VILLAGE OF MARCELLUS
ZONING BOARD

Jeffrey Averill, Chair
Kathleen Kershaw
Kimberly Spitzer
Keith Spencer
Christopher Neverette

Mayor: Chad A. Clark
Village Clerk: Charnley A. Abbott
Code Enforcement Official: Paul E. Stacey

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July 21, 2026 Special Meeting
Marcellus Village Hall

PRESENT: ZBA Chair Jeff Averill, ZBA members Katheleen Kershaw, Kimberly Spitzer and Christopher Neverette, Village Clerk Charnley Abbott, Code Enforcement Officer Paul E. Stacey, Marcellus Free Library Director Sophia Brandt, Keplinger Freeman Landscape Architect Vincent Ryan, Ed Heinrich, Upper Crown Condominium Homeowners Association (HOA) President.

See List

Absent: Keith Spencer

Pledge of Allegiance

Chairman Averill opened the special meeting at 7:03 p.m. He stated that the purpose of the meeting was to consider an application submitted by the Marcellus Free Library, 32 Maple Street, requesting an area variance to allow construction of a pergola that would encroach into the required three-foot side yard setback. The Planning Board approved the associated Site Plan on June 17, 2026, contingent upon the granting of the requested variance.

Vincent Ryan, Landscape Architect with Keplinger Freeman, presented the plans to the Board and discussed the proposed pergola to provide shade to the performers and those using the area. The pergola is proposed to be roughly 18 inches from the property line and stated that the post of the pergola will not be within the setback, only the overhang will be within the 3-foot requirement. Ed Heinrich stated that the HOA is in support of the project as any concerns they expressed during Site Plan Review have been addressed. Chairman Averill asked if anyone wished to submit additional information to the Board. Hearing none, the public portion of the discussion concluded. The Board considered the five statutory factors required for area variances under New York State Village Law. After discussion, the Board found that each factor weighed in favor of granting the variance. Kimberly Spitzer made a motion, seconded by Chris Neverette, to grant the area variance. Chairman Averill asked if there was any discussion, hearing none, Chairman Averill called for a vote. All members voted aye and the motion carried.

Chairman Averill asked if there were any items from the floor to be heard by the ZBA. Hearing none, Kimberly Spitzer made a motion, seconded by Jeff Averill, to adjourn the meeting. All members voted aye and the meeting was closed at 7:09 p.m.

Respectfully Submitted,

Charnley A. Abbott, Village Clerk