

Zoning Board of Appeals

The Town of Marshall

Minutes of the Public Hearing of the Zoning Board of Appeals on 24 January 2024

A Public Hearing of the Zoning Board of Appeals (ZBA) of the Town of Marshall, County of Oneida, and the State of New York was held at the Town Hall, 2651 State Rt 12B, Deansboro NY, on this 7th day of February - 6:00 PM 2024

Present: J. McNair, D. Zweifel-Yaciuk, S. Morrone

Absent:/Excused:

Others Present: Thad Merriman, John J. Marzocchi, Deb Turner, Matthew Humphreys

This hearing was called to order by J. McNair at 18:00 by J. McNair.

After calling the meeting to order, J. McNair asked for a review of the Minutes of the January 24, 2024 hearing. The meeting minutes were revised to correct spelling errors in the names of participants.

On a motion by D. Zweifel-Yaciuk and seconded by S. Morrone, the following resolution was

ADOPTED: Ayes: 3, D. Zweifel-Yaciuk, S. Morrone, J. McNair, Nays: 0

RESOLVED that the Zoning Board of Appeals approved the minutes, as amended, from the January 24, 2024 public hearing.

The Board then heard testimony from those in attendance

1. Matthew Humphreys addressed the Board with concerns that a Country Club on the property owned by Dan Williams would increase the likelihood of additional trespassing on land that his parents-in-law owned that was directly adjacent. He also wanted to know by what criteria the current and proposed land uses were deemed appropriate to be called a Country Club.
2. Thad Merriman asked a question to clarify if the written comments submitted, public testimony given, documents received and reviewed and minutes of these public hearings were a part of the public record and thereby able to be accessed under the FOI Law. J. McNair indicated that yes, all of that was public record.
3. J. McNair then shared the information that he acquired from former CEO Ford and Current CEO Schreppel as well as email testimony that was shared by Debra Turner concerning her thoughts on the legality/propriety of the Country Club Operations Agreement shared by J. Marzocchi, as well as a timeline of her attempts to acquire information about the determination that Dan Williams could operate a Country Club from the Town of Marshall CEO Gary Schreppel and the Town Board. J. McNair then entertained questions or discussion about the information.
4. On a motion by D. Zweifel-Yaciuk and seconded by S. Morrone, the following resolution was **ADOPTED:** Ayes: 3, D. Zweifel-Yaciuk, S. Morrone, J. McNair, Nays: 0 **RESOLVED** that the Zoning Board of Appeals close the public hearing of Debra Turner's appeal of a Zoning Enforcement Officer's decision/interpretation.

5. Upon closing the hearing J. McNair led discussion as to how the Board would decide the appeal. The discussion centered around the four issues of: The timeliness of the appeal, the unusual situation created by allowing multiple individual lots to operate with many different land uses under the single legal structure of a Country Club, the need for further review of the existing and proposed land uses on the properties in question by the Town of Marshall Planning Board and legal counsel, the lack of evidence that any of the current or proposed land uses involve the structures that are customarily and legally a part of a Club.
6. J. McNair recorded the major points that the Board wanted included in the decision and volunteered to draft a decision which could be reviewed, revised and adopted as the official decision at a future public meeting. A special meeting of the ZBA was scheduled for February 15, 2024 at 6:30 PM at the Town Hall.

On a motion by J. McNair and seconded by S. Morrone, the following resolution was

ADOPTED: Ayes: 3, D. Zweifel-Yaciuk, S. Morrone, J. McNair, Nays: 0

RESOLVED that the Zoning Board of Appeals agrees to hold a Special Meeting on Thursday, February 15, 2024 at 6:30 PM in the Marshall Town Hall.

Executive Session

Executive Session:

No executive session was held.

Meeting adjourned 18: 51

Initials: jm

Date: 2/11/24

Cc: ZBA board/website/town board