

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

Date: January 6, 2025

Present: Chairperson Scott Stearns, Chris Christensen, Ron Schneider, Mark Taylor,
Jerry Wickett

Absent: Kathy Carroll

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 January 6, 2025 at 6:30pm in the Marcellus Town Hall located at 22 East Main St., Marcellus, New York.

Jerry Wickett made a motion to appoint Mark Taylor as a temporary member for this meeting. Ron Schneider seconded, and the motion carried with the following vote:

S. Stearns, R. Schneider, J. Wickett – AYE

C. Christensen – Not Voting

K. Carroll – Absent

PUBLIC HEARING–Special Permit

Joshua & Jennifer Swearingen

4186 Summit View Dr.

24' x 24' Accessory Building

A public hearing was held for a special permit for a 24' x 24' accessory building. The secretary read the legal notice into the minutes. Joshua Swearingen was present to discuss the application. Mr. Swearingen stated that they would like to build a pole barn for personal storage with electricity inside only – no outdoor lighting. The building opening would face Summit View Drive. Jerry Wickett advised Mr. Swearingen that an additional road cut facing the pole barn is not allowed.

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. Jerry Wickett made a motion to close the public hearing and Ron Schneider seconded. The motion carried with the following vote:

S. Stearns, R. Schneider, M. Taylor, J. Wickett – AYE

C. Christensen – Not Voting

K. Carroll – Absent

Jerry Wickett made a motion to approve the special permit as a public hearing was held and no one spoke in favor or opposition. The applicant was advised that no additional road cut is allowed on the

property, the building will have electricity inside and be used for personal storage only. The building will not make an undesirable change in the character of the neighborhood. Ron Schneider seconded, and the motion carried with the following vote:

S. Stearns, R. Schneider, M. Taylor, J. Wickett – AYE
C. Christensen – Not Voting
K. Carroll – Absent

The request of Joshua and Jennifer Swearingen for a special permit in a Residential-1 zone to allow them to construct a 24' x 24' accessory building at their residence for 4186 Summit View Dr., 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 January 6, 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

Tim's Pumpkin Patch – Tim & Erica Leubner
2901 Rose Hill Rd.

Refer to PB 01/06/25 meeting minutes for discussion on the site plan amendment. A special permit is not needed at this time but the application will stay on file until the site plan review is completed. At that time it will be determined if a special permit is needed.

DISCUSSION – Accessory Buildings

Jerry Wickett made a motion to approve the proposed changes for the accessory use buildings and recommends review by the Town Board for it's review and consideration. Mark Taylor seconded and the motion carried with the following vote:

S. Stearns, R. Schneider, M. Taylor, J. Wickett – AYE
C. Christensen – Not Voting
K. Carroll – Absent

MINUTES

Jerry Wickett made a motion to waive the reading of the December minutes and accept as distributed, Mark Taylor seconded. The motion carried with the following vote:

S. Stearns, R. Schneider, M. Taylor, J. Wickett – AYE

C. Christensen – Not Voting

K. Carroll – Absent

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

S. Stearns, R. Schneider, M. Taylor, J. Wickett – AYE

C. Christensen – Not Voting

K. Carroll – Absent

The meeting was adjourned at 7:35 PM.

Respectfully submitted,

Joanna Clarke

Secretary