

**TOWN OF CLARKSON – ZONING BOARD OF APPEALS**

**Minutes – April 2, 2008**

**PRESENT**

Conrad Ziarniak - Chairperson	Ursula M. Liotta - Deputy Town Clerk
Wade Radtke - Member	* Richard Olson - Town Attorney
Paul Dittman - Member	Larry Gurslin – Code Enforcement
Rick Sheffer - Member	
Jackie Smith - Member	* Excused

**CALL TO ORDER**

C. Ziarniak called the meeting to order at 7:00 pm., followed by the Pledge of Allegiance.

**OPEN FORUM**

1. **Wendy Dunham** introduced herself as the proposed purchaser of the home located at 3715 Lake Road. She is an occupational therapist who intends to live at the property with her two children, and use one room of the home for occupational therapy as a side business. C. Ziarniak explained that her request would fall under “customary home occupation” (CHO), which would be secondary to her residence; that Section 140-3A of the code lists seven (7) different criteria pertaining to a CHO.

The board stated that W. Dunham is required to apply to the ZBA for a special use permit for a CHO; that she needs to include a floor plan of the home; that the square footage required for the business should be less than 25% of the floor area within the home. Future discussion with the board will include: allowed signage (2 sq. ft.); parking; hours/days of operation; lighting; walk-ins, etc. W. Dunham was given a Zoning Board of Appeals application before she left.

2. **Joel Taylor** explained his situation re: his intent to add onto his existing garage and amend the roofline on his residence at 2025 Clarkson Parma Town Line Road. L. Gurslin explained to the board that the property is zoned RS-20 with a ten (10) foot setback; that he has given J. Taylor a building permit application, but he expects that it will be denied if J. Taylor pursues his intended plan because of the setback code. J. Taylor will need then to complete a ZBA application requesting a setback variance, and include all required pertinent information.

J. Taylor asked if he could draw up the visual plan himself to save the initial expense, and the board advised that he could, but it would need to be very specific; that he should include an instrument survey or tape location map showing the property in it's current state, and an updated instrument survey or tape location map showing the improvements he intends to make; provide the Board with photographs of the residence, and include construction details of the proposed improvements. J. Taylor was given a ZBA application before he left.

**NEW BUSINESS**      None

**OLD BUSINESS**

**Cyad Heckman** – his letter of withdrawal of the ZB application for an outdoor furnace was received on 3/14/08. He called the office on 3/31/08 regarding the recent D&C article entitled “Victor changes outdoor furnace law”; he intends to appear before the Town Board on 4/8/08 and ask to readdress the issue. Discussion was had with L. Gurslin re: the EPA requirements.

**PUBLIC HEARING**      None

**OTHER**

**Dr. Garg** – L. Gurslin gave an update on the matter; that there were issues w/the Trentos re: how the fence was being installed; that L. Gurslin intervened again with the parties and the fence contractor; that ultimately, the contractor convinced Dr. Garg how the fence should be properly installed.

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**Ward Bowen** – R. Sheffer inquired re: the status of the matter. L. Gurslin stated that W. Bowen will be preparing another Planning Board application for a fill permit for the additional three hundred (300) cubic yards of fill that is presently on his property.

L. Gurslin stated that he appreciates the fact that this board allows for open dialog with residents, even before they formally apply to the board.

### REVIEW OF MEETING MINUTES

C. Ziarniak made a motion to approve the minutes dated March 5, 2008; seconded by W. Radtke; unanimously carried.

### ADJOURNMENT

C. Ziarniak made a motion to adjourn at 7:45 p.m.; seconded by W. Radtke; unanimously carried.

### NEXT MEETING:

The board agreed to cancel the April 16, 2008 meeting due to the lack of a quorum. The legal notice will appear in the Clarkson-Hamlin Herald on April 6, 2008. The next scheduled meeting is May 7, 2008.

Respectfully Submitted,

Ursula M. Liotta  
Deputy Town Clerk