

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

September 6, 2018

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

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 September 6, 2018.

Laura Hogan, 4241 New Seneca Turnpike – 1 lot subdivision

A continuation of a public hearing was held for a one (1) lot subdivision located at 4241 New Seneca Turnpike. The secretary, Karen Cotter, advised that Peter Hogan called our office and advised that due to a family emergency they would not be able to attend tonight's meeting and asked if the PB would adjourn the project until the October meeting. Jerry Wickett made a motion to adjourn the meeting 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

Mary Beth Grau, 2880 Shamrock Rd – 1 lot subdivision

A public hearing was held for a one (1) lot subdivision to create a new building lot, approximately three (3) acres that will be sold to a neighbor to construct a house on it. The Secretary, Karen Cotter, read the legal notice into the minutes. Driveway approval has already been submitted to our office. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or opposition to the project and there were none. He then read the OCPB resolution #S-18-57, dated September 5, 2018, into the minutes. Hearing no questions from the Board, Michelle Bingham made a motion to close the public hearing and Ron Schneider 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 subdivision as a public hearing was held and there was no opposition; there were no modifications from OCPB; and the driveway concerns that were discussed in a prior meeting was corrected on the new map. 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 Mary Grau, on a one (1) lot subdivision located at 2880 Shamrock Rd. in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon September 6, 2018, 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 "Grau Farm Subdivision", such approval being based on a map made by D.W. Hanning L.S., P.C., dated April 6, 2018 and revised July 10, 2018.

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-18-57, dated Sept. 5, 2018.
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.

Scott Chatfield, 3100 Brewer Rd./James & Meridith Hall3149 Brewer Rd. – two (2) lot subdivision

At the August PB meeting there was discussion regarding a second subdivision application being required for the Hall property. Town Attorney, Jim Gascon, discussed the following:

- The question regarding if one (1) or two (2) applications are required. The definition in our zoning regulations is not specific enough – therefore the interpretation will be in favor of the applicant and only one (1) subdivision application will be required.
- If the applicant wants to consider Lot 1 to be a minor lot alteration then we would need a second application for the subdivision of lot two (2) and lot three (3).
- Mr. Chatfield believes all the lots would be a minor subdivision but Jim Gascon disagrees. Mr. Chatfield will move forward with changing his application so that he can submit the application to OCPB and for a public hearing at our October meeting.
- Jerry Wickett advised that historically we would need the map to indicate the “after of lot 1 that would include the parcel the Hall’s own across the street. Mr. Chatfield advised that he is not going to include the parcel across the street as this is on a separate tax parcel and the tax bills indicate two (2) separate lots.
 - Chris Christensen stated that historically we follow the definition of what a lot is by deed description and not a tax parcel number. The 1998 Hall deed description of lot described the piece across the road. Mr. Gascon agreed that the PB has always gone according to deed and not the tax map number.

- Scott Chatfield advised that this is incorrect -
 - Road is a public highway
 - Lot definition described by boundary line not by deed
 - Deed description does not have anything to do with subdivision description
 - Lot is created by zoning regulation not deed description
- Mr. Gascon advised we will only require one (1) map of the entire subdivision request

Mr. Chatfield agreed to submit a new subdivision plat indicating the parcel across the road; removing the remark (see detail) on lot three (3); the ROW ingress/egress from lot two (2) to lot three (3) must include poles and utilities in the deed; and the submitted application needs to change from a minor lot to final plan. Mr. Chatfield agreed to all of the discussed modifications. Mr. Chatfield was advised that four (4) copies of the revised map must be submitted to our office no later than noon on September 13, 2018 in order for the project to meet OCPB cut-off date.

The Chair, Jerry Wickett, asked the Board to look at the submitted Short Environmental Assessment form –

Part 1 –

1. No
2. Yes – OCPB
3. a. 43.19 acres
 - b. 0 acres
 - c. 43.19 acres
4. Forest/Agriculture/Residential
5. a. Yes
 - b. Yes
6. Yes
7. No
8. a. No
 - b. No
 - c. No
9. No
10. No – Existing residence will remain connected to private well
11. No

12. a. No
b. No
13. a. Yes
b. No
14. Forest/Agricultural/Creek frontage
15. Yes
16. No
17. No
a. No
b. N/A
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

Kathy Carroll made a motion that the proposed action will not result in any significant adverse environmental impacts and Ron Schneider 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

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The project will be sent to OCPB and a public hearing at the October meeting.

The minutes of the August meeting stand as presented.

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter
Secretary