

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

August 7, 2017

Present: Chairperson Jerry Wickett, Mark Taylor,
Kathy Carroll, Ron Schneider, Scott Steams
Absent: Michelle Bingham, Chris Christensen
Town Counsel: James Gascon of Costello, Cooney, and 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 August 7, 2017.

Due to the Labor Day holiday, the Chair, Jerry Wickett, made a motion to change the date of our September meeting to Thursday, September 7, 2017. Kathy Carroll seconded and the motion carried with the following vote:

Jerry Wickett - aye
Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll – aye
Mark Taylor - aye

Jim & Gretchen Brown, 2632 Abend Point – 1 lot subdivision

A public hearing was held for a one (1) lot subdivision, Guy Donahoe, Architect, was present to represent the project. The secretary, Karen Cotter, read the legal notice into the minutes and advised the mailing receipts are on file. He explained that they would like to remodel the house but in the process realized the applicant purchased property from OCWA and attached it via deed and not subdivision. They would now like to attach the OCWA parcel to their existing property. Per the discussion at the July meeting the following was submitted and/or changed:

- The drainage tile across from Abend Point that goes to the lake was added to the map (along the west side)
- There are no easements on this property

- A letter, from OCWA, was submitted stating they have no easement and the waterline is buried in the road.

Jerry Wickett read the OCPB response #S-17-55 into the minutes. He then asked if anyone would like to speak in favor or opposition to the project and there were none. Hearing no additional questions from the Board, Jerry Wickett made a motion to close the public hearing and Ron Schneider seconded. The motion carried with the following vote:

Jerry Wickett - aye
Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll – aye
Mark Taylor – aye

Kathy Carroll made a motion to approve the subdivision as it legitimizes a parcel that was adjoined via deed; the appropriate changes were completed on the map and a public hearing was held and there was no opposition. Ron Schneider seconded and the motion carried with the following vote:

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Jim and Gretchen Brown, on a one (1) lot subdivision located at 2632 Abend Point in an R2 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon August 7, 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 "Jim & Gretchen Brown Subdivision ", such approval being based on a map made by J.R.Land Surveying . L, dated July 3, 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 dated August 2, 2017, #S-17-55
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.

Dave Killian, Frank Gay Road – 4 lot subdivision

A public hearing was held for a four (4) lot subdivision. The secretary, Karen Cotter, read the legal notice into the minutes and advised mailing receipts are on file. Mr. Killian explained that he had purchased this property with the intent to

construct a home for himself and each of his two (2) sons with the remaining lots to be sold. The OCPB resolution, dated August 2, 2017, #S-17-54, was read into the minutes.

Jerry Wickett asked if anyone would like to speak in favor or opposition of the project.

- Bernie Montgomery, 4470 Frank Gay Rd – he stated he had no issues with the project but was wondering if they would be keeping or removing the existing evergreens. He explained that there is a great deal of wind and the trees help protect the road from the snow blowing across it. Mr. Killian stated he plans on keeping the evergreens but will be cleaning up around the ditch area.
- Julie Files, 4461 Frank Gay Rd – She asked if some of the drainage issues will be dealt with and was advised that per our regulations no new or additional water can go offsite onto other properties.
- Bob Montgomery, 4484 Frank Gay Rd. – asked if they would be constructing a new road or access points. He was advised that, per the map, driveways will come off of Frank Gay Rd and no new road constructed. He also asked if the speed limit could be changed and was advised that this is a County Rd. and any change requests would need to go to them.
- Marty Cunningham 4478 Frank Gay Road – she was concerned if the trees were going to be removed.

There was discussion regarding the direction of the drainage and as was discussed at the July meeting the water flow would be directed to the rear of the property and Mr. Killian has no plans discharge water to the ditch located in the front of the road. Hearing no further questions Kathy Carroll made a motion to close the public hearing and Ron Schneider seconded. The motion carried with the following vote:

Jerry Wickett - aye
Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll – aye
Mark Taylor – aye

Kathy Carroll made a motion to approve the project as presented as public hearing was held and four (4) people had questions but no opposition; lot one (1) will be considered a corner lot and will meet all the required setbacks as well as if a future

road is created the driveway would then need to come off of that new road; drainage will go to the rear of the property and there will be no additional surface water to exceed what already exists; and any new discharge will go to the rear of the property and will not go into the existing roadside culvert. Ron Schneider seconded and the motion carried with the following vote:

Jerry Wickett - aye
Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll – aye
Mark Taylor – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Dave Killian, on a four (4) lot subdivision located at Frank Gay Drat in an R2 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon August 7, 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 "Rich-Killian Subdivision ", such approval being based on a map made by CNY Land Surveying, dated June 27, 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 dated August 2, 2017, #S-17-54
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.

Mark Fenlon, 4971 Falls Rd. – 2 lot subdivision

Mr. Fenlon would like to take two (2) land locked parcels and attach them to an existing lot with road frontage on Howlett Hill Rd. There are no structures on any of the lots and he would eventually like to sell it as a building lot. Jerry Wickett asked the PB to review SEQR. Kathy Carroll made a motion that the proposed action will not result in any significant adverse environmental impacts.

Ron Schneider seconded and the motion carried with the following vote:

Jerry Wickett - aye
Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll – aye
Mark Taylor – aye

This project will be sent to OCPB and to a public hearing in September.

Glider Oil, Lee Mulroy Rd – site plan

Bob Brewer advised that nothing had changed from their original proposal that was discussed in August. He has completed and submitted the site plan, SEQR and special permit applications as requested. The following was discussed:

- They will have two (2) outside lights
- 60' of the driveway will be paved so that they do not pull gravel onto Lee Mulroy Rd.
- We will contact TDK to get an amount to be placed in escrow
- Jason Kantak from TDK advised that they are reviewing project
- A light dispersion (down lighting) photometric plan needs to be submitted. We want to make sure there is no light spilling out onto Lee Mulroy
- A transport truck will deliver approximately 3 times a week and local delivery will be 10 to 12 times a week depending on need
- If they decide they want an office on this site a modified site plan application would need to be submitted to our office. The Health Dept would also need to be contacted regarding bathrooms

Jerry Wickett asked the Board to review SEQR and there were questions regarding the answers for Part 1, questions 7, 12b and 15. The Town Attorney, Jim Gascon, would like to have the applicant's engineer respond to those questions and our Town Engineer to review them as well. Mr. Gascon suggested that we can't decide what type of impact there would be without information from the engineers. After discussion between Karen Cotter and Jerry Wickett it was decided that we will send this to OCPB for review without

-pg8-PB
August 7, 2017

a determination on SEQR from the PB. Site plan and special permit application will be sent to a public hearing in September.

The minutes of the July meeting will stand as distributed.

The meeting was adjourned at 9:30PM

Respectfully submitted,

Karen Cotter
Secretary