

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

February 4, 2019

Present: Chairperson Jerry Wickett, Chris Christensen,
Kathy Carroll, Ron Schneider, Mark Taylor,
Michelle Bingham
Absent: Scott Stearns
Town Counsel: Jim Gascon of Costello, Cooney, and Fearon
Town Engineer: Joe Durand of TDK Engineering
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 February 4, 2019.

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. Per the applicant's written request Jerry Wickett made a motion to adjourn the project until April and Michelle Bingham 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 Chatfield, 3100 Brewer Rd/James Hall, 3149 Brewer Rd – 4 lot subdivision modification

A public hearing was for a modification of an approved three (3) lot subdivision to a four (4) lot subdivision. The secretary, Karen Cotter, read the legal notice and advised all certified mailing receipts were on file.

Mr. Chatfield discussed the following modifications –

- Lot 1 – will still be added to the Hall property to continue to be used for pasturing their horses (remains the same as original approval)
- Lot 2 – Increased the road frontage to 200’ per our regulations and note on the map was changed from seven (7) lots to six (6) lots
- Lot 3 – has the house and existing buildings – this property is in the process of trying to be sold
- Lot 4 – residual of tillable land and woods
- Lyle Hunger will purchase lots 2 and 4
- James Hall will purchase lot 1 and is attaching it to his existing parcel

Mr. Chatfield advised that his is a modification to reconfigure the lots as his original sale of the property did not move forward. 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 January 30, 2019, #S-19-3, was read into the minutes. The Chair, Jerry Wickett, advised that SEQR was identical to the previous application and had been sent into County Planning for their review. Kathy Carroll made a motion that the proposed SEQR action will not result in any significant adverse environmental impact. 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

Chris Christensen made a motion to close the public hearing and Michelle Bingham 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

Chris Christensen made a motion to approve the modified subdivision as a public hearing was held and there was no opposition; this is a subdivision to restructure from seven (7) approved lots to four (4) approved lots; lot 2 and lot 4 are not approved building lots; there will be no additional modifications or changes for construction until a SWPP is completed and approved by the Town Engineer and Town Attorney. Michelle Bingham 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

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Scott Chatfield and James Hall, on a four (4) lot subdivision located at 3100 and 3149 Brewer Rd. in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon February 4, 2019, 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 "Chatfield/Hall ReSubdivision", such approval being based on a map made by Ianuzi & Romans Land Surveying, dated June 8, 2001 and revised June 22, 2001, December 27, 2001, October 23, 2002, July 12, 2018 September 9, 2018 and December 7, 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. Conditions set forth in the OCPB resolution #S-19-3 dated January 30, 2019.
2. Further subdivisions are prohibited and should be noted on the linen map.
3. 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.
4. 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.
5. No additional modifications or changes for construction until a SWPP is Completed and approved by the Town Engineer and Town Attorney.
6. No building permits are to be issued until all contingencies are met.

B & C Storage Solutions, 2388 Lawrence Rd. – Site plan modification

Matt Slade was present to discuss the modifications that were requested from the prior meeting. The following was discussed:

- The modifications to the driveway are on the map
- Their engineer, Rudy Zone, made a mistake in the memo (dated 1/17/19) and stated they were reducing the pipe from 15” to 12” but it is currently 12”.

- No work has been done on the site since last month
- They are going to install a new catch basin around the building – due to the new retaining wall Chris Christensen had concerns as to what direction this will take the water. He feels the submitted plan is incomplete and they have not had any time to review the submittal
- They will be cutting into the existing bank – and this could change the water flow. Regulations have changed since their original submittal and they will need to follow current policies.
- We reviewed the memo from TDK dated February 4, 2019. Mr. Durand advised that he reviewed the original plan and all the modifications through the years. The 2000 design has water and quality already build into the plan but this needs to be re-evaluated by Rudy Zone and he knows what should be done.
- A SWPP needs to be completed if they are disturbing more than .35 acres
- Mr. Christensen and Mr. Durand indicated that we are missing information for the drainage that needs to be submitted with enough time for review by both the PB and Town Engineer.
 - Where will the water flow be going?
 - How will the water flow be handled?
 - Can the water flow be handled?
 - We don't want the water flow to head to the south of the property

Mr. Slade will go back to their engineers to get a more complete plan and answer the questions presented.

Diane Piorowski, 2785 Amber Rd. – 3 lot subdivision

Cheryl & Mark Taylor, 2761 Amber Rd – 1 lot subdivision

Sheila & Glen Muters, 2803 Amber Rd – 1 lot subdivision

Linda & Daniel Muters, 2809 Amber Rd – 1 lot subdivision

Planning Board member Mark Taylor recused himself from this project as he owns one of the parcel's that is part of this proposed project. Chris Christensen advised that he had been to their home to discuss the best way to accomplish the applicant's goals. Sheila Muters was present to represent all of the parcels. She

explained that her mother, Diane Piorowski, has passed away. Her property consists of 17 acres and has an existing house. They would like to reconfigure all of the existing lots and add property from the 17 acres to their individual parcels. The residual lot with the existing house will be sold. The following was discussed:

- The proposed plan will reconfigure all the exiting lots and improve the lots that were created via subdivision in 1987
- 2787 Amber Road has a trailer on site – approved by a special permit. We want to make sure it continues to meet all the regulations
- The stream doesn't go to the ponds – where does the water leave the property? We need to make sure we know where the water goes.
- Additional drainage discussion
- All the wells are on their individual properties
- The ponds were constructed by the property owner and are fed by ground water
- Discussed the high ratio of width to depth – The Board feels the properties have unique circumstances and they are not opposed to the dimensions
- Only drainage issues are what was created by the farmer above them
- Town Engineer doesn't see any issues with the drainage as presented
- There was discussion as to why the map shows 7' going to the County. The applicants will check with the surveyor and have it removed. Jerry Wickett stated that he would have no issue with the project being sent to OCPB after new map is completed.
- The Chair, Jerry Wickett asked the Board to review SEQR for each of the subdivisions individually.
 - Diane Piorowski, 2785 Amber Rd –Kathy Carroll made a motion that the proposed SEQR action will not result in any significant adverse environmental impact. 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

- Cheryl & Mark Taylor, 2761 Amber Rd - Kathy Carroll made a motion that the proposed SEQR action will not result in any significant adverse environmental impact. 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

- Sheila & Glen Muters, 2803 Amber Rd – Kathy Carroll made a motion that the proposed SEQR action will not result in any significant adverse environmental impact. Michelle Bingham 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

- Linda & Daniel Muters, 2809 Amber Rd - Kathy Carroll made a motion that the proposed SEQR action will not result in any significant adverse environmental impact. 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

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The minutes of the January meeting stand as presented.

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter
Secretary