

# TOWN OF CLARKSON – ZONING BOARD OF APPEALS

June 20, 2012

## PRESENT – Board Members

Conrad Ziarniak – Chairperson  
Paul Dittman  
Jackie Smith  
Michael Beadling \*  
Joseph Perry

## Support Board Members

Richard Olson, Town Attorney \*  
Chad Fabry, Code Enforcement \*  
Ursula M. Liotta, Administrative Assistant  
  
Excused \*

## CALL TO ORDER

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

## PUBLIC HEARINGS

1. **Henry Conradt**, Clarkson Self-Storage, Applicant – Area Variance  
Re: 3599 Lake Rd., Tax ID #054.13-1-2, Zoned HC / HMU

C. Ziarniak opened the Public Hearing by reading the legal notice aloud, and asked for a brief explanation of the application. David Matt, Schultz Associates, outlined what was proposed, i.e. the 1991 approved site plan for 4 storage buildings has been amended to 6 storage buildings and 1 future building in the front of the parcel near Lake Road. The Applicant is seeking an area variance to allow him to build two of the additional buildings at approximately the same setback at which the existing buildings were approved and constructed; the issue is the minimum side setback of a commercially zoned parcel abutting a residentially zoned parcel is to be 40' per Town Code §140-36 (c). This variance would allow the 4 buildings on the N property line to be visually even when viewed from Lake Road.

C. Ziarniak addressed the criteria required by NYS Town Law in the application, including:

- Benefit derived if area variance were granted? The existing 2 storage buildings and the 2 new storage buildings would line up visually when viewed from Lake Road.
- Changes to the neighborhood? None, since it is already a storage facility.
- Other methods to achieve the benefit? none
- Will it have an adverse impact on the neighborhood? No, since the site is zoned HC, and is currently used as a self storage facility.
- How was the alleged difficulty created? The difficulty was created in 1991 when the first of two storage buildings were approved and constructed.

The Board reviewed the proposed site plan, most recently updated from Planning Board's review yesterday, June 19, 2012. There are no plans to change the access to the site when the new buildings are constructed. D. Matt stated that a representative from the neighboring church was present at the Planning Board meeting, and indicated that the church did not want a buffer between the 2 properties, and wanted to make sure that the church's view was not blocked by the future building at the front of the parcel. The buildings will be built one at a time, and the Applicant hopes to have them all built in one-year's time.

C. Ziarniak made a motion to close the Public Hearing; second by P. Dittman; unanimously carried. Further Board discussion included the visual uniformity and consistency of the buildings that would be created if the area variance were granted; that there are existing trees and woods that create a natural buffer between this site and the neighboring property.

C. Ziarniak made a motion that this is a Type II SEQR matter and therefore is not subject to further environmental review; second by J. Smith; unanimously carried. J. Smith made a motion as follows:

That this Board grant Applicant's request for an area variance for (1) the side setback of proposed self storage building #6 on the site plan to be 31.9', and (2) the side setback of "future phase 2 building" on the site plan to be 30', where the minimum side setback of a commercially zoned parcel abutting a residentially zoned parcel shall be 40' per Town Code §140-36 (c). Second by J. Perry; unanimously carried.

## REVIEW OF MEETING MINUTES: June 6, 2012

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

ADJOURNMENT: P. Dittman made a motion to adjourn at 7:00 p.m.; second by J. Smith; unanimously carried.

NEXT MEETING: July 18, 2012 at 6:00 p.m., to include continued code review on hamlet design principles; review the information provided by Councilpersons Didas and Filipowitz regarding Hamlets and Hamlet Mixed Use. C. Ziarniak stated that he will be out of town on that date.

Approved 7-18-12

Respectfully Submitted,

Ursula M. Liotta  
Administrative Assistant