

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

**February 6, 2012**

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

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 February 6, 2012, at 7:00pm.

Chris Christensen made a motion to nominate Jerry Wickett as temporary Chairperson. Bob Oliver seconded and the motion carried with the following vote:

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

**Tiffany Mayer, 2680 Shamrock Road – area variance/side yard reduction**

A public hearing was held for a side yard area variance. The secretary, Karen Cotter, read the legal notice into the minutes and advised the mailing receipts are on file. Ms. Mayer explained that she would like to construct a home office. She stated that the location was decided upon due to the floor plan of the home and the kitchen being on the north side does not allow for entrance to the addition. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition to the project and there were none. Both the well and septic are located on the other side of the house from the proposed addition. Chris Christensen made a motion to close the public testimony and public hearing. Bob Oliver seconded and the motion carried with the following vote:

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

Chris Christensen made a motion to approve the variance as requested as a public hearing was held and there was no opposition and it will not affect the character of the neighborhood.

Bob Oliver seconded and the motion carried with the following vote:

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

The appeal of Tiffany Mayer for a side yard reduction of 10' from 20' to 10' in an Agricultural zone to allow an addition of a home office at her residence on 2680 Shamrock Road, Skaneateles, 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 February 6, 2012 commencing at 7:00pm. local time at which time and place the following Resolution was moved, seconded and passed.

WHEREAS, notice of public hearing for the above captioned project was duly published in the official newspaper of the Town of Marcellus at least five (5) days prior to the date of such public hearing, and an affidavit of such publication was produced at the beginning of said public hearing and was ordered to be filed: and

WHEREAS, all additional notice thereof was given as required by Section 267 of the Town Law and Marcellus Zoning Ordinance: and

WHEREAS, the ZBA duly held the public hearing thereon at the time and place aforesaid and all persons desiring to be heard having been heard; and

WHEREAS, all Zoning Board of Appeals members had due notice of said public hearing and meeting, and, that pursuant to Section 94 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public and due and proper notice of the time and place thereof was duly given as required by law.

NOW THEREFORE BE IT RESOLVED that upon the application and upon the proofs and proceedings offered at the public hearing, which was or is hereby closed, the ZBA hereby makes the following:

**FINDINGS OF FACT:**

1. The subject premises are located at 2680 Shamrock Road, Skaneateles, New York
2. The subject premises are zoned Agricultural, pursuant to the zoning map, which is part of the Zoning Ordinance of the Town of Marcellus.
3. The relief sought is: Section 6a to allow a side yard variance for an addition of an office
4. No one appeared in favor or in opposition to the variance.

**CONCLUSIONS OF LAW:**

1. The project will comply with rear, front and one side yard setback requirements according to the zoning ordinance
2. There will be no undesirable change in the character of the neighborhood or detriment to nearby properties.

NOW THEREFORE in consideration of the above, the applicant's request for an area variance is hereby granted with the following contingencies:

1. No building permit shall be issued until the original filing receipts are submitted to the Planning Board.

**Verizon Wireless, 2748 Rose Hill Road – special permit modification**

Taylor Kline was present to represent the project. They would like to replace three (3) out of the nine (9) antennas with each antenna having two (2) lines going to it. There will be no changes on the ground. This will increase the data speed in the area from 3g to 4g. There were no additional issues seen with the modification on this cell tower.

**Verizon Wireless, 3050 West Seneca Turnpike – special permit modification**

Taylor Kline was present to represent this project. They would add three (3) antenna; six (6) lines and this would also increase the data speed in the area. The following was discussed:

- We have not received any current inspection certificates. They have been requested several times by the Codes Officer. Mr. Kline advised he will provide them as soon as possible.
- When we approved the upgrade at the last modification the tower analysis stated that we were close to capacity.
- There seems to be some discrepancy in the tower analysis.
- We were advised that an array was to be removed – was it removed? Bill Reagan does not believe that it was.
- Is it still suitable for the snow/ice load?
- Mr. Kline will contact B & L to discuss questions they might have and to review this project

The minutes of the January meeting stand as corrected.

The meeting was adjourned at 7:40 PM

Respectfully submitted,

Karen Cotter  
Secretary