

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

**MARCH 14, 2011**

The Town of Marcy Planning Board held a one (1) Public Hearing on Monday, March 14, 2011 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 Stephen Zywiak  
Planning Board Secretary Lori A. Wrobel  
Planning Board Representative Engineer Alan M. Swierczek

**ABSENT:** Planning Board Member Frank J. Pinnisi

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

Planning Board Secretary Lori A. Wrobel read the Legal Notice that was published in the Utica Observer Dispatch on March 9, 2011.

**ED BARNES for PROPERTY OWNED BY JOHN M. COUZELIS**

*Minor Three (3) Lot Subdivision*

Tax Map Number 263.000-1-19

**Zoned AG/Agricultural**

**Application Number 2011-01**

Mr. Barnes attended the February 7, 2011 Planning Board Meeting. Mr. Barnes and his family are in the process of purchasing property owned by John M. Couzelis located on the corner of Glass Factory Road and Luke Road. Mr. Barnes and his family would like to subdivide the property into three (3) lots.

Glass Factory Road is a County Road, therefore a 239 Review was required.

The Oneida County Department of Planning has “Recommended Modifications”, with the following comments:

“This Department has received correspondence from the Oneida County Department of Public Works (DPW) on the proposed subdivision. In their letter the DPW noted that “County highway access policy requires that all possible accesses to be considered to internal subdivision and/or town roads before allowing driveway access to a county roadway. The purpose of which is to minimize safety conflicts when at all possible.

Therefore, this department recommends that access to the remainder of the parent parcel be first considered from Luke Road. Furthermore, it would be difficult to locate future accesses along the Glass Factory Road frontage that would meet safe sight distance standards.

We support the County DPW's recommendation and therefore also recommend that access for the remainder of the parent parcel be from Luke 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:

- County highway access policy requires that all possible accesses to be considered to internal subdivision and/or town roads before allowing driveway access to a county roadway. The purpose of which is to minimize safety conflicts when at all possible. Therefore, this department recommends that access to the remainder of the parent parcel be first considered from Luke Road. Furthermore, it would be difficult to locate future accesses along the Glass Factory Road frontage that would meet safe sight distance standards.
  - 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). This department recommends that any future driveway along Glass Factory Road meets or exceeds the minimum driveway spacing standard between any adjacent proposed or existing driveway if possible and sight distance is maximized at the final location.
  - This department recommends turnarounds for any future residential driveways accessing County highways.
  - The NYSDOT Policy and Standards for the Design of Entrances to State Highways recommends a standard residential driveway width of 12 feet.
  - 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 at 793-6220."

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.

Hearing no comments, Planning Board Member Carl A. Annese made a motion to close the Public Hearing; seconded by Planning Board Member Michael Pawloski.

All Members Present Voting: Aye

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

**ED BARNES for PROPERTY OWNED BY JOHN M. COUZELIS**

*Minor Three (3) Lot Subdivision*

Tax Map Number 263.000-1-19

**Zoned AG/Agricultural**

**Application Number 2011-01**

Planning Board Members have reviewed the application for a Minor Three (3) Lot Subdivision on the corner of Luke Road and Glass Factory 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. Twenty-five (25) neighbors were notified of the Public Hearing by mail.

It was noted that the applicant will need to provide a note on the plans concerning the driveways.

Mr. Barnes stated that they may subdivide the property further in the future. Planning Board Members suggested that Mr. Barnes show on his plans what his intentions are for future development.

Mr. Barnes noted that the Surveyor informed him that the measurements may be off a bit and that a final survey will be done once the snow melts.

Planning Board Members will re-review the surveyed plan before issuing final approval.

Planning Board Chairman Robert Lambe stated that the plans need a note on each lot concerning the driveway. The note will need to state that all driveways will be on Luke Road. Also, Mr. Barnes will need to show the easement 10' along the front of the property for future sewer force main.

Planning Board Member Stephen Zywiak 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 Present Voting: Aye

Mr. Barnes will attend the April 11, 2011 Planning Board Meeting.

Planning Board Member Carl A. Annese made a motion to dispense with the reading of the February 21, 2011 Planning Board Minutes; seconded by Planning Board Member Michael Pawloski.

All Members Present Voting: Aye

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

Planning Board Chairman Robert Lambe noted a correction on Page 2 (LaPolla) should read "as many cars as allowed by the regulations", not as many cars as he can fit.

Planning Board Member Michael Pawloski made a motion to approve the February 21, 2011 Planning Board Minutes as corrected; seconded by Planning Board Member Carl A. Annese.

All Members Voting:

Planning Board Chairman Robert Lambe	Aye
Planning Board Member Carl A. Annese	Aye
Planning Board Member Michael Pawloski	Aye
Planning Board Member Frank J. Pinnisi	Absent
Planning Board Member Stephen Zywiak	Abstain

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

*Major Five (5) Lot Subdivision*

Tax Map Number 261.00-3-26

**Zoned AG/Agricultural**

**Application Number 2011-00**

Mr. Gruenewald attended the October 18, 2010, November 1, 2010, November 15, 2010, December 13, 2010 and February 7, 2011 Planning Board Meetings. Mr. Gruenewald owns a twenty-three (23) acre parcel on Benton Road. Mr. Gruenewald had applied for a Planned Development to construct a Major Subdivision with thirty-one (31) lots and only one (1) entrance/exit.

Mr. Gruenewald is considering withdrawing his application for a Planned Development and applying for a Major Five (5) Lot Subdivision.

Mr. Gruenewald stated that he has made significant changes to his plans and would like to propose five (5) lots rather than the thirty-one (31) lots.

Mr. Krecidlio stated that all five (5) lots would drain by gravity.

Planning Board Members reviewed the plans and paperwork and discussed details.

Planning Board Member Stephen Zywiak asked what the reason was for the driveways not being perpendicular to the circle. Mr. Krecidlio stated that the plans are just sketched and he is not sure how the owners will construct their driveways.

Planning Board Chairman Robert Lambe asked what the current treatment of the center of the cul-de-sac is. Mr. Krecidlio stated that Kyle Gruenewald will live in one of the homes and that he will not want to look at grass.

Planning Board Chairman Robert Lambe explained that the middle of the cul-de-sac will need to be made part of one of the lots.

Planning Board Representative Engineer Alan M. Swierczek stated that the issue is who will maintain the center of the cul-de-sac.

Mr. Gruenewald stated that he will be asking that the road be private and that he will take care of the garbage, etc.

Planning Board Chairman Robert Lambe encouraged Mr. Gruenewald not to propose a private road as there will be issues with the need for frontage access to a public road.

Mr. Gruenewald stated that he has five (5) people ready to build.

Planning Board Members noted that the Town would need access to the storm basin and that crushed stone would be acceptable.

A permanent easement from the property owner will be required for the storm basin.

Planning Board Representative Engineer Alan M. Swierczek explained that the Town would need to be able to get a truck in there.

The fence for the detention area was discussed. Planning Board Representative Engineer Alan M. Swierczek stated that the Town Board does require fencing.

Planning Board Members discussed requirements/options.

Planning Board Representative Engineer Alan M. Swierczek stated that there are no set dimensions for the forebay, it could be 5' or 6' wide.

Planning Board Members agreed that plans could be accepted while the engineers sort out the details.

Planning Board Member Michael Pawloski asked if there was no natural drainage course. Mr. Krecidlio stated no.

Mr. Krecidlio stated that the street will be completely level with Benton Road.

Planning Board Member Michael Pawloski stated that Mr. Krecidlio should look at the requirements again.

Planning Board Members discussed the road and basin options.

Mr. Krecidlio stated that there will be a directional bore to get the line under the road.

Planning Board Representative Engineer Alan M. Swierczek stated that the drawings are complete enough for him to start his review.

Planning Board Member Stephan Zywiak made a motion accept the application for a Major Five (5) Lot Subdivision, and to forward plans and paperwork to the Oneida County Department of Planning, the Oneida County Department of Public Works, the Oneida County Department of Health, the NYS Department of Environmental Conservation, the Mohawk Valley Water Authority and Planning Board Representative Engineer Alan M. Swierczek for a 239 Review; seconded by Planning Board Member Carl A. Annese. All Members Present Voting: Aye

\$1,250 fee required. Mr. Gruenewald asked to be sent an invoice.

Planning Board Member Michael Pawloski made a motion that the Board finds the proposed application is an unlisted action under Environmental Conservation Law Article 8 (SQER) potentially involving the following other agencies: the Oneida County Department of Planning, the Oneida County Department of Public Works, the Oneida County Department of Health, the NYS Department of Environmental Conservation, the Mohawk Valley Water Authority. Further, the Board accepts the lead agency role and will proceed as such unless otherwise notified by another agency within 30 days. The short form EAF and other information brought to its attention by interested parties will be used to determine the significance of the action at that time; seconded by Planning Board Member Michael Pawloski.

All Members Present Voting: Aye

Mr. Gruenewald stated that he would like to withdraw his application for a Planned Development and pursue the application for a Major Five (5) Lot Subdivision.

Planning Board Chairman Robert Lambe suggested that Mr. Gruenewald let the people buying the lots know that this property is located within 500' of an active AG District (DiNitto).

A Public Hearing could be scheduled for April 25, 2011.

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

## **OTHER BUSINESS**

The next Planning Board Meeting is scheduled for Monday, April 11, 2011.

Tentative Agenda:   Ed Barnes, Minor Three (3) Lot Subdivision Approval  
                              Sigmund Majka & Joe Bravo, Site Plan Review of Planned Development

Planning Board Member Stephen Zywiak will attend the April 21, 2011 Town Board Meeting.

Planning Board Member Carl A. Annese will attend the May 26, 2011 Town Board Meeting.

Planning Board Member Michael J. Pawloski will attend the June 23, 2011 Town Board Meeting.

Having no further business, Planning Board Member Carl A. Annese made a motion to adjourn the meeting at 8:10PM; seconded by Planning Board Member Michael Pawloski.

All Members Present Voting: Aye

Respectfully submitted,

Lori A. Wrobel  
Planning Board Secretary  
March 28, 2011