

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

April 2, 2012

Present: Chairperson Michelle Bingham, Gerard Wickett, Bob Ciota, Chris Christensen
Michelle Bingham, Robert Oliver
Town Counsel: Jim Gascon of Costello, Cooney, and Fearon
Town Engineer: Jason Kantak of TDK Engineering
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 April 2, 2012, at 7:00pm.

Verizon Wireless, 2748 Rose Hill Road – special permit modification

Taylor Kline was present to represent the project. There are no issues 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) antennas and six (6) lines - this would also increase the data speed in the area. He advised that per last month's conversation the array had been removed from the tower. Chris Christensen asked if there could be any long lasting effects on the tower with the extra weight. He also advised that the calculations presented on this project did not match what we had been given on previous projects. A check was received from Verizon, on March 29, to be placed in escrow to cover the cost of the engineering fees. The secretary, Karen Cotter, advised B & L they could now move forward in their review. Mr. Kline advised he had sent all the requested information to B & L and asked if he could get a conditional approval on the project. The ZBA advised that they needed to see the engineering review before they could move forward.

Bruce Osterman, 4119 Slate Hill Road – special permit

Mr. Osterman advised that he would like to construct a 20' X 30' open sided pole barn. The building would be used to store tractors and equipment as well as for cover for them to sit under. There will be no electricity or water in the building. They will have a concrete slab and no doorways and no sidewalls and no business shall be operated from it. This structure will have minimum visibility to the neighbors. Jerry Wickett made a motion to approve the special permit as submitted as the project will meet all setbacks, there will be no businesses operated from the building and it fits within the character of the neighborhood. 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

The request of Bruce Osterman for a special permit in a R1 zone to allow him to construct a 20' X 30' shed at his residence at 4119 Slate Hill 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 April 2, 2012, 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 pole barn is for personal use only and no business shall be operated from it.

Joseph Kalkbrenner, 3722 Bishop Hill Road – Zoning Change

Bill Lang was present to represent the project. The property is on the corner of Lee Mulroy and Bishop Hill Road in a R1 Zone. The Light Industrial zone abuts this property. They have approximately 68 acres and would like to take 11 acres closest to Lee Mulroy and place them in a L1 zone. There is no plan to subdivide the property at this time. Jim Gascon will look into what is necessary to change the zone on a portion of the property. Mr. Lang was advised to speak to the Town Board and he would then need to submit a survey and a description of his request to the ZBA. They would then make a recommendation to the Town Board to change or keep the property as is.

S & B Millworks, 3704 Lee Mulroy Road – area variance

Bob Ciota advised the PB that he has a conflict of interest on this project as his son, Brian Ciota, is part owner of S & B Millworks. Bob Ciota will abstain from participating in this project. A front and side yard variance is required for the small retail space. The side variance is being created due to the proposed subdivision. (See the March/April PB minutes). The larger existing storage building will require a front yard variance as both buildings are non-conforming. The Chair, Michelle Bingham, made a motion on SEQR for an unlisted negative declaration. Jerry Wickett seconded and the motion carried with the following vote:

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

The minutes of the March meeting stand as distributed.

The meeting was adjourned at 9:30 PM

Respectfully submitted,

Karen Cotter
Secretary