

## **The Town of Marcellus Zoning Board of Appeals**

**24 East Main Street  
Marcellus, New York 13108**

**November 5, 2012**

**Present:** Chairperson Michelle Bingham, Bob Ciota, Gerard Wickett, Chris Christensen  
**Absent:** Robert Oliver  
**Town Counsel:** Jim Gascon of Costello, Cooney, and Fearon  
**Town Engineer:** Jason Kantak of TDK Engineering (absent)  
**Codes Officer:** John Houser

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 5, 2012, at 7:00pm.

### **Martisco Lions Club – Special Permit sign**

A public hearing was held to erect an 8” X 24” double sided sign to be placed on the field as indicated on the overlay of the survey dated February 9, 2009. The secretary, Karen Cotter, read the legal notice into the minutes. Bruce Laubacher, President of the club, explained that the sign would have the name of the organization and the times of their meetings. It will be suspended from a cross piece and will be taken down in the winter and it will not be lit. The Chair, Michelle Bingham, asked if anyone would like to speak in favor or in opposition to the project and there were none. See the Planning Board minutes for further discussion of the site plan modification. Bob Ciota made a motion to close the public hearing and Chris Christensen seconded. The motion carried with the following vote:

Bob Ciota - aye  
Chris Christensen - aye  
Jerry Wickett - aye  
Michele Bingham - aye

Jerry Wickett made a motion to approve the project as presented, there was no one present in opposition to the project; the sign will have no impact in the neighborhood; and it is subject to site plan modification approval. Chris Christensen seconded and the motion carried with the following vote:

Bob Ciota - aye  
Chris Christensen - aye  
Jerry Wickett - aye  
Michele Bingham - aye

The request of Martisco Lions Club for a special permit in a R1 zone to allow them to construct an 8" X 24" sign at 2929 Route 174, Marietta, 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 5, 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 is granted upon the following condition:

1. Applicant must apply for a building permit that grants permission for construction.
2. The sign will not be lit

**Bruce Byler, 2520 Platt Road – Special permit storage container**

A public hearing was held to allow a temporary storage container to be placed on his property. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Byler was not present but John Houser, Codes Officer, explained that the pod is already there and it is used to store his garage items while Mr. Byler puts a roof on his new garage. The Chair, Michelle Bingham, asked if anyone would like to speak in favor or in opposition to the project and there were none. Chris Christensen made a motion to close the public hearing and Bob Ciota seconded. The motion carried with the following vote:

Bob Ciota - aye  
Chris Christensen - aye  
Jerry Wickett - aye  
Michele Bingham - aye

Chris Christensen made a motion to approve the project as presented, there was no one present in opposition to the project; the applicant has an existing special permit for the new garage and the pod will be there for a short time with no impact to the neighborhood. Michelle Bingham seconded and the motion carried with the following vote:

Bob Ciota - aye  
Chris Christensen - aye  
Jerry Wickett - aye  
Michele Bingham - aye

The request of Bruce Byler for a special permit in a R1 zone to allow them to have a storage pod on his property at 2520 Platt 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 November 5, 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 is granted upon the following condition:

1. Applicant must apply for a building permit that grants permission for construction.

The minutes of the October meeting stand as corrected.  
The meeting was adjourned at 8:30 PM.

Respectfully submitted,

Karen Cotter, Secretary

