

TOWN OF MARCELLUS
ZONING BOARD OF APPEALS
22 East Main Street
Marcellus, New York 13108

Date: **May 4, 2026**

Board Members Present: Scott Stearns, Chairperson
Kathy Carroll
Chris Christensen
Ron Schneider
Jerry Wickett

Board Members Absent:

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 May 4, 2026, at 6:30 pm at Town Hall, 22 East Main Street, Marcellus, New York.

PUBLIC HEARING – AREA VARIANCE

Marcellus Ambulance Volunteer Emergency Services (MAVES), Inc.

3707 Lee Mulroy Road

A public hearing was held for a side yard area variance of 5.7 feet to reduce the required setback from 25 feet to 19.3 feet for construction of a 36 x 46 foot, three-bay garage and storage area addition. The Secretary read the legal notice into the minutes.

Bob Eggleston and Steve Knapp appeared on behalf of MAVES, which is requesting an addition to the front of their existing building for ambulance vehicle storage. Mr. Eggleston stated that MAVES currently has four vehicles on site, with three in the existing garage, one parked outside, and two additional vehicles stored at neighboring ambulance sites. He stated that emergency service regulations require all vehicles to be kept in a climate-controlled area and that the proposed addition would provide space to house all six vehicles on site. This space would also allow MAVES to maintain and stock vehicles for when vehicles are being serviced. He further explained that the addition must align with the existing garage to allow tandem parking. Expansion to the rear of the building is not feasible due to the location of the septic leach field, making the front addition the only viable option. Chris Christensen noted that the ZBA previously granted a more substantial side yard variance to the adjacent property to the West. Mr. Eggleston also submitted signatures of six neighboring property owners who are in support of the variance including the neighbor to the West, Fritz Estlinbaum, who would be directly impacted by this variance.

Chairman Stearns asked if there was anyone who would like to speak in favor or in opposition to the expansion and there was no opposition. Jeff Berwald, 18 Paul Street, Marcellus spoke in favor. Kathy Carroll made a motion to close the public hearing and Jerry Wickett seconded. The motion carried with the following vote:

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

Kathy Carroll made a motion to approve the area variance as a public hearing was held and no one spoke in opposition, one spoke in favor, and all six (6) neighboring property owners signed in support. The addition will provide climate-controlled storage space for all of the vehicles in one location. Jerry Wickett added that the variance request is minimal and required due to the unique shape of the lot and location of the septic field. Jerry Wickett seconded and the motion carried with the following vote:

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

The appeal of MAVES, Inc. for a side yard area variance in a Light Industry L-1 zone to allow construction of a 36 x 46-foot three (3) bay garage and storage addition on 3707 Lee Mulroy Road, Marcellus, New York.

The Zoning Board of Appeals of the Town of Marcellus met in Regular Session in the Town Hall of the Town of Marcellus, 22 East Main Street, Marcellus, NY, on May 4, 2026 commencing at 6:30 pm local time at which time and place the following Resolution was moved, seconded, and passed.

WHEREAS, notice of public hearing for the above captioned project was duly published in the official newspaper of the Town of Marcellus at least five (5) days prior to the date of such public hearing, and an affidavit of such publication was produced at the beginning of said public hearing and was ordered to be filed; and

WHEREAS, all additional notice thereof was given as required by Chapter 235 of the Town Law and Marcellus Zoning Ordinance; and

WHEREAS, the ZBA duly held the public hearing thereon at the time and place aforesaid and all persons desiring to be heard having been heard; and

WHEREAS, all Zoning Board of Appeals members had due notice of said public hearing and meeting, and, that pursuant to Section 94 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public and due and proper notice of the time and place thereof was duly given as required by law.

NOW THEREFORE BE IT RESOLVED that upon the application and upon the proofs and proceedings offered at the public hearing, which was or is hereby closed, the ZBA hereby makes the following:

Findings of Fact:

1. The subject premises is located at 3707 Lee Mulroy Road, Marcellus, New York.
2. The subject premises is Light Industry L-1, pursuant to the zoning map, which is part of the Zoning Ordinance of the Town of Marcellus.
3. The relief sought is: Section 235 Attachment 1 to allow a side yard setback area variance of 5.7 feet for construction of a 36 x 46-foot three bay garage and storage area addition.

4. No one appeared in opposition, one appeared in favor, and six (6) neighboring property owners signed a letter in favor.
5. Due to the unique shape of the lot, placement of the original building, and location of septic field, a variance is warranted.

Conclusions of Law:

1. The project will comply with all other setback requirements according to the zoning ordinance.
2. There will be no undesirable change in the character of the neighborhood or detriment to the nearby properties.

NOW THEREFORE in consideration of the above, the applicant's request for an area variance is hereby granted with the following contingencies:

1. Applicant must proceed to the Town Hall for a building permit and follow all Town Zoning Ordinance.
2. No use or occupancy is to be permitted until all conditions/and/or codes are complied with and a Certificate of Occupancy is issued by the CEO.
3. BE IT FURTHER RESOLVED that such approval is contingent upon compliance with the Planning Board resolution of February 2, 1987, regarding runoff:
That in all developments in the Town of Marcellus, the peak runoff flow rate of discharge from a proposed site after development shall not exceed the peak runoff flow rate that prevailed prior to development. In general, this requirement will necessitate the design and construction of detention/retention facilities of various types. The design frequency should be that of a twenty-five-year storm with an overflow facility to handle a one-hundred-year storm with no erosion.

MINUTES

Kathy Carroll made a motion to approve the April minutes as written, Chris Christensen seconded. The motion carried with the following vote:

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

Jerry Wickett 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, J. Wickett – AYE

The meeting adjourned at 7:35 pm.

Respectfully submitted,
Joanna Clarke
Secretary