

**SPECIAL MEETING OF THE
VILLAGE OF MARCELLUS
HELD AT THE VILLAGE HALL
ON OCTOBER 17, 2012**

PRESENT: John P. Curtin, Mayor
Patrick W. Cox, Trustee
Sara N. Tallman, Trustee
Members of the Village Planning Board (see list)
Members of the Village Zoning Board of Appeals (see list)
Interested Residents (see list)
Several High School Students (see list)

Mayor Curtin called the Special Meeting to order at 7:00 p.m. and thanked everyone for coming. Mayor Curtin explained that the meeting was principally called so that members of the Village Planning Board and members of the Village Zoning Board of Appeals would be provided a preview and explanation of the new Village Code, which has been finalized and will be ready for adoption following a Public Hearing to be held on November 14, 2012.

Mayor Curtin mentioned that two items were on the agenda and needed to be addressed before the preview of the new Code. This involved two properties in the Village (#3 East Main Street and #24 First Street) that require Zoning Board of Appeals review and/or action. These ZBA issues were then deferred to the Chairman of the ZBA and his committee to discuss at a Public Hearing to be set up at a later time.

Mayor Curtin then presented an overview of the new Village Code, using a power point lecture and handouts (see attached) to explain the development of the Code, which began in 2008, its structure and organization, as well as laws that have been revised and/or re-codified, and several laws that are new to the Code. There are few new laws added to the Code, but several should be noted. They include that involving Home Occupations, another involving Outdoor Storage, and a third involving Rental Dwelling Registration and Inspection. In addition, changes to the Zoning Map were explained and this included a handout of the new Zoning Map (see attached) to those in attendance.

Following the presentation, Mayor Curtin went on to ask if there were any questions from Members of the Planning Board or Members of the Zoning Board of Appeals.

Tim Sweet, ZBA Chair, began by complimenting those who helped to develop the new Code, adding that it is much easier to understand and information is much more readily found. He also asked if one could find out all of the changes that have been made from the old Code. Mayor Curtin mentioned that only by painstakingly comparing copies of both the old and new Code Books, could this be done. He went on to say that few changes have been made, mostly an updating of wording and structure, and that there are only several new laws, principally those mentioned above, that are incorporated in the new Code. Tim Sweet noted, correctly, that there was also another new law that involved Lighting in the Village.

Dan Kwasnowski, Planning Board Chair, indicated that he had several questions about the new Code, and that he would email most of those concerns to the Mayor in the near future. He did have several comments and/or questions about special use permits (some contradiction seems evident in several parts of the Code), accessory units (e.g. in-law apartments) in some of the zoning districts (there seems to be no provision for those), as well as some comment on the Planned Unit Development District. Dan thought that this was a good addition to the Code, but could not determine where (in what district) one would be allowed). Mayor Curtin mentioned that the Board would examine the contradictions about special use permits, and that the Re-Zoning Committee was not too keen on allowing or encouraging such accessory units as in-law apartments. Trustees Tallman and Cox were not aware of the contradictions involving special use permits and concurred that provisions for such accessory units as in-law apartments were not considered during committee deliberations. Curtin also noted that the Planned Unit Development District is modeled on one that is found in the Village of Fayetteville, and that the preparation and approvals that are involved in the creation of a PUD, are so structured and detailed that many concerns can be addressed long beforehand.

Peter Chapman, Planning Board Member, asked if a grandfathered property (e.g. a two family house) is changed (e.g. to a one-family residence), can it ever be reverted back to its grandfather status. The Mayor mentioned that this was not possible. Grandfathered property status runs with the land, but once it is changed (by the owner) to meet the guidelines of the zoned district, it cannot be reversed.

Mayor Curtin then went on to ask if there were any questions from the public regarding the new Code.

Sondra and John Bromka, South Street residents, mentioned their concerns about that section of the Animal Control Law that prohibits the keeping of poultry in the Village. With respect to the keeping of poultry in the Village, they presented a detailed description (see attached) of a range of legal, social, and practical ideas, based on their own experiences as well as those of other communities, for the Board to review. Mayor Curtin thanked the Bromkas for their well-prepared presentation, noting that the Board would carefully review the suggestions provided. He also noted that the Board is also looking at other options regarding this issue, including one that is used in the Village of Manlius (see attached), that allows for the keeping of certain animals, such as poultry, provided a permit is granted by the Board of Trustees.

Code Enforcement Officer Bill Reagan also added comments on the keeping of animals in the Village, including his experience as CEO in other Villages, including that of Camillus and Liverpool.

Former Trustee Mary Jo Paul asked if the Village Attorney has made any comment regarding the use of campaign vs. political signs in the Village. Mayor Curtin noted that differentiating between the regulation of campaign and political signs can become a somewhat slippery slope as this involves serious concerns about freedom of speech/expression. Bill Reagan noted that in Liverpool a difference between regulating campaign and political signs has also become a topic of discussion and a resolution of the issue is not forthcoming as yet.

Mayor Curtin then issued a Village Press Release (see attached) which announced that the Village of Marcellus received a \$600,000 Sewer Consolidation Grant, part of \$4 million in grants from New York State to help local governments find ways to reduce cost. This grant, Mayor Curtin noted, will help the Village and its treatment plant reduce inflow and infiltration into the sewage collection system, identify and prioritize defects in the system, make structural repairs to an aging system and implement a centralized maintenance program that will benefit all sewer users, under the sole operation and direction of the Village. It is also possible that with an improved system, new development might be a very real possibility, and it certainly will help to meet a major goal of Onondaga County and its Executive – to halt suburban sprawl, by maintaining and improving infrastructure in those communities where it already exists. The Mayor ended by saying that Marcellus is very grateful that the State of New York has responded so positively to the needs and a very real concern of our small Village.

Mayor Curtin asked if there were any more questions. Hearing none, Mayor Curtin adjourned the meeting at 8:05 p.m.

Dawn M. O'Hara, Village Clerk