

TOWN OF CLARKSON – ZONING BOARD OF APPEALS

October 21, 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 HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS:

1. **Eric & Diana Gartz** – Area Variance Application - continued
@1901 Drake Road, Tax Acct. #039.04-1-8

C. Ziarniak reviewed the application and the Applicants' intentions. At the previous meeting, the Board requested that the Applicants provide an instrument survey that will include all of the elements now on the property, including the proposed barn. The Applicants provided copies of the new instrument survey to the Board for review. Discussion followed, including:

- The side setback from the SE corner of the proposed barn to the property line shown on the new instrument survey DOES include a one-foot building overhang. The distance indicated is 8'; therefore Applicants request a variance from the 10' requirement.
- The proposed barn encroaches on the front setback on the property, therefore the Applicants are requesting an area variance pursuant to Town Code §140-7E, which defines "required yard".
- The existing concrete slab will remain; a portion will be inside the proposed barn; the outside portion will be for other personal parking use.
- The proposed barn will be used for Applicants' personal storage only; not as storage space for rent.

The Board asked the Applicants to have the instrument survey amended to include the dimension from the rear corner of the barn to the property line prior to the Public Hearing; further they are to provide a rendering of the barn per the minutes dated October 7, 2009.

C. Ziarniak made a motion to call for a Public Hearing on November 4, 2009; second by W. Radtke; unanimously carried.

2. **Oak Orchard Health** – Sign Permit Applications
@ 300 West Avenue, Tax Acct. #068.0201044.2, Zoned: HC
 - A. Replacement sign @ roadside-ZBA#2009-12
 - B. Two new directive signs on driveway to medical buildings-ZBA#2009-13

David W. Fisher, President/CEO of Oak Orchard Health, explained the two applications and discussion followed, including:

A. Replacement sign

- The existing sign on premises was approved by the ZBA in 1997.
- The rendition of the new two sided sign per the present application is 40 sq. ft. per side, and is slightly larger than the existing sign.
- There is ground level lighting which will remain.
- The new sign will be professionally made from weather resistant material (high density urethane).
- This application does not require a Public Hearing since it was previously approved in 1997.

Further, In the event a future tenant would be added, D. Fisher prefers to have the roadside sign include a name panel for the new business; that the new tenant would be responsible for applying to the ZBA for an area variance because the additional panel would surpass the square footage allowed by code.

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B. Two new directive signs on the driveway to medical buildings

- This application proposes the installation of new directive signs to be placed on the driveway that leads to the medical buildings.
- The dimensions of the sign along the driveway for the front building will be 9 sq. ft.
- The dimensions of the sign along the driveway for the back building will be 23 sq. ft.
- Both signs are one-sided, and will be professionally made from weather resistant material (high density urethane foam).
- The intent is to have ground level lighting similar to that at the roadside sign.

C. Ziarniak made a motion to schedule a Public Hearing for November 4, 2009; second by W. Radtke; unanimously carried.

OPEN FORUM: None

REVIEW OF MEETING MINUTES: October 7, 2009

Discussion was had regarding a correction to the minutes. P. Dittman made a motion to approve the minutes as corrected; second by W. Radtke.

Vote: C. Ziarniak aye
 P. Dittman aye
 W. Radtke aye
 J. Smith abstained
 R. Sheffer absent

NEXT MEETING: November 4, 2009 at 7:00 p.m.

ADJOURNMENT: W. Radtke made a motion to adjourn at 8:10 p.m.; seconded by P. Dittman; unanimously carried.

Approved 11-4-09

Respectfully Submitted,

Ursula M. Liotta, Bldg. Dept. Coordinator