

Village of Marcellus Planning Board

Peter Chapman, Chair
Theresa LaMarre
Gabriel Lutwin
Richelle Schettine
Jill Bristol
Hugh White

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Mayor: John Curtin
Village Clerk: Charnley Abbott
Code Official: Bill Reagan

April 21, 2021

PRESENT: Chairperson Pete Chapman, Planning Board members Gabe Lutwin, Theresa LaMarre, Richelle Schettine, Jill Bristol and Hugh White. Mayor John Curtin, Trustees Jack Murphy and Tim Manahan, Code Official Bill Reagan, Village Attorney Jeffrey Brown, Village Engineer Jim Oberst, Village Clerk Charnley Abbott, developers Paul Cappuccilli, James Trasher and Kurt Stroman, WPCP Operator John Holmes.

Attendance: (In-Person and Zoom) See List

A certified transcript of this meeting is on file at the Village Office

Pledge of Allegiance.

Chairman Chapman made a motion to continue the March 3, 2021 Public Hearing regarding the preliminary plat of Baltimore Ridge. The motion was seconded by Gabe Lutwin and the hearing was opened at 7:00pm.

Chairman Chapman asked the Village Clerk to read the following Notice of Public Hearing:

PLEASE TAKE NOTICE that a Public Hearing will be continued by the Village of Marcellus Planning Board, 6 Slocombe Avenue, Marcellus, NY 13108 on April 21, 2021 at 7:00 P.M. at the St. Francis Xavier Parish Hall, 1 West Main Street, Marcellus, NY regarding the proposed subdivision and development of Baltimore Ridge, a 20-acre parcel located south of Baker Road and Dunlap Avenue. This meeting will be open for in-person public attendance unless otherwise directed by Executive Order. Masks are required and social distancing policies will be in effect. This meeting will also be available via Zoom for those unable to attend in person. Meeting information is available at www.villageofmarcellus.com. All interested parties will have the opportunity to be heard at the scheduled hearing. Copies of supporting documents are on file at the office of the Village Clerk.

Chairman Chapman provided a brief review of the background of this project and the subdivision process. Chairman Chapman stated that the purpose of this hearing is to continue to review the application and revisions made, taking into consideration the concerns of the community and the best use of the land being subdivided.

Chairman Chapman acknowledged receipt of the Onondaga County Planning Board Resolution, Case # S-21-12, regarding the Baltimore Ridge Subdivision. The OCPB provided one recommendation and two comments. The Village of Marcellus Planning Board responded as follows:

The following resolution was offered by Gabriel Lutwin, seconded by Jill Bristol:

**VILLAGE OF MARCELLUS PLANNING BOARD RESOLUTION
BALTIMORE RIDGE SUBDIVISION
REGARDING ONONDAGA COUNTY PLANNING BOARD RECOMMENDATION
DATED – MARCH 10, 2021 – CASE NO. S-21-12**

WHEREAS, the Onondaga County Planning Board made the following recommendation regarding the Roche Subdivision and Applicant, Camex Realty: “. . . the applicant is required to coordinate South Street Road Access plans with the Onondaga County Department of Transportation. To further meet Department requirements the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) for review and contact the Department regarding any traffic requirements. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval."

BE IT RESOLVED, that the Village of Marcellus Planning Board approves adding these requirements and will forward to the Onondaga County Department of Transportation (OC DOT) the Traffic Operations Review conducted by CHA Engineering on 03/26/21 as well as a copy of the Stormwater Pollution Prevention Plan (SWPPP) for review.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Peter Chapman	Voting Aye
Gabriel Lutwin	Voting Aye
Theresa LaMarre	Voting Aye
Richelle Schettine	Voting Aye
Jill Bristol	Voting Aye
Hugh White	Voting Aye

The resolution was thereupon declared duly adopted.

The following resolution was offered by Jill Bristol, seconded by Theresa LaMarre:

**VILLAGE OF MARCELLUS PLANNING BOARD RESOLUTION
BALTIMORE RIDGE SUBDIVISION
REGARDING ONONDAGA COUNTY PLANNING BOARD COMMENTS
DATED – MARCH 10, 2021 – CASE NO. S-21-12**

WHEREAS, the Onondaga County Planning Board made the following comment regarding the Roche Subdivision and Applicant, Camex Realty: Comment #1 – **“The Village is encouraged to require sidewalks along all lot frontages and connecting to South Street.”**

BE IT RESOLVED, that the Village of Marcellus Planning Board notes that the Village has sidewalks in much of the Village and its desire is to continue to promote a walkable community. To ensure continuity of the sidewalks located throughout the Village, it would be a costly endeavor to extend from the current sidewalks through the existing neighborhood, and into the new development, a cost that would fall to the municipality. However, since there are no sidewalks in the adjacent existing development, the Village Planning Board will not require them as part of this development as is and has been the case in the Wilson Tract since the first house was constructed in 1945. In addition, potential sidewalk installation in the future might be considered, perhaps from the increased tax revenue that is expected from the project. Also, the Village line ends at the property at #47 South Street, and extending new sidewalk on the west side of South Street would mean negotiating with the Town to install such. Finally, while the Village Planning Board has indicated that sidewalks will not be required as part of this development, it would like provisions for their installation in the future. To facilitate the future installation of sidewalks, a 5’ wide leveled off area within the right of way should be shown on the grading plans, and within this, a 5’ wide future sidewalk should be dotted in, for both sides of the road, and

WHEREAS, the Onondaga County Planning Board made the following comment regarding the Roche Subdivision and Applicant, Camex Realty: Comment #2 – **“The Village is encouraged to consider having all vehicles access come from Dunlap Avenue and Baker Road with only pedestrian access to South Street Road.”**

BE IT FURTHER RESOLVED, that the Village of Marcellus Planning Board notes that the CEO contacted the Department of State Division of Building Standards and Codes (DBSC) and was told that even though the new portion of the development (23 new units) does not exceed 30, the total number of (56 + 23) 79 units in the development far exceeds the 30 units allowed without a second FAAR (Fire Apparatus Access Road). The second access road is needed in case one access road for any reason becomes unusable. This requirement is not surprising and it will be constructed to village standards. In addition, it might also be maintained as a “creek walk” style access road to South Street. Also, the 1978 Covenant calls for the extension of Baker and Dunlap as well as the construction of a new access road from South Street. That is why there already are paved extensions into the new development

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Peter Chapman	Voting Aye
Gabriel Lutwin	Voting Aye
Theresa LaMarre	Voting Aye
Richelle Schettine	Voting Aye
Jill Bristol	Voting Aye
Hugh White	Voting Aye

The resolution was thereupon declared duly adopted.

Chairman Chapman then opened the floor to James Trasher, CHA, to present the revised site plans and other updates regarding the project. Mr. Trasher explained that the location of the access road onto South Street was revised based on data received from the completed traffic study. Also, the SWPPP was revised and updated to provide adequate drainage and alleviate concerns. Mr. Trasher pointed out that the site plan reflects where sidewalks would be located if the Village should decide to construct them in the future, including full grading plans, but will not be constructed initially as part of this subdivision. Mr. Trasher also stated that the Village Engineers submitted several comments which were individually addressed and responded to. Mr. Trasher also indicated that the revised site plans show all connections for utilities and sanitary sewer lines.

Upon completion of Mr. Trasher's comments, Chairman Chapman opened the floor to public comment. The following community members were given equal opportunity to hold the floor:

Chris Christensen, Town of Marcellus Planning Board
Wendy Sherman, 2 Baker Road
John Bromka, 36 South St
Bob Dean, 4219 South St Road
Ginny Calvert-Dean, 4219 South St Road
Brian Novitsky, 2320 Wilson Drive
Martha Cole, 4158 South St Road
Mary Beth Fish, 13 Baker Road
Carey Blake, 4200 South St Road
Linda Roche, Current Owner of Baltimore Ridge

Upon completion of the public comment portion of the meeting, Chairman Chapman opened the floor to representatives from the Village. Mayor Curtin addressed the public and briefly explained information from the traffic study, including speed and vehicle traffic generation data, and stated that the complete traffic study is available on the village website for those who wish to view it. Village Attorney Brown addressed the public and explained that the scope of this project has warranted a Full Environmental Assessment with the DEC, which will be completed this evening, and forwarded to all involved agencies.

Upon completion of the Village comment portion, Chairman Chapman called for a motion to declare the Village of Marcellus Planning Board as the Lead Agency for the SEQR.

The following resolution was offered by Theresa LaMarre, and seconded by Gabe Lutwin:

VILLAGE OF MARCELLUS PLANNING BOARD RESOLUTION
BALTIMORE RIDGE SUBDIVISION
PRELIMINARY SUBDIVISION AND SITE PLAN APPLICATION
SEQR – DESIGNATING LEAD AGENCY

WHEREAS, the Village of Marcellus Planning Board (hereinafter referred to as Planning Board) on March 17, 2021 declared its intent to be designated the Lead Agency for the Baltimore Ridge Subdivision project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Planning Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Planning Board has previously determined that it is the most appropriate agency to ensure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby designate itself as the lead agency for the Action identified above herein;

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Peter Chapman	Voting Aye
Gabriel Lutwin	Voting Aye
Theresa LaMarre	Voting Aye
Richelle Schettine	Voting Aye
Jill Bristol	Voting Aye
Hugh White	Voting Aye

The resolution was thereupon declared duly adopted.

Chairman Chapman then opened the floor to Jim Oberst of MRB Group, Village Engineer. Mr. Oberst reviewed Parts II and III of the SEQR with the Planning Board, including data regarding lighting, emissions, traffic data, stormwater management, and endangered species. Mr. Oberst stated that the full SEQR is available on the Village website for those who wish to view it.

Upon completion, Chairman Chapman called for a motion to make a SEQR Determination of Significance. The following resolution was offered by Richelle Schettine and seconded by Theresa LaMarre:

**VILLAGE OF MARCELLUS PLANNING BOARD RESOLUTION
BALTIMORE RIDGE SUBDIVISION
PRELIMINARY SUBDIVISION AND SITE PLAN APPLICATION
SEQR – DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE**

WHEREAS, the Village of Marcellus Planning Board (hereinafter referred to as Planning Board) has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 including the supporting information on the Action prepared by the MRB Group (Village Engineer); and

WHEREAS, the Planning Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

WHEREAS, the Planning Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action on a separate resolution at the April 21, 2021 meeting; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

NOW THEREFORE BE IT RESOLVED, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Planning Board does hereby make a Determination of Non-Significance on said Action, and the Planning Board Chair is hereby directed to sign the Full Environmental Assessment Form (EAF) Part 3, the Negative Declaration, as evidence of the Village Board determination of environmental non-significance.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Peter Chapman	Voting Aye
Gabriel Lutwin	Voting Aye
Theresa LaMarre	Voting Aye
Richelle Schettine	Voting Aye
Jill Bristol	Voting Aye
Hugh White	Voting Aye

The resolution was thereupon declared duly adopted.

Chairman Chapman asked if there were any more items from the floor. Hearing none, Chairman Chapman made a motion to adjourn the public hearing and open the regular meeting. The motion was seconded by Jill Bristol. Chairman Chapman asked if there was any discussion. Hearing none, Chairman Chapman called for a vote. All members voted aye and the public hearing was adjourned at 7:56pm.

Upon opening the regular meeting of the Village of Marcellus Planning Board, Chairman Chapman called for a motion for Preliminary Sub-division and Site Plan Approval.

The following resolution was offered by Hugh White, and seconded by Gabe Lutwin:

**VILLAGE OF MARCELLUS PLANNING BOARD
RESOLUTION GRANTING PRELIMINARY PLAT APPROVAL
BALTIMORE RIDGE SUBDIVISION**

WHEREAS, Linda Roche and Camex Realty, as owners (the Applicants) have duly made an application for preliminary approval of a proposed subdivision in the Village of Marcellus known as the Baltimore Ridge Subdivision; and

WHEREAS, the requirements of 6 NYCRR, Part 617 have heretofore been satisfied by a Resolution of April 21, 2021 in which the Planning Board determined that the proposed action will not have a significant effect on the environment; and

WHEREAS, the Planning Board duly called and held a public hearing to consider the preliminary plat, with multiple sessions held on March 3, 2021 and April 21, 2021; and

WHEREAS, notice of said hearing was published in the manner required by law and proof of said publishing had been presented to the Planning Board; and

WHEREAS, all persons desiring to be heard in connection with such proposed subdivision have been duly heard and the Planning Board has given full consideration to the statements and views submitted at such hearing; and

WHEREAS, it appears to the best interest of the Village, that the said application for preliminary plan, approval be approved.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 7-728 of the Village law and Chapter 223 of the Village of Marcellus Code, the Planning Board of the Village of Marcellus hereby grants preliminary plat approval on the subdivision known as the Baltimore Ridge Subdivision based on a map last revised 4/19/21.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Peter Chapman	Voting Aye
Gabriel Lutwin	Voting Aye
Theresa LaMarre	Voting Aye
Richelle Schettine	Voting Aye
Jill Bristol	Voting Aye
Hugh White	Voting Aye

The resolution was thereupon declared duly adopted.

Chairman Chapman noted that final approval of the subdivision cannot occur until after the final plat has been approved by the Planning Board and the developer has complied with the provisions of Article III, Par. D of the Sub Division Regulations, specifically the Required Improvements and Performance Bond.

Chairman Chapman then stated that the Planning Board received a Site Plan Review Application from Andy Tidd, of Riseform Brewing, regarding plans to operate a nano-brewery located at 4 East Main Street. Plans include space for approximately 20 patrons and will begin operation by being open only on Saturdays, Noon to 8 pm. Eventually, the hours will expand. The brewery

will begin with annual production of approximately 100 barrels. The only alterations to the building are aesthetics with no demolition nor is any new construction taking place. Chairman Chapman stated that since the building is already properly zoned and there is no structural change taking place, and since the CEO has already approved Gretchen's Confections at 4 E. Main Street, that site plan review could be waived at this time. The motion was made by Gabe Lutwin and seconded by Hugh White. Chairman Chapman asked if there was any discussion. Hearing none, Chairman Chapman called for a vote. All Planning Board members voted aye and the site plan review was waived.

Chairman Chapman called for a motion to adjourn the regular meeting. The motion was made by Gabe Lutwin and seconded by Theresa LaMarre. Chairman Chapman asked if there was any discussion. Hearing none, Chairman Chapman called for a vote. All Planning Board members voted aye and the regular meeting was adjourned at 8:00pm.

Respectfully Submitted by

Charnley Abbott, Village Clerk