

The Town of Marcellus
ZONING BOARD OF APPEALS
22 East Main Street
Marcellus, New York 13108

Date: **October 7, 2024**

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

Absent: Jerry Wickett

Town Counsel: James 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 on October 7, 2024 at 6:30pm in the Marcellus Town Hall located at 22 East Main St., Marcellus, New York.

PUBLIC HEARING– Special Permit Continued

Gordon & Linda McCaffer

4985 N.E. Townline Rd.

30' x 40' Accessory Building

A continuation of a public hearing was held for Gordon and Linda McCaffer. Both were present to discuss the special permit application. The McCaffer's submitted an updated scaled drawing that includes all of the permanent structure on their property. Pictures showing visibility of the back yard from the road and neighbors yard on each side of their property were submitted as well. Mr. McCaffer explained they would like to build a pole barn to be placed where the current shed is located. That shed would be moved to the other side of the property. Both structures would meet all setbacks. The new pole barn would be for personal storage only with electrical inside and one light outside by the door. Chris Christensen pointed out this would be the only building of this size in that area and doesn't feel it keeps with the character of the neighborhood. Codes Officer John Houser stated the proposed building fits within our current zoning regulations.

Chairman Stearns asked if there was anyone who would like to speak in favor or in opposition to the special permit and there was none. Chris Christensen made a motion to close the public hearing and Ron Schneider seconded. The motion carried with the following vote:

S. Stearns, K. Carroll, C. Christensen, R. Schneider – AYE

J.Wickett - Absent

Kathy Carroll made a motion to approve the special permit as a public hearing was held and no one spoke in favor or opposition. The building will be used for personal storage only, outdoor lighting will be installed to face downward, and there will be no driveway or gravel access. Ron Schneider seconded and the motion carried with the following vote:

S. Stearns, K. Carroll, C. Christensen, R. Schneider – AYE

J.Wickett – Absent

The request of Gordon and Linda McCaffer for a special permit in a Residential-1 zone to allow them to construct a 30' x 40' accessory building at their residence for 4985 North East Townline 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 October 7, 2024 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.

PUBLIC HEARING – Special Permit

David Haney

4297 Slate Hill Rd.

30' x 30' Accessory Building

A public hearing was held for a special permit for a 30' x 30' accessory building. The secretary read the legal notice into the minutes. David Haney was present to discuss the special permit application. Mr. Haney explained that he would like to construct a building to be used for personal storage. The building would be placed directly behind the current garage, but not attached. No heat or electricity inside but Mr. Haney plans to install outdoor solar lighting for security. He understands the lighting needs to face downward. The septic system is located in the NW corner of the property which is far enough away from the proposed building.

Chairman Stearns asked if there was anyone who would like to speak in favor or in opposition to the special permit and there was none. Chris Christensen made a motion to close the public hearing and Ron Schneider seconded. The motion carried with the following vote:

S. Stearns, K. Carroll, C. Christensen, R. Schneider – AYE

J.Wickett - Absent

Kathy Carroll made a motion to approve the special permit as a public hearing was held and no one spoke in favor or opposition. The building will be used for personal storage only and the outdoor lighting will be installed to face downward. Chris Christensen seconded adding the property in the B-1 zone and keeps with the character of the neighborhood. The motion carried with the following vote:

S. Stearns, K. Carroll, C. Christensen, R. Schneider – AYE

J.Wickett – Absent

The request of David Haney for a special permit in a Business-1 zone to allow him to construct a 30' x 30' accessory building at his residence for 4297 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 October 7, 2024 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 Business-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:

3. Applicants must apply for a building permit that grants permission for construction.
4. The accessory structure is for personal use only and no business shall be operated from or in it.

DISCUSSION

Chairman Stearns asked the Board to review recommended changes to accessory buildings under the Lot and Building Limitations table and return next month with feedback. Once the Board reviews, Chairman Stearns would like to make the changes as soon as possible depending on budgets.

MINUTES

Kathy Carroll made a motion to waive the reading of the September minutes and accept as distributed, Ron Schneider seconded. The motion carried with the following vote:

S. Stearns, K. Carroll, C. Christensen, R. Schneider – AYE

J.Wickett - Absent

Kathy Carroll made a motion to adjourn the meeting and Chris Christensen seconded. The motion carried with the following vote:

S. Stearns, K. Carroll, C. Christensen, R. Schneider – AYE

J.Wickett - Absent

The meeting was adjourned at 7:55pm.

Respectfully submitted,

Joanna Clarke

Secretary