

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

February 5, 2018

Present: Chairperson Michelle Bingham, Jerry Wickett,
Chris Christensen, Ron Schneider, Kathy Carroll

Absent:

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 February 5, 2018 at 7:00pm.

Peter and Deanna Dietz, 2510 Platt Rd – side yard variance

A public hearing was held for a request of a 6' reduction on a side yard variance from 15' to 9'. The secretary, Karen Cotter, read the legal notice into the minutes and advised that the mailing receipts are on file. Mrs. Dietz explained they would like to construct a 24' X 50' detached garage for their cars and additional storage for lawn tractor and patio furniture. They currently have no garage. Chris Christensen asked where the septic and leach fields were located as there could be a problem if the building was placed within the leach fields. Mrs. Dietz said she would double check the location to make sure there would be no issues. The Chair, Michelle Bingham, asked if anyone would like to speak in favor or in opposition to the project and there were none present. The neighbor, Bruce Byler, 2520 Platt Road, submitted a letter dated January 1, 2018 and stated he was in favor of the project. Hearing no further questions, Jerry Wickett made a motion to close the public hearing and Chris Christensen seconded.

The motion carried with the following vote:

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

Kathy Carroll made a motion to approve the area variance as presented as a public hearing was held and there was no objection; a neighbor submitted a letter in favor of the project and the applicant does not have an existing garage. Jerry Wickett seconded the motion and it carried with the following vote:

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

The appeal of Peter and Deanna Dietz for a side yard reduction of 6’ from 15’ to 9’ in a R1 zone to allow a garage at their residence on 2510 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 February 5, 2018 commencing at 7:00pm. local time at which time and place the following Resolution was moved, seconded and passed.

WHEREAS, notice of public hearing for the above captioned project was duly published in the official newspaper of the Town of Marcellus at least five (5) days prior to the date of such public hearing, and an affidavit of such publication was produced at the beginning of said public hearing and was ordered to be filed: and

WHEREAS, all additional notice thereof was given as required by Section 267 of the Town Law and Marcellus Zoning Ordinance: and

WHEREAS, the ZBA duly held the public hearing thereon at the time and place aforesaid and all persons desiring to be heard having been heard; and

WHEREAS, all Zoning Board of Appeals members had due notice of said public hearing and meeting, and, that pursuant to Section 94 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public and due and proper notice of the time and place thereof was duly given as required by law.

NOW THEREFORE BE IT RESOLVED that upon the application and upon the proofs and proceedings offered at the public hearing, which was or is hereby closed, the ZBA hereby makes the following:

FINDINGS OF FACT:

1. The subject premises are located at 2510 Platt Road, Marcellus, New York
2. The subject premises are zoned R1 district, pursuant to the zoning map, which is Part of the Zoning Ordinance of the Town of Marcellus.
3. The relief sought is: Section 6a to allow a side yard variance for a garage
4. No one appeared in opposition to the variance and a letter was submitted in favor of the project.

CONCLUSIONS OF LAW:

1. The project will comply with front/rear and one side setback requirement according to the zoning ordinance
2. There will be no undesirable change in the character of the neighborhood or detriment to nearby properties.

NOW THEREFORE in consideration of the above, the applicant's request for an area variance is hereby granted with the following contingencies:

1. A building permit must be granted prior to any construction

Skaneateles Ski Hill, 2995 Marietta Rd – special permit

A public hearing was held for a special permit to allow the ski club to hold specific additional events for fundraising. The secretary, Karen Cotter, read the legal notice into the minutes. Garrison Gomez, Vice President of the ski club, submitted a new summary of events list that would take place on site in addition to the normal ski operations. The main concern for these events has been the need for additional parking. The Codes Officer, John Houser, has explained to the ZBA at past meetings how dangerous it is for cars to be parked along the road on Route 174, and for people to be walking along the side of the road. Mr. Gomez explained that they have spoken to the Rod and Gun Club, which is located next door, and they will allow them to use their property for overflow parking at these events. The properties are connected with a pathway that will provide access to the ski hill without walking on the road. Mr. Gomez also advised that they will provide a letter from the Lions Club, located a short distance down the road, with permission to park on their site and the ski hill will provide a shuttle back and forth to prevent people from walking on the road.

Chris Christensen asked if this list is specific to what they want to do along with the number of times throughout the year they would have these events. Mr. Christensen stated that these are the only events that will be approved and anything additional would need to be approved by the ZBA. If the parking agreement with the Rod and Gun Club and Lions Club goes away then the Ski Club will need to come before the ZBA and provide a solution to the parking. Mr. Gomez stated that he understands and agrees to all of the conditions. They will need to provide us with written approval from both clubs agreeing to the parking contingencies.

Mr. Gomez was reminded that although the ski hill is a grandfathered use this is a residential area and we need to protect the residences. All events must comply with the Town noise ordinance and if the Town receives any written complaints we will review the approval of the special permit. Mr. Gomez understood and agreed with the Board on these conditions.

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

Jerry Wickett made a motion to approve the special permit for the activities delineated in the submission to the ZBA, received on February 5, 2018; a public hearing was held and there was no one present in favor or in opposition to the project; the Ski Club will provide a written letter from the Lion's Club and Rod and Gun Club, both located on Route 174, advising the ski club can use these locations for overflow parking at these events; and the ski club will provide shuttle service from the Lion's Club to prevent people from walking and parking along the road; and with the understanding that if additional parking is no longer available or if the events list changes the Ski Club must come before the Board to modify the special permit. Michelle Bingham seconded and the motion carried with the following vote:

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

The request of Skaneateles Ski Club for a special permit in a Residential Zone to allow them to hold additional fundraising events at their property at 2995 Marietta Rd, (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 February 5, 2018, 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 Zone: 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 and summary events letter submitted and approved on February 5, 2018. Any change of use is subject to approval by the Zoning Board of Appeals: and

WHEREAS: The special permit conforms to side yard, rear and front yard setbacks.

THEREFORE BE IT RESOLVED that said special permit be granted upon the following condition:

1. The special permit is granted for only the events delineated on the summary list dated February 5, 2018. Any new or additional events must be approved by the ZBA.
2. Applicant must submit a written letter from both the Rod and Gun Club and Lion's Club, located on Route 174, authorizing the Ski Club to use their sites for overflow parking.
3. The Ski Club must provide shuttle service from the Lion's Club to prevent any parking or pedestrians walking on Route 174
4. The Ski Club understands that if the overflow parking is no longer available they must come before the ZBA for review and or possible modification of their special permit.

The minutes of the January meeting stand as corrected.

The meeting was adjourned at 9:30 PM

Respectfully submitted,
Karen Cotter, Secretary

