB or town attorney Chris Christensen moved to close the public hearing and Kathy Carroll seconded. The motion carried with the following vote:

Chris Christensen – aye	Michelle Bingham – aye
Robert Oliver – aye	Kathleen Carroll – aye
Jerry Wickett – aye	

Chris Christensen moved to approve the project as presented as a public hearing was held and one (1) adjacent landowner, David Wicks, had concerns regarding the property boundaries. The Town Attorney requested that the applicant provide title and abstract insurance and all was provided. Michelle Bingham seconded and the motion carried with the following vote:

Chris Christensen – aye	Michelle Bingham – aye
Robert Oliver – aye	Kathleen Carroll – aye
Jerry Wickett – aye	

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by LaPlant Realty, LLC, on a two (2) lot subdivision located at 3002 Cherry Valley Turnpike in an Agricultural zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon November 2, 2009, December 7, 2009, January 4, 2010, February 1, 2010 and March 1, 2010

commencing at 7:00PM, local time, to consider said application at which time and place all persons desiring to be heard were duly heard; and

WHEREAS, the Planning Board, as lead agency, determined an unlisted negative SEQR declaration; and

WHEREAS, the Planning Board duly considered the application, maps, data and supporting documents submitted by the applicant as well as all comments and suggestions received at the public hearing; and

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Town of Marcellus hereby grants preliminary/final plat approval on the subdivision known as "LaPlant Subdivision", such approval being based on a map made by CNY Land Surveying, dated September 21, 2009.

BE IT FURTHER RESOLVED that such approval is contingent upon compliance with all regulations set forth in the Marcellus Subdivision Regulations adopted April 1, 2009 including, but not limited to:

1. Applicant complies with the Planning Board resolution of February 2, 1987 regarding runoff:
 - a. That in all developments in the Town of Marcellus, the peak runoff flow rate of the discharge from a proposed site after development shall not exceed the peak runoff flow rate that prevailed prior to development. In general, this requirement will necessitate the design and construction of detention/retention facilities of various types. The design frequency should be that of a twenty-five year storm with an overflow facility to handle a one hundred year storm with no erosion.
2. Monuments are in place, indicated on the map and inspected and approved by CEO.
3. Successful drainage plan approved by the Onondaga County Health Department.
4. Conditions set forth in the OCPB resolution dated October 27, 2009.
5. Further subdivisions are prohibited and should be noted on the linen map.
6. Submission of the final linen (2 copies) maps (final map-see subdivision regulations for specifications) which shows monuments, submitted within six (6) months after approval of the preliminary plat as outlined in Sec 303 A.
7. Timely filing of the approved map as outlined in Section 304, and submission of the receipt, or copy thereof, to the Town Clerk's office within sixty days of the Planning Board final approval.
8. No building permits are to be issued until all contingencies are met.

Craig and Lori Snyder, 2610 Abend Point – 1 lot subdivision

A public hearing was held for a one (1) lot subdivision. The secretary, Karen Cotter, read the legal notice into the minutes and advised that the mailing receipts are on file. Helen Stevens was present to represent the project and advised that the Snyder's would like to combine two (2) contiguous non-conforming lots to form one (1) lot. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition and there were none. The OCPB resolution, #S-10-17, dated February 10, 2010 was read into the minutes. Hearing no further questions from the PB Chris Christensen moved to close the public testimony and public hearing. Cathy Carroll seconded and the motion carried with the following vote:

Chris Christensen – aye	Michelle Bingham – aye
Robert Oliver – aye	Kathleen Carroll – aye
Jerry Wickett – aye	

Chris Christensen moved to approve the project as presented as a public hearing was held and there was no opposition, the subdivision will create a conforming lot from a non-conforming lot and if the applicant elects to purchase property from OCWA the five (5) year moratorium will be waved. Michelle Bingham seconded and the motion carried with the following vote:

Chris Christensen – aye	Michelle Bingham – aye
Robert Oliver – aye	Kathleen Carroll – aye
Jerry Wickett – aye	

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Craig and Lori Snyder, on a one (1) lot subdivision located at 2610 Abend Point in an R-2 zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon March 1, 2010 commencing at 7:00PM, local time, to consider said application at which time and place all persons desiring to be heard were duly heard; and

WHEREAS, the Planning Board, as lead agency, determined an unlisted negative SEQR declaration; and

WHEREAS, the Planning Board duly considered the application, maps, data and supporting documents submitted by the applicant as well as all comments and suggestions received at the public hearing; and

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Town of Marcellus hereby grants preliminary/final plat approval on the subdivision known as

"Snyder Subdivision", such approval being based on a map made by Davis Love, Survey Systems, dated August 27, 2009.

BE IT FURTHER RESOLVED that such approval is contingent upon compliance with all regulations set forth in the Marcellus Subdivision Regulations adopted April 1, 2009 including, but not limited to:

9. Applicant complies with the Planning Board resolution of February 2, 1987 regarding runoff:
 - a. That in all developments in the Town of Marcellus, the peak runoff flow rate of the discharge from a proposed site after development shall not exceed the peak runoff flow rate that prevailed prior to development. In general, this requirement will necessitate the design and construction of detention/retention facilities of various types. The design frequency should be that of a twenty-five year storm with an overflow facility to handle a one hundred year storm with no erosion.
10. Monuments are in place, indicated on the map and inspected and approved by CEO.
11. Successful drainage plan approved by the Onondaga County Health Department.
12. Conditions set forth in the OCPB resolution dated February 10, 2010.
13. Further subdivisions are prohibited and should be noted on the linen map.
14. Submission of the final linen (2 copies) maps (final map-see subdivision regulations for specifications) which shows monuments, submitted within six (6) months after approval of the preliminary plat as outlined in Sec 303 A.
15. Timely filing of the approved map as outlined in Section 304, and submission of the receipt, or copy thereof, to the Town Clerk's office within sixty days of the Planning Board final approval.
16. No building permits are to be issued until all contingencies are met.

Richard and Norma Tuttle, 4582 Northwest Townline Road – 1 lot subdivision

Mr. & Mrs. Tuttle advised that when they purchased the property they did not realize the property was not properly subdivided. In 1999 a letter was sent to property owners who purchased land from Mrs. Hyatt advising that a subdivision would be required to legitimize these lots. The Tuttle's are in the process of selling their land and want to subdivide the lots. Hearing no issues from the PB they will move forward with the subdivision.

Bryan Ramsden, 2780 Schuyler Road – 1 or 2 lot subdivision

Mr. Ramsden advised that he would like to subdivide the existing farmhouse and possibly create one (1) other parcel from the existing 82 acre lot that he owns. There was some question as to whether a wood lot in the rear was deeded on the 82 acres and it is not.

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Highway Supervisor, Don MacLaghlan has already approved a 60' future road right of way. There was discussion as to where a new driveway would be located and that if the future road was ever constructed it would need to come off of that road. Seeing no other issues Mr. Ramsden will move forward with an application.

The minutes will stand as distributed.

The meeting was adjourned at 7:45pm.

Respectfully submitted,

Karen Cotter
Secretary