

TOWN OF CLARKSON – ZONING BOARD OF APPEALS

Minutes – October 15, 2008

PRESENT – Board Members

Conrad Ziarniak - Chairperson
Wade Radtke
Paul Dittman
Rick Sheffer *
Jackie Smith *

Support Board Members

Ursula M. Liotta, Dep. Town Clerk
Richard Olson, Town Attorney *
Larry Gurslin, Code Enforcement *

Excused *

CALL TO ORDER

C. Ziarniak called the meeting to order at 7:00 pm, dispensed with the Pledge of Allegiance, and reviewed the Agenda.

OPEN FORUM None

PUBLIC HEARING None

OLD BUSINESS

Re: Michael Scarpulla, 8089 West Ridge Road
Review of Instrument Survey re: placement of roadside sign (per N/D - 9/3/08)

The Applicant was contacted and a letter was sent to him regarding the specifics to resolve the matter regarding the accurate placement of the roadside sign and the instrument survey. The former owner was also contacted and he indicated that the remaining light socket in the ground for the roadside sign was on the subject property, and not in the NYS right-of-way. Applicant's surveyor will be sending an updated instrument survey with the sign location designated as such. The board expects to receive this before the November 5, 2008 meeting.

Re: Variance Questions

C. Ziarniak read aloud the email response from Pamela Dolliver, Assessor, dated October 2, 2008, with regard to this Board's minutes dated September 17, 2008, and more specifically, i.e.

"I have made inquiries with the surrounding towns (Hamlin, Sweden, Ogden and Parma) and these towns have indicated to me that the variance records are also maintained by their building departments."

Discussion followed, and the question still remains: for every variance, is there a building permit? The Board suggested that we ask the Code Enforcement Officer if he researches property files for previous variances in the normal course of business before issuing permits. C. Ziarniak will contact L. Gurslin requesting he include this step when reviewing building permit applications. P. Dittman stated that there are computer programs available that would allow for all information on a property to be entered for easy record keeping and accessibility.

NEW BUSINESS None

OTHER:

Re: John Kiba, 8354 Ridge Road, Tax Acct. #054.14-1-6.11 – review status

C. Ziarniak read aloud the email dated October 3, 2008 between R. Olson and L. Gurslin, wherein R. Olson stated that J. Kiba would be able to apply to the ZBA pending the court proceeding. Subsequently, on October 9, 2008, L. Gurslin sent a memo to Mr. & Mrs. Kiba including a ZBA application. Discussion followed regarding J. Kiba's statement at the last meeting, i.e.

"...that he would ask to have the "use variance" application fee waived".

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The Board concluded that J. Kiba would have to bring this request directly to the Town Board.

REVIEW OF MEETING MINUTES from October 1, 2008

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U. Liotta stated that L. Gurslin had asked her to make some changes to the unapproved minutes. The Board reviewed the changes, and C. Ziarniak commented that it is very unusual that someone not at a Board meeting request that the minutes be changed. Discussion followed and the minutes were amended. However, due to the fact that W. Radtke was absent from the September 17th meeting, he abstained from approving the minutes, and without a quorum present the minutes could not be approved. It was tabled to the next meeting on November 5, 2008.

ADJOURNMENT

C. Ziarniak made a motion to adjourn at 7:55 p.m.; seconded by W. Radtke; unanimously carried.

NEXT MEETING: November 5, 2008

Respectfully Submitted,

APPROVED 11/5/08

Ursula M. Liotta
Deputy Town Clerk