

TOWN OF CLARKSON – ZONING BOARD OF APPEALS

September 16, 2009

PRESENT – Board Members

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

Support Board Members

Richard Olson, Town Attorney *
Chad Fabry, Code Enforcement *
Ursula M. Liotta, Building Dept. Coordinator

Excused *

CALL TO ORDER:

C. Ziarniak called the meeting to order at 7:00 pm, led all present in the Pledge of Allegiance, and reviewed the agenda.

PUBLIC HEARING: None

OLD BUSINESS: None

NEW BUSINESS:

- 1. Robin C. Plummer dba LaBella Mela Boutique**
@ 7407 Ridge Rd. W. (behind Apple Tree Restaurant, formerly The Potting Shed)
Tax Acct. #070.01-1-23.1
Re: Application for Sign Permit

C. Ziarniak asked the Applicant to briefly explain the application. R. Plummer stated that she has leased the barn building behind the Apple Tree Inn (formerly leased by The Potting Shed), and intends to open a gift shop/boutique, thereby requiring new signage. The Board reviewed the rendering of the two “La Bella Mela Boutique” sign designs provided by the Applicant, specifically as follows:

- a. A 20.5” x 63” (7.5 sq. ft.) sign made out of ¾” MDO (medium density overlay), to be attached to the existing sign at the road; and
- b. A 31” x 96” (20 sq. ft.) sign made out of HDU (high-density urethane foam) to be attached to the N exterior wall of the barn building behind The Apple Tree Restaurant at said address, at a height of less than 14 feet .

The signs will be professionally made from weatherproof materials and they do not require additional lighting. J. Smith made a motion to schedule the Public Hearing for 10-7-09; second by P. Dittman; unanimously carried.

OPEN FORUM:

- 1. Tracie Walker, 3567 Sweden Walker Road – business sign advertisement**

T. Walker explained that she is working with a multi-level marketing internet-based business to sell a new product (an energy drink) that cannot be purchased in retail stores. She was curious about the possibility of putting a sign at the roadside of her residence on Sweden Walker Road to advertise the company name and her contact information.

After hearing T. Walker’s proposal, C. Ziarniak explained that this appears to be a request to operate a commercial retail business out of her residence; it is not zoned for this type of business. T. Walker further explained that she does not store or ship the product from her residence. C. Ziarniak stated that the Town code has provisions for Customary Home Occupations (CHO), i.e. accountants, surveyors, etc. that utilize a portion of their residences for business use; that a CHO would allow for a 2 sq. ft. sign. The type of business that T. Walker is involved in is strictly sales, meant for commercial (retail) zoning. Due to the home’s set-back from road and the speed of motor vehicle traffic past her location, T. Walker agreed that a 2 sq. ft. sign would not produce the intended results. After further discussion, T. Walker was advised that under current Town code, she could not be approved for a sign.

REVIEW OF MEETING MINUTES: September 2, 2009

NEXT MEETING: October 7, 2009 at 7:00 p.m.

ADJOURNMENT: W. Radtke made a motion to adjourn at 7:40 p.m.; seconded by J. Smith; unanimously carried.

Approved 10-7-09

Respectfully Submitted,
Ursula M. Liotta, Bldg. Dept. Coordinator