

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

December 6, 2010

Present: Temporary Chairperson Bob Ciota, David Peatfield, Kathy Carroll
Chris Christensen, Robert Oliver
Absent: Gerard Wickett, Michelle Bingham
Town Counsel: James Gascon 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 December 6, 2010.

Chris Christensen made a motion to make Bob Ciota temporary Chairperson as Jerry Wickett was not present. Dave Peatfield seconded and the motion carried with the following vote:

Chris Christensen – aye	Bob Ciota– aye
David Peatfield – aye	Kathy Carroll - aye
Robert Oliver – aye	

Marcellus Fire Dept., 4242 Slate Hill Road – site plan review

Ben DeGeorge from St. Pauly Textile and Jeff Berwaw from the Marcellus Fire Dept. were both present to request an 8' X 16' charity drop off shed be allowed at the Marcellus Fire Dept. This is the same type of shed that was approved several months ago for the United Christen Church in Marietta. Mr. DeGeorge advised that the business has been around for over 15 years and they have sheds located at over 396 properties. The clothing is dropped off at the shed, someone from the Fire Dept. will move the clothes to the other side of the shed (which has no access to the public) and St. Pauly Textile comes and picks up the clothing. There is nothing left outside and the doors are locked. If there is any type of issue the shed will be removed immediately. They are not planning to locate any other sheds in our town. The PB felt that there would be minimum impact with this project and a public hearing was not required. The Chair, Bob Ciota, asked if anyone would like to make a motion for SEQR. Chris Christensen moved for an unlisted, negative declaration and Dave Peatfield seconded. The motion carried with the following vote:

Chris Christensen – aye	Bob Ciota– aye
David Peatfield – aye	Kathy Carroll - aye
Robert Oliver – aye	

Kathy Carroll moved to approve the project as presented and Dave Peatfield seconded the motion carried with the following vote:

Chris Christensen – aye	Bob Ciota– aye
David Peatfield – aye	Kathy Carroll - aye
Robert Oliver – aye	

WHEREAS, an application has been duly filed requesting SITE PLAN REVIEW AND APPROVAL for the 8' X 16' charity shed, on premises located at 4242 Slate Hill Road, Marcellus, New York in an L1 district; and

WHEREAS, all Planning Board members had due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place thereof was duly given as required by law; and

WHEREAS, the Planning Board, is required to issue an advisory recommendation to the ZBA pursuant to Section 22 of the Marcellus Zoning Ordinance; and

NOW, THEREFORE BE IT RESOLVED that the Planning Board of the Town of Marcellus hereby makes the following findings and recommendations to the Zoning Board of Appeals:

1. If there are any issues with the building and/or items are left outside then the building shall be removed.

Joe Main, 2879 Slate Hill Road – Site Plan

Applicant was not present. Bill Reagan stated that the applicant would like to place a fence on the property and to have additional unlicensed antique or collector cars. The fence would help screen the property from the neighbors. There are currently no complaints and they have worked to improve the property. Mr. Reagan will contact Mr. Main and advise that he needs to attend the January meeting.

John and Patti Nelson, Lee Mulroy Road (Scott McClurg property) – farm store

Mr. Nelson would like to sell local produce and dairy products from the existing building located on Mr. McClurg's property. The main office was originally used for retail and has heat. They would also like to sell Christmas trees from Thanksgiving to Christmas. A banner would be located on the building. If there is an expansion of the business the Nelson's will need to provide a site plan but at this time the PB did not feel that was necessary. When they are ready to open the stand they should contact Bill Reagan for an inspection.

Sandra Collins, Roman Ave. – legal building lot

Mr. Collins and her brother-in-law, Thomas Eron, were present to discuss the property located on Roman Ave. Mrs. Collins advised that she and her husband purchased the property in 1987 with the intent to construct a future home. This is no longer feasible and she would like to sell the property as a building lot. Currently there is no road frontage and Chris Christensen stated we do not have a legal way to create a building lot without road frontage. Mr. Eron stated that a precedent was set when the Town of Marcellus issued building permits for the adjoining properties that have the same issue. Bill Reagan advised that he owns the property in the rear and he and several other owners are concerned that if the house is constructed there is no way to gain access to those properties. There was additional discussion regarding access and who owns the right of way. Mr. Christensen will look into this issue further. Town Attorney, James Gascon, stated that we cannot act on this property until we have an application before us. Mr. Reagan advised that he had denied the building permit and he believes Mrs. Collins must apply for an area variance.

Joe King, theme park and resort

Mr. King would like to construct a theme park. Currently he is looking at the property located on Lee Mulroy road owned by Carmen Mallore, located between NAPA and Ultimate Goal in a light industrial zone. Mr. Christensen stated that if he is not purchasing the entire parcel he will need to subdivide the property. Also, if part of the property has been sold to Ultimate Goal then they will need to go through the subdivision process as well as completing their site plan. The following ideas were presented by Mr. King:

- Parking located on the left side of the property
- Rear property would have camping/RV site
- Front location for race tracks
- Lagoon
- Food court/or food cart located in middle of property
- Indoor/outdoor theater
- Fence all around property
- Mr. King would like to open by early summer
- Hours 10am to 9pm
- Year round park
- Snow mobiling and sledding in the winter
- Vendors would be located around the park
- Disco

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The PB advised that the applicant may want to discuss the project with an architect, engineer and an attorney. The following are some of the questions that will need to be dealt with:

- Drainage
- Deliveries
- Parking
- Employees
- Provisions for bathroom facility
- Lighting and the effect on neighbors
- Utilities/power
- The project must meet public safety issues

Mr. King will look into getting the information requested.

The minutes of the November meeting stand as distributed.

The meeting was adjourned at 9:20pm.

Respectfully submitted,

Karen Cotter
Secretary