

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

DECEMBER 13, 2010

The Town of Marcy Planning Board held one (1) Public Hearing on Monday, December 13, 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 Frank J. Pinnisi
Planning Board Member Stephen Zywiak
Planning Board Secretary Lori A. Wrobel
Planning Board Representative Engineer Alan M. Swierczek

ABSENT: Planning Board Member Michael Pawloski

Planning Board Chairman Robert Lambe called the Public Hearing to order at 7:05PM with the Pledge of Allegiance.

Planning Board Secretary Lori A. Wrobel read the Legal Notice that was published in the Utica Observer Dispatch on Wednesday, December 8, 2010.

SCOTT LUPINI for PROPERTY OWNED BY WACHOVIA DEVELOPMENT, 6081 Trenton Road
Site Plan Review
Tax Map Number 279.000-2-41.3
Zoned CN/Neighborhood Commercial

Application Number 2010-00

Mr. Lupini attended the November 15, 2010 Planning Board Meeting. Mr. Lupini would like to purchase the building that was formerly True Green on Trenton Road. Mr. Lupini owns a family business that was located in New York Mills for thirty (30) years. Unfortunately, the building was burned to the ground recently.

Mr. Lupini has applied for a Site Plan Review to open a specialty masonry business to include office space/warehouse in an existing building 6081 Trenton Road.

Trenton Road is a County Road, therefore a 239 Review was required.

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

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

- Any business/advertisement signs shall be located outside of the County right-of-way.
- 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.”

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.

It was noted that this property has been zoned Neighborhood Commercial since at least 1991.

Hearing no further comments, Planning Board Member Frank J. Pinnisi made a motion to close the Public Hearing; seconded by Planning Board Member Stephen Zywiak.

All Members Present Voting: Aye

Planning Board Chairman Robert Lambe called the Regular Meeting to order at 7:10PM.

Planning Board Member Stephen Zywiak made a motion to dispense with the reading of the September 27, 2010, October 18, 2010, November 1, 2010 and November 15, 2010 Planning Board Minutes; seconded by Planning Board Member Frank J. Pinnisi.

All Members Present 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 September 27, 2010, October 18, 2010, November 1, 2010 and November 15, 2010 Planning Board Minutes as written; seconded by Planning Board Member Carl A. Annese.

All Members Present Voting: Aye

SCOTT LUPINI for PROPERTY OWNED BY WACHOVIA DEVELOPMENT, 6081 Trenton Road
Site Plan Review

Tax Map Number 279.000-2-41.3

Zoned CN/Neighborhood Commercial

Application Number 2010-00

Planning Board Members have reviewed the application for a Site Plan Review to open a specialty masonry business to include office space/warehouse in an existing building 6081 Trenton 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. Sixteen (16) neighbors were notified of the Public Hearing by mail. Notices were mailed on December 8, 2010.

SEQR was completed on November 15, 2010.

Mr. Lupini presented a copy of the survey. Planning Board Members reviewed and noted that Mr. Lupini does have an easement for use of the rear of the property.

Mr. Lupini noted that the only external change is the fence. Mr. Lupini will use the same location and foot print for the sign.

It was noted that the fence will be outside of the easement and at least 5' from the property line. The chain link fence will be 6' in height and black in color.

Planning Board Member Frank J. Pinnisi made a motion to approve the application for a Site Plan Review to open a specialty masonry business to include office space/warehouse in an existing building 6081 Trenton Road; seconded by Planning Board Member Carl A. Annese.
All Members Present Voting: Aye

Mr. Lupini may contact Codes Enforcement Officer Timothy Russell for the required permit(s).

GREG SOPOSKI, 5866 Cavanaugh Road

Area Variances

Plan Review of an Oversized Accessory Building

Tax Map Number 292.000-4-21.2

Zoned RM/Multiple Residential

Application Number 2010-00

Application Number 2010-80-13

Mr. Soposki attended the October 4, 2010 and December 6, 2010 Zoning Board of Appeals Meetings. Mr. Soposki would like to construct a 16' x 40' addition to his existing accessory building (barn). The existing barn is 22' x 59' with an additional 7' x 19' piece in the back.

Mr. Soposki has 133 + 1298 square feet which totals 1431 square feet and is requesting an additional 640 square feet which would make the accessory building a total of 2071 square feet.

Mr. Soposki has applied for an Area Variance from the Zoning Board of Appeals to construct a 16' x 40' addition to his existing accessory building (barn) which is 22' x 59' with an additional 7' x 19' piece in the back, 23' from the front yard property line.

Cavanaugh Road is a County Road, therefore a 239 Review was required.

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

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

- If the area variance and site plan are approved, no significant impacts to Cavanaugh Road are evident from the proposed barn addition.
- 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.”

Planning Board Members reviewed the plans and paperwork.

A Public Hearing has been held, with no comments received from the Public. 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. Twenty-one (21) neighbors were notified of the Public Hearing by mail. Notices were mailed on December 2, 2010.

Zoning Board of Appeals Members approved the application for Area Variances with the condition that the applicant construct a 16’ x 59’ addition to the REAR of the existing accessory building (barn) which is 22’ x 59’ with an additional 7’ x 19’ piece in the back.

The application was approved with the condition that the addition be completed by December 6, 2012.

Mr. Soposki presented a revised plan showing the addition to the rear of the accessory building.

Planning Board Member Carl A. Annese made a motion to approve the application for a Site Plan Review to construct a 16’ x 59’ addition to the REAR of the existing accessory building (barn) which is 22’ x 59’ with an additional 7’ x 19’ piece in the back, with the conditions that all required setbacks must be met and that the building be used strictly for personal use; seconded by Planning Board Member Stephen Zywiak.

All Members Present Voting: Aye

Mr. Soposki may contact Codes Enforcement Officer Timothy Russell for the required permit(s).

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 October 18, 2010, November 1, 2010 and November 15, 2010 Planning Board Meetings. Mr. Gruenewald owns a twenty-three (23) acre parcel on Benton Road. Mr. Gruenewald would like to construct a Major Subdivision with thirty-one (31) lots and only one (1) entrance/exit.

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

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

The Town Board has accepted the Planned Development application and forwarded plans and paperwork to the Planning Board for review and recommendation.

Planning Board Representative Engineer Alan M. Swierczek has reviewed the plans.

It was noted that the grinder pumps have been eliminated and there will be no curbs.

Planning Board Representative Engineer Alan M. Swierczek noted that the Town Board had passed a resolution requiring curbs. Planning Board Chairman Robert Lambe explained that a rolled edge would be required. Mr. Gruenewald stated that his development will absolutely not have curbs. Planning Board Member Carl A. Annese noted that the curbs would not work with winter plowing.

Planning Board Representative Engineer Alan M. Swierczek provided cross sections for review. Mr. Swierczek provided copies that are not in the Town of Marcy Street and Road Standards.

Mr. Gruenewald stated that the hammerhead has been eliminated and the road has been shifted over.

Corner lots have been provided with 50' of frontage.

Mr. Gruenewald stated that the easements will be corrected to show that all lots meet requirements.

It was noted that a plat map will eventually be provided. Planning Board Chairman Robert Lambe explained that the plat map will need a surveyor's stamp. Metes and bounds will be shown on the plans; discrepancies between the street and easements will be corrected; and all easements will be shown.

Mr. Gruenewald stated that he intends on having the Town of Marcy own the detention basin. There will also be a vegetative area which will be owned by the homeowners. Mr. Gruenewald asked what his options are with the vegetative area. Planning Board Members suggested that Mr. Gruenewald put the vegetative area into a parcel so someone has ownership.

The second entrance was discussed. Mr. Gruenewald stated that he has contacted the owners of a parcel that is in trust but has not yet had an opportunity to follow through.

The edge of pavement and road section was discussed.

It was noted that a closed storm water system has been provided.

Planning Board Representative Engineer Alan M. Swierczek stated that the minimum pipe size is typically 8" and Mr. Gruenewald's proposal shows 3".

It was noted that although the manholes have not been detailed yet, they will be provided.

Mr. Gruenewald noted that if they end up with lots with grinder pumps, a force main would be installed. Planning Board Chairman Robert Lambe explained that the NYS Department of Environmental Conservation has issues with grinder pumps.

Stormwater issues were discussed. Mr. Gruenewald stated that he needs to discuss the management basin. It was noted that if they have to do a forebay, they may lose another lot. Planning Board Chairman Robert Lambe explained that the EPA has new standards which are part of MS4 which the Town Law is consistent with, and anything going now has forebays.

It was noted that there are no water quality features. Mr. Krecidlo stated that the forebay is the water quality.

Planning Board Members discussed water quality requirements.

Mr. Krecidlo stated that the detention basin has not been designed yet and that he will start putting some information together.

Planning Board Chairman Robert Lambe explained that there are three (3) discussion issues, (1) potentially having two (2) lots on a forced main; (2) storm water needs to meet requirements (Town Law) and must be resolved; (3) the second entrance.

Planning Board Members discussed detention basin options.

Planning Board Chairman Robert Lambe questioned if it is worth waiting to issue a recommendation for one (1) month while Mr. Gruenewald tries to work out a deal with the property owners (purchase of a lot to be used for second entrance/exit). Mr. Gruenewald stated that he has tried to approach the owners and that he would like to proceed with the intent of having one (1) entrance and exit.

Planning Board Member Stephen Zywiak questioned why the recommendation would be any different than the Hayes Road recommendation (Majka/Bravo). Planning Board Chairman Robert Lambe explained that Mr. Majka and Mr. Bravo provided two (2) possible stub roads. Planning Board Member Stephen Zywiak stated that the Planning Board needs to be consistent.

Planning Board Member Carl A. Annese stated that he is not that concerned with a single entrance/exit.

It was noted that the Planning Board could require stubs, one stub to the adjacent nine (9) acre parcel, which would make this plan consistent with the Majka/Bravo application. Planning Board Member Frank J. Pinnisi stated that if they want to be consistent, they should require two (2) stubs. Planning Board Chairman Robert Lambe explained that the road will not be required to be constructed, but it would need to be shown on the plan.

Planning Board Chairman Robert Lambe explained that the phasing would need to be shown on the plan. Mr. Gruenewald stated that Phase 1 would consist of sixteen (16) lots.

Planning Board Member Carl A. Annese stated that Mr. Gruenewald would be better off without the stub roads and clustering any future development.

Planning Board Chairman Robert Lambe explained that the premise of the Master Plan is to connect subdivisions so there are no choke points.

Planning Board Chairman Robert Lambe explained that any recommendation issued would be contingent upon storm water basin details.

Planning Board Chairman Robert Lambe stated that he would feel more comfortable with a thirty (30) lot subdivision with R-20 density provided, two (2) stubs and the construction of a detention basin. Planning Board Member Stephen Zywiak stated that he agrees.

Planning Board Chairman Robert Lambe questioned if the Planning Board would like to see a sketch to see if it works and then the developer could come back for a detention basin.

Mr. Krecidlo stated that he will work on the plat and leave the utilities for now.

Planning Board Chairman Robert Lambe noted that the Planning Board will need to know the location of the stream.

Mr. Krecidlo stated that they are going to lose a lot because of the storm water.

It was noted that Planning Board Member Carl A. Annese is scheduled to attend the December 23, 2010 Town Board Meeting. Planning Board Members agreed that Planning Board Member Carl A. Annese should request that the Town Board schedule a Joint Public Hearing concerning this application. A recommendation by the Planning Board will be issued after that.

Planning Board Chairman Robert Lambe explained that the plans will require a note stating that the development will comply with Storm Water requirements.

OTHER BUSINESS

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

Planning Board Member Frank J. Pinnisi made a motion to approve the following as Regular Meeting Dates for 2011 for the Planning Board: January 10, 2011; February 14, 2011; March 14, 2011; April 11, 2011; April 25, 2011; May 9, 2011; May 23, 2011; June 13, 2011; June 27, 2011; July 11, 2011; July 25, 2011; August 15, 2011; August 29, 2011; September 12, 2011; September 26, 2011; October 11, 2011(Tuesday); November 14, 2011; and December 12, 2011; seconded by Planning Board Member Carl A. Annese.
All Members Present Voting: Aye

The next Planning Board Meeting will be held on Monday, January 10, 2011.

Tentative Agenda: Joseph Bravo and Sigmund Majka, Site Plan Review

Having no further business, Planning Board Member Frank J. Pinnisi made a motion to adjourn the meeting at 8:50M.; seconded by Planning Board Member Stephen Zywiak.

All Members Present Voting: Aye

Respectfully submitted,

Lori A. Wrobel
Planning Board Secretary
December 23, 2010