

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

November 2, 2020

Present: Chairperson Jerry Wickett, Ron Schneider, Scott Stearns
Chris Christensen
Absent: Kathy Carroll
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 Marcellus Town Hall for the Town of Marcellus, located at 24 East Main St., Marcellus, New York, on November 2, 2020 at 7:00pm.

SPECIAL PERMITS – PUBLIC HEARINGS

Marietta Metal Fab – (Jeffrey Unger) 2590 Pleasant Valley Rd – signs/storage

Public hearings were held requesting a freestanding sign, a sign on the existing building and an 8' X 40' storage container. Mr. Unger submitted a modified drawing indicating the corrected dimensions of his sign request. He agreed to screen the west side of the storage container and the signs meet all of our zoning requirements. Hearing no further questions from the Board, Chris Christensen made a motion to close the public hearings. Ron Schneider seconded and the motion carried with the following vote:

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

Storage Container -

Chris Christensen made a motion to approve the 8' X 40' storage container per the location on the approved site plan; a public hearing was held and there was no opposition; it is allowable in the Business zone; and the applicant will provide and maintain screening along the west side of the container. Ron Schneider seconded and the motion carried with the following vote:

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

The request of Jeffrey Unger for a special permit in a Business zone to allow him to place an 8' X 40' storage container at his business at 2590 Pleasant Valley 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 2, 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 Business zone: and

WHEREAS: There will be no undesirable change in the character of the neighborhood or detriment to nearby properties: 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. He must provide screening along the west side of the storage container and maintain the screening

Signs

The request of Marietta Metal Fab (Jeffrey Unger) for a special permit in a Business zone to allow him to place a new freestanding sign and a wall sign at his business at 2590 Pleasant Valley Rd., Marcellus, New York.

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WHEREAS: The applicant is located in a Business 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 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 a Freestanding and wall sign

Doug Fellows, 3001 Pleasant Valley Rd – 24' X 38' accessory building

A public hearing was held requesting a 24' X 38' accessory building. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Fellows had incorrect setbacks on the application. The corrections were made, initialed and dated. This building is to be used to store his tools and those types of items. It will be a cold storage building only with no plans for power or heat. He will use the existing driveway for access. There will be no business operated from it. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or opposition of the project and there were none. Hearing no further questions from the Board Scott Stearns 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
Chris Christensen – aye

Chris Christensen made a motion to approve the project in the location presented on the map; a public hearing was held and there was no opposition; there will be no electricity or power in the building; there will be no new access required; it is for personal use only and no business shall be operated from it and it is in the character of the neighborhood. Ron Schneider seconded and the motion carried with the following vote:

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

The request of Doug Fellows for a special permit in an Agricultural zone to allow him to construct a 24' X 38' accessory building at his residence at 3001 Pleasant Valley 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 2, 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 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 or stored in it

Gary Rolfe, 2933 Route 174 – 40' X 60' accessory building

A public hearing was held requesting a 40' X 60' accessory building. The secretary, Karen Cotter, read the legal notice into the minutes. Mr. Rolfe explained that he races cars every weekend as well as working on repairs on them and he would like to have a garage or building to do it in.

He is requesting two (2) doors to make it easier to back the vehicles into it. He also sometimes works on vehicles that don't run and it would be very difficult to move them around. There will be no power or heat in the building and the doors would face Route 174. He will use the existing driveway off of 174 for access. The existing garage is off of Coon Rd and is located under the house and is too small to be used as a true garage. The Chair, Jerry Wickett asked if anyone would like to speak in favor or opposition to the project. Mr. Wickett stated that he was an officer of the Lion's Club whos' property abuts Mr. Rolfe's and they would be in favor of the project. There was no opposition. There was additional discussion regarding having only one (1) overhead door and Mr. Rolfe reiterated how difficult that would be. There will be no business operated from the building. Hearing no further questions from the Board Scott Stearns made a motion to close the public hearing and Chris Christensen seconded. The motion carried with the following vote:

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

Jerry Wickett made a motion to approve the project in the location presented on the map; a public hearing was held and there was no opposition and one (1) person spoke in favor of the project; there will be no electricity or power in the building; there will be no new access required; the Board approved two (2) doors as the applicant has no existing functioning garage on the property; it is for personal use only and no business shall be operated from it; and it is in the character of the neighborhood. Ron Schneider seconded and the motion carried with the following vote:

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

The request of Gary Rolfe for a special permit in a Residential 1 zone to allow him to construct a 40' X 60' accessory building at his residence at 2933 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 November 2, 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 or stored in it

MINUTES -

Jerry Wickett made a made a motion to waive the reading of the October minutes and accept as distributed. Chris Christensen seconded and the motion carried with the following vote:

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

The meeting was adjourned at 7:35 PM

Respectfully submitted,

Karen Cotter
Secretary