

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

**September 7, 2023**

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

**Absent:**

**Town Counsel:** James 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 Town Hall for the Town of Marcellus, located at 22 East Main St., Marcellus, New York, on September 7, 2023 at 6:30pm.

**Public Hearing – Special Permit**

**Dean Bell, 4030 Slate Hill Rd. – 12’ x 24’ accessory structure**

A public hearing was held for a special permit to allow construction of a 12’ x 24’ accessory building. The secretary Joanna Clarke read the legal notice into the minutes. Dean Bell was present to discuss the project. Mr. Bell submitted a new drawing with changes to the dimensions; from 12’x 24’ to 12’x 20’. Mr. Bell explained he would like to construct a utility building to store his personal equipment. Access to the shed would come off of the existing driveway and he has no plans for electricity. The shed roof will have a six (6) inch overhang.

The Chair, Jerry Wickett, asked if there was anyone who would like to speak in favor or in opposition to the project and there was none. Jerry Wickett made a motion to close the public hearing and Ron Schneider seconded. The motion carried with the following vote:

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

**Special Permit Resolution:**

Scott Stearns made a motion to approve the special permit as a 12’ x 20’ accessory structure. A public hearing was held and there was no opposition, meets all of the requirements, and fits with the character of the neighborhood. Ron Schneider seconded, and the motion carried with the following vote:

Jerry Wickett – aye

Scott Stearns – aye

Ron Schneider – aye

Chris Christensen – aye

Kathy Carroll - aye

The request of Dean Bell for a special permit in a Residential 1 zone to allow him to construct a 12' x 20' accessory structure at his residence for 4030 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 September 7, 2023, 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. Applicants 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 or in it.

### **Special Permit**

#### **William Veit, 2719 Otisco Valley Rd – Critical Environmental Area**

Minutes are recorded under Planning Board dated September 7, 2023.

### **Stormwater Runoff**

Codes Officer John Houser requested to move this discussion to a later date.

### **Discussion**

Chris Christensen inquired if a notification was sent to Sunset Ridge Golf Club regarding the property damage on Chilmark Drive. Town Counsel James Gascon sent a letter notifying them of the provision in the resolution for their special permit as discussed in the July 6, 2023 meeting. Mr. Gascon stated they are on notice and have one year to correct the problem.

**Minutes**

Jerry Wickett made a motion to waive the reading of the August minutes and accept as distributed. Ron Schneider seconded, and the motion carried with the following vote:

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

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

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

The meeting was adjourned at 9:15 PM.

Respectfully submitted,

Joanna Clarke  
Secretary