

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

November 6, 2017

Present: Temporary Chairperson Jerry Wickett,
Ron Schneider, Kathy Carroll, Chris Christensen
Absent: Michelle Bingham
Town Counsel: James Gascon of Costello, Cooney, and Fearon
Town Engineer: Jason Kantak of TDK Engineering
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 6, 2017 at 7:00pm.

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

Jerry Wickett - aye
Chris Christensen - aye
Kathy Carroll – aye
Ron Schneider – aye

Glider Oil, Lee Mulroy Road – special permit/site plan

Chris Christensen advised that he had met with Bob Brewer at the site and discussed the safety concerns that were discussed at the October meeting. The following was discussed:

- One of the concerns involved the emergency plan and what would happen. The initial response will be from the Marcellus Fire Dept. who would assess the situation and then contact the Syracuse hazmat team.
- John Hart wrote the current code that the Fire Dept. will follow. This includes inspections, review and installation. This information is updated periodically.

- Inspections are driven by the applicant's insurance company – Mr. Christensen stated he would like to have a copy submitted to our office when the inspections are done.
- The Fire Dept. will work with Mr. Hart to develop the emergency response protocol. We would also like a copy of this information.
- Glider Oil submitted a copy of the NAFPA code
- Glider Oil will be paying to have a fire hydrant installed and will also pay any additional fees – as long as they are leasing the property.
- Discussion regarding the design of the sign. Mr. Christensen stated they must meet our zoning requirements – including the red line
- Only additional signs will be the required emergency posting
- There is remote monitoring 24/7
- The minimum inspections will be annually but the Codes Officer stated he would like this done more frequently
- Gail Shenfeld, 4525 Slate Hill Rd. –
 - had additional questions on state inspections/guidelines and who is responsible to make sure they are done
 - Who would be contacted in an emergency – call 911
 - How long does it take for the responder to get to the site

No motion can be made on the project until the Fire Department moves forward and gets subdivision approval. The project will be carried to the December meeting.

Andrea Bucci, 3875 Rockwell Rd. –special permit

A public hearing was held to allow the applicant to construct a 40' X 60' accessory building to store an RV, tractor and other gardening equipment. The building will have (one) 1 overhead garage door and a man door. There was discussion regarding the height of the building. Ms. Bucci is going to modify her original application to indicate a change in the height of her building from 16' to 25'. This is for personal use only and no business shall be operated from it. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or opposition to the project and there were none. Kathy Carroll made a motion to close the public hearing and Ron Schneider seconded.

The motion carried with the following vote:

Jerry Wickett - aye
Chris Christensen - aye
Kathy Carroll – aye
Ron Schneider – aye

Chris Christensen made a motion to approve the project as presented as a public hearing was held and there was no opposition; the applicant will modify her permit to the correct building height; no business shall be operated from it and the project is consistent with the neighborhood. Ron Schneider seconded and the motion carried with the following vote:

Jerry Wickett - aye
Chris Christensen - aye
Kathy Carroll – aye
Ron Schneider – aye

The request of Andre Bucci for a special permit in a Residential 1 zone to allow her to construct a 40' X 60' accessory building at 3875 Rockwell 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 November 6, 2017, 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 Residential 1 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 and size regulations and;

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. Personal use only; no business shall be operated from it

Jack Scalice, 4558 Limeledge Rd. – special permit

A public hearing was held to allow the applicant to construct a 40' X 40' accessory building to store snow mobiles, tractor and other gardening equipment. The building will have one (1) overhead garage door and a man door. This is for personal use only, no business shall be operated from it. He will have power and heat in the building and an outside down light. There will not be an additional driveway to the building. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or opposition to the project and there were none. Chris Christensen made a motion to close the public hearing and Kathy Carroll seconded. The motion carried with the following vote:

Jerry Wickett - aye
Chris Christensen - aye
Kathy Carroll – aye
Ron Schneider – aye

Kathy Carroll made a motion to approve the project as presented as a public hearing was held and there was no opposition; there will be no additional driveway, this is for personal use only – no business shall be operated from it and the project is consistent with the neighborhood. Chris Christensen seconded and

the motion carried with the following vote:

Jerry Wickett - aye
Chris Christensen - aye
Kathy Carroll – aye
Ron Schneider – aye

The request of Jack Scalice for a special permit in a Residential 1 zone to allow him to construct a 40' X 40' accessory building at 4558 Limeledge Rd ., Marcellus, New York.

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WHEREAS: The applicant is located in a Residential 1 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 and size regulations and;

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. No business shall be operated from it

Discussion:

There was discussion regarding the drainage problems Karen and Rick Young are having at their residence on Howlett Hill Road as well as water problems on West Seneca Turnpike. The Young's believe the problems are due to the farmer and his farming practices. The Town Supervisor, Karen Pollard, asked the Town Attorney, Jim Gascon, to review how other town's are handling these issues and possibly discuss this at a Town Board workshop.

The October minutes stand as distributed.

The meeting was adjourned at 9:30 PM

Respectfully submitted,

Karen Cotter
Secretary