

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

**July 6, 2020**

**Present:** Chairperson Jerry Wickett, Ron Schneider, Scott Stearns  
**Absent:** Kathy Carroll, Chris Christensen  
**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 Marcellus Fire Hall for the Town of Marcellus, located at 4242 Slate Hill Rd, Marcellus, New York, on July 6, 2020 at 7:00pm.

**SPECIAL PERMITS – PUBLIC HEARINGS**

**William Houde, 3264 Hayden Rd. – 30' X 32' Accessory bldg.**

A public hearing was held for a special permit to allow a 30' X 32' pole barn. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Houde explained that this is for personal storage of a tractor and lawn equipment and no business will be operated from it. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition of the project and there were none. Hearing no questions from the Board Jerry Wickett made a motion to close the public hearing and Ron Schneider seconded. The motion carried with the following vote:

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

Scott Stearns 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  
Ron Schneider – aye  
Scott Stearns – aye

The request of William Houde for a special permit in an Agricultural zone to allow him to construct a 30' X 32' accessory building at his residence at 3264 Hayden 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 July 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 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 accessory building is for personal use only and no business shall be operated from it.

**Colin Hutcheon, 2644 Falls Rd. – 20' X 24' existing accessory building**  
**22' X 22' accessory building**

A public hearing was held for a special permit to allow a 20' X 24' pole barn that is existing and a 22' X 22' pole barn that is under construction. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Hutcheon explained that both of these buildings are for personal storage only for items such as a tractor and lawn equipment, four-wheelers and that no business will be operated from it. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition of the project and there were none. Hearing no questions from the Board Jerry Wickett made a motion to close the public hearing and Ron Schneider seconded. The motion carried with the following vote:

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

Scott Stearns made a motion to approve both buildings as presented as a public hearing was held and there was no opposition; no business shall be operated from either of the buildings; they meet all of our setback regulations and are in character of the neighborhood.

Ron Schneider seconded and the motion carried with the following vote:

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

The request of Colin Hutcheon for a special permit in a Residential 1 zone to allow him to a 20' X 24' pole barn and a 22' X 22' pole barn at his residence at 2644 Falls 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 July 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 Residential 1 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. 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 accessory building is for personal use only and no business shall be operated from it.

**David Sly, 4139 Rockwell Rd. – solar panels**

A public hearing was held for a special permit to allow solar panels on his property. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Sly explained that the panels are not visible from the road but can be seen from the lot that is a corn field. The panels will meet all setback and size requirements. Mr. Wickett stated that due to the location additional screening will not be necessary. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition of the project and there were none. Hearing no questions from the Board Jerry Wickett made a motion to close the public hearing and Ron Schneider seconded.

The motion carried with the following vote:

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

Scott Stearns made a motion to approve the solar panels as presented as a public hearing was held and there was no opposition; they meet all of our setback and size regulations and are in character of the neighborhood.

Ron Schneider seconded and the motion carried with the following vote:

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

The request of David Sly for a special permit in a Residential 1 zone to allow him solar panels at his residence at 4139 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 July 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 Residential 1 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. 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.

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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.

The meeting was adjourned at 9:00 PM

Respectfully submitted,

Karen Cotter  
Secretary