

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

April 1, 2019

Present: Temporary Chairperson Chris Christensen,
Ron Schneider, Scott Stearns, Holly Tuffenkjian
Absent: Jerry Wickett Mark Taylor, Kathy Carroll
Town Counsel: Jim Gascon of Costello, Cooney, and Fearon
Town Engineer: Joe Durand 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 April 1, 2019.

Scott Stearns made a motion to nominate Chris Christensen as temporary Chairperson of the Planning Board. Holly Tuffenkjian seconded and the motion carried with the following vote:

Chris Christensen – aye
Ron Schneider – aye
Holly Tuffenkjian - aye
Scott Stearns - aye

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, Scott Stearns made a motion to adjourn the project until July and Ron Schneider seconded. The motion carried with the following vote:

Chris Christensen – aye
Ron Schneider – aye
Holly Tuffenkjian - aye
Scott Stearns - aye

Diane Piorkowski, 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

A public hearing was held for all four (4) subdivisions. The secretary, Karen Cotter, read the legal notices into the minutes and advised that the mailing receipts were on file. Sheila Muters explained that their mother had passed away and they would like to sell her house and the remaining property would be divided amongst the siblings and attached to their existing parcels. Their properties were created via a subdivision that was done many years ago. Chris Christensen asked if anyone would like to speak in favor of or in opposition to any of the proposed subdivisions and there were none. This project was sent to OCPB and they treated the subdivisions as one (1) project. Chris Christensen read the OCPB resolution #S-19-14, dated March 13, 2019 into the minutes. The County had no issues with the project. Hearing no questions further questions Mr. Christensen asked if anyone would like make a motion to close the public hearings.

Diane Piorkowski, 2785 Amber Rd. – 3 lot subdivision

Scott Stearns made a motion to close the public hearing for the three (3) lot subdivision for Diane Piorkowski and Ron Schneider seconded. The motion carried with the following vote:

Chris Christensen – aye
Ron Schneider – aye
Holly Tuffenkjian - aye
Scott Stearns - aye

Scott Stearns made a motion to approve the three (3) lot subdivision located at 2785 Amber Rd. as a public hearing was held and there was no objection; OCPB had no significant adverse implications; and it was consistent with the neighborhood.

Holly Tuffenkjian seconded and the motion carried with the following vote:

Chris Christensen – aye
Ron Schneider – aye
Holly Tuffenkjian - aye
Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Diane Piorkowski, on a three (3) lot subdivision located at 2785 Amber Road in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon April 1, 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 known as "Piorkowski Subdivision", such approval being based on a map made by Jeffrey J. Schultz, dated January 9, 2019 and revised on February 12, 2019.

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 March 13, 2019.
 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 303 A.
 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.

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

Scott Stearns made a motion to approve the one (1) lot subdivision located at 2761 Amber Rd. as a public hearing was held and there was no objection; OCPB had no significant adverse implications; and it was consistent with the neighborhood. Ron Schneider seconded and the motion carried with the following vote:

Chris Christensen – aye
Ron Schneider – aye
Holly Tuffenkjian - aye
Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Cheryl & Mark Taylor on a one (1) lot subdivision located at 2761 Amber Road in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon April 1, 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 "Piorkowski Subdivision", such approval being based on a map made by Jeffrey J. Schultz, dated January 9, 2019 and revised on February 12, 2019.

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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 March 13, 2019.
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 303 A.
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.

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

Scott Stearns made a motion to approve the one (1) lot subdivision located at 2803 Amber Rd. as a public hearing was held and there was no objection; OCPB had no significant adverse implications; and it was consistent with the neighborhood. Ron Schneider seconded and the motion carried with the following vote:

Chris Christensen – aye
Ron Schneider – aye
Holly Tuffenkjian - aye
Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Sheila and Glen Muters on a one (1) lot subdivision located at 2803 Amber Road in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon April 1, 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 "Piokrowski Subdivision", such approval being based on a map made by Jeffrey J. Schultz, dated January 9, 2019 and revised on February 12, 2019.

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1. Applicant complies with the Planning Board resolution of February 2, 1987 regarding runoff:

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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 March 13, 2019.
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 303 A.
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.

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

Scott Stearns made a motion to approve the one (1) lot subdivision located at 2809 Amber Rd. as a public hearing was held and there was no objection; OCPB had no significant adverse implications; and it was consistent with the neighborhood.

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

Chris Christensen – aye
Ron Schneider – aye
Holly Tuffenkjian - aye
Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Linda and Daniel Muters on a one (1) lot subdivision located at 2809 Amber Road in an Agricultural Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon April 1, 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

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- 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.
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 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.

Jon and Mary Pat Annable, 3360 Smith Hollow Rd – 1 lot subdivision

The Annable's would like to subdivide the existing house and buildings on 2.12 acres from the original 16-acre lot. The residual property will continue to be used for farming. The applicants were not present at the meeting but will be at the May meeting. Chris Christensen asked the PB to review Part 2 of SEQR. Scott Stearns made a motion to approve SEQR as the action will not result in any significant adverse environmental impact. Ron Schneider seconded and the motion carried with the following vote:

Chris Christensen – aye
Ron Schneider – aye
Holly Tuffenkjian - aye
Scott Stearns – aye

Chris Christensen sent the project to a public hearing and to OCPB for review.

Discussion:

Tim and Erica Luebner, Rose Hill Rd – site plan

Erica Luebner advised that they would like to construct a 40' X 40' addition to their existing building that houses all the baked goods and retail space. She stated that they will be limiting the amount of retail products sold from the building and will be moving the squash and produce into the addition as well as still selling bakery items.

The following was discussed:

- This was originally going to be a learning center and an area where they could purchase products and carry out. It is no longer used as a learning center.
- They have a Restaurant permit from OCDOH but there is no indoor seating and they have no plans to add seating as this would require another permit as well as indoor bathroom facilities
- Everything is take-out
- They are abiding by the agricultural rules set down by Ags and Market
- 51% of the product is produced on the property
- Over \$10,000 sales are agricultural
- A special permit will be required as well a plan/design of building and what is going to be in the building
- A business plan including hours, parking, lighting needs to be submitted
- An additional layout for site plan, including the addition needs to be submitted
- They can use an inset of the subdivision map

Mr. & Mrs. Luebner advised that they will put a plan together and submit it to the Planning and ZBA.

The minutes of the March meeting stand as presented.
The meeting was adjourned at 8:30 PM

Respectfully submitted,
Karen Cotter, Secretary