

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

**May 7, 2012**

**Present:** Chairperson Jerry Wickett, Chris Christensen, David Peatfield,  
Bob Ciota, Michelle Bingham, Robert Oliver  
**Town Counsel:** James Gascon of Costello, Cooney, Fearon  
**Town Engineer:** Jason Kantak of TDK Engineering  
**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 May 7, 2012.

**Jerry Harkness, 3774 Lee Mulroy Road – 1 lot subdivision**

There was no one present to discuss this project and we have received no application from Ultimate Goal.

**S & B Millworks, 3704 Lee Mulroy Road – subdivision/site plan review**

Bob Ciota advised the PB that he has a conflict of interest on this project as his son, Brian Ciota, is part owner of S & B Millworks. Bob Ciota will abstain from participating in this project.

A public hearing was held for both subdivision and site plan. The secretary, Karen Cotter, read both legal notices into the minutes and advised that mailing receipts were on file. Guy Donahoe was present and is representing the project. He explained that this is what was proposed during the Maves project. They would like to create two (2) new lots and construct an office building on proposed lot two (2). OCPB has reviewed the project and the Chair, Jerry Wickett read the subdivision response #S-12-36 dated April 18, 2012 and the site plan response #Z-12-154, dated April 18, 2012 into the minutes. Mr. Wickett then asked if anyone would like to speak in favor or in opposition to the project and there was none.

***Subdivision*** - the following was discussed:

- Onondaga County has a concern with access to the properties. There is to be only one (1) access point for all properties (including the Maves subdivision).
- *\*The legal description of the common egress/ingress should be modified to include common access to lot three (3) - suitable to the Town Attorney's approval.*
- Lots will be re-numbered to match the Maves subdivision (and avoid confusion).
- There was discussion regarding the drainage of the property. There is concern that we are creating a lot with the knowledge that they are already at capacity and there could be no development of that lot.
- The Town Engineer, Jason Kantak, advised that he has spoken to Rudy at RZ Engineering and he advised that he had viewed the SWWP.

- The utilities are to be underground. The new map shows a pole that was not approved. This was discussed during the Maves project and applicant was advised that he could only have one (1) pole and they agreed. This will need to be rectified.
- Dave Peatfield submitted a copy of the latest deed from S & B to MAVES, dated 11/23/10 which refers to easement for ingress and egress. He wasn't sure if the metes and bounds description includes the common access drive on proposed lot three (3) and four (4).
- An attorney will need to draw up and modify easements to include lot three (3) and lot one (1). A common easement is needed for lot three (3).
- There is an existing DEC permit still open but when they are getting ready for construction of the new building they will need an addition permit.
- The traffic study that is discussed in the OCPB comments will need to be completed.

Dave Peatfield made a motion to close the public hearing and public testimony and Michelle Bingham seconded. The motion carried with the following vote:

Bob Ciota - abstain  
Chris Christensen - aye  
Robert Oliver - aye  
Jerry Wickett - aye  
Michele Bingham – aye  
Dave Peatfield – aye

Jerry Wickett made a motion to approve the subdivision as submitted as there was a public hearing and there was no opposition; the project is consistent with the light industrial neighborhood; the ITE traffic study must be submitted; contingent upon creation of suitable cross easements for access to lot four (4) – subject to approval of the Town Attorney; contingent upon all property owners keeping the road maintained, properly remove snow and ice for common access as part of the agreement dated November 28, 2010 and agreed upon during the Maves subdivision. Michelle Bingham seconded and the motion carried with the following vote:

Bob Ciota - abstain  
Chris Christensen - aye  
Robert Oliver - aye  
Jerry Wickett - aye  
Michele Bingham – aye  
Dave Peatfield – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by S & B Millworks, on a two (2) lot subdivision located at 3704 Lee Mulroy Road in a Light Industrial Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon May 7, 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 know as "S & B Millworks Subdivision", such approval being based on a map made by Donahoe Design, dated February 15, 2012.

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. Successful drainage plan approved by the Onondaga County Health Department.
4. Conditions set forth in the OCPB resolution dated April 18, 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. The ITE traffic study must be submitted
9. Contingent up creation of suitable cross easements for access to lot four (4) – subject to approval of the Town Attorney
10. Contingent upon all property owners keeping the road maintained, properly removes snow and ice for common access and part of the agreement dated November 28, 2010 and agreed upon during the Maves subdivision.

11. No building permits are to be issued until all contingencies are met.

**Site Plan** – The following was discussed:

- SP1 - What is the water line – on map states existing W – believes it was amended
- Maves is indicated as Lot 2 – Changed number to avoid confusion – correct on SP1 but incorrect on C1
  
- Do they plan on 18” cement around parking area? Guy Donahoe stated No
- No freshly sifted topsoil will be added
- Discussed how to control the parking at the small retail store. It was suggested they put grass to the east side of the store. There will be no lighting in that area and no change of existing lighting at this time.
- Deliveries for the retail store will be brought in near the building
- Must indicate the snow zone and snow removal plan
- Construction of perimeter drain on lot four (4) is not per drawing. It will be a simple drain.
- Current construction of lot four (4) will consume capacity of drainage. Lot three (3) will require additional drainage review at such time of construction on that lot.
- They must have down lighting on/near new building and all lots. There can be no glare onto Lee Mulroy Road
- The traffic study per OCPB resolution dated Z-12-154 must be submitted.
- No outdoor storage of trash for proposed new building or the existing retail space.

Dave Peatfield made a motion to close the public testimony and public hearing. Michelle Bingham seconded and the motion carried with the following vote:

Bob Ciota - abstain  
Chris Christensen - aye  
Robert Oliver - aye  
Jerry Wickett - aye  
Michele Bingham – aye  
Dave Peatfield –aye

Chris Christen made a motion to approve the project as presented as a public hearing was held and there was no opposition; project is consistent with the light industrial neighborhood; contingent upon the ITE traffic study must be submitted; the successful completion of the subdivision; contingent upon modification of underground utilities – the electric, for the site, must come off of either existing pole on Bishop Hill or new pole approved at the Maves subdivision *\*and run underground from there*; all access must come from a designated single access point (including the Maves lot); existing construction debris from rebuilding of existing mill and new construction must be removed at end of construction; it should be noted that there is little to no drainage capacity for drainage increase as it exists for lot three (3) under the current plan.

Dave Peatfield seconded and the motion carried with the following vote:

Bob Ciota - abstain  
Chris Christensen - aye  
Robert Oliver - aye  
Jerry Wickett - aye  
Michele Bingham – aye  
Dave Peatfield – aye

WHEREAS, an application has been duly filed requesting FINAL SITE PLAN REVIEW AND APPROVAL for S & B Millworks, on premises located at 3704 Lee Mulroy Road, Marcellus, New York in a Light Industrial 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. The ITE traffic study must be submitted
2. Successful completion of the subdivision
3. Contingent upon modification of underground utilities – the electric must come off of either existing pole on Bishop Hill or new pole approved at the Maves subdivision
4. All access must come from a single access point (including the Maves lot)
5. Existing construction debris from rebuilding of existing mill and new construction must be removed at end of construction.
6. *\*Maintenance and snow removal agreement, for the road, must be submitted to the PB and reviewed and approved by the Town Attorney.*

**Everett and Karen Allington, 4525 Northeast Townline Rd.**

The final subdivision map was approved, signed and filed with at Onondaga County showing common driveways on lots three (3) and four (4). It was the intent of the Planning Board that the driveways would be near the property line so as to simulate a single point of entry to the new lots but they are not required to be shared. Matt Aupperle is the potential buyer for Lot four (4) and was concerned that he would be required to have a common driveway – that was never the intent of the PB. The Planning Board advised that new subdivision maps will not have to be re-filed.

Jerry Wickett made a motion to approve the verbiage on the subdivision to simulate a single point of entry near the property line as indicated on the approved subdivision map but NOT a common driveway. Chris Christensen seconded and the motion carried with the following vote:

Bob Ciota - aye  
Chris Christensen - aye  
Robert Oliver - aye  
Jerry Wickett - aye  
Michele Bingham – aye  
Dave Peatfield – aye

**Peg Nolan – Historical Society**

Jerry Wickett advised that he had spoken to Peg Nolan from the Marcellus Historical Society. There is a possibility that the old school house that may be donated to them but they do not want all the property that surrounds it. They maybe applying for an area variance to determine if this could be deemed a recreation use and not have to go through the subdivision process. However, the project would not have the five (5) acres or *\*meet the 200' road frontage or 80,000 sq ft lot size requirement* for that determination. She is looking into the state regulations as well as what safety issues may be involved.

Jerry Wickett and the Planning and Zoning Board thanked Bill Reagan, CEO, for his years of service. Mr. Wickett stated that he has been a valuable asset to the Town and our Boards and wished him good luck in the future.

The minutes of the April meeting stand as distributed.

Meeting adjourned at 10:30 PM

Respectfully submitted:

Karen Cotter  
Secretary

*\*Corrected at the June 4, 2012 Planning Board meeting*