

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

**April 4, 2016**

**Present:** Chairperson Michelle Bingham Gerard Wickett,  
Robert Oliver  
**Absent:** Bob Ciota, Chris Christensen  
**Town Counsel:** James 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 April 4, 2016 at 7:00pm.

**Michael Konieczny, 2258 Cherry Valley Turnpike – Special Permit**

A public hearing was held for Michael Konieczny for a 24' X 32' accessory building. The secretary, Karen Cotter, read the legal notice into the minutes. The barn will be for personal use only and will have no business operated from it. They will have no electric and/or heat at this time. The Chair, Michelle Bingham, asked if anyone would like to speak in favor of/or in opposition to the project and there were none. Jerry Wickett made a motion to close the public hearing and Michelle Bingham seconded. The motion carried with the following vote:

Jerry Wickett - aye  
Michele Bingham – aye  
Robert Oliver – aye

Jerry Wickett made a motion to approve the 24' X 32' accessory building as a public hearing was held and there was no opposition; the building will be used for personal use only and no business shall be operated from it.

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

Jerry Wickett - aye  
Michele Bingham – aye  
Robert Oliver – aye

The request of Michael Konieczny for a special permit in a R1 zone to allow him to construct a 24' X 32' accessory building at his residence at 2258 Cherry Valley Turnpike., 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 4, 2016, 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 an Agricultural 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 building will be used for personal use only and no business shall be Operated from it.

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**Frank Salatti, 4739 Frank Gay Rd. – Solar Farms**

Mr. Salatti advised that he had received a letter from a solar company asking to lease his property for a solar farm. At this time solar farms are not an allowable use in an R1 zone and the Town Board, with input from the ZBA, would need to amend the regulations. The Town Board and ZBA will have a joint discussion on this issue.

The March minutes stand as distributed.

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter  
Secretary