

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

**FEBRUARY 16, 2010**

The Town of Marcy Planning Board held a Regular Meeting on Tuesday, February 16, 2010 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 Michael Pawloski  
Planning Board Member Stephen Zywiak  
Planning Board Representative Engineer Alan M. Swierczek  
Planning Board Secretary Lori A. Wrobel  
Zoning Board of Appeals Chairman Carson E. Sorrell

**ABSENT:** Planning Board Member Carl A. Annese  
Planning Board Member Frank J. Pinnisi

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

**DON NIMS for MOHAWK VALLEY EDGE, Edic Road**

*Minor Two (2) Lot Subdivision*

Tax Map Number 000.000-0-0

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

**Application Number 2010-00**

Mr. Nims attended the September 14, 2009 Planning Board Meeting. Mr. Nims is representing Mohawk Valley EDGE for the Marcy NanoTech Development. The project includes construction of the Edic Road bypass around the existing homes on Edic Road. It also includes sanitary sewer and water main extensions to the NanoTech Development as well as street lighting. A trail that parallels the bypass from River Road to Campus Drive and possibly further north to provide a connection to the NanoTech Development.

Mr. Nims is proposing to subdivide property into two (2) lots.

Mr. Nims stated that they are close to a final plan and are here tonight to apply for a Minor Two (2) Lot Subdivision.

Mr. Nims stated that he would like to attend a Town Board Meeting in a couple of weeks for SEQR action.

Mr. Nims stated that half of this project will deal with the subdivision of the Grace Meyer property into an "L" shaped lot starting at River Road to Technology Drive.

It was noted that the applicant will need to comply with SEQR documents from approximately eight (8) years ago for the Nano Center.

It was noted that EDGE purchased the Meyer property to keep the traffic off of Edic Road. A road would be constructed so the traffic does not bother the existing residences.

It was noted that the concept may change.

It was also noted that the lands/road will eventually be transferred to Oneida County.

Parcel 1 would be 21.47 acres and Parcel 2 would be 8.15 acres.

The owner of SUNY land will be SUNY. SUNY will enter into a ground lease with the Fort Schuyler Management Company.

The Fort Schuyler Management Company will be gifted with the 8.15 acre parcel

Mr. Nims stated that Parcel 1 does not have access to Technology Drive. A portion of Parcel 1 will be landlocked. Both parcels will have access to the bypass.

Mr. Nims noted that EDGE will be asking for easements from SUNY.

Mr. Nims stated that Parcel 1 will have a section for a right-of-way and a portion will be retained by EDGE. There will be two (2) driveways northbound and one southbound (two (2) access points).

Mr. Nims stated that Oneida County has not given any advice yet.

It was noted that there is no interest in maintaining curbs and that the shoulder would have less maintenance.

Planning Board Chairman Robert Lambe asked if there was any storm water management envisioned for either parcel. Mr. Nims stated that he does not have anything. It was noted that the storm water management will all be in the right-of-way.

Planning Board Chairman Robert Lambe stated that how we get access to the lots may be a condition of approval.

Planning Board Chairman Robert Lambe stated that he will need to talk to Town Attorney William Schmitt concerning the lot with no frontage.

Zoning Board of Appeals Chairman Carson E. Sorrell stated that each lot should have a maximum of one (1) driveway but since Lot 1 is split, questioned how that would be handled. Planning Board Chairman Robert Lambe stated that the use of the lot becomes an interesting question.

Mr. Nims stated that the trail would be an easement to the Town of Marcy and that it is his understanding that the Town is in favor of this. Planning Board Member Stephen Zywiak is concerned with the maintenance.

Planning Board Member Michael Pawloski made a motion to accept the plans for a Minor Two (2) Lot Subdivision and to forward plans and paperwork to the Oneida County Department of Planning, the Oneida County Department of Public Works and the New York State Department of Transportation for a 239 Review; seconded by Planning Board Member Stephen Zywiak.

All Members Present Voting: Aye

Planning Board Member Stephen Zywiak made a motion to determine that this proposal is concerned under the SEQR action for the original CHIP Fab site; seconded by Planning Board Member Michael Pawloski.

All Members Present Voting: Aye

A \$50.00 fee will be required. Mr. DiMeo asked that a bill be forwarded to him.

Mr. Nims will be notified by mail of his Public Hearing date.

Planning Board Member Stephen Zywiak made a motion to dispense with the reading of the January 11, 2010 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 Michael Pawloski made a motion to approve the January 11, 2010 Planning Board Minutes as written; seconded by Planning Board Member Stephen Zywiak.

All Members Present Voting: Aye

**ATTORNEY GREGORY HAMLIN for ALVA CERRI, 9528 River Road**

*Property Line Change*

Tax Map Number 293.000-2-9

**Zoned IN/Industrial**

**Application Number 2009-24**

On December 14, 2009 the Planning Board approved a Property Line Change for Alva Cerri. Attorney Hamlin submitted the plans to be stamped and signed. Unfortunately, the sixty (60) day limit has been exceeded.

Planning Board Member Stephen Zywiak made a motion to re-approve the application for a Property Line Change as submitted on December 14, 2009 on behalf of Alva Cerri; seconded by Planning Board Member Michael Pawloski.

All Members Present Voting: Aye

The approved plans were stamped and signed by Planning Board Chairman Robert Lambe and Planning Board Secretary Lori A. Wrobel.

Attorney Hamlin will need to file the approved plans with the Oneida County Clerk within sixty (60) days of this date otherwise they will become null and void.

**MICHAEL CANDELLA, 9262 River Road**

*Area Variances*

*Site Plan Review*

Tax Map Number 292.004-1-43.2

**Zoned CG/General Commercial**

**Application Number 2010-00-00**

**Appeal Number 2010-01-01**

Mr. Candella attended the January 4, 2010 and February 8, 2010 Zoning Board of Appeals Meeting. Mr. Candella would like to construct an addition to the rear of the existing fruit stand on River Road which has an existing non-conforming front yard setback.

Area Variances were granted in order to construct an addition to a building with an existing non-conforming front yard setback; non-conforming lot size, and non-conforming lot width.

The Zoning Ordinance requires 30,000 square feet for a lot in a General Commercial district. Mr. Candella has approximately 20,500 square feet; 125' of lot width is required and Mr. Candella has 105'; the required front yard setback is 75' and Mr. Candella will have 26'.

Mr. Candella complies with the required 15' and 30' side yard setbacks as well as the total side yard. A 50' rear yard is required and Mr. Candella has 122'.

Although River Road is owned and maintained by the Town of Marcy, this property is located within 500' of a State Road, therefore a 239 Review was required.

The Oneida County Department of Planning has "No recommendation as to final action".

The New York State Department of Transportation "has reviewed the site plan and SEQR form for an Area Variance in relation to the proposed addition to Candella's fruit stand located at 9262 River Road. Upon review of the materials provided, the New York State Department of Transportation does not have any issues with the proposed action.

Thank you for the opportunity to comment."

A Public Hearing was held on February 8, 2010 by the Zoning Board of Appeals. There were no comments received from the Public.

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

Planning Board Chairman Robert Lambe noted that Planning Board Member Carl A. Annese had noted some concerns.

It was questioned how many buildings and uses there are on this property.

Planning Board Members asked that a letter be forwarded to Mr. Candella explaining that the site plan will need to show the parking for employees and customers. All buildings on this parcel and their uses will also need to be shown.

Mr. Candella will also need to designate the area that will be used for outdoor sales.

Planning Board Members asked that the Planning Board Secretary forward a Site Plan Review checklist to Mr. Canella along with the letter.

Mr. Candella will be referred to pages 59 and 60 of the Zoning Ordinance, specifically #13 and #17.

Mr. Candella will be asked to attend the March 22, 2010 Planning Board Meeting for further discussion.

## **OTHER BUSINESS**

Planning Board Chairman Robert Lambe will attend the February 25, 2010 Town Board Meeting.

The next Planning Board Meeting will be held on Monday, March 22, 2010.

Tentative Agenda: Michael Candella, Site Plan Review

Planning Board Members discussed revisions to the current Zoning Ordinance. Planning Board Chairman Robert Lambe and Zoning Board of Appeals Chairman Carson E. Sorrell had met to discuss same. Zoning Board of Appeals Chairman Carson E. Sorrell stated that he has been talking with Town Attorney William Schmitt regarding the revisions that need to be made. It was agreed that the existing non-conforming lot issue(s) will need to be addressed.

Planning Board Members also discussed the zoning map amendments.

Planning Board Chairman Robert Lambe asked that the proposed revisions to the Zoning Ordinance be added to the March 22, 2010 Planning Board agenda for further discussion.

Planning Board Chairman Robert Lambe stated that the Town Board will be discussing a Storm Water Ordinance.

Having no further business, Planning Board Member Stephen Zywiak made a motion to adjourn the meeting at 8:40PM.; seconded by Planning Board Member Michael Pawloski.

All Members Present Voting: Aye

Respectfully submitted,

Lori A. Wrobel  
Planning Board Secretary  
February 26, 2010

