

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

**Date:** March 3, 2025

**Present:** Chairperson Scott Stearns, Chris Christensen, Ron Schneider, Jerry Wickett  
**Absent:** Kathy Carroll  
**Town Counsel:** James Gascon of Costello, Cooney, and Fearon  
**Town Engineer:** TDK Engineering (Absent)  
**Codes Officer:** John Houser

The Zoning Board of Appeals of the Town of Marcellus met in regular session on March 3, 2025 at 6:30pm in the Marcellus Town Hall located at 22 East Main St., Marcellus, New York.

**SPECIAL PERMIT– MODIFICATION**

Sunset Ridge Golf Club  
2814 W. Seneca Tpk.  
*Driving range barrier*

Andy Myers and Phil Kless were both present to continue discussions regarding the proposed driving range barrier. The golf course is proposing a barrier consisting of three (3) poles, around 36 feet in height, mesh netting, and spanning 75 yards along the driving range. The barrier will be placed along the property of the neighbor who submitted complaints.

Chairman Stearns spoke with the primary complainant residing at 4367 Chilmark Street who reviewed the proposed barrier specifications and location. The complainant stated they were satisfied with the proposal and had no concerns. It was decided that a public hearing would not be necessary since the barrier most impacts the property of the owner who submitted the original complaint. The barrier will be black or brown in color and mostly obscured by trees along the property line.

Jerry Wickett made a motion to amend the Special Use Permit to include a requirement that the Sunset Ridge Golf Club install a driving range barrier as proposed by the applicant which shall consist of three (3) poles 30-40 feet in height, approximately 75 yards long, and mesh netting strung with cable along the top between the poles. Chris Christensen seconded and the motion carried with the following vote:

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

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 March 3, 2025, commencing at 6:30pm, 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,** The Town of Marcellus received complaints of errant golf balls striking a house along the Eastern border of the driving range and Sunset Ridge Golf Course is required to construct a barrier upon receipt of complaints pursuant to the August 4, 2003 ZBA resolution approving the Special Use Permit; and

**WHEREAS,** There will be no undesirable change in the character of the neighborhood or detriment to nearby properties; 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

**THEREFORE, BE IT RESOLVED** that said amendment to the Special Use Permit be granted upon the following conditions:

1. The barrier will consist of three (3) poles 30-40 feet in height, approximately 75 yards long, and mesh netting strung with cable along the top between the poles.
2. The driving range will not be open until the barrier is installed.
3. The Special Permit Modification is contingent on the Site Plan approval by the Planning Board.

#### **DISCUSSION**

Lando's Property Group, Anthony Dubar  
2930 Marietta Rd.

Anthony Dubar was present to discuss zoning for his property that was subdivided off of 2930 Marietta Rd. The lots are zoned R-1 and are approximately 2 acres each. Mr. Dubar would like to build a duplex on one of the lots, but the R-1 zone does not allow duplexes. Mr. Dubar is requesting the Town re-look at zoning for R-1 to include duplexes. Jerry Wickett stated the Comprehensive Plan that was adopted in December 2024 does include changes to the R-1 zone to allow for additional types of housing, but those changes could take many months to introduce and adopt into law.

#### **MINUTES**

Chairman Stearns made a motion to waive the reading of the February minutes and accept as distributed and corrected, Jerry Wickett seconded. The motion carried with the following vote:

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

K. Carroll – Absent

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

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

K. Carroll – Absent

The meeting adjourned at 6:50 PM.

Respectfully submitted,  
Joanna Clarke  
Secretary