

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

**NOVEMBER 1, 2010**

The Town of Marcy Planning Board held a Special Meeting on Monday, November 1, 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 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

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

Planning Board Secretary Lori A. Wrobel read the Legal Notice that was published in the Observer Dispatch on Wednesday, October 27, 2010.

**DAVID PEET, 6001 Morris Road**

*Major Four (4) Lot Subdivision*

Tax Map Number 293.000-1-2.1 and 2.4

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

**Application Number 2010-00**

Mr. Peet attended the August 23, 2010 and the October 18, 2010 Planning Board Meetings. Mr. Peet has purchased property on Morris Road. Mr. Peet noted that the property is a few hundred feet from Hazard Road (across from property owned by David Kozyra).

The property is located at 6001 Morris Road, and has an existing home.

Mr. Peet would like to construct an access road with Lot #3.

On October 18, 2010 the Planning Board noted that one of the proposed lots was non-conforming and could not be approved as submitted. Mr. Peet was asked to have his plans revised to make all lots have conforming frontage.

Planning Board Representative Engineer Alan M. Swierczek was asked to review the plans and address the concerns noted by the neighbors concerning the placement of a road.

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 to all property owners within 500' of the proposed project. Notices were mailed on October 14, 2010.

A recommendation prepared by Planning Board Representative Engineer Alan M. Swierczek was read: "On behalf of the Marcy Planning Board, and as requested, we have reviewed the intersection site distances in the vicinity of 6001 Morris Road, where Mr. David Peet has proposed an entrance on to Morris Road. His proposed entrance location is located approximately 30' southwesterly of the land of "H. Hovey", 6019 Morris Road, on the northwesterly side of the road. It is also shown on a drawing entitled "Map of Property on Morris Road for David Peet" prepared by Edward Parry and dated October 15, 2010. The posted speed limit on Morris Road at this location is 45 MPH. We note the following:

	Field Estimated Site Distance	Required Site Distance-Marcy "Road Standards"	Recommended Site Distance – AASHTO (2,3)
Left turn (going Northeast/uphill)	390 ± ft	275 ft	555 ft
Right turn (going Southwest/downhill)	1100 ± ft	275 ft	480 ft

In this section of road, in our opinion, the optimal location of an intersection would be as close as possible to a break in road grade, which also coincides with the driveway for the existing residential building at 6001 Morris Road (Lot 2). If the proposed entrance (60 ft right-of-way) were to be relocated to a point 160 ft to the southwest and be adjacent to the northeasterly side lot line of Lot 2, the filed estimated site distance increases to approximately 650 ft for a left turn."

Notes:

- (1) For an "Arterial" class road, design speed of 50mph
- (2) American Association of State Highway and Traffic Officials
- (3) For a passenger vehicle, design speed of 50 mph
- (4) Posted speed of 45 mph generally is equivalent to design speed of 50 mph

Planning Board Members discussed the proposed road with Mr. Peet and noted that Lot #2 will need to be widened to make it a corner lot.

Planning Board Chairman Robert Lambe asked how the Planning Board feels about adjusting Lot #2 which would also reconfigure the other lots.

Planning Board Members questioned the setbacks of the existing home and noted that all setbacks must be met when the adjustments to the lots are made, otherwise Zoning Board of Appeals action will be required.

Mr. Peet stated that he would install a driveway for the existing home off of the new road.

Mr. Peet stated that he would like to change the existing shed on the side of the existing home and make it a two (2) stall garage.

Planning Board Chairman Robert Lambe stated that the future road would be just above (north) of the existing home and than another building lot next to property owned by Ms. Hovey.

Mr. Peet stated that the existing home will remain and the garage would be widened.

Planning Board Members noted that a home could not be put on the Mohawk Valley Water Authority easement.

Holly Hovey questioned the size of the lot. Planning Board Member Frank J. Pinnisi stated that the proposed lots are 110' x 220' and that lots in this area are required to be a minimum of 20,000 square feet. It was noted that the lots proposed by Mr. Pee are larger than what is required.

One of Mr. Peet's neighbors stated that the plans are incomplete. Planning Board Member Frank J. Pinnisi explained that process and noted that if lots are proposed for the rear of the property in the future, Mr. Peet would be required to come back and apply to the Planning Board and that another Public Hearing would be held.

Another neighbor asked about having only one (1) road. Planning Board Chairman Robert Lambe stated that Mr. Peet could construct up to nineteen (19) building lots with one (1) entrance/exit.

Planning Board Chairman Robert Lambe noted that SEQR has been closed.

Planning Board Member Carl A. Annese questioned if once the road is in place, should the plan be sent back to Oneida County Department of Planning for another review. Planning Board Chairman Robert Lambe stated that the application is still for a Minor Four (4) Lot Subdivision with revisions made by the Board.

Planning Board Chairman Robert Lambe noted that any road would need to be inspected during construction.

Mr. Peet stated that he will construct a private driveway for now and then remove it and construct a road that would be dedicated to the Town of Marcy.

Planning Board Chairman Robert Lambe asked for a motion to approve the plans for a Minor Four (4) Lot Subdivision. No motion was made.

Planning Board Members agreed that they would prefer to see a revised plan before making any approval motion.

Mr. Peet was reminded to make sure that all proposed lots comply once he readjusts them.

Mr. Peet was also reminded that a note would be required on his plans granting access to property owners if he intends to have their driveways come out to the side onto the private drive.

Planning Board Members also asked Mr. Peet to show the building envelope for the lot to the rear that has the Mohawk Valley Water Authority easement on it.

Mr. Peet stated that he will construct spec homes on the road frontage lots right away.

Planning Board Members noted that no further development (other than the 3 lots) would be allowed until the road is constructed.

Planning Board Chairman Robert Lambe explained that the next Planning Board Meeting is November 15, 2010. If the revised plan is acceptable, approval will be considered.

**KURT GRUENEWALD / SHADY GROVE TRAILER PARK, Benton Road**

*Planned Development*

Tax Map Number 261.00-3-26

**Zoned AG/Agricultural**

**Application Number 2010-00**

Mr. Gruenewald attended the September 13, 2010 Review Panel Meeting. Mr. Gruenewald owns a twenty-three (23) acre parcel on Benton Road. Mr. Gruenewald had previously received approval for a fifty-four (54) unit mobile home park twenty (20) years ago. Mr. Gruenewald is no longer interested in the mobile homes and would like to request a Major Thirty-One (31) Lot Subdivision through Planned Development. The thirty-one (31) lots would be single family building lots.

The property is zoned Agricultural and would not allow any lots less than 20,000 square feet as shown on the plan. Lots in an Agricultural District must be a minimum of 40,000 square feet.

The proposed thirty-one (31) lot subdivision has one (1) point of access.

Mr. Gruenewald has applied for a Planned Development with the Town Board.

The Planned Development is a 2 step process beginning with a review by the Town Board and followed by a review by the Planning Board.

Mr. Gruenewald stated that he would like to construct this development in two (2) phases. The first phase would consist of sixteen (16) homes.

Mr. Gruenewald stated that he has met with the Town Board to change his zoning from Agricultural to Planned Development.

This property has public water and public sewer.

Mr. Gruenewald stated that he would like to construct a maximum of thirty-one (31) lots and someone could purchase more than one (1) lot if they wanted a larger parcel.

It was noted that the biggest hurdle is having one (1) entrance/exit.

Mr. Gruenewald stated that he has tried to purchase additional property in order to be able to provide a second entrance/exit, but has not had any luck with the adjoining property owners.

Mr. Krecidlio who designed the plans stated that if safety is a concern, they could install a residential sprinkler system in each home.

The total acreage of this property is 23<sup>+</sup>.

Planning Board Chairman Robert Lambe stated that the second point of access is a real issue.

Mr. Gruenewald stated that he received approval twenty (20) years ago for a fifty-four (54) unit trailer park. Planning Board Chairman Robert Lambe stated that after ten (10) years that approval would become null and void.

Planning Board Chairman Robert Lambe stated that the property is currently zoned Agricultural which would require 40,000 square foot lots. The Master Plan classifies this property as AG Rural Residential. Planning Board Chairman Robert Lambe questioned why the Town should entertain a higher density.

Mr. Gruenewald stated that the property is heavily forested and that he did receive approval for fifty-four (54) mobile homes twenty (20) years ago.

Planning Board Member Carl A. Annese asked how far this property is from the Wal-Mart Distribution Center. Mr. Gruenewald stated three (3) minutes.

Planning Board Member Carl A. Annese noted that the adjacent property is zoned Planned Development.

Mr. Gruenewald stated that his property is located in a good spot of the NanoTech Center is constructed.

Mr. Gruenewald stated that this property is five (5) minutes from Griffis Air Force Base, ten (10) minutes from Utica, and twenty (20) minutes from the Casino.

Planning Board Member Stephen Zywiak noted that the Zoning Ordinance requires forty (40) acres in order to apply for a Planned Development. Planning Board Chairman Robert Lambe stated that this requirement was recently changed to twenty (20) acres.

Mr. Gruenewald stated that the property is heavily wooded and that he would like to keep as many as possible. Planning Board Chairman Robert Lambe stated that when the utilities are installed as shown, a lot of the trees will be lost.

Planning Board Chairman Robert Lambe asked if Mr. Gruenewald could keep the perimeter trees. Mr. Gruenewald stated yes. Mr. Gruenewald stated that a few of the homes will have a view of the existing stream.

Mr. Gruenewald stated that he has continued to pay for his SPDES Permit for the past twenty (20) years.

Mr. Krecidlio stated that he is proposing a lift station and has talked with Public Works Administrator Timothy Russell concerning same.

Planning Board Member Carl A. Annese questioned the phasing. Mr. Krecidlio stated that he would construct the main road all the way in, manholes, storm water system and the detention basin.

Planning Board Member Carl A. Annese asked how wide the lots are. Mr. Krecidlio stated about 200'.

Planning Board Member Carl A. Annese questioned if the one (1) road would be over 1000'. Mr. Krecidlio stated yes. Planning Board Member Carl A. Annese stated that would exceed the single road limit according to the Subdivision Regulations.

Mr. Krecidlio stated that the development was designed according to Residential 20,000 standards.

Planning Board Chairman Robert Lambe stated that the fact that he has designed for future access is problematic.

Mr. Krecidlio stated that he would be willing to provide residential sprinkler systems for the homes. Planning Board Chairman Robert Lambe stated that sprinkler systems would not help in the event of a medical emergency such as a heart attack.

It was noted that there would be 400' to the edge of the first intersection.

Planning Board Chairman Robert Lambe stated that the Master Plan noted Environmental areas of concern in this area. The Master Plan was reviewed. The area is shown as a flood zone/fresh water wetlands.

Mr. Gruenewald stated that he is willing to keep a buffer of mature trees.

Planning Board Chairman Robert Lambe asked if Mr. Gruenewald could get the drainage to work toward the road and avoid swales. Mr. Krecidlio stated no and then yes, he could do that.

It was noted that the front of the property is all wooded.

Planning Board Chairman Robert Lambe asked if the first few lots could be pulled back so trees could be left in the front.

Planning Board Chairman Robert Lambe asked if Mr. Gruenewald was given some ground rules, could he come back with a revised plan based on same.

Mr. Gruenewald was asked to rough in a road station; add 30' around the sides to keep a tree zone; all lots must conform to Residential 20,000 standards (100' x 200'0 with a 50' front and rear yard and 15' and 25' side yards; the plans should show building envelopes; a line should be drawn showing Phase 1 and Phase 2.

Planning Board Chairman Robert Lambe asked what the price point for a home in this development would be. Mr. Gruenewald stated that the homes would be \$250,000 to \$350,000 depending on the buyer.

Planning Board Chairman Robert Lambe asked if there would be any deed restrictions such as size, styles, etc.

Mr. Krecidlio stated that all utilities will be underground.

Planning Board Chairman Robert Lambe stated that the density issues will need to be addressed.

Planning Board Chairman Robert Lambe stated that this property is landlocked with the stream.

Planning Board Member Carl A. Annese noted that there cannot be much development next to this project.

Planning Board Member Carl A. Annese questioned if on one (1) corner lot where the road stubs out, could it be designed with a cul-de-sac or could it eventually stub out to Benton Road. Planning Board Chairman Robert Lambe stated that it will either need to be stubbed or cut a lot.

Planning Board Members discussed the road options.

Planning Board Member Carl A. Annese stated that he does not like the way the road stubs out and suggested that Mr. Gruenewald talk to the Superintendent of Highways.

It was noted that Alan M. Swierczek had designed the trailer park in the 1980's.

It was noted that a Cluster Development would only allow nineteen (19) lots.

Planning Board Chairman Robert Lambe asked how short the road would need to be in order to be feasible.

Mr. Krecidlio stated that he will look at the Cluster Development to see if it works.

Mr. Gruenewald will revise his plans and attend the November 15, 2010 Planning Board Meeting.

## **OTHER BUSINESS**

Planning Board Member Stephen Zywiak will attend the November 18, 2010 Town Board Meeting.

Planning Board Member Carl A. Annese will attend the December 23, 2010 Town Board Meeting.

The next Planning Board Meeting will be held on Monday, November 15, 2010.

Tentative Agenda: Kurt Gruenewald for Benton Wood Heights, Planned Development

Having no further business, Planning Board Stephen Zywiak made a motion to adjourn the meeting at 9:08M.; seconded by Planning Board Member Carl A. Annese.

All Members Voting: Aye

Respectfully submitted,

Lori A. Wrobel  
Planning Board Secretary  
November 10, 2010