

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

Date: December 2, 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 December 2, 2024 at 6:30pm in the Marcellus Town Hall located at 22 East Main St., Marcellus, New York.

PUBLIC HEARING–Special Permit

Jerod & Bridget Macko
3924 Aquinnah Heights
24' x 40' Accessory Building

A public hearing was held for a special permit for a 24' x 40' accessory building. The secretary read the legal notice into the minutes. Jerod Macko was present to discuss the special permit application. Mr. Macko stated he would like to construct a pole barn for personal storage. The building will be constructed at the top of his driveway and accessed from the driveway. A row of pine trees along the side would screen the building from the neighbor to the East. Mr. Macko spoke with the neighbor who stated they have no issues with the proposed building. The building will have power inside only, no outdoor lighting.

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. Kathy Carroll 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 applicant conferred with his neighbor who had no issues with the accessory building. No heat, and lighting will be inside only. Chris Christensen seconded re-iterating the approval is for a special permit. The motion carried with the following vote:

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

The request of Jerod & Bridget Macko for a special permit in a Residential-1 zone to allow them to construct a 24' x 40' accessory building at their residence for 3924 Aquinnah Heights, 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 December 2, 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.

John R. Conley
4876 Lawless Rd.

30' x 40' Accessory Building

12' x 24' Accessory Building

A public hearing was held for a special permit for a 30' x 40' and 12' x 24' accessory building. The secretary read the legal notice into the minutes. John R. Conley was present to discuss the special permit applications. Mr. Conley stated he would like to build a pole barn that is large enough to fit his camper, classic cars, and atv's. The 12' x 24' shed already exists on the property that he intends to keep but needs reviewed for a special permit as well. Mr. Conley clarified the 30' x 40' structure would be 19' to the peak and the 12' x 24' structure is 13' to the peak. Both structures will be used for personal storage. Mr. Conley intends to install flood lights on the larger pole barn and will make sure they are shielded from the neighbors.

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 Kathy Carroll 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 both special permit applications (30' x 40' and 12' x 24') as a public hearing was held and no one spoke in favor or opposition. The outdoor lighting will be installed to face downward. Chris Christensen seconded adding that the buildings will be used for personal storage, no business will be conducted out of them, and they both keep within 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 John R. Conley for a special permit in a Residential-1 zone to allow him to construct a 30' x 40' and a 12' x 24' accessory building at his residence for 4876 Lawless 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 December 2, 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.

David Killian

2964 Howlett Hill Rd.

30' x 40' Accessory Building

A public hearing was held for a special permit for a 30' x 40' accessory building. The secretary read the legal notice into the minutes. Dave Killian was present to discuss the application. Mr. Killian stated he will be building his home on this lot and would like to build the accessory structure at the same time. Mr. Killian submitted the house plans and obtained a building permit for the home. The accessory structure will have electricity and heat and the external lights will not affect the neighbors. The placement of the house and accessory structure will be at least 200' from the front set back since the septic system will be placed in the front yard. Mr. Killian's plan is to place the accessory structure further back/behind the home.

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 Kathy Carroll 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 contain electricity and heat, and the outdoor lighting will be installed to face downward. No business will be conducted from the accessory structure. Chris Christensen seconded and the motion carried with the following vote:

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

J. Wickett – Absent

The request of David Killian for a special permit in a Residential-1 zone to allow him to construct a 30' x 40' accessory building at his residence for 2964 Howlett 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 December 2, 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.

Special Permit Modification

Sunset Ridge Golf Club

2814 W. Seneca Tpk.

Driving Range Barrier

Refer to PB 11/04/24 minutes.

DISCUSSION

Chairman Stearns reminded the Board to review the proposed changes to the accessory building regulations.

MINUTES

Ron Schneider made a motion to waive the reading of the November minutes and accept as distributed, Kathy Carroll 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 Ron Schneider 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 7:30 PM.

Respectfully submitted,
Joanna Clarke, Secretary