

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

December 2, 2015

Present: Chairperson Jerry Wickett, Michelle Bingham,
Ron Schneider, Chris Christensen, Bob Ciota, Robert Oliver
Absent: Kathy Carroll
Town Counsel: James Gascon of Costello, Cooney, Fearon
Town Engineer: Jason Kantak of TDK Engineering (absent)
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 2, 2015.

Pat and Mary Ellen Koloski. 2756 West Seneca Turnpike – violation appeal

The applicant was appealing a citation issued by the Codes Officer, John Houser and asked for an interpretation of his existing site plan. Mr. Koloski stated that he is working to change the parking and entrance of the building where the Wren Den is located. The applicant will encourage all patrons to park in the rear of the structure and will have the employee's park in the front of the building. After much discussion the applicant, Pat Koloski, 2756 West Seneca Turnpike, and the Planning Board Board agreed to the resolution prepared by the Town Attorney, James Gascon.

**TOWN OF MARCELLUS
PLANNING BOARD RESOLUTION
DATED: December 2, 2015**

Patrick Koloski as owner and proprietor of Hillside Gardens (hereinafter "Hillside") having applied to the Town of Marcellus Planning Board for a site plan modification and the matter having come before the Planning Board for discussion and consideration, upon the stipulation and agreement of the applicant, upon due deliberation and upon the motion made by Jerry Wickett and seconded by Bob Ciota it is

Hereby the determination of the Planning Board that the Hillside site plan approval include the following operations and be modified accordingly as follows:

Hillside is permitted to and approved to sell the usual and customary products and items sold at a greenhouse nursery including, but not limited to, the following items:

Annual flowers
Perennial flowers
Nursery stock
Fertilizers
Soils/peat moss/compost
Bulk and bag mulch
Stone (gravel)
Hard goods such as pots/trellises/gloves/small garden tools/garden
statuary

In addition to the foregoing, the site plan approval applies to items sold at the Hillside Garden location through and by the Wren's Den; said items are limited to the following:

Locally made soaps/lotions/jams/honey/syrup
Eggs
Reclaimed furniture/antiques
Stationary
Handmade jewelry
Artwork
Topiaries and Terrariums
Spring and summer bulbs

The foregoing items and operation of the Wren's Den shall terminate upon the happening of the earlier of the following events:

- A. The Wren's Den is no longer owned or operated by Mary Carlic;
- B. The Wren's Den no longer occupies a portion of Hillside Gardens;
- C. Hillside Gardens is no longer owned or operated by Patrick Koloski; or

D. Hillside Gardens discontinues operations.

As for parking, it is the determination of this Board, again with the agreement of the applicant as follows:

Mr. Koloski will place a sign in the front of the building indicating patrons must park in the rear, behind the structure; the entrance of the store will change from the front of the building to the rear of the building; and employees will park in the front of the building to discourage others from parking there.

The foregoing constitutes the findings and determination of the Town of Marcellus Planning Board,

Gerard E. Wickett	Chair	Voted	Yes
Michele A. Bingham	Member	Voted	Yes
Chris Christensen	Member	Voted	Yes
Robert Ciota	Member	Voted	Yes
Robert Oliver Jr.	Member	Voted	Yes
Ronald Schneider	Member	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Date: December 2, 2015

Dale Vidler, 2849 Pleasant Valley Road – 1 lot subdivision

Mr. Vidler advised that he would like to create one (1) new lot for his nephew to construct a new house on. He owns additional property across the road that is on the same deed as the property he would like to subdivide. Mr. Vidler will contact his surveyor and have the information placed on his map. He does not have to have it surveyed but can get the information from his deed and the tax maps as

long as the new map is properly labeled with that information. There was also discussion of the five (5) year moratorium once a property is subdivided. The Chair, Jerry Wickett, asked the PB to review SEQR.

Part 1 –

1. No
2. Yes
3. a. 105 acres b. 28 acres c. 105 acres
4. Residential
5. a. Yes b. Yes
6. Yes
7. No
8. a. No b. No c. No
9. No
10. Yes
11. No
12. a. No b. No
13. a. Yes b. No
14. Forest
15. No
16. Yes
17. No
18. No
19. No
20. No

Part 2 –

1. No
2. No
3. No
4. No
5. No
6. No
7. a. No b. No
8. No
9. No
10. No
11. No

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Bob Ciota made a motion for an unlisted negative declaration and Chris Christensen seconded. The motion carried with the following vote:

Chris Christensen – aye
Bob Ciota– aye
Jerry Wickett – aye

Michelle Bingham – aye
Ron Schneider - aye
Robert Oliver – aye

The minutes of the November meeting will stand as corrected.

The meeting was adjourned at 9:00PM

Respectfully submitted,

Karen Cotter
Secretary