

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

**June 1, 2015**

**Present:** Chairperson Jerry Wickett, Michelle Bingham  
Ron Schneider, Chris Christensen, Bob Ciota  
**Absent:** Robert Oliver, Kathy Carroll  
**Town Counsel:** James Gascon of Costello, Cooney, Fearon  
**Town Engineer:** Jason Kantak 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 June 1, 2015.

**Half Dome Properties, Lee Mulroy Road – site plan**

A public hearing was held to allow storage shed sales on site at the corner of Bishop Hill Road and Lee Mulroy Road. Larry Tyson and Christian Burnell were present. After discussion at the April meeting they made the requested modifications and the following was discussed:

1. Currently there are two (2) driveways and they will close the driveway closest to Lee Mulroy – as requested
2. There will be 12 sheds on the inside of the property
3. Sheds will be set back a minimum of 65' from the property line
4. One (1) free standing sign that will be 4' X 8' – there will be no illumination on the actual sign
5. Not to exceed 30 sheds
1. All ingress/egress will be off of Bishop Hill Road – no access from Lee Mulroy Road will be allowed
6. No additional lighting on site
7. There will be no septic on site
8. The narrative that was submitted to the PB on 3/30/15 will become part of the site plan approval with the modification of the hours of operation. The sheds will be sold Monday – Sunday from 8:00 AM to 6:00 PM.
9. If stone is brought onto the main road they agree to black top a portion of the driveway – to prevent this - based on the Codes Officer's review.

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, #Z-15-139, dated May 6, 2015, was read into the minutes. Bob Ciota made a motion to close the public hearing and Chris Christensen seconded. The motion carried with the following vote:

Chris Christensen – aye  
Bob Ciota– aye  
Jerry Wickett – aye

Michelle Bingham – aye  
Ron Schneider - aye

Chris Christensen moved to approve the project as presented as a public hearing was held and there was no opposition; this is an allowable use in the Light Industrial zone; the site plan approval includes the March 30, 2015 narrative as amended with the business hours being Monday-Sunday from 8:00 AM – 6:00PM; With the condition that if stone is carried from the driveway out onto Bishop Hill Rd. and it becomes an issue the property owner agrees to pave a portion of the driveway to prevent this – at the discretion of the Codes Officer. Bob Ciota seconded and the motion carried with the following vote:

Chris Christensen – aye  
Bob Ciota– aye  
Jerry Wickett – aye

Michelle Bingham – aye  
Ron Schneider - aye

WHEREAS, an application has been duly filed requesting FINAL SITE PLAN REVIEW AND APPROVAL for Half Dome Properties, on premises located at corner of Lee Mulroy Road and Bishop Hill 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 to the Zoning Board of Appeals:

1. All ingress/egress will be off of Bishop Hill Road – no access from Lee Mulroy Road will be allowed
2. The narrative that was submitted to the PB on 3/30/15 will become part of the site plan approval with the modification of the hours of operation. The sheds will be sold Monday – Sunday from 8:00 AM to 6:00 PM
3. If stone is brought onto the main road they agree to black top a portion of the driveway based on the Codes Officer's review.

### **David and Lisa Kronen, 2593 and 2589 Route 174 - Subdivision**

David Kronen explained he owns both properties and would like to move the property line between the two (2) lots 16.5' so the existing driveway will be on the lot. Lot 2589 has several easements. Each parcel has its' own septic system. A brother who owns an adjoining lot uses the easement as well. Chris Christensen stated that the garage on the neighbor's property was constructed without a principal building. Hearing no further questions or issues the applicant will move forward with the subdivision.

### **Joe Welch, 2769 Slate Hill Rd. –5 year moratorium discussion**

The Welch's are requesting the five (5) year moratorium for subdivision be waived on their property. They submitted paperwork under section 701 – the hardship clause and a map indicating approximately where they would like the lot lines to be located. The applicants subdivided the property approximately 3 ½ years ago and cleaned up some outstanding issues on the property. Mr. Gascon stated that the reason given would allow the hardship clause to go into effect. Chris Christensen advised he is not sure he would be in favor of creating new lots within the five (5) years. Bob Ciota stated that he sees no downside to the town and it would help to satisfy financial hardship for the applicant. Michelle Bingham had no issue with moving forward with a new subdivision. Mr. Gascon advised them submit the subdivision application and ask for the waiver as part of the subdivision process. Chris Christensen stated that he would like to see topography shown on the map for at least proposed lot 3.

### **Discussion –**

- Pat Kolosky, West Seneca Turnpike, had a family emergency and asked that he be placed on the July agenda
- Discussion to change the September meeting to Thursday September 3, 2015 – the meeting will be held prior to Labor Day instead of after it.

- Chris Christensen presented pictures showing the new Pipino's restaurant sign at Marcellus Golf Course. The new sign does not meet our zoning regulations and is not allowed. He advised that DJ VanKuren has been calling him to discuss the possible grown of the golf course and moving forward with the PUD.

The minutes of the March meeting will stand as distributed.

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter  
Secretary