

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

December 6, 2021

Present: Temporary Chairperson Scott Stearns, Ron Schneider,
Mark Taylor, Kathy Carroll
Absent: Jerry Wickett, Chris Christensen Holly Tufenkjian,
Town Counsel: James 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 Marcellus Town Hall for the Town of Marcellus, located at 24 East Main St. Marcellus, New York, on December 6, 2021.

Kathy Carroll made a motion to appoint Scott Stearns temporary Chairperson of the Planning Board. Ron Schneider seconded and the motion carried with the following vote:

Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll - aye
Mark Taylor -aye

SUBDIVISION – PUBLIC HEARING

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

A public hearing was held for a one (1) lot subdivision. The secretary, Karen Cotter, read the legal notice into the minutes and advised mailing receipts are on file. Mr. Rocco (has a purchase offer on property) advised that Mr. LaPoint will retain approximately 1 acre of the property and the existing house and buildings. Mr. Rocco will be constructing a new house on the approximately seven (7) acres. The Temp. Chairperson, Scott Stearns, read the OCPB resolution #S-21-78, dated November 17, 2021 into the minutes. The applicant has already submitted driveway approval from the OCDOT – that deals with comment one (1) from the OCPB resolution. Mr. Stearns then asked if anyone would like to speak in favor or in opposition to the project.

Several neighbors were present and none had objection to the subdivision but were concerned regarding run off from the Mr. Rocco's property onto their property.

They are having water issues due the following issues:

- We have had several larger than normal rainstorms
- The ditches are filled with brush from the County trimming along the road
- Clearing of the land by farmers which now allows more water runoff into the road and neighboring properties.

The following neighbors were present and discussed the drainage issues:

- John Scanlon, 3902 Slate Hill Rd.
- Donna & Scott Nolan, 3917 Slate Hill Rd.
- Lou and Risa Siy, 3911 Slate Hill Rd.

Mark Taylor advised that this is a county road and they should call the Town of Onondaga DOT and ask them to come and clean out the ditches and culvert in the area. He also stated that there should be minimal additional water flow with the construction of one (1) house. Mr. Rocco has advised the house will be constructed more in the center of the property verses near the road and he will be removing trees but also planting grass which will help. Codes Officer, John Houser, stated that there was very little he could do regarding the water problems with the construction of one house and we shouldn't stop or try to change the natural flow of water which would take it down into the ditch. He also advised they contact the County DOT to clear out the ditch. Hearing no further questions or concerns Kathy Carroll made a motion to close the public hearing Ron Schneider seconded. The motion carried with the following vote:

Scott Stearns - aye

Ron Schneider – aye

Kathy Carroll - aye

Mark Taylor -aye

Kathy Carroll made a motion to approve the subdivision as presented as the applicant is aware of the five-year moratorium for future subdivision; the project is consistent with the neighborhood; and a public hearing was held and several neighbors were present to discuss drainage concerns.

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

Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll - aye
Mark Taylor -aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Ianuzi & Romans, on a one (1) lot subdivision located at 3940 Slate Hill Road in an R1 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon December 7, 2021, 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 "LaPoint-Rocco Subdivision", such approval being based on a map made by Ianuze & Romans Land Surveying, dated March 23, 2021 and revised and submitted on October 20, 2021.

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. Successful drainage plan approved by the Onondaga County Health Department.
4. Conditions set forth in the OCPB resolution dated November 17, 2021.
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 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.

MINUTES -

Scott Stearns made a motion to waive the reading of the November minutes and accept as distributed. Ron Schneider seconded and the motion carried with the following vote:

Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll - aye
Mark Taylor -aye

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

Scott Stearns - aye
Ron Schneider – aye
Kathy Carroll - aye
Mark Taylor -aye

The meeting was adjourned at 7:45 PM
Respectfully submitted,
Karen Cotter, Secretary

