

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

**January 6, 2020**

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

**Absent:**

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

**Town Engineer:** Joe Durand 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 January 6, 2020 at 7:00pm.

**Brian Haresky, 4669 Limeledge Road – special permit**

A public hearing was held for a special permit to allow a 24' X 48' accessory structure with a lean-to. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Haresky discussed the following:

- There will be no new driveway or driveway extension
- He has the area staked out where the structure will be placed and with the correct dimensions of the building
- No new road cut
- He will not be driving across leach fields or septic to reach the building
- No heat in the building
- There will be electricity in the building
- Not planning for any outdoor lighting – he was advised that if he does put outdoor lighting on the building it must be down lighting and cannot spill off of his property
- He will use it to store a utility trailer and for personal use only – no business will be operated from it

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

Hearing no further 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 building as presented as a public hearing was held and there was no opposition; no business shall be operated from the building, it meets all of our setback regulations and it is in character of the neighborhood. Ron Schneider 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 Brian Haresky for a special permit in a R1 zone to allow him to construct a 24' X 48' accessory building at his residence at 4669 Limeledge 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 January 6, 2020, 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 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.

**Minutes:**

Jerry Wickett made a made a motion to waive the reading of the November minutes and accept as modified. Scott Stearns seconded and the motion carried with the following vote:

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

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter  
Secretary