

**PLANNING BOARD
TOWN OF MARILLA**

Date: January 17, 2008

Present: Nathan Barnard, Chairman
Tom Wantuck, Co-Chairman
Rich Janiga
Dan Handy
Paul Domanowski
Judy Gillman
Debbie Zimmerman

Barbara Spanitz, Town Board
John Fronczek, CEO
Bob Miller, Consult

Guests: George Gertz, Supervisor, Donald Zimmerman, Gregory Willey, Leon Berner, Ken Kelchlin

I. Nathan Barnard, Chairman, opened the Planning Board meeting at 7:03 p.m. **MOTION** to accept November minutes moved by Dan Handy, seconded by Debbie Zimmerman. All in favor – 7 ayes.

II. Open Presentations

George Gertz, Supervisor, stated he has another meeting to attend tonight but wanted to touch base and will attend future meetings if needed. George Gertz stated if the Planning Board needs anything to let him. The Town Board will be holding work sessions on Tuesday evenings. George Gertz stated he needs the Planning Board to appoint a Chairman and Co-Chairman and to advise him if there are any needs, projects or goals. The Town Board is looking at a new Local Law No. 1 involving some zoning changes. Outside burning furnaces in residential areas are causing problems. George Gertz thanked everyone for doing a great job.

III. Old Business

MOTION to table the accessory building issue, moved by Judy Gillman, seconded by Tom Wantuck. All in favor – 7 ayes.

IV. New Business

Leon Berner would like to rezone some property on Two Rod Road and Clinton Street on the northwest corner. Mr. Berner stated there are two parcels, one is a 15 acre parcel for Ken Kelchlin from agricultural to business, with a small percentage already zoned business. Jack Willard and Leon Berner, Marilla, LLC, are owners of the property. Mr. Berner showed maps of land delineations. The second parcel is Gregory Willey who wants to purchase 32 acres to build senior housing with possibly 8 units with 6 apartments in each. Ken Kelchlin wants to build a retail store with ATVs, snowmobiles, motorcycles, a repair facility, and a lawn and garden center. Dan Handy stated he has a small problem with this type of business next to a

senior housing complex. Judy Gillman asked if he would have tracks around his store and Ken Kelchlin stated no. Mr. Berner stated the store hours would be Monday to Saturday from 9 a.m. to 7 p.m. Judy asked if there were any buffer lines between the property and Mr. Berner stated no. Ken Kelchlin's building would be 15,000 square feet and would face Clinton Street with an access way onto Two Rod Road.

Bob Miller stated there are a lot of other requirements to go through such as a public hearing, SEQR. Mr. Berner stated a lot of different studies were done for the golf course. Mr. Miller stated there is a different generator for senior housing and a retail store compared to a golf course. A traffic impact study may be required. Rich Janiga asked how much of the land is considered wetlands. Mr. Berner stated less than 2 acres are wetlands and the site for the senior housing is good drainage soil. The topographical shows water flowing away from both of those properties. Mr. Willey stated the senior housing complex would have two driveways on Clinton Street and one on Two Rod Road. Chairman Nathan Barnard stated the Planning Board will hold a public hearing on February 21, 2008, at 7:00 p.m. Debbie Zimmerman asked if there were any plans. Dan Handy stated it would be a good idea to bring a drawing or concept idea to the public hearing.

John Schenne was in contact with Bob Miller regarding the Rohl subdivision plan. The Town Board approved the subdivision plan in June 2007 and Bob stated the next step is to have each builder bring in engineering drawings for drainage, utilities, etc. for the town engineer to review, but Bob Miller does not have the other drawings tonight as Mr. Schenne is not present at the meeting. Mr. Schenne wants to build a one to one-and-a-half acre detention pond and drain everything to that location. Bob Miller spoke to Becky Anderson, DEC, who stated if this is approved there needs to be control of ownership and maintenance of this detention pond. Nathan Barnard stated the road also needs to be maintained. Bob Miller stated he spoke to Nathan Neill who suggested maybe SEQR should be opened up and there should be a legal link with the property to the detention pond. Bob Miller suggested John Schenne talk to Nathan Neill. Tom Wantuck stated there seems to be a lot of problems maintaining detention ponds concerning cattails, fish, mosquitoes, and they need to be maintained all the time. Bob Miller asked is it better to have one detention pond on this site or seventeen separate detention ponds. Rich Janiga stated you have seventeen small maintainable ponds where each individual owner is responsible.

Debbie Zimmerman asked if the house on Clinton Street across from Berner is zoned business. She noticed he has a landscaping sign. CEO John Fronczek stated he is aware of the situation and the individual is to appear before the Zoning Board.

V. CEO Report

None.

VI. Town Board Report

Councilman Barbara Spanitz stated Debbie Zimmerman has been reappointed to the Planning Board.

VII. Open Presentations from the Floor

MOTION to reappoint Nathan Barnard as Chairman and Tom Wantuck as Co-Chairman of the Planning Board moved by Debbie Zimmerman, seconded by Judy Gillman. All in favor – 7 ayes.

Bob Miller commented he hopes everyone enjoyed the training sessions and if interested in more for the future, please let him know soon. The training certificates are filed in the Town Clerks Office.

Rich Janiga felt the training sessions Bob Miller put together were convenient and informational. Dan Handy suggested maybe doing a one-hour training session or a different night other than our meeting night.

MOTION to adjourn at 8:20 p.m. moved by Dan Handy, seconded by Paul Domanowski, all in favor 7/0.

Respectfully submitted

Laura Nuttle, Clerk