

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

**November 1, 2021**

**Present:** Chairperson Jerry Wickett, Ron Schneider,  
Holly Tufenkjian, Mark Taylor, Chris Christensen, Scott  
Stearns, Kathy Carroll

**Absent:**

**Town Counsel:** James 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 Marcellus Town Hall for the Town of Marcellus, located at 24 East Main St. Marcellus, New York, on November 1, 2021.

### **SITE PLAN REVIEW –**

#### **Frederick (Fritz) Estlinbaum, Lee Mulroy Rd – site plan/area variance**

Erin Estlinbaum and Rudy Zona from RZ Engineering was present to discuss the project and answer questions. This is the final lot, of a four (4) lot subdivision, to be developed. They will connect to the master drainage plan with a few modifications to the approved SWPFF that was originally submitted and modified for the other projects. The revised SWPFF will apply to all four (4) lots going forward with respect to individual lot maintenance and joint maintenance for the site. The following was discussed:

- Stephen Knapp from MAVES was present and advised they have an issue with water going across their driveway. In the winter this is an issue as the driveway becomes very icy. Mr. Zona stated that with the swale and culvert that will attach to the swale it will alleviate that problem.
- An area variance will be required on the Estlinbaum lot to allow the building to be constructed closer to the eastern side yard lot line – this will allow easier access for his trucks and equipment pass the building on the west side
- The Town Engineer, Joe Durand, stated they needed to clean up the easements since the survey presented is both incomplete and inaccurate

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- The newly proposed building will have no floor drains-this was added to notes in the construction area. They also added one (1) outdoor light fixture which will have little impact on the already submitted photometric design
- The stormwater maintenance agreement and the driveway maintenance agreement must be signed and submitted to our office
- The building lot has been sold and is owned by Mr. Estlinbaum
- Chris Christensen had a discussion in detail with Mr. Zona regarding the location of the underground electric. The map still indicated an overhead electric line – it MUST be underground from the pole and shown that way on the final map – both for this project as well as for the book warehouse project we recently approved and on the plans for the western portion of Maves to reflect the as built conditions.
- The underground gas line is also not shown and needs to be indicated for both projects
- All easements must also be shown and the easement survey presented must be updated for all easements required and must be specifically referred to for each lot since all lots are involved with very specific electric easements. This includes an easement issued to NYSEG for an overhead wire and installation of a pole on Estlinbaum lot to provide underground feed to both Maves and the Estlinbaum building
- A new and updated/corrected survey must be submitted with all correct information as discussed
- Discussion regarding the perimeter drain, roof drains and discharge point. The gutters down spout discharge will be going back to the ditch
- The notes on maps need to be cleaned up and corrected. Some information is not correct and/or located on incorrect pages. Example: the note stating how the gravel portion of the driveway and parking area will be constructed is the wrong note
- Chris Christensen asked if they were ok with delivery from 48' trucks or smaller as that's what this map shows. He stated a lot of the trucks are 53' but applicant said it was okay.
- It was confirmed by the applicant that the lower driveway, down by the road, will be blacktop per the plan submitted and then further up it will be gravel
- There will be no sign on the building – just out front on the existing approved sign for all four (4) lots

- Discussion and disagreement between Mr. Christensen and Mr. Zona regarding detention pond and fore bays. The latest SWPFF submitted refers to drawings submitted with the original MAVES project that were not constructed as presented by some agreement during construction. There are now modifications to the detention basin and a mutual maintenance agreement is being established. This should be updated and corrected in the current SWPFF and referred in the agreement so that all parties know what is being maintained. The rec maintenance included in the SWPFF should be checked for accurate wording to ensure the wording matches what is being constructed. Mr. Christensen stated this should be documented on the map and the owners will be responsible for maintenance
- An as-built will be required for the project
- Mr. Zona stated the he doesn't deal with easement issues that would be done by Donahoe.
- Construction schedule – they had hoped to have all ready started but they still need to do prep work
- Mr. Christensen reiterated these maps, and survey need to be cleaned up and corrected
- Joe Durand stated he agreed with Mr. Christensen. They need to be cleaned up and matched with all of the other properties. The construction details need to be worked out but the drainage system works. If there are issues it will cost the applicant more money. He also stated that he feels the master stormwater plan works.

The Chair, Jerry Wickett asked if anyone would like to speak in favor of the project and Stephen Knapp, Executive Director of Maves, stated they are in favor of the project and location with the variance – they hope it will block the wind and coming closer to the side line has no effect on their property. Mr. Wickett then asked if there was anyone present opposed and there were none. The OCPB resolution #Z-21-304, dated October 27, 2021 was read into the minutes. Regarding the modifications from the building #1 discussion septic system has already been approved by OCHD and #2 the applicant will contact OCDOT to discuss traffic data but additional traffic will be minimal. Hearing no further comments Jerry Wickett made a motion to close the site plan public hearing and Holly Tufenkjian seconded.

Chris Christensen made a motion to approve the site plan as presented with the following contingencies:

- The modifications that were discussed during the meeting referencing open requirements on the book store project which has not been signed
- Corrections of notes as presented on the submitted maps must be made and resubmitted
- Documentation of detention basin - SWPFF drawing accurately indicated
- Correct submitted maps including but not limited to underground electric from the pole is to be shown and NOT above ground and gas line needs to be added. Changes have been made with respect to easements and the electric power for the book store will now be coming via underground electric from an existing pole feeding to the existing McClurg building. If there are any changes to underground electric to the properties the site plan for both the book store and Estlinbuam's will require approval by the Marcellus Town Planning Board before any installation is to proceed
- A stormwater maintenance agreement and driveway agreement must be submitted and approved by both the Town Attorney and Town Engineer
- New survey submitted with updates and corrections including but not limited to easements must be indicated on map
- No additional sign on building
- An as built will be submitted to our office
- Update the underground electric on the book store project map
- One person in favor of project (Maves) and no opposition

Kathy Carroll seconded and the motion carried with the following vote:

Jerry Wickett - aye  
Ron Schneider – aye  
Holly Tuffenkjian - aye  
Mark Taylor -aye  
Chris Christensen – aye

WHEREAS, an application has been duly filed requesting FINAL SITE PLAN REVIEW AND APPROVAL for the Frederick Estlinbaum Project, on premises located at Lee Mulroy Road, Marcellus, New York in a Light Industrial district; and

WHEREAS, all Planning Board members had due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place thereof was duly given as required by law; and

WHEREAS, the Planning Board, is required to issue an advisory recommendation to the ZBA pursuant to Section 22 of the Marcellus Zoning Ordinance; and

NOW, THEREFORE BE IT RESOLVED that the Planning Board of the Town of Marcellus hereby makes the following findings and recommendations and contingencies:

1. The modifications that were discussed during the meeting referencing open requirements on the book store project – their final map has not been signed by Planning Board Chairperson
2. Corrections of notes as presented on the submitted maps must be made and resubmitted
3. Documentation of detention basin - SWPFF drawing accurately indicated
4. Correct submitted maps including but not limited to underground electric from the pole is to be shown and NOT above ground and gas line needs to be added. Changes have been made with respect to easements and the electric power for the book store will now be coming via underground electric from an existing pole feeding to the existing McClurg building. If there are any changes to underground electric to the properties the site plan for both the book store and Estlinbaum's will require approval by the Marcellus Town Planning Board before any installation is to proceed
5. A stormwater maintenance agreement and driveway agreement must be submitted and approved by both the Town Attorney and Town Engineer
6. New survey submitted with updates and corrections as discussed including but not limited to easements must be indicated on map
7. No additional sign on building-only the front location on existing approved sign for all four (4) lots

8. An as built will be submitted to our office with corrections as discussed
9. Update the underground electric on the book store project map and Estlinbaum project as well as add the gas line for both project
10. Approval of the submitted side-yard area variance

### **SUBDIVISION – PRELIMINARY**

#### **Donald LaPoint (Bob Rocco), 3940 Slate Hill Rd – 1 lot**

Mr. Rocco advised that he submitted new maps with the changes that the Planning Board had requested at the June, 2021 meeting. He added the distance of the buildings to property lines, showed proposed driveway (already submitted driveway permit), and the old foundation was removed. He stated that he is still trying to decide what to do with the existing barn. His plan is to construct a 4000 sq ft ranch for himself. Hearing no questions from the Board this project will be sent to OCPB for review and to a public hearing in December.

### **MINUTES -**

Jerry Wickett made a made a motion to waive the reading of the October minutes and accept as distributed. Chris Christensen seconded and the motion carried with the following vote:

Jerry Wickett - aye  
Ron Schneider – aye  
Holly Tuffenkjian - aye  
Mark Taylor -aye  
Chris Christensen – aye

Jerry Wickett made a motion to adjourn the Planning Board meeting and Scott Stearns seconded.

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The motion carried with the following vote:

Jerry Wickett - aye  
Ron Schneider – aye  
Holly Tuffenkjian - aye  
Mark Taylor -aye  
Chris Christensen – aye

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter  
Secretary