

# TOWN OF CLARKSON – ZONING BOARD OF APPEALS

December 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: None

## OPEN FORUM / DISCUSSION:

1. Property Address: 1166 Lawrence Road, Tax ID #029.04-1-14.102  
Current Owner: Charles VanSlooten / Proposed Purchaser: Chris Mangold  
Zoned: RS-20 / Acres: 45.9  
Re: Definition of Customary Agricultural Use

C. Ziarniak led a discussion regarding this board's authority to interpret Town Code. C. Ziarniak had consulted with Attorney Olson, who provided applicable code §267(A)(4), and it was read aloud to the board members. C. Ziarniak stated that based his review of this section of code, he knows of no local law or ordinance that directs the Zoning Board of Appeals to define or interpret code. C. Ziarniak doesn't think that this matter should have come before this board; that the code should be interpreted by C. Fabry, as Code Enforcement Officer, and it is for him to decide; that this Board is appellate only, as it applies to Town Code.

2. Year-End Board Position interviews w/Town Board – C. Ziarniak & J. Smith

C. Ziarniak stated that during his interview, the Town Board expressed their appreciation for the ZBA's efforts, and he personally thanked the board members and support staff for their service this past year. J. Smith shared some of her thoughts from her interview with the Town Board as well.

Discussion was had among the board members with regard to the importance of attendance. C. Ziarniak stated that the Town Board has asked him to implement a new policy when board members cannot make a meeting. Prior to 4PM, members should contact U. Liotta at the Town Hall (either by phone or email), and after 4PM they should call the Chairperson directly. The Town Board has also requested that the ZBA Chairperson forward to the Town Board any instance where a board member frequently misses meetings. Members of the ZBA agreed that they prefer to meet twice monthly, whether there are agenda items or not.

## REVIEW OF MEETING MINUTES: December 1, 2009

P. Dittman made a motion to approve the minutes; second by J. Smith.

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

NEXT MEETING: January 6, 2010 at 7:00 p.m.

ADJOURNMENT: R. Sheffer made a motion to adjourn at 8:00 p.m.; seconded by J. Smith; unanimously carried.

Approved 1-6-10

Respectfully Submitted,

Ursula M. Liotta, Bldg. Dept. Coordinator