

**TOWN OF MARCY  
COUNTY OF ONEIDA  
STATE OF NEW YORK  
REVIEW PANEL  
JULY 27, 2020**

The Town of Marcy Review Panel held a Public Meeting on Monday, July 27, 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  
Review Panel Secretary Lori A. Wrobel

Planning Board Chairman Robert Lambe called the Public Meeting to order at 6:10PM with the Pledge of Allegiance.

**FRANK REILE for CHRIS VOLL of KNIGHT BROADBAND, LLC., 9585 River Road**

Mailing Address: 301 S. Missouri Ave, Clearwater, Florida 33756

*Minor Site Plan Review*

Tax Map Number 293.003-3-38

**Zoned MU-G/Mixed Use General**

Mr. Reile presented his plan for the building he owns that will be leased by Knight Broadband, LLC. Knight Broadband will be parking equipment and storing materials. There will be no changes to the existing building or to the property.

Review Panel Members reviewed the plans.

Zoning Board of Appeals Chairman Carl A. Annese asked if the fencing will remain up. Mr. Reile stated yes, everything will remain as is.

It was agreed that outside storage is allowed at this location.

Codes Enforcement Officer Daniel Berkhoudt completed a Property Maintenance Inspection. There are some updates that will be required in order to bring the property into compliance. Mr. Reile is aware of the issues and is addressing same.

Mr. Reile stated that he is not sure if Knight Broadband will require a sign. If for some reason they require a sign, they will need to contact the Codes Enforcement Office.

Zoning Board of Appeals Chairman Carl A. Annese asked what Mr. Reile has provided for a dustless surface. Mr. Reile has the driveway covered in stone, like concrete.

Knight Broadband will be at this location for a minimum of one (1) year with the possibility of an extension.

Planning Board Chairman Robert Lambe made a motion to approve the application for a Minor Site Plan Review for Knight Broadband, LLC to park equipment and store materials at property owned by Frank Reile with the condition that the fence remains on the property and no changes be made to the existing building; seconded by Zoning Board of Appeals Chairman Carl A. Annese.  
All Members Voting: Aye

**NICK CAPOCCETTA of LaPIZZERIA for 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. Capocchetta has opened LaPizzeria in the former diner now owned by Frank Reile. Mr. Capocchetta has attended several Review Panel Meetings with no plans to review.

Zoning Board of Appeals Chairman Carl A. Annese stated that he has concerns with the signage.

Codes Enforcement Officer Daniel Berkhoudt stated that he has talked with the property owner and with Mr. Capocchetta about the issues with the signage.

Zoning Board of Appeals Chairman Carl A. Annese stated that if it were up to him, he would revoke the temporary Certificate of Occupancy until Mr. Capocchetta is in compliance.

Codes Enforcement Officer Daniel Berkhoudt explained what signage is allowed and asked Mr. Capocchetta to remove the sign from the power pole, the sign absolutely has to be removed. Further, Mr. Capocchetta is allowed two (2) yard signs and currently exceeds that number.

Codes Enforcement Officer Daniel Berkhoudt noted that the permit is \$100 per sign and those signs can only be up for ninety (90) days.

Zoning Board of Appeals Chairman Carl A. Annese stated that the sign on the building has to be removed from the property.

Codes Enforcement Officer Daniel Berkhoudt noted that there is a free standing sign by the road.

It was noted that the existing building is 30' x 45' and that Mr. Capocchetta is allowed 1' square foot of signage per lineal foot of building frontage. The total square footage of all signs cannot exceed 45 square foot.

Zoning Board of Appeals Chairman Carl A. Annese stated that the permit should be revoked until this property is in compliance.

Mr. Capocchetta stated that he thought he had ten (10) days to remove.

Codes Enforcement Officer Daniel Berkhoudt noted that the signs were the only outstanding issue, all other issues have been addressed.

Review Panel Members agreed that this property must be in compliance by July 28, 2020 at 4:00PM.

Planning Board Chairman Robert Lambe made a motion to approve the application for a Minor Site Plan Review as submitted by Nick Capocchetta of LaPizzeria, with the condition that this property/business be in compliance no later than July 28, 2020 at 4:00PM; seconded by Zoning Board of Appeals Chairman Carl A. Annese.

All Members Voting: Aye

Codes Enforcement Officer Daniel Berkhoudt will complete another inspection.

**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 is working on removing equipment off of the property. Mr. Hannah has met with Codes and explained that he is continuing work within the non-conforming areas of the property.

Zoning Board of Appeals Chairman Carl A. Annese noted that the property is looking good. Mr. Hannah stated that he is 95% complete.

Mr. Hannah stated that Mr. Antanavige should be out within a month or two.

Mr. Hannah stated that he will restore the front of the building.

Planning Board Chairman Robert Lambe made a motion to approve the application for a Minor Site Plan Review while Mr. Hannah continues to reduce the non-conforming use on the property; seconded by Zoning Board of Appeals Chairman Carl A. Annese.

All Members Voting: Aye

**CARL SCHILLING for 1-800-GOT-JUNK for PROPERTY OWNED BY LEONID SHILO, 9593 River Road**

Mailing Address: 709 Columbia Turnpike, East Greenbush, New York 12061

*Minor Site Plan Review*

Tax Map Number 293.003-3-37

**Zoned MU-G/Mixed Use-General**

Mr. Schilling operates 1-800-GOT-JUNK who has moved into an existing building owned by Leonid Shilo. There was another applicant that wanted to open a body shop at this same property but has decided against it due to the cost associated with the architect.

Review Panel Members have suggested that a coordinated plan review be completed for this property.

There needs to be a plan showing how the businesses located on this property will work together.

1-800-GOT-JUNK does have a conditional Certificate of Occupancy.

Codes Enforcement Officer Daniel Berkhoudt will reinspect this property.

Mr. Schilling will need to show on his plan where the box trucks will be parking. Zoning Board of Appeals Chairman Carl A. Annese noted that he prefers the trucks backed in with the noses facing the street.

It was agreed that the temporary Certificate of Occupancy will remain in place.

Mr. Shilo will need to provide a site plan for his entire parcel. Codes Enforcement Officer Daniel Berkhoudt will contact the property owner.

Having no further business, Planning Board Chairman Robert Lambe made a motion to adjourn the meeting at 6:40PM; seconded by Zoning Board of Appeals Chairman Carl A. Annese.  
All Members Present Voting: Aye

Respectfully submitted,

Lori A. Wrobel  
Review Panel Secretary  
August 2, 2020