

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

June 6, 2022

Present: Chairperson Jerry Wickett, Chris Christensen Scott Stearns,
Kathy Carroll
Absent: Ron Schneider
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 22 East Main St., Marcellus, New York, on June 6, 2022 at 6:30pm.

Jerry Wickett made a motion due to the July 4th holiday the next Zoning Board of Appeals meeting will be held on Thursday, July 7, 2022. Scott Stearns second and the motion carried with the following vote:

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

PUBLIC HEARING – SPECIAL PERMIT

Laura Luebner, 2786 Slate Hill Rd. – 30’ x 40’ accessory building

A public hearing was held for special permit to allow construction of a 30’ x 40’ accessory building. The secretary, Karen Cotter, read the legal notice into the minutes. Ms. Luebner advised that she had tools and garden equipment that will be stored in the building. The building will have power but no additional access or new driveway, no lighting, and no sign. The Chair, Jerry Wickett, asked if anyone would like to speak in favor of /or in opposition to the project and there was none. Hearing no further questions, Chris Christensen made a motion to close the public hearing.

Scott Stearns second and the motion carried with the following vote:

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

Kathy Carroll made a motion to approve the project as presented as a public hearing was held and no one was in opposition to the project; no business will be operated in and/or from the building – it will be for personal use only; there will be no lighting or sign or new driveway. Scott Stearns second the motion and it carried with the following vote:

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

The request of Laura Luebner for a special permit in an Agricultural zone to allow her to construct a 30' x 45 accessory building at his at 2786 Slate Hill Rd., Marcellus, NY.

The Zoning Board of Appeals of the Town of Marcellus met in Regular Session in the Town Hall of the Town of Marcellus, 22 E. Main Street, Marcellus, NY, on June 6, 2022, commencing at 6:30 pm, 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 structure is for personal use only and no business shall be operated from and/or in it.

Melody and Kevin Wade, 4385 Freeport Cir. – 28’ x 14’ accessory building

A public hearing was held for a 28’ x 14’ accessory building. The applicant originally also submitted an application for an area variance but because this property is a corner lot the area variance was not needed. The Planning Board will request that the Town Board refund Mr. and Mrs. Wade the application fee for the area variance. The building will be used to store a tractor, trailer, and additional garden equipment. It will have no power, no separate access or additional driveway is required. No business shall be run from it and/or in it. Hearing no further questions from the board Chris Christensen made a motion to close the public hearing. Scott Stearns second in the motion carried with the following vote:

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

Chris Christensen made a motion to approve the accessory building as it is in the character of the neighborhood, no separate access will be required, meets all setbacks, and no business shall be operated in it and/or from it. Scott Stearns second in the motion carried with the following vote:

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

The request of Laura Luebner for a special permit in an Agricultural zone to allow her to construct a 30' x 45 accessory building at his at 2786 Slate Hill Rd., Marcellus, NY.

The Zoning Board of Appeals of the Town of Marcellus met in Regular Session in the Town Hall of the Town of Marcellus, 22 E. Main Street, Marcellus, NY, on June 6, 2022, commencing at 6:30 pm, local time at which time and place the following Resolution was moved, seconded and passed.

WHEREAS: The applicant is located in a Residential 1 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 structure is for personal use only and no business shall be operated from and/or in it.

PUBLIC HEARING - AREA VARIANCE

Jeffrey Smith, 2828 Rose Hill Rd. – side yard variance

Mr. Smith would like to construct an addition onto his house that would include adding a bedroom and additional living space. He is requesting a side yard variance reduction of 6' from 20' to 14' in an agricultural zone. Mr. Smith advised that he has already discussed the project with his neighbors' closest to the lot line Mr. and Mrs. Snell and they have no issue with the project. There house is located approximately 20 feet from their sideline. Hearing no questions from the board Jerry Wickett made a motion to close the public hearing and Chris Christensen second. The motion carried with the following vote:

Jerry Wickett – aye
Chris Christensen - aye

Scott Stearns – aye
Kathy Carroll – aye

This project will go to a public hearing at the July meeting.

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

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

Jerry Wickett made a motion to adjourn the meeting and Scott Stearns seconded. The motion passed with the following vote:

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

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The meeting was adjourned at 8:30 PM

Respectfully submitted,

Karen Cotter
Secretary