

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

**June 5, 2017**

**Present:** Chairperson Jerry Wickett, Michelle Bingham, Mark Taylor,  
Chris Christensen, Kathy Carroll, Ron Schneider, Scott Steams

**Absent:**

**Town Counsel:** James Gascon of Costello, Cooney, and Fearon

**Town Engineer:** Jason Katak 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 June 5, 2017.

**Robert & Thomas Oliver, 4845 Frank Gay Rd. – 1 lot**

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 mailing receipts are on file. Rob Oliver stated that they would like to create a building lot of approximately one (1) acre for his son to construct a new house. He also advised that he may want to create an additional building lot for his daughter within the next five (5) years and asked if the five (5) year moratorium could be waived. The Chair, Jerry Wickett, stated that he would basically be making a lot line adjustment and had no issue with the request and neither did the Board members. Jerry Wickett then asked if anyone would like to speak in favor or in opposition to the project and there were none. The OCPB resolution, #S-17-35 dated May 31, 2017, was read into the minutes. Mr. Oliver understands that if they do any work in the highway right of way he will need a work permit from OCDOT. Kathy Carroll made a motion to close the public hearing and Chris Christensen seconded.

The motion carried with the following vote:

Jerry Wickett – aye  
Michelle Bingham – aye  
Chris Christensen – aye  
Kathy Carroll – aye  
Ron Schneider – aye  
Mark Taylor – aye  
Scott Stearns – aye

Chris Christensen made a motion to approve the project as it is in the character of the neighborhood; a public hearing was held and there was no opposition; and the applicant would like to reserve the right for future subdivision on this property. Ron Schneider seconded and the motion carried with the following vote:

Jerry Wickett – aye  
Michelle Bingham – aye  
Chris Christensen – aye  
Kathy Carroll – aye  
Ron Schneider – aye  
Mark Taylor – aye  
Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Robert and Thomas Oliver on a one (1) lot subdivision located at 4845 Frank Gay Road in an R1 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon June 5, 2017, 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 "Oliver Subdivision", such approval being based on a map made by Paul James Olszewski, dated April 24, 2017.

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 #S-17-35 dated April 24, 2017.
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 303A.
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. Property is Reserved for possible future subdivision

**James D'Angelo, 2079 Lawrence Road – 1 lot subdivision**  
**Bill Branson, 2108 Lawrence Road – 1 lot subdivision**

A public hearing was held for a one (1) lot subdivision for 2079 Lawrence Road and a one (1) lot subdivision for 2108 Lawrence Rd. The secretary, Karen Cotter, read the legal notices into the minutes and advised mailing labels are on file. Doug Reith, Surveyor, was present to represent the projects. Mr. Reith explained that he would like to split the five (5) acre parcel in half with the rear of the property to be attached to the Branson property. Mr. Branson had advised earlier that he may be subdividing this parcel to his property. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition to the projects and there were none. The OCPB resolution #S-17-34 and dated May 31, 2017 into the minutes. Chris Christensen made a motion to close both the public hearings and Kathy Carroll seconded. The motion carried with the following vote:

Jerry Wickett – aye  
Michelle Bingham – aye  
Chris Christensen – aye  
Kathy Carroll – aye  
Ron Schneider – aye  
Mark Taylor – aye  
Scott Stearns – aye

D'Angelo Subdivision –

Chris Christensen made a motion to approve the subdivision as presented as a public hearing was held and there was no opposition; the applicant is transferring the newly created rear lot to then Branson property; Branson subdivision must be approved and filed. Kathy Carroll seconded and the motion carried with the following vote:

Jerry Wickett – aye  
Michelle Bingham – aye  
Chris Christensen – aye  
Kathy Carroll – aye  
Ron Schneider – aye

Mark Taylor – aye  
Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by James D'Angelo on a one (1) lot subdivision located at 2079 Lawrence Road in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon June 5, 2017, 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 "D'Angelo/Branson Subdivision", such approval being based on a map made by Doug Reith, CNY Land Surveying, dated April 17, 2017.

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 #S-17-34 dated April 24, 2017.
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 303A.
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. Branson subdivision must be completed and filed

Branson property –

Chris Christensen made a motion to approve the Branson subdivision as a public hearing was held and there was no opposition; the applicant is attaching the newly created rear lot from the D'Angelo property to his property; D'Angelo subdivision must be approved and filed. Kathy Carroll seconded and the motion carried with the following vote:

Jerry Wickett – aye  
Michelle Bingham – aye  
Chris Christensen – aye  
Kathy Carroll – aye  
Ron Schneider – aye  
Mark Taylor – aye  
Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by James D'Angelo on a one (1) lot subdivision located at 2108 Lawrence Road in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon June 5, 2017, 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 "D'Angelo/Branson Subdivision", such approval being based on a map made by Doug Reith, CNY Land Surveying, dated April 17, 2017.

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 #S-17-34 dated April 24, 2017.
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 303A.
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. D'Angelo subdivision must be completed and filed

**Charles and Laurie Stevens, 2200 Coon Hill Rd – site plan/special permit**

A public hearing was held for site plan to allow a dog kennel business. The secretary, Karen Cotter, read the legal notice into the minutes. Laurie Stevens explained that they would like to construct a 45' X 45' pole barn and run a dog kennel business in it. There will also be a sign and it will meet all of our regulations. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition to the project and there were none. The OCPB resolution, dated May 31, 2017, #Z-17-01 was read into the minutes. The applicant had no issue with the modifications requested in their resolution. Chris Christensen stated that the proposed sign is located in the proposed 60' ROW. He asked Mrs. Stevens if there would be an issue to move the sign if the road is constructed and she stated that they would move the sign if/when necessary. Kathy Carroll made a motion to close the public hearing and Chris Christensen seconded. The motion carried with the following vote:

Jerry Wickett – aye  
Michelle Bingham – aye  
Chris Christensen – aye  
Kathy Carroll – aye  
Ron Schneider – aye  
Mark Taylor – aye  
Scott Stearns – aye

Kathy Carroll made a motion to approve the site plan as submitted as a public hearing was held and there was no opposition; the applicant agreed to comply with



all the OCBP modifications and if necessary the sign will be moved. Chris Christensen seconded and the motion carried with the following vote:

Jerry Wickett – aye  
Michelle Bingham – aye  
Chris Christensen – aye  
Kathy Carroll – aye  
Ron Schneider – aye  
Mark Taylor – aye  
Scott Stearns – aye

WHEREAS, an application has been duly filed requesting FINAL SITE PLAN REVIEW AND APPROVAL for the Charles and Laurie Stevens for a dog kennel, on premises located at 2200 Coon Hill Rd. Skaneateles, New York in an Agricultural zone; 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. Conditions set forth by the Onondaga County Planning Board Resolution #Z-17-01, dated May 31, 2017
2. The approved sign, located in the 60' ROW, will be moved if the 60' proposed ROW turns into an actual road.
3. Approval of the special permit for a 45' X 45' building
4. Hours of operation 8am-10am/4pm-6pm
5. Maximum of 16 dogs

**Matt Abbott, 3739 Bishop Hill Road – site plan modification**

Jerry Wickett made a motion to accept the resolution provided by Town Attorney, James Gascon, to deny the request for site plan modification. Chris Christensen seconded and the motion carried with the following roll call vote:

Jerry Wickett - aye

Michele Bingham – aye

Chris Christensen - aye

Ron Schneider – abstain as Mr. Abbott is a longtime personal friend

Kathy Carroll – aye

**TOWN OF MARCELLUS  
PLANNING BOARD  
RESOLUTION  
PERTAINING TO THE APPLICATION BY MATTHEW ABBOTT  
FOR 3739 BISHOP HILL ROAD, MARCELLUS, NEW YORK**

**Dated: June 5, 2017**

At a regularly scheduled meeting of the Town of Marcellus Planning Board, the following motion was made by Jerry Wickett and seconded by Chris Christensen.

**WHEREAS**, Matthew J. Abbott has applied for a modification to the existing site plan for 3739 Bishop Hill Road, Marcellus, New York 13108, by application dated February 13, 2017; and

**WHEREAS**, 3739 Bishop Hill Road currently benefits from an existing site plan originally approved by this Board by Resolution dated September 4, 2008 said site plan is incorporated in its entirety by reference herein; and

**WHEREAS**, the site plan modification requests permission for the applicant to store logs and for the production, storage, and sale of timber/firewood from this location all as is more fully described in said application; and

**WHEREAS**, the applicant simultaneously has applied for an interpretation by the Marcellus Zoning Board of Appeals for a determination if said activity is permitted under the Town of Marcellus Zoning Laws; and

**WHEREAS**, the Town of Marcellus Zoning Board of Appeals has issued a Resolution dated June 5, 2017 which among other things, declares and finds that the requested activity is in violation of the Town of Marcellus Zoning Laws, all as is more fully stated by said Resolution.

**NOW, THEREFORE, BE IT RESOLVED**, the application for modification of the existing site plan is hereby in all respects **DENIED**.

Upon a canvass of the Board, the votes of its members upon the Resolution were as follows:

<b>Gerard E. Wickett</b>	<b>Chairperson</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Michele A. Bingham</b>	<b>Member</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Kathy Carroll</b>	<b>Member</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Chris Christensen</b>	<b>Member</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Ronald Schneider</b>	<b>Member</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Scott S. Stearns</b>	<b>Member</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Mark W. Taylor</b>	<b>Member</b>	<b>Voted</b>	<b>Yes/No</b>

The Chairperson Gerard Wickett, then declared the Resolution to be duly adopted.

See Zoning Board minutes for additional discussion regarding this property and project.

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**Discussion –**

**Osterman subdivision, Seal Rd/Slate Hill – drainage**

John Houser advised that there is someone interested in purchasing lot three (3) of the Osterman subdivision. In 2014 lot two (2) was purchased and a modular home placed on it. During the subdivision process a drainage plan was approved by the PB and OCPB. During the construction process issues arose with the construction of the approved swale and Mr. Houser advised the owner to get an engineer and redesign the drainage plan. The new plan was redesigned by TDK Engineering but never submitted to the PB for approval. No new maps have been submitted or revised. Due to the change the original drainage plan cannot be constructed for lot 3 and a new plan needs to be designed. Both plans should be submitted to our office for approval. The possible buyers were at the meeting and they were advised that a new design and map needs to be submitted to OCPB and to our PB for approval. They will decide if they want to move forward with the purchase and if so contact TDK for information.

The minutes of the April meeting will stand as distributed.  
The meeting was adjourned at 9:30 PM

Respectfully submitted,

Karen Cotter  
Secretary