

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

December 4, 2017

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

Absent:

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 December 4, 2017.

Due to the New Year's Day holiday the Chair, Jerry Wickett, made a motion to change the date of the next Planning Board meeting to Thursday, January 4, 2018. Michelle Bingham seconded and the motion carried with the following vote:

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

John Argese, 3796 and 3786 Bishop Hill Road – site plan

A continuation of a public hearing was held for site plan review. The Chair, Jerry Wickett, stated that our Town Engineer, Jason Kantak, has not been able to speak to the applicant's surveyor, Dave Bush. Mr. Argese advised that his engineer has been out of town and has not been able to submit any additional information. Mr. Argese wondered if he could bring in fill and place it where the driveway and parking area will be located. He was advised that because they are in the flood plain and we have no information he will need to wait until the January meeting.

Jerry Wickett made a motion to carry the project over to the January meeting and Chris Christensen seconded. The motion carried with the following vote:

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

Marcellus Fire Department, Lee Mulroy Road – 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 the mailing labels are on file. Eddie Murphy, President of the Fire Dept., advised that over the years they had acquired 17 acres of property and always thought it was one (1) lot as it had one tax map number. However, after reviewing the deeds it was brought to their attention that this was actually two (2) separate lots and they would now like to combine them together. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition to the project and there were none. The Chair, Jerry Wickett, read the OCPB resolution #S-17-95, dated November 15, 2017, into the minutes. Chris Christensen asked if they had any future plans for the property as there is a five (5) year moratorium on subdivision. Mr. Murphy advised that other than the Glider Oil project here were no future plans. Hearing no further questions, Chris Christensen made a motion to close the public hearing and Kathy Carroll seconded. The motion carried with the following vote:

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

Chris Christensen made a motion to approve the project as presented as a public hearing was held and no one spoke in opposition; the two (2) individual lots have the same owner; and there is no detriment to the neighborhood. Ron Schneider seconded and the motion carried with the following vote:

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

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Marcellus Fire Dept, on a one (1) lot subdivision located at Lee Mulroy Road in a Business Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon December 4, 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 "Marcellus Fire Department Subdivision", such approval being based on a map made by Douglas Reith, CNY Land Surveying, dated October 22, 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 November 15, 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.

Glider Oil, Lee Mulroy Rd – site plan

A continuation of a public hearing was held to allow a 30,000 gallon propane tank be constructed on this site. Bob Brewer was present to represent the project. There was discussion regarding the fence and gate and who would have access and codes to the gate. John Houser asked if they were going to be place bollards around the tank and Mr. Brewer stated if necessary they would. Mr. Houser advised that is discussed in the NFPA58 code and that could be addressed during the building permit process. Hearing no further questions Michelle Bingham made a motion to close the public hearing and Chris Christensen seconded.

The motion carried with the following vote:

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

Kathy Carroll made a motion to approve the resolution presented by the Town Attorney, James Gascon, and to include the regulations required by the NFPA 58 code. Chris Christensen seconded and the motion carried per the roll call vote:

**TOWN OF MARCELLUS
PLANNING BOARD
RESOLUTION
RE: GLIDER OIL CO. SITE PLAN APPLICATION**

DECEMBER 4, 2017

At a regularly scheduled meeting of the Planning Board for the Town of Marcellus, Board Member Kathy Carroll made the following resolution which was seconded by Chris Christensen.

WHEREAS, Glider Oil Company has applied for site plan approval for a project that consists of the installation of a 30,000 gallon liquid propane tank with foundation and appropriate appurtenances for the distribution of bulk propane pursuant to an application dated July 24, 2017; and

WHEREAS, this site plan application was accompanied by/with an application for a special use permit submitted to the Town of Marcellus Zoning Board of Appeals also dated July 24, 2017; and

WHEREAS, this matter was heard at several meetings of this Board; and

WHEREAS, public hearings were held on September 7, 2017, October 2, 2017, November 6, 2017 and December 4, 2017 wherein members of the Marcellus Fire Department, which will be leasing the land to the applicant, appeared and spoke in favor of the project and a number of Town residents appeared and spoke in opposition to the project citing various and numerous safety concerns; and

WHEREAS, this matter was submitted to the Onondaga County Planning Board for review and comment; and

WHEREAS, the Board conducted an Environmental Assessment pursuant to SEQR on September 7, 2017 and found the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, be it resolved as follows:

RESOLVED, that the application for the site plan approval is approved subject to the following limitations of use, operations and requirements:

The installation and use of the 30,000 gallon LPG tank will be in compliance with the NFPA 58 regulations and shall be approved by the Town Engineers before filing and operation are completed on behalf of the Town of Marcellus Codes Office acting as the Authority Having Jurisdiction (AHJ).

The property and its operation by Glider Oil at 014.-09-02 on Slate Hill Road must obtain a 4-digit numeric 911 address from Onondaga County and display the address prominently with 4" numbers before filing and operation begin and a Certificate of Compliance is issued for operation and use.

Upon an issuance of a Certificate of Compliance by the AHJ the property and its use will be subject to a fire inspection by the AHJ every three years in which safety components relating to the use and operation along with operation and maintenance manuals and inspections will be inspected for compliance as relates to NFPA 58.

Every 5 years the AHJ will require as part of the special permit requirement a visual inspection of the LPG tank and its devices as in accordance with NFPA 58 5.2.3.2-5.2.3.4 and a record of the inspection shall be provided to the AHJ.

The AHJ can request any documentation or records or cause to have equipment inspections performed by Glider Oil at any time the AHJ feels it is necessary for safety purposes.

Access gates to storage area must be locked at all times to prevent unauthorized entry. Marcellus Fire Department to be given a key or code in the event of an emergency.

Vehicle impact protection to be provided per IFC Section 312.

The tank must be set back at least 75 feet from the property line.

The tank and all appurtenances, fencing, light and structures must comply with the approved site plan drawings and schematics filed by applicant.

Site access is limited to Lee Mulroy Road.

Hours of operation are limited to 6am – 6pm, 6 days per week with transport trucks delivering supply on off hours.

The facility is not open to the public. No retail sales are authorized on the site.

The sign on the tank must comply with Town sign regulations and the colored stripe outside the standard sign dimensions will be removed.

No additional signage is permitted beyond that which is indicated on the approved site plan or as required by law or regulation.

The entire area will be fenced off around the tank and apparatus.

The applicant must contact the New York State Department of Transportation to coordinate requirements for the existing driveway on Lee Mulroy Road, in order to satisfy commercial driveway standards, which may include providing a heavy-duty shoulder to support the intended truck access.

The New York State Department of Transportation has determined that the applicant must provide the Department with ITE Trip Generation traffic figures.

The applicant must submit a lighting plan to be approved by the New York State Department of Transportation to ensure there is no glare or spillover onto adjacent properties or the State right-of-way, and that complies with Section 24(I) of the Marcellus Zoning Law, to the satisfaction of the AHJ.

The Town and applicant must contact the New York State Department of Environmental Conservation Environmental Permits office to ensure that all bulk storage requirements are met and applicable permits are obtained.

State Highway Access and/or Work Permit – Any new or modified driveways and work within the state right-of-way, including utility work, require a highway access and/or work permit from the New York State Department of Transportation. Highway work permits for utility work have their own application process; and it is further

RESOLVED, that this site plan approval is granted subject to the applicant's full compliance with all of the terms and conditions as set forth by the Zoning Board of Appeals contained within the Zoning Board of Appeal special use permit approval dated December 4, 2017, which approval Resolution is made a part hereof and is annexed hereto in its entirety.

This matter having been put to a vote, the Planning Board members voted as follows:

This matter having been put to a vote, the Planning Board members voted as follows:

Gerard E. Wickett	Chairperson	Voted <input checked="" type="radio"/> Yes/No
Michele A. Bingham	Member	Voted <input checked="" type="radio"/> Yes/No
Kathy Carroll	Member	Voted <input checked="" type="radio"/> Yes/No
Chris Christensen	Member	Voted <input checked="" type="radio"/> Yes/No
Ronald Schneider	Member	Voted <input checked="" type="radio"/> Yes/No
Scott S. Stearns	Member	Voted <input checked="" type="radio"/> Yes/No
Mark W. Taylor	Member	Voted <input checked="" type="radio"/> Yes/No

Whereupon the Resolution was declared adopted.

The Chair, Jerry Wickett, stated that he appreciated Mr. Brewer's diligence in providing the Board with all the additional information that we have requested on this project. Mr. Brewer thanked the Board for all their help on this project.

The minutes of the November meeting will stand as distributed.

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter
Secretary