

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

June 7, 2010

Present: Chairperson Gerard Wickett, David Peatfield,
Chris Christensen, Michelle Bingham, Bob Ciota
Absent: Robert Oliver, Kathy Carroll
Town Counsel: James Bell of Costello, Cooney, Fearon
Town Engineer: Jeffery Nadge of Barton & Loguidice (absent)
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 June 7 2010.

The Chair, Jerry Wickett, made a motion to change the July meeting date to Thursday, July 8, 2010 due to the July 4th holiday. Chris Christensen seconded and the motion carried with the following vote:

Chris Christensen – aye	Michelle Bingham – aye
Robert Oliver – aye	Bob Ciota– aye
Jerry Wickett – aye	Kathleen Carroll – aye
David Peatfield – aye	

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

A public hearing was held for a one (1) lot subdivision for Mr. & Mrs. Tuttle. The secretary, Karen Cotter, read the legal notice into the minutes and advised the certified mailing receipts were on file. Mrs. Tuttle explained that several years ago they purchased property that was without benefit of subdivision. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition to the project and there were none. Karl Dungey, 4576 Northwest Townline Road asked if there was an issue with his property and whether he would need to subdivide the property. He was advised to call our office and we could look into the situation further. Jerry Wickett read the OCPB resolution #S-10-43, dated May 26, 2010 into the minutes. Hearing no questions from the Planning Board, Dave Peatfield made a motion to close the public testimony and public hearing. Kathy Carroll seconded and the motion carried with the following vote:

Chris Christensen – aye	Michelle Bingham – aye
Robert Oliver – aye	Bob Ciota– aye
Jerry Wickett – aye	Kathleen Carroll – aye
David Peatfield – aye	

Chris Christensen moved to approve the subdivision as requested as there was no opposition and the action rectifies an outstanding illegal subdivision. Dave Peatfield seconded and the motion carried with the following vote:

WHEREAS, an application for PRELIMINARY FINAL PLAT APPROVAL has been duly filed by Richard and Norma Tuttle, on a one (1) lot subdivision located at 4582 Northwest Townline Road in an R-1 zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon June 7, 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 "Tuttle Subdivision", such approval being based on a map made by Doug Reith, CNY Surveyors, dated April 9, 2010.

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 May 26, 2010.
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.

Richard Niles, 2935 Smith Road – 1 lot subdivision
Steven Casselbury, 2971 Smith Road – 1 lot subdivision

Attorney Craig Kerr advised that Mr. Niles would like to subdivided 4.33 acres. Mr. Casselbury would purchase the 4.33 acres and attach them to his existing lot of .50 acres. There would be no new road cut as Mr. Casselbury already has an existing driveway. The property is leased and farmed and this would also continue. Mr. Christensen advised that there would be a five (5) year moratorium on future subdivision and Mr. Kerr advised that his clients had no issue with that. The existing right-of-way to drive over the property would be continued. Hearing no further questions the Chair, Jerry Wickett, asked the PB to review SEQR. Michelle Bingham made a motion for an unlisted negative declaration for the Niles property. Chris Christensen seconded and the motion carried with the following vote:

Chris Christensen – aye	Michelle Bingham – aye
Robert Oliver – aye	Bob Ciota– aye
Jerry Wickett – aye	Kathleen Carroll – aye
David Peatfield – aye	

Michelle Bingham then made a motion for an unlisted negative declaration for the Casselbury property. Chris Christensen seconded and the motion carried with the following vote:

Chris Christensen – aye	Michelle Bingham – aye
Robert Oliver – aye	Bob Ciota– aye
Jerry Wickett – aye	Kathleen Carroll – aye
David Peatfield – aye	

This project will be sent to OCPB for review and to a public hearing in July.

New Business

Charlie Smith, 4427 Lathrop Drive was present to discuss issues he is having with a swale that is not functioning properly. The swale was created as part of the Lathrop/Abounding Way subdivision. Bill Reagan advised that he has gone up and looked at the problem. He said that there is water constantly running and it is full of mud

and swamp grass and because of this it can not be mowed. Mr. Reagan spoke to the highway dept. who will go up next week and possibly fill it with stone. If that happens than it will never be able to be mowed. Mr. Reagan will ask the highway supervisor to look at the issue and get his suggestions to try and fix it. If there are still problems Mr. Smith should discuss it with the Town Board. There was discussion on how we should prevent this from happening on further subdivision.

Old Business

Jerry Wickett asked if everyone had reviewed the letter that Bob Ciotta had submitted regarding outstanding issues for Ultimate Goal. These had been discussed at the May workshop meeting. Hearing no changes Jerry Wickett made a motion to send this letter to the Town Board for their review. Chris Christensen seconded and the motion carried with the following vote:

Chris Christensen – aye
Robert Oliver – aye
Jerry Wickett – aye
David Peatfield – aye

Michelle Bingham – aye
Bob Ciota– aye
Kathleen Carroll – aye

The May minutes stand as distributed

Meeting was adjourned at 8:15PM

Respectfully submitted,

Karen Cotter
Secretary