

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

**November 1, 2010**

**Present:** Chairperson Michelle Bingham Gerard Wickett, Chris Christensen,  
Robert Oliver  
**Absent:** Bob Ciota  
**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 November 1, 2010, at 7:00pm.

**John Stiles, 4966 Howlett Hill Road – Special Permit – 12’ X 24’ accessory building**

A public hearing was held for a special permit to allow a 12’ X 24’ storage building. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Stiles explained that he has moved from a larger two (2) story home to a ranch with no basement and needs additional storage for his personal items. He would also use a portion of the building for woodworking. Mr. Stiles explained that he has a nine (9) scale outdoor railroad and he would be constructing items for the railroad. This would be for his personal use only and there would be no business operated from the building. The Chair, Michelle Bingham, asked if there was anyone present that would like to speak in favor or in opposition to the project and there were none. There would be power but not heat. There is an existing shed on the property and that would remain. Hearing no further questions from the ZBA Jerry Wickett made a motion to close the public testimony and public hearing. Chris Christensen seconded and the motion carried with the following vote:

Chris Christensen - aye  
Robert Oliver - aye  
Jerry Wickett - aye  
Michele Bingham - aye

Chris Christensen moved to approve the special permit as presented. There was no one present in opposition and it will be for personal use only – no business will be operated from the building. Jerry Wickett seconded and the motion carried with the following vote:

Chris Christensen - aye  
Robert Oliver - aye  
Jerry Wickett - aye  
Michele Bingham - aye

The request of John Stiles for a special permit in a R1 zone to allow him to construct a 12' X 24' accessory building at his residence at 2966 Howlett Hill Rd., 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 November 1, 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 side yard, front and rear setbacks.

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.

**David C. Bailey, Jr., 4300 Gypsy Road – Special permit 24' X 20' accessory building**

A public hearing was held for a special permit to allow a 24' X 20' storage building. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Bailey advised that he has inherited several woodworking saws and needs a place to use and store them. He would also use the building to store his boat and trailer. This building would be used for personal storage and use only. There will be no business operated from the building. There will be power in the building but no heat. The Chair, Michelle Bingham, asked if anyone would like to speak in favor or in opposition to the project and there were none. The building will be single story with a pitched roof and side walls will be a little higher than eight (8) feet tall. Hearing no further questions from the ZBA Chris Christensen made a motion to close the public testimony and public hearing. Michelle Bingham seconded and the motion carried with the following vote:

Chris Christensen - aye  
Robert Oliver - aye

Jerry Wickett - aye  
Michele Bingham - aye

Chris Christensen moved to approve the special permit as presented. There was no one present in opposition; it will be for personal use only – no business will be operated from the building; and it is in the character of the neighborhood. Michelle Bingham seconded and the motion carried with the following vote:

Chris Christensen - aye  
Robert Oliver - aye  
Jerry Wickett - aye  
Michele Bingham - aye

The request of David C. Bailey for a special permit in a R1 zone to allow him to construct a 24' X 20' accessory building at his residence at 4300 Gypsy Rd., 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 November 1, 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 side yard, front and rear setbacks.

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 October meeting stand as distributed.

The meeting was adjourned at 7:15 PM

Respectfully submitted,

Karen Cotter  
Secretary