

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

July 6, 2023

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

Absent: Mark Taylor

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 22 East Main St. Marcellus, New York, on July 6, 2023.

Subdivision-Preliminary:

Craig Richards, 2748 Rose Hill Rd.– 1 lot Subdivision

Craig Richards was present to discuss the one (1) lot subdivision at 2748 Rose Hill Rd. Mr. Richards explained that he has a contract in place to purchase approximately 48 acres of this 50-acre lot. Per this contract he agreed to apply for and take any actions necessary to follow through with the subdivision process. Contained within those 48 acres is a cell phone tower that is currently leased to Crown Atlantic Company LLC. Chris Christensen noted that if Mr. Richards planned to build on that lot, he would need to follow the regulations with regard to building near a telecommunication tower. Mr. Richards explained he has no intention of building and would be farming the 48 acres.

Jerry Wickett, Chairperson, asked the board to review SEQR. Part 1 changes are as follows:

- Change question #9 from yes to NO.
- Change question #5 from no to YES.

Scott Stearns made the motion that based on the information and supporting documentation the proposed action will not result in any significant adverse environmental impacts. Ron Schneider seconded, and the motion carried with the following vote:

Jerry Wickett – aye	Holly Tufenkjian – aye
Chris Christensen – aye	Scott Stearns – aye
Mark Taylor – absent	Kathy Carroll – aye
Ron Schneider – aye	

The subdivision will be sent to public hearing for August.

Subdivision:**William Veit, 2179 Otisco Valley Rd.**

Bill Veit was present with Terry Horst, Landscape Architect, to discuss the ongoing project on his property. The following was discussed with Mr. Veit and Ms. Horst:

- Jerry Wickett stated we received a packet with updated information from Ms. Horst dated June 13, 2023. The Town Engineer, TDK, was not able review the packet since the escrow account had been depleted from three (3) previous reviews.
- Mr. Veit presented the Board with additional funds for the escrow account and both Mr. Veit and Ms. Horst believe the information in the June 13, 2023 packet does address the open issues with TDK.
- Chris Christensen stated he noticed on the map submitted with the June 13, 2023 packet that some items previously requested by the Board have not been addressed. These include:
 - Tax parcel #37 – the 25x35 parcel with the owner’s name are not indicated on the map.
 - The map needs to show contours that extend further onto the adjacent properties – in particular the property to the south (tax parcel #38.2). The contours are not extended enough. The map shows landscaping lines not topographic lines.
 - The water main is not indicated on the map.
 - A statement needs to be added to the map regarding the driveway. The surveyor needs to certify that the driveway meets the County site distance requirements and notate that as such.
 - The shed(s) on the property both need to be shown on the map along with the dimensions from the property line. The dock needs to be shown as well.
- The documents from the June 13, 2023 packet will be reviewed and depending on the outcome of that review, both TDK and the Board may require more information.
- Ms. Horst stated she had several conversations with TDK and addressed all of their previous comments in this packet. This includes a revised watershed analysis which details the solutions with regard to the 50yr and 100yr storms.
- The Board will await a response from TDK once they have reviewed the June 13, 2023 packet.

Discussion:**Codes Officer John Houser – Chilmark Dr.**

John Houser was present to discuss a complaint he received from a resident who lives on Chilmark Drive. The residents back yard borders the driving range portion of Sunset Ridge Golf Club. The resident filed a formal complaint with Mr. Houser stating the house is continually being struck with golf balls damaging the house and breaking windows. Mr. Houser provided pictures showing the damage along with numerous golf balls scattered throughout the backyard. The Zoning Board did approve a special permit modification for this golf course on August 4, 2003. In that resolution it states:

Due to construction of homes along the eastern boundary of the golf course it may be necessary to construct a barrier along the east side of the driving range. This barrier would be for the purpose of keeping golf balls from the driving range from entering the property to the east if the owners of those lots find their presence a problem. The

barrier would be constructed to the satisfaction of the Zoning Board and would have to be constructed within one year of notification from the Board.

This home was one of the homes constructed on the eastern boundary of the golf course. Mr. Houser stated the golf course has been notified of the complaints many times. Town Counsel, James Gascon, stated his office will draft a letter to notify the golf course that the Town will invoke that provision in the August 4, 2003 resolution, and they will need to submit plans to the Zoning Board for the construction of a barrier.

Discussion:

Chris Christensen inquired about the status of the empty lot at 2814 W. Seneca Tpk. near the golf course. He noted that a driveway has been put in without subdivision approval. Mr. Christensen was advised that no new information has been received. Mr. Houser stated he would follow up with regard to the driveway addition.

Mr. Christensen also inquired as to the status of notifications that were sent to the neighbors involved in the Loudermilk subdivision on Stump Road (DeCappio) and Daly subdivision on Davis Grove (Clark). Mr. Gascon stated he sent letters to the neighbors and received a voicemail message with regard to the Loudermilk subdivision. No information has been received from the notification sent to Clark on Davis Grove.

Minutes:

The Chair, Jerry Wickett, made a motion to waive the reading of the June minutes and accept as distributed. Scott Stearns seconded, and the motion carried with the following vote:

Jerry Wickett – aye	Holly Tufenkjian – aye
Chris Christensen – aye	Scott Stearns – aye
Mark Taylor – absent	Kathy Carroll – aye
Ron Schneider – aye	

The Chair, Jerry Wickett, made a motion to adjourn the meeting and Scott Stearns seconded. The motion carried with the following vote:

Jerry Wickett – aye	Holly Tufenkjian – aye
Chris Christensen – aye	Scott Stearns – aye
Mark Taylor – absent	Kathy Carroll – aye
Ron Schneider – aye	

The meeting was adjourned at 7:45 PM.

Respectfully submitted,

Joanna Clarke
Secretary