

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

**September 8, 2011**

**Present:** Chairperson Jerry Wickett, Chris Christensen, David Peatfield  
Michelle Bingham, Kathy Carroll  
**Absent:** Bob Ciota, Robert Oliver  
**Town Counsel:** James Gascon 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 September 8, 2011.

**Ken Phillips, 2483 Masters Road – Site Plan**

This project was discussed during a confidential meeting with the Town Attorney regarding several legal matters.

**Karen Leonard Lanning, 3146 Cherry Valley Turnpike – 1 lot subdivision**  
**Roger and Philip Marshfield, 3373 Cherry Valley Turnpike – 1 lot subdivision**

A public hearing was held for both subdivisions and David Bardoun, surveyor, was present to represent the projects. He explained that Karen Leonard Lanning would like to give a parcel of property, along the east side of her property, to the Marshfield's. This parcel has an existing easement on it that allows the Marshfield's access to their 34 acres. The Marshfield's would like to give Karen Leonard Lanning a parcel in the rear (south) of her property as this has the Lanning's well located on it. They are not creating any new lots, just moving lot lines. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition to either project and there were none. Mr. Wickett read the OCPB resolution #S-11-62, dated August 31, 2011, into the minutes. The applicants must file corrective deeds for both properties and provide copies to our office. Chris Christensen stated that access to the Marshfield property is a farm access only and a driveway or road application would need to be approved by NYSDOT if access is to be used other than for farming. Chris Christensen made a motion to close the public hearings for both projects and Michelle Bingham seconded. The motion carried with the following vote:

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

Michelle Bingham – aye  
Kathy Carroll - aye  
Robert Oliver – aye

Chris Christensen made a motion to approve the Karen Leonard-Lanning subdivision as a public hearing was held and there was no opposition, the Marshfield subdivision is a simultaneous subdivision, there is no impact on the neighborhood and it improves an easement issue. Kathy Carroll seconded and the motion carried with the following vote:

Chris Christensen – aye

David Peatfield – aye

Jerry Wickett – aye

Michelle Bingham – aye

Kathy Carroll - aye

Robert Oliver – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Karen Leonard-Lanning, on a one (1) lot subdivision located at 3146 Cherry Valley Turnpike in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon September 8, 2011, 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 know as "Karen Leonard Lanning Subdivision", such approval being based on a map made by David Bardoun, dated June 14, 2011 and revised on August 4, 2011.

BE IT FURTHER RESOLVED that such approval is contingent upon compliance with all regulations set forth in the Marcellus Subdivision Regulations adopted March 14, 1988 including, but not limited to:

1. Applicant complies with the Planning Board resolution of February 2, 1987 regarding runoff:
  - 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.  

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4. Conditions set forth in the OCPB resolution dated August 31, 2011.
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. Roger and Phillip Marshfield subdivision must be approved simultaneous to the Leonard-Lanning subdivision
8. 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.
9. Corrective deeds must be filed and copies submitted to the Planning Board.
10. No building permits are to be issued until all contingencies are met.

Chris Christensen made a motion to approve the Roger and Phillip Marshfield subdivision located at 3373 Cherry Valley Turnpike and Kathy Carroll seconded. The motion carried with the following vote:

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

Michelle Bingham – aye  
 Kathy Carroll - aye  
 Robert Oliver – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Roger and Phillip Marshfield, on a one (1) lot subdivision located at 3373 Cherry Valley Turnpike in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon September 8, 2011, 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 know as "Roger and Phillip Marshfield Subdivision", such approval being based on a map made by David Bardoun, dated June 14, 2011 and revised on August 4, 2011.

BE IT FURTHER RESOLVED that such approval is contingent upon compliance with all regulations set forth in the Marcellus Subdivision Regulations adopted March 14, 1988 including, but not limited to:

1. Applicant complies with the Planning Board resolution of February 2, 1987 regarding runoff:

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 August 31, 2011.
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. Karen Leonard Lanning subdivision must be approved simultaneous to the Roger and Phillip Marshfield subdivision
8. 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.
9. Corrective deeds must be filed and copies submitted to the Planning Board.
10. No building permits are to be issued until all contingencies are met.

**Patricia Hughes, 2165 Cherry Valley Turnpike – 2 lot subdivision**

Michael Hughes was present to represent the project for his mother. They have an existing farm with 86 acres and they would like to sell a portion of the farm to their neighbors the Richardson's. The remaining 12 acres he would like to keep and build a hunting cabin on the property. There is also a small parcel that they have purchased, through auction, on Bishop Hill that they would like to use as access to the proposed 12 acre lot. There was discussion regarding whether the Planning Board can create the proposed 12 acres using an existing non-conforming lot – does this create a new non-conforming use? Chris Christensen stated that he is not sure the OCDOT will approve a driveway for this lot. There was additional discussion regarding reconfiguring the lot and gaining access from NYSDOT off of Route 20 but we are not sure there is site distance at that location either. Mr. Hughes will contact OCDOT and see if access is possible.

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**Everett & Karen Allington, Northeast Townline Road – 3 lot subdivision**

This project was discussed during a confidential meeting with the Town Attorney regarding several legal matters.

The Board is waiting for a copy of the transcript for the Phillips project before the August minutes can be reviewed and voted on.

The meeting was adjourned at 10:50 PM

Respectfully submitted,

Karen Cotter  
Secretary