

**The Town of Marcellus Zoning Board of Appeals
24 East Main Street
Marcellus, New York 13108**

January 4, 2010

Present: Chairperson Michelle Bingham, Gerard Wickett, Bob Ciota,
Chris Christensen, Robert Oliver
Town Counsel: Jim Gascon of Costello, Cooney, and Fearon
Town Engineer: Jeffrey Nadge of Barton & Loguidice (absent)
Codes Officer: William Reagan

The Zoning Board of Appeals of the Town of Marcellus met in regular session in the Town Hall for the Town of Marcellus, located at 24 E. Main Street, Marcellus, New York, on January 4, 2010, at 7:00pm.

Carol Barney, 2686 Falls Road – special permit two (2) 16’ X 14’ sheds

A public hearing was held to allow the applicant to construct two (2) 16’ X 14’ sheds. They will be next to each other but not attached. The secretary, Karen Cotter, read the legal notice into the minutes. David Barney explained that he would like to store his sap making equipment in the shed as well as using it for general storage. He may be adding additional taps and will need more room for the equipment. There will be no electricity, no deliveries, and no increase in traffic. Mr. Barney does not plan on turning this into a retail business and there will be no employees. Bill Reagan has been to the site and sees no problems with the proposed project. The Chair, Michelle Bingham asked if there was anyone that would like to speak in favor or in opposition to the project and there were none. Chris Christensen stated that he wants to make sure this does not become a retail business. Mr. Barney advised that he makes sap as a hobby and gives it away to family, friends and neighbors and he has no plans to turn this into a retail business. Hearing no further questions Jerry Wickett made a motion to close the public testimony and public hearing. Chris Christensen seconded and the motion carried with the following vote:

Bob Ciota - aye
Chris Christensen - aye
Robert Oliver - aye
Jerry Wickett - aye
Michele Bingham – aye

Bob Ciota moved to approve the project as presented as they will meet all setback requirements, a public hearing was held and there was no opposition, the proposed buildings and use are consistent with the neighborhood and no business will be operated from the sheds. Jerry Wickett seconded and the motion carried with the following vote:

Bob Ciota - aye
Michele Bingham – aye
Chris Christensen - aye
Jerry Wickett - aye
Robert Oliver - aye

The request of Carol Barney for a special permit in a R1 zone to allow her to construct two (2) 16' X 24' sheds at her residence at 2686 Falls Road, Marcellus, New York.

The Zoning Board of Appeals of the Town of Marcellus met in Regular Session in the Town Hall of the Town of Marcellus, 24 E. Main Street, Marcellus, NY, on January 4, 2010, commencing at 7:00pm, local time at which time and place the following Resolution was moved, seconded and passed.

WHEREAS: The applicant is located in a R1 district: and

WHEREAS: There will be no undesirable change in the character of the neighborhood or detriment to nearby properties: and

WHEREAS: The use shall be consistent with and subordinate to the principal use and may not be carried on independently of the principal residential use: and

WHEREAS: The special permit is used for the use specified on the application. Any change of use is subject to approval by the Zoning Board of Appeals: and

WHEREAS: The special permit conforms to rear, side, and front setbacks; and

THEREFORE BE IT RESOLVED that said special permit be granted upon the following condition:

1. Applicant must apply for a building permit that grants permission for construction.
2. The shed is for personal use only and no business shall be operated from it.

The minutes of the December meeting stand as distributed.

The meeting was adjourned at 8:45pm

Respectfully submitted,

Karen Cotter
Secretary