

**TOWN OF MARCY
COUNTY OF ONEIDA
STATE OF NEW YORK
REVIEW PANEL
JUNE 8, 2020**

The Town of Marcy Review Panel held a Public Meeting on Monday, June 8, 2020 at 6:00PM at the Marcy Municipal Building, 8801 Paul Becker Road, Marcy, New York.

THOSE PRESENT: Planning Board Chairman Robert Lambe
Zoning Board of Appeals Chairman Carl A. Annese
Codes Enforcement Officer Daniel Berkhoudt
Review Panel Secretary Lori A. Wrobel

Planning Board Chairman Robert Lambe called the Public Meeting to order at 6:00PM with the Pledge of Allegiance.

KATHY GREGORY-SALVO, 9228 Road

Mailing Address: 9332 Kennedy Road, Marcy, New York 13403

Minor Two (2) Lot Subdivision

Tax Map Number 292.000-4-7.4

Zoned R-20/Residential 20,000

Ms. Gregory-Salvo would like to subdivide her property into two (2) lots. Review Panel Members reviewed the plan and defined the setbacks for Ms. Gregory-Salvo.

Ms. Gregory-Salvo will need to present a surveyed plan showing the two (2) lot subdivision to the Planning Board for review and approval.

This property has access from Cavanaugh Road which is a County Road, therefore a 239 Review will be required.

Mr. Gregory-Salvo will contact the Planning Board Secretary once she has the required surveyed plan.

CHERYL SOJDA, 5882 Cedar Ave

Building Permit

Tax Map Number 292.002-1-45

Zoned R-14/Residential 14,000

Ms. Sojda is constructing a deck that projects in to her rear yard. The deck will be $\pm 50''$ above grade.

Review Panel Members reviewed the plan and referred to Page 146, Section 8.3.2, B, 2 and agreed that since this deck is not projecting into the accessory yard, therefore Ms. Sojda can continue with construction. No action by the Planning Board of Zoning Board of Appeals will be required.

RON POLAND AND KELLI REINHARDT, 6371 Glass Factory Road

Area Variance

Tax Map Number 278.002-1-11

Zoned R-20/Residential 20,000

Mr. Poland and Ms. Reinhardt are proposing to construct a 36' x 48' accessory building (1,728 square feet). A maximum of 1,200 square feet is allowed in the Residential 20,000 zoning district.

A 25' rear yard and a 25' side yard are proposed.

An Area Variance from the Zoning Board of Appeals will be required in order to construct a 1,728 square foot accessory building.

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

Mr. Poland and Ms. Reinhardt will need to present a plan and show the driveway dimension.

Mr. Poland and Ms. Reinhardt will attend the June 8, 2020 Zoning Board of Appeals Meeting in order to begin the process.

BEN HANNAH for ARBOR ACRES, 9063 River Road

Mailing Address: 8228 S.R. 28, Barneveld, New York 13304

Minor Site Plan Review

Tax Map Number 292.000-4-2.1 and 2.3

Zoned MU-H and R-20/Mixed Use H and Residential 20,000

Mr. Hannah has purchased the Antanavige Property (formerly known as Bridenbecker's) at 9063 River Road.

Mr. Hannah operates Central New York Construction and would like to maintain what is currently on the property.

Mr. Hannah stated that he will occupy the mixed use portion. There are no changes proposed for the existing building other than replacing some doors.

Mr. Bridenbecker is in the process of moving everything that he has stored outside.

Mr. Hannah stated that Central New York Construction would like to store all of their equipment inside the building. Mr. Hannah stated that he has 15-20 employees who report directly to job sites. Mr. Hannah currently has a office located in Barneveld.

Mr. Hannah stated that he will not conduct any business on this site. He will only use the site for the storage of his equipment. He will also maintain his equipment inside the building.

Mr. Hannah stated that he believes that he is grandfathered.

Review Panel Members explained that Mr. Hannah has a Contractor's Yard which is not an allowed use in this zoning district.

Zoning Board of Appeals Chairman Carl A. Annese asked Mr. Hannah if he researched the allowed uses for this property prior to purchasing.

Mr. Hannah stated that he will have 10,000 square feet of maintenance area and that he misunderstood, he thought he could do what he wanted if he installed a privacy fence.

Zoning Board of Appeals Chairman Carl A. Annese explained that a Use Variance would be required in order to have a Contractor's Yard on this property.

Mr. Hannah stated that he will keep the property neat.

Planning Board Chairman Robert Lambe explained that Mr. Hannah will need to provide a plan with details of his business for review.

Mr. Hannah will schedule a meeting with Codes Enforcement Officer Daniel Berkhoudt and Planning Board Chairman Robert Lambe once he has a plan with details.

Planning Board Chairman Robert Lambe suggested that Mr. Hannah reviewed the Unified Development Code which can be found on-line.

BREANNA and FRANK CHANDLER, for PROPERTY OWNED BY MICHAEL NIMEY, Fish Lane Road

Minor Two (2) Lot Subdivision

Tax Map Number 246.000-1-12.1

Zoned RA/Residential A

Ms. Chandler has attended Review Panel Meetings, Zoning Board of Appeals Meetings and Planning Board Meetings. An Area Variance was approved for this property and the Planning Board did approve the Minor Two (2) Lot Subdivision. In accordance with Real Property Law, if the approved plans are not filed with the County Clerk within sixty (60) days of the date of approval, they become null and void.

Ms. Chandler failed to file her approved subdivision plans with the County Clerk, therefore the approval has become null and void.

The Area Variance does remain with the property but the Planning Board would need to review and approve the Minor Two (2) Lot Subdivision again.

Ms. Chandler did attend the September 2019 Review Panel Meeting in order to get this project moving again but failed to appear at the October 2019 Planning Board Meeting.

Once Ms. Chandler has seven (7) paper copies of her Subdivision Plan, she can contact the Planning Board Secretary and will be placed on the next available Planning Board agenda.

NICK CAPOCETTA for LaPIZZERIA/PROPERTY OWNED BY FRANK REILE, 9585 River Road
Minor Site Plan Review
Tax Map Number 293.003-3-38
Zoned MU-G/Mixed Use General

Mr. Capocetta would like to open a pizzeria in the old diner now owned by Frank Reile at 9585 River Road.

It was found that Mr. Capocetta has actually already opened his business.

The change of occupancy will require a Minor Site Plan Review by the Review Panel.

Zoning Board of Appeals Chairman Carl A. Annese stated that the home made sign located on top of the building needs to be removed immediately as it is an accident waiting to happen. Zoning Board of Appeals Chairman Carl A. Annese stated that signs cannot be constructed out of 2' x 4's and stuck on top of buildings. Codes Enforcement Officer Daniel Berkhoudt stated that the signs need to be able to withstand winds up to 115 MPH.

Mr. Capocetta stated that he would eventually like to put on a deck. Review Panel Members stated that whatever Mr. Capocetta intends on doing, he needs to be sure to put it on his plans that will be reviewed.

It was noted that Mr. Capocetta is only allowed so much square footage for signage and that he has already exceeded what he is allowed.

Planning Board Chairman Robert Lambe explained that Mr. Capocetta will need to provide a sketch of what he is proposing to do to the building, including parking, deck, signage, handicapped parking, etc.

Zoning Board of Appeals Chairman Carl A. Annese noted that the handicapped spaces need to be paved and that the rest of the parking area needs to be dustless. It was suggested that Mr. Capocetta review the Unified Development Code which can be viewed on-line.

Mr. Capocetta is allowed one (1) parking space per 300 square feet of building area.

Mr. Capocetta will need to present his plan and once that is received, the Review Panel will proceed with Public Notice.

JO DRAKE, NYS Route 291
Minor Two (2) Lot Subdivision
Tax Map Number 262.001-1-60.1
Zoned RA/Residential A

Ms. Drake has previously applied for a Minor Two (2) Subdivision. The deal fell through so Ms. Drake decided not to file the subdivision plans with the Oneida County Clerk (which is required by Real Property Law in order to have them considered final).

Review Panel Members explained to Ms. Drake that since her subdivision approval back in 2002.

The Unified Development Code now requires a minimum of five (5) acres with 400' of frontage in this zoning district.

Ms. Drake would need to revise her surveyed plan and present to the Review Panel for review. The Review Panel would then direct her to the appropriate Board.

JEREMY INMAN, 9669 River Road

Site Plan Review

Tax Map Number 306.000-2-21

Zoned MU-G/Mixed Use General

Mr. Inman attended the May 4, 2020 Review Panel Meeting as well as the May 4, 2020 Zoning Board of Appeals Meeting. Mr. Inman would like to lease space to Adirondack Compressed Gas, Inc. and have a 6,000 gallon tank placed on his property located on the corner of Maynard Drive and River Road.

The representative from Adirondack Compressed Gas, Inc. stated that they supply medical industrial gases to the Mohawk Valley Health System and that the business will be growing with the construction of the new hospital. This business also supplies to all of the nursing homes in the area.

Mr. Inman has agreed to install a jersey barrier around the tank and a fence around that. The fence will be a privacy fence with slats. There will be no barbed wire. A transom will be added above the gate.

Zoning Board of Appeals Chairman Carl A. Annese made a motion to approve the Minor Site Plan Review as submitted by Jeremy Inman for Adirondack Compressed Gas; seconded by Planning Board Chairman Robert Lambe.

All Members Voting: Aye

Mr. Inman will need to provide a full set of updated plans to the Codes Enforcement Officer.

Having no further business, Zoning Board of Appeals Chairman Carl A. Annese made a motion to adjourn the meeting at 6:40PM; seconded by Codes Enforcement Officer Daniel Berkhoudt.

All Members Voting: Aye

Respectfully submitted,

Lori A. Wrobel
Review Panel Secretary
June 12, 2020