

VILLAGE OF MARCELLUS ZONING BOARD

Jeffrey Averill, Chair
Kathleen Kershaw
Kimberly Spitzer
Maribeth Rayfield
Keith Spencer

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

July 9, 2024 Special Meeting

PRESENT: ZBA Chair Jeff Averill, ZBA members Maribeth Rayfield, Kathleen Kershaw and Keith Spencer, Village Clerk Charnley Abbott, Code Enforcement Official Paul E. Stacey, Michael Harvard, owner 44 West Main Street, Marcus Andrews, Stewart's Shops representative, Heidi Randall, owner 3 Orange Street.

See List

Absent: None

Pledge of Allegiance

Chairman Averill opened the meeting at 7:00pm.

Chairman Averill stated that the purpose of the meeting was to accept the applications for area variances requested by Michael Harvard, owner of 44 West Main Street, to construct a two-car garage, and Stewart's Shops/Richard Nojaim, owner of 27 East Main Street, for a proposed 8' fence and plantings on the northern and eastern boundaries of 27 East Main Street bordering 3 Orange Street, and proposed 35 sq ft sign at 27 East Main Street.

Maribeth Rayfield made a motion, seconded by Keith Spencer, to waive the reading of the public notice.

44 West Main Street: Chairman Averill opened the floor to Michael Harvard to present his application for an area variance in regards to lot coverage and setback requirements. Chairman Averill stated that the Code of the Village of Marcellus allows 30% lot coverage and requires 26.92' setback for the proposed project. The applicant proposes to remove one shed, relocate one shed, and remove an existing brick patio to construct a two-car garage. The proposed relocated shed would have a 3' setback, and 8.3' setback for the proposed garage, therefore requiring a variance from the ZBA. The proposed site plan was approved by the Planning Board on 5/15/24, and Onondaga County has reviewed the project pursuant to GML 239 and determined that there were "no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board." The Drawings and SEQR Part 1 were submitted and reviewed by the Planning Board and the Board of Trustees, with a determination of "No position" from each Board. At the request of the DPW Superintendent, Chairman Averill confirmed that there will be no connection to the Village wastewater or stormwater management systems and no floor drain will be installed. Chairman Averill asked if there was any other information to submit to the Board, there was none. Chairman Averill made a motion, seconded by Keith Spencer, to accept the application for an area variance and set the required public hearing on the matter. Chairman Averill asked if there was any discussion, hearing none, Chairman Averill called for vote. All members voted aye and the motion carried.

27 East Main Street: Chairman Averill opened the floor to Marcus Andrews, representative from Stewart's Shops, to present their application for area variances for an 8' fence on the property line shared with 3 Orange Street and a proposed 35 square foot monument sign. The Village Code allows for a 6' fence and a 6 square foot sign, therefore area variances are required. Mr. Andrews stated that he has met with the owners of 3 Orange Street, and they are

satisfied with the proposed fence and plantings. The proposed fence would be 8' in height along the Eastern property line and northern property line to the front of the house. From the front of the house to the lot line on Orange St, the fence would go from 8' to 6' to 4' to allow for sight distance when exiting the driveways. The proposed monument sign would stand 7' 2", will be located where the existing building sits, and will be visible to those travelling on Main Street. The sign will be externally lit and will have a stone base. Both projects have been submitted to Onondaga County pursuant to GML 239 and will be reviewed on July 10, 2024. The SEQR Part 1 has been submitted, both applications are "Unlisted Actions" and do not require further County review. The Planning Board has discussed both the fence proposal and the sign proposal at length during the Site Plan review process, and have determined that the proposals submitted to the ZBA are the best fit for the Village and the neighboring properties. Chairman Averill asked if there was any other information to submit to the Board, there was none. Maribeth Rayfield made a motion, seconded by Keith Spencer, to accept the application for an area variance for the fence, and set the required public hearing on the matter. Chairman Averill asked if there was any discussion, hearing none, Chairman Averill called for vote. All members voted aye and the motion carried. Maribeth Rayfield made a motion, seconded by Keith Spencer, to accept the application for an area variance for the sign, and set the required public hearing on the matter. Chairman Averill asked if there was any discussion, hearing none, Chairman Averill called for vote. All members voted aye and the motion carried.

Announce Public Hearing- Maribeth Rayfield made a motion, seconded by Keith Spencer, to set the public hearings on the matters above and publish the following legal notice:

VILLAGE OF MARCELLUS
BOARD OF TRUSTEES, PLANNING BOARD,
AND ZONING BOARD OF APPEALS
NOTICE OF MEETING LOCATION CHANGE, SPECIAL MEETINGS,
CHANGE OF MEETING DATES, AND PUBLIC HEARINGS

PLEASE TAKE NOTICE that the Board of Trustees, the Planning Board, and the Zoning Board of Appeals (ZBA) of the Village of Marcellus, New York, will conduct meetings at the Marcellus Free Library, 32 Maple Street, Marcellus, New York 13108 on July 22, 2024, starting at 7:00 pm prevailing time. The Village Board meeting was originally scheduled to take place at the Village Hall on July 22, 2024, the Planning Board meeting was originally scheduled to take place on July 17, 2024 at the Village Hall, and the ZBA meeting is a special meeting not previously scheduled. A joint public hearing will be held at 7:15 pm at the Marcellus Free Library during which the Village Board will consider the granting of a Special Use Permit to allow gas pumps at 27 East Main Street and the ZBA will consider the granting of an area variance to construct a 24' X 26' garage at 44 West Main Street and to consider the granting of area variances to construct an 8' fence and plantings at the northern and eastern boundaries of 27 East Main Street bordering 3 Orange Street, and to construct a 35 sq ft sign at 27 East Main Street. All interested parties will have the opportunity to be heard at the scheduled hearing. The boards may also consider any other issue that comes before them. Copies of supporting documents are on file at the office of the Village Clerk.

Chairman Averill asked if there were any items from the floor. Hearing none, Maribeth Rayfield made a motion, seconded by Keith Spencer, to close the meeting. All members voted aye and the meeting was closed at 7:18pm.

Respectfully Submitted,

Charnley A. Abbott, Village Clerk