

**TOWN OF MARCY  
COUNTY OF ONEIDA  
STATE OF NEW YORK  
PLANNING BOARD**

**NOVEMBER 9, 2009**

The Town of Marcy Planning Board held one (1) Public Hearings on Monday, November 9, 2009 at 7:00PM at the Marcy Municipal Building, 8801 Paul Becker Road, Marcy, New York.

**THOSE PRESENT:**

Planning Board Chairman Robert Lambe	
Planning Board Member Carl A. Annese	
Planning Board Member Michael Pawloski	
Planning Board Member Frank J. Pinnisi	
Planning Board Member Stephen Zywiak	
Planning Board Secretary Lori A. Wrobel	
Zoning Board of Appeals Chairman Carson E. Sorrell	(7:30PM)
Zoning Board of Appeals Member John Bronk	(7:30PM)
Zoning Board of Appeals Member Paul M. Evans	(7:30PM)
Zoning Board of Appeals Member Richard Panella	(7:10PM)
Zoning Board of Appeals Member Lant C. Wagner	(7:40PM)

Planning Board Chairman Robert Lambe called the Public Hearing to order with the Pledge of Allegiance at 7:00PM.

Planning Board Secretary Lori A. Wrobel read the Legal Notice that was published in the Observer Dispatch on Wednesday, November 4, 2009.

**MICHAEL and MICHELE REID, 6250 Glass Factory Road**

*Minor Three (3) Lot Subdivision*

Tax Map Number 278.000-2-21

**Zoned R-20/Residential 20,000**

**Application Number 2009-12**

Mr. Reid attended the June 29, 2009 Planning Board Meeting. Mr. Reid would like to subdivide his property located on the corner of Church Road and Glass Factory Road into three (3) lots.

*There was a delay in processing this application since Mr. Reid failed to complete an Agricultural Data Statement, since his property is located within 500' of property located in an Oneida County Agricultural District. Several letters were forwarded to Mr. Reid with no response. Mr. Reid did complete the form on October 19, 2009 and it was submitted to the Oneida County Department of Planning as required.*

Glass Factory Road and Church Road are County Roads, therefore a 239 Review was required.

The Oneida County Department of Planning has "No recommendation as to final action", with the following comment:

“A permit from the Oneida County Department of Public Works will be required for any access onto Glass Factory Road or Church Road if any work will be performed within the right-of-way of either road.

The Oneida County Department of Public Works “has received the above mentioned subdivision plat for review. In accordance with Section 239-f of NYS General Municipal Law, we offer the following comments:

- A Model Access Management Ordinance prepared by the New York State Department of Transportation (NYSDOT) recommends a minimum driveway spacing standard of 220 feet along a collector road for development with 0 – 150 Peak Hour Trips (PHT). Therefore, this department recommends that the spacing of any future driveway from any adjacent proposed or existing driveway meets this minimum and sight distance is maximized at the final location.
  - The NYSDOT Policy and Standards for the Design of Entrances to State Highways recommends a standard residential driveway width of 12 feet.
  - This department recommends turnarounds for any future residential driveways accessing County highways.
  - Section 136 of the NYS Highway Law requires a permit to be obtained for any access, construction, or reconstruction within the right-of-way of a County highway. Any above recommendation given by this department will be a required action for any permit approval. The permits are obtained through our Division of Highways and Bridges. Items of concern include:
    1. Verify that adequate sight distance is provided at future access locations.
    2. Development shall not adversely affect the highway drainage or drainage of adjacent property.
- Questions regarding this review should be directed to James Bartkowiak of our office.”

Planning Board Chairman Robert Lambe asked if there were any comments or questions from the Public.

Planning Board Chairman Robert Lambe asked if there were any comments or questions from the Board.

Planning Board Member Carl A. Annese asked if the Planning Board would require the signature of both property owners.

Planning Board Chairman Robert Lambe stated that we usually accept one signature and have not required multiple signatures in the past. Planning Board Chairman Robert Lambe stated that this will be noted as a comment.

Planning Board Member Carl A. Annese noted that when the property is sold, the signature of both owners will be required.

The required \$75.00 fee has been received.

Hearing no further comments, Planning Board Member Frank J. Pinnisi made a motion to close the Public Hearing; seconded by Planning Board Member Carl A. Annese.  
All Members Voting: Aye

**Planning Board Chairman Robert Lambe called the Regular Meeting to order at 7:04PM.**

Planning Board Member Frank J. Pinnisi made a motion to dispense with the reading of the October 19, 2009 Planning Board Minutes; seconded by Planning Board Member Michael Pawloski.

All Members Voting: Aye

Planning Board Chairman Robert Lambe asked if there were any corrections.

Planning Board Member Frank J. Pinnisi made a motion to approve the October 19, 2009 Planning Board Minutes as written; seconded by Planning Board Member Michael Pawloski.

All Members Voting: Aye

**MICHAEL and MICHELE REID, 6250 Glass Factory Road**

*Minor Three (3) Lot Subdivision*

Tax Map Number 278.000-2-21

**Zoned R-20/Residential 20,000**

**Application Number 2009-12**

Planning Board Members have reviewed the application for a Minor Three (3) Lot Subdivision. A 239 Review has been completed in accordance with General Municipal Law. A Legal Notice was published in the Observer Dispatch as required by General Municipal Law. A copy of the Public Hearing Notice was mailed on November 3, 2009 to all property owners within 500' of the proposed project. Mailing labels for the Public Hearing notices were prepared and verified by Clerk to the Assessor Thomas Foley.

Planning Board Chairman Robert Lambe noted the driveway concerns and asked if there would be enough room for driveway spacing. Mr. Reid stated that he should not have a problem.

Planning Board Chairman Robert Lambe noted that the plans will need to be revised to show that an on-site turn around will be provided on each parcel.

Planning Board Member Frank J. Pinnisi made a motion that upon review of the information submitted by the applicant, the Oneida County Department of Planning and the Oneida County Department of Public Works, the Board finds that the proposed action will not have a significant adverse impact upon the environment in light of its modest nature and conformance to town development regulations; seconded by Planning Board Member Carl A. Annese.

All Members Voting: Aye

Planning Board Member Michael Pawloski made a motion to approve the application for a Minor Three (3) Lot Subdivision with the condition that each parcel have an on-site turn-around; seconded by Planning Board Member Frank J. Pinnisi.

All Members Voting: Aye

Once the revised plans are received, they will be stamped and signed by Planning Board Chairman Robert Lambe and Planning Board Secretary Lori A. Wrobel.

The approved Subdivision plans will need to be filed with the Oneida County Clerk's Office within sixty (60) days of the date of approval otherwise they will become null and void.

**BRUCE SNYDER of WESTMORELAND COMPANY for FEDERAL EXPRESS, Scharbach Drive**

*Minor Two (2) Lot Subdivision*

Tax Map Number 292.000-3-6.2 and 292.004-2-1

**Zoned IN and FP/Industrial and Floodplain**

**Application Number 2009-00**

Mr. Snyder is representing Federal Express who would like to subdivide property into two (2) lots. Mr. Snyder has not attended a Review Panel Meeting for this proposal.

Planning Board Members reviewed the plans and paperwork.

Mr. Snyder stated that the Westmoreland Company would like to purchase additional property from Michael Candella, which is a little over an acre. The property would eventually be used for parking.

Mr. Snyder stated that the lot would remain separate from the Federal Express property.

Planning Board Members reviewed the Zoning Ordinance and confirmed that the proposed lot meets the requirements. It was noted that once parking is proposed for the lot, a Site Plan Review by the Planning Board would be required.

Planning Board Chairman Robert Lambe noted that the frontage of the proposed lot is on Town property that will eventually be a road. Currently it is considered a "paper" road. Mr. Snyder asked if a decision could be made during the Site Plan Review. Planning Board Chairman Robert Lambe suggested that the plans be forwarded to Town Attorney William Schmitt for a recommendation.

Mohawk Street is a State Road and this property it is located within 500' of the NYS Thruway Authority and the NYS Barge Canal, therefore a 239 Review will be required.

Planning Board Member Stephen Zywiak made a motion to accept the application for a Minor Two (2) Lot Subdivision and forward information to the Oneida County Department of Planning, the New York State Department of Transportation, the NYS Thruway Authority and the NYS Barge Canal for a 239 Review; seconded by Planning Board Member Carl A. Annese.

All Members Voting: Aye

Planning Board Member Frank J. Pinnisi made a motion that the Board finds the proposed application is a Type II action not subject to Environmental Conservation Law Article 8 (SEQR) under Part 617.5(c)(12), granting of individual setback and lot lines; seconded by Planning Board Member Michael Pawloski.

All Members Voting: Aye

A \$50.00 fee will be required.

Mr. Snyder will be reminded by mail of his Public Hearing Date.

**Zoned R-20/Residential 20,000**

Tentative Agenda: Bruce Snyder for Federal Express, Public Hearing  
Carl Annacker for the Utica Maennerchor, Site Plan Review  
Alva Cerri, Property Line Change

Planning Board and Zoning Board of Appeals Members were present for a presentation Permitting & Standards for Wind Power that will count toward the mandatory training for each Member.

It was noted that the Zoning Board of Appeals Members will not be paid to attend this presentation. If a Joint Meeting is scheduled to view further training, neither Planning Board or Zoning Board of Appeals Members will be paid for their attendance. The benefit of attending will be that each Member will meet the mandatory training requirement for 2009.

The Planning Board and Zoning Board of Appeals Members agreed to schedule another presentation for Monday, November 16, 2009 at 6:00PM.

Planning Board Chairman Robert Lambe noted that SUNY is proposing a dorm. The EIS has been received and is on file if anyone is interested in reviewing.

Having no further business, Planning Board Member Michael Pawloski made a motion to adjourn the meeting at 9:28PM.; seconded by Planning Board Member Frank J. Pinnisi.

All Members Voting: Aye

Respectfully submitted,

Lori A. Wrobel  
Planning Board Secretary  
November 20, 2009