

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

July 7, 2016

Present: Chairperson Jerry Wickett, Bob Ciota,
Chris Christensen, Michelle Bingham
Absent: Robert Oliver, Ron Schneider, 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 July 7, 2016.

Robert and Darlene Clary, Route 174 – 1 lot subdivision

A public hearing was held for a one (1) lot subdivision located at Abend Point. The secretary, Karen Cotter, read the legal notice into the minutes and advised mailing receipts are on file. They would like to create a new 1.5 acre lot that would leave 10.8 acres on the original lot. The Chair, Jerry Wickett, read the OCPB resolution #S-16-39, dated June 29, 2016, into the minutes. Chris Christensen had the following comments:

- Asked if the lot line was designated from the 30' ROW as it is not well defined on the map. Mrs. Clary said it is – the line was drawn by the surveyor where it made the most sense.
- Proper description of easement will need to be placed in both deeds and submitted to our office
- Discussion regarding farming activity and if property is in the ag district.
- Wetlands and/or critical environmental area need to be placed on map. Michelle Bingham stated that the Corp of Engineers came out and delineated the wetland area down by the shore and this needs to be placed on the final map. This should be done by their surveyor and approved by our Town Engineer.

- The County resolution requested that they need to have the septic system approved but Jim Gascon stated it doesn't make sense to do that at this time as the applicant isn't sure when they will be building a new house or where it will be located.

The Chair, Jerry Wickett, asked if anyone would like to speak in favor of the project and Aaron Barbaro, Lawless Rd spoke in favor. He is also purchasing the larger parcel but advised his surveyor has not had a chance to complete the subdivision plats. Mr. Barbaro is concerned with the 5-year moratorium on subdivision if this project is approved. Jerry Wickett stated that in his opinion, because this project has already been brought to the PB for discussion in a prior month, and the PB had no issue with the concept, Mr. Barbaro can proceed with his subdivision. Town Attorney, James Gascon, agreed with Jerry Wickett's statement. Chris Christensen advised he had no problem with the moratorium issue but there will be follow-up with the actual subdivision and drainage questions for that property. The Chair, Jerry Wickett, asked if anyone would like to speak in opposition and David Palmer, Abend Point and Maureen Morgsberger, 16 South Street have concerns about the environment, how the water will be affected and traffic. Jerry Wickett explained there will be no change to the road and no new roads will be created. The driveway will come off of Abend Point.

Bob Ciota made a motion to close the public hearing and Michelle Bingham seconded. The motion carried with the following vote:

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

Chris Christensen made a motion to approve the subdivision as presented as a public hearing was held and there was (one) 1 person in favor and two (2) people opposed; lot one (1) is not a legal building lot until a septic plan is submitted and approved by Onondaga County Health Dept.; wetland designation needs to be placed on the final map; application regarding the Ag District question must be corrected; access to the property is off of Abend Point and no new access allowed from Route 174; new deeds for both lots with proper description of easement

needs to be completed and filed, with a copy submitted to our office. Bob Ciota seconded and the motion carried with the following vote:

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

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Robert and Darlene Clary, on a one (1) lot subdivision located at Route 174 in an R2 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon July 7, 2016, 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 "Clary Subdivision", such approval being based on a map made by Paul James Olszewski, PLC, dated May 24, 2016.

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 June 29, 2016.
 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. Wetlands designation needs to be placed on the final map
 9. Application regarding the Ag District question must be corrected
 10. Access to the property is off of Abend Point only and no new access allowed from Route 174
 11. New deeds for both lots with proper description of easement needs to be completed and filed and submitted to our office
 12. No building permits are to be issued until all contingencies are met.

Dean and Mary Desantis/Anthony Dubar – Abend Point – 1 lot subdivision
Dean and Mary Desantis – Abend Point – 1 lot subdivision
Anthony Dubar – Abend Point – 1 lot subdivision

A public hearing was held for three (3) separate subdivisions. The secretary, Karen Cotter, read the legal notices into the minutes and advised mailing labels are on file. Anthony Dubar represented the project for both parties. He explained that both he and the Desantis's co own the parcel of land between the Dumar lot and Desantis lot and would like to subdivide so that both will have approximately half. Each half will then be subdivided to their individual lots. The Chair, Jerry Wickett, read the OCPB resolutions S-16-40/S-16-41/S-16-42, dated June 29, 2016 into the minutes. He asked if anyone would like to speak in favor or in opposition and there were none.

The following was discussed:

- There will be no impact but the maps should indicate the OCWA shoreline property/boundary
- The inset referenced and ag district but the application does not. The application will need to be modified
- Abend Point Road should indicate that it is a 30' easement for access and not a designated road.
- Building setbacks need to be indicated on final map

Bob Ciota made a motion to close all three (3) public hearings and Michelle Bingham seconded. The motion carried with the following vote:

Jerry Wickett – aye

Bob Ciota – aye

Chris Christensen – aye

Michelle Bingham – aye

Chris Christensen made a motion to approve all three (3) subdivision contingent upon corrections on the final map; a public hearing was held and there was no opposition although there was discussion during the Clary public hearing (at same location) with concerns regarding future development; the subdivision application will be corrected; corrective deeds will be completed and submitted to our office; 30' easement will be shown as an easement and not a designated road; corrections on the final map will include –

1. Setbacks will be indicated
2. 30' shown as an easement and not a designated road
3. Shed will be removed
4. The OCWA shore line/boundary will be indicated
5. Shed that no longer exists will be removed from map

Michelle Bingham seconded and the motion carried with the following vote:

Jerry Wickett – aye

Bob Ciota – aye

Chris Christensen – aye

Michelle Bingham – aye

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WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Anthony Dubar and Mary and Dean Desantis on a one (1) lot subdivision located at Abend Point in an R2 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon July 7, 2016, 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

"Dubar/Desantis Subdivision", such approval being based on a map made Glen A Mihal, dated April 1, 2016

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. Shed removed from map
4. Conditions set forth in the OCPB resolution dated June 29, 2016.
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. 30' ROW show as an easement and not a designated road
9. Application regarding the Ag District question must be corrected
10. OCWA shoreline/boundary needs to be indicated
11. New deeds for both lots with proper description of easement needs to be completed and submitted to our office
12. No building permits are to be issued until all contingencies are met.

Keith Severson/Roberta Harrison – Platt Road 2 lot subdivision

Mr. Severson explained that they have three (3) separate lots that they would like to merge into one (1) parcel. There will be no changes and they will use the existing driveway. All lots will be placed in Roberta Harrison-Severson name. They purchased the parcel for the telephone company in 2009 and there is nothing on that property. The Chair, Jerry Wickett, asked the Board to review SEQR and Bob Ciota made a motion that the proposed project will not result in any significant adverse environmental impact. Chris Christensen seconded and the motion carried with the following vote:

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

The project will be sent to OCPB and to a public hearing. The applicant was advised that we would not have a response from OCPB until our September meeting.

Brian Ramsden, Slate Hill Road – 1 lot subdivision

Mr. Ramsden explained that they would like to subdivide six (6) acres of tillable land from the property that has an existing house. There was some question as to when neighboring properties were subdivided. Mr. Ramsden will submit the deeds to our office and will set up a meeting with Chris Christensen prior to attending the next Planning Board meeting.

Tuscarora Golf Club, Howlett Hill Road – parking discussion

Bob Ciota recused himself from discussion and any vote on this project as he is a member of the golf club and has a conflict of interest. Tim Coyer and Paul Cappuccilli were present and explained parking is a major issue and causing a hazard for both members and people who travel on Howlett Hill near the course. There are 60 parking spaces on the actual property. Last time they presented a request for additional parking a public hearing was held and there was a great deal of concern from neighbors regarding lighting, noise and drainage. They have retained an engineer to mitigate any problems in trying to expand the parking area. Since the parking lot is located in Marcellus and the golf club is in Camillus they will need to do a joint subdivision with both Town's. They have already spoken to Terry Morgan at OCDOT and they would like to keep the same access to the parking lot and will do whatever the OCDOT requires. They have also spoken to the Camillus Planning Board who have no issues with moving forward with the subdivision. Mr. Cappuccilli stated that they will have their engineers review SEQR and we would like to act as the lead. Drainage and water issues will need to be defined and dealt with and escrow will need to be set up so that our Town Engineers can review the project. No carts will be allowed to cross the road. Mr. Coyer said they will move forward with subdivision and get all information to both towns.

Discussion –

- Jim Gascon submitted a letter to be sent to Sandy Masters stating mining is not approved in Marcellus. The PB approved the letter
- Jim Gascon will write the final resolution on the interpretation for dirt bikes in a R1 zone that was requested from Bill Reagan.

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The minutes of the June meeting will stand as presented

The meeting was adjourned at 9:40PM

Respectfully submitted,

Karen Cotter
Secretary