

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

**January 5, 2012**

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

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 January 5, 2012

**Everett & Karen Allington, 4525-4575 Northeast Townline Road – 3 lot subdivision**

A public hearing was held for a three (3) lot subdivision. The secretary, Karen Cotter, read the legal notice into the minutes and advised that the certified mailing receipts were on file. Bill Lang was present to represent the project. He explained that he was creating three (3) new lots and at the December meeting he had submitted a letter from OCDOT with approved site distance for the driveways. The Town will *\*be deeded* the 30' easement on the west side of the property that can be used for a future road. Lot one (1) has septic approval and the remaining lots are over five (5) acres and do not require septic approval at this time. As indicated on the map they will not be considered legal building lots until they receive septic approval from the Onondaga County Health Dept. The Chair, Jerry Wickett, asked if anyone would like to speak in favor of the project and there were none. He then asked if anyone would like to speak in opposition to the project and the following had comments:

Gary and Vanessa Belcher, 3177 Arizona Way  
Mrs. Shi Zuojun, 3167 Arizona Way  
Kevin Hoag, 4569 Northeast Townline Road  
Gary Schwartz, 4590 Northeast Townline Road

All of the property owners were concerned about the amount of water that already exists on their properties and they do not want additional water to come onto their site. There was discussion regarding future subdivision of these proposed lots and how many dwellings could be constructed. Mr. Christensen advised that there is a five (5) year moratorium for future subdivision and per our regulations additional drainage is not allowed off the site. This does not mean that it will get rid of the water and drainage issues that already exists but per the Town's regulations there cannot be additional water coming onto the existing properties. He advised that there has been a great deal of discussion regarding drainage in this area and any future subdivision would trigger additional discussion including the possibility of constructing a detention/retention basin similar to what was built at Sage Meadows. Mr. Christensen explained

to the neighbors that he has walked the property and is aware of the drainage issues they are concerned with. A letter from OCDOT has been received advising there is enough site distance for the proposed driveways. Dave Peatfield made a motion to close the public testimony and public hearing and Kathy Carroll seconded. The motion carried with the following vote:

Chris Christensen – aye  
Michelle Bingham – aye  
David Peatfield - aye  
Jerry Wickett – aye  
Robert Oliver – aye  
Kathy Carroll - aye

Chris Christensen made a motion to approve the project as presented as a public hearing was held and comments received from the neighbors were discussed; lot one (1) cannot add point outflow in any direction but east; there can be no increase of water outflow and/or rate flow off the newly created lots; a letter has been received from OCDOT authorizing site distance for driveways; and conveyance of the 30' easement along the western boundary is to be conveyed to the Town of Marcellus for future road right of way with suitable verbiage approved by the Town Attorney. Dave Peatfield seconded and the motion carried with the following vote:

Chris Christensen – aye  
Michelle Bingham – aye  
David Peatfield - aye  
Jerry Wickett – aye  
Kathy Carroll - aye  
Robert Oliver – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Karen and Everett Allington, on a three (3) lot subdivision located at 4525-4575 Northeast Townline Road in an R1 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon January 5, 2012, 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 "Allington Subdivision", such approval being based on a map made by CNY Land Surveying dated September 26, 2011 and revised November 22, 2011;

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:  
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. Lot 1 has an approved *\*septic* plan approved by the Onondaga County Health Dept.
4. Conditions set forth in the OCPB resolution dated January 4, 2012.
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. Lot one (1) cannot add point outflow in any direction but east
9. No building permits are to be issued until all contingencies are met.

The minutes of the November meeting stand as corrected. The minutes of the December meeting stand as submitted.

The meeting was adjourned at 8:15 PM

Respectfully submitted,

Karen Cotter, Secretary

*\*corrected at the February meeting*