

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

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

**December 3, 2012**

**Present:** Chairperson Michelle Bingham, Bob Ciota, Gerard Wickett, Chris Christensen  
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 December 3, 2012, at 7:00pm.

### **Maureen Germaine, 3999 Slate Hill Rd – Special permit 8’ X 39’ shed**

A public hearing was held to allow an 8’ X 39’ shed to be placed on her property at 3999 Slate Hill Road. The secretary, Karen Cotter, read the legal notice into the minutes. Mrs. Germaine explained that this will replace an existing pool shed that has been there for over 30 years. They will store pool supplies, filters and additional items for the pool. The building completes the pool enclosure. It will be in the same foot print as the original shed and made of the same materials. Dave Peatfield asked if the power line easement that was moved to the front of the property was deeded back to her and it has been. The Chair, Michelle Bingham, asked if anyone would like to speak in favor or in opposition to the project and there were none. 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  
Robert Oliver – aye

Jerry Wickett made a motion to approve the project as presented, there was no one present in opposition to the project; the use is consistent with the neighborhood and is replacing an existing building with the same dimensions. Michelle Bingham seconded and the motion carried with the following vote:

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

Robert Oliver – aye

The request of Maureen Germaine for a special permit in a R1 zone to allow her to have an 8' X 39' storage shed on her property at 3999 Slate 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 December 3, 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. Shed is for personal use only and no business shall be operated from it.

The minutes of the November meeting stand as distributed.

The meeting was adjourned at 7:45 PM.

Respectfully submitted,

Karen Cotter  
Secretary