

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

**December 1, 2014**

**Present:** Chairperson Jerry Wickett, Bob Ciota, Michelle Bingham, Robert Oliver  
Ron Schneider, Kathy Carroll  
**Absent:** Chris Christensen  
**Town Counsel:** James Gascon of Costello, Cooney, Fearon  
**Town Engineer:** Jason Kantak of TDK Engineering  
**Codes Officer:** John Houser

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 1, 2014.

**Kevin Quinn, 4320 Northwest Townline Rd – 1 lot subdivision**

A public hearing was held for a one (1) lot subdivision. The Secretary, Karen Cotter, read the legal notice into the minutes and advised that the certified mailing receipts were on file. Mr. Quinn would like to subdivide the vacant lot on the corner of Deer Path and Northwest Townline Rd to his existing property. He has no intention of building anything on the lot and wants to keep the area as green space. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or against the opposition and there was none. A letter from Audrey Kearny, 4290 Deer Path, was read in the minutes. Mr. Wickett, then read the OCPB Resolution #S-14-92, dated November 19, 2014, in the minutes. There was a comment on the resolution stating that any future additional access to this site must be from Deer Path Road. The applicant, Kevin Quinn, was in agreement to that request. Hearing no further questions Bob Ciota made a motion to close the public hearing and Kathy Carroll seconded. The motion carried with the following vote:

Michelle Bingham – aye	Robert Oliver – aye
Bob Ciota– aye	Ron Schneider - aye
Jerry Wickett – aye	Kathy Carroll - aye

The Chair, Jerry Wickett, then asked if anyone would like to make a motion on the project. Bob Ciota made a motion to approve the one (1) lot subdivision as a public hearing was held and there was no one present in favor or in opposition to the project; a letter from Audrey Kearney, 4290 Deer Path Rd. was in favor of the project; the OCBP resolution was reviewed and the applicant, Kevin Quinn, agreed to the comment regarding future access be only from Deer Path Road; and there will be no negative impact to the neighborhood. Kathy Carroll seconded and the motion carried with the following vote:

Michelle Bingham – aye	Robert Oliver – aye
Bob Ciota– aye	Ron Schneider - aye
Jerry Wickett – aye	Kathy Carroll - aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Kevin Quinn, on a one (1) lot subdivision located at 4320 Northwest Townline Road and Deer Path Road in an R1 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon December 1, 2014, 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 "Quinn Subdivision", such approval being based on a map made by Douglas Reith, CNY Land Surveying, dated October 14, 2014.

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 November 19, 2014.
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.

**Dorothy Graham, 3162 Falls Rd/Mark Oberlender, 3158 Falls Rd – 1 lot subdivision**

A public hearing was held for a one (1) lot subdivision. The Secretary, Karen Cotter, read the legal notice into the minutes and advised that the certified mailing receipts were not on file. Mike Plochoki was present to discuss both projects. A letter from Dorothy Graham authorizing representation is on file. Mr. Oberlender would like to attach 15' from the Graham property to his property. The 15' has his existing driveway and utilities located on it. He will also have an additional 15' easement from Mrs. Graham. The Chair, Jerry Wickett asked if anyone would like to speak in favor or in opposition to the project. Gary Klug, 3154 Falls Road was present and advised that he had some concerns regarding the drainage coming off of these properties onto his property. Mr. Klug submitted pictures of drainage issues and water damage. He is concerned that if the driveway is paved more water will run off. Jerry Wickett explained that our regulations don't allow us to approve a project that would allow additional water to go onto neighboring properties. Mr. Oberlender stated that he recognizes there are issues with drainage and he would work with Mr. Klug to help with the water problems. The Codes Officer, John Houser, also stated that if the water is taking a natural path there is nothing his office can do about the problems and it becomes a civil matter between neighbors. The Chair, Jerry Wickett, read the OCPB resolution for Dorothy Graham, 3162 Falls Rd, #S-14-90, dated November 19, 2014 and Mark Oberlender, 3159 Falls Road, #S-14-91, dated November 19, 2014 into the minutes. Hearing no further discussion, the Chair, Jerry Wickett, asked if anyone would like to make a motion to close the public hearing for the Graham project. Bob Ciota made a motion to close the hearing and Kathy Carroll seconded. The motion carried with the following vote:

Michelle Bingham – aye	Robert Oliver – aye
Bob Ciota– aye	Ron Schneider - aye
Jerry Wickett – aye	Kathy Carroll - aye

Bob Ciota made a motion to approve the subdivision as presented as a public hearing was held and there was one (1) person present to discuss current concerns with drainage and applicant has agreed to work to seek a remedy with the neighbor located at 3154 Falls Road, a copy of the filed easement must be presented to our office and the certified mailing receipts must be submitted out our office. Kathy Carroll seconded and the motion carried with the following vote:

Michelle Bingham – aye	Robert Oliver – aye
Bob Ciota– aye	Ron Schneider - aye
Jerry Wickett – aye	Kathy Carroll - aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Dorothy Graham, on a one (1) lot subdivision located at 3162 Falls Road in an R1 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon December 1, 2014, 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 "Graham Subdivision", such approval being based on a map made by Douglas Reith, CNY Land Surveying, dated October 16, 2014.

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 November 19, 2014.
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.
9. Certified mailing receipts must be submitted to the Planning Board office.
10. A copy of the filed easement must be submitted to the Planning Board office.

The Chair, Jerry Wickett, asked if anyone would like to make a motion to close the public hearing for the Graham/Oberlender project. Bob Ciota made a motion to close the hearing and

Kathy Carroll seconded. The motion carried with the following vote:

Michelle Bingham – aye	Robert Oliver – aye
Bob Ciota– aye	Ron Schneider - aye
Jerry Wickett – aye	Kathy Carroll - aye

Bob Ciota made a motion to approve the subdivision as presented as a public hearing was held and there was one (1) person present to discuss current concerns with drainage and applicant has agreed to work to seek a remedy with the neighbor located at 3154 Falls Road, a copy of the filed easement must be presented to our office and the certified mailing receipts must be submitted out our office. Kathy Carroll seconded and the motion carried with the following vote:

Michelle Bingham – aye	Robert Oliver – aye
Bob Ciota– aye	Ron Schneider - aye
Jerry Wickett – aye	Kathy Carroll - aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Mark Oberlender, on a one (1) lot subdivision located at 3162 Falls Road in an R1 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon December 1, 2014, 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 "Graham/Oberlender Subdivision", such approval being based on a map made by Douglas Reith, CNY Land Surveying, dated October 16, 2014.

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 November 19, 2014.
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.
9. Certified mailing receipts must be submitted to the Planning Board office.
10. A copy of the filed easement must be submitted to the Planning Board office.

Michael Plochoki submitted the certified mailing receipts for both these subdivisions at the end of the meeting.

The minutes of the November meeting will stand as distributed.

The meeting was adjourned at 8:30PM

Respectfully submitted,

Karen Cotter  
Secretary