

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

**July 1, 2019**

**Present:** Chairperson Jerry Wickett, Chris Christensen,  
Ron Schneider, Scott Stearns, Kathy Carroll

**Absent:**

**Town Counsel:** Jim Gascon of Costello, Cooney, and Fearon

**Town Engineer:** Joe Durand 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 July 1, 2019 at 7:00pm.

The Chair, Jerry Wickett, asked for a motion to change the date of the September PB meeting to Thursday, September 5, 2019, due to the Labor Day Holiday. Kathy Carroll made the motion and Chris Christensen seconded. The motion carried with the following vote:

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

**Dean and Arlene Johnston – special permit**

A public hearing was held for a special permit to allow construction of a 24' X 38' accessory building. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Johnston explained that he has an existing old building that is sinking into the ground. He would replace that barn with a new building. It is to be used for personal use only and will store his tractor, splitter and ATV in it. There will be no power or electricity.

The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition to the project and there were none.

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

Chris Debotis submitted a letter dated June 14, 2019 advising that she had no concerns with the building. Hearing no questions from the Board, Chris Christensen 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  
Ron Schneider – aye  
Scott Stearns – aye  
Kathy Carroll – aye

Kathy Carroll made a motion to approve the special permit as presented as a public hearing was held and there was no opposition and a letter had been received in favor of the project; the building is for personal use only; and is consistent with the neighborhood. Scott Stearns seconded and the motion carried with the following vote:

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

The request of Dean and Arlene Johnston for a special permit in an Agricultural zone to allow her to construct a 24' X 30' accessory building at their residence at 2419 Lawrence Rd., Marcellus, New York.

-pg3-ZBA  
July 1, 2019

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 July 1, 2019, 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 shed is for personal use only and no business shall be operated from it.

**Discussion –**

**Storage Trailers –**

Jim Gascon advised that earlier in the year he had suggested that storage containers/trailers be subject to site plan approval. If the Board is in agreement he will insert language into our zoning ordinance to incorporate the containers/trailers.

-pg4-ZBA  
July 1, 2019

There was discussion on the changes the Welch Construction has done – 1 container has been removed and another relocated on the property and painted. The ZBA and PB agreed with Mr. Gascons suggestion.

**Minutes –**

Jerry Wickett made a made a motion to waive the reading of the June minutes and accept as distributed. Kathy Carroll seconded and the motion carried with the following vote:

Chris Christensen – aye  
Ron Schneider – aye  
Holly Tuffenkjian - aye  
Scott Stearns - aye  
Kathy Carroll – aye

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter  
Secretary