

TOWN OF CLARKSON - ZONING BOARD OF APPEALS

June 4, 2014

The Zoning Board of Appeals of the Town of Clarkson met on Wednesday, June 4, 2014 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 PM.

PRESENT-Board Members

Conrad Ziarniak – Chairperson
*Michael Beadling
Paul Dittman
Joseph Perry
Leslie Zink
*Excused

Support Board Members

*Richard Olson, Town Attorney
*Chad Fabry, Code Enforcement
Kristen DiFilippo, Bldg. Dept. Coordinator

CALL TO ORDER

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

NEW BUSINESS

Dolliver Subdivision, 489 East Avenue, which is a new build on Sublot 58, Wedgewood Court. This is currently a vacant lot, 1.79 acres. The applicant is requesting a 25 foot area variance to create a front setback of 50 feet instead of the required 75 feet as per Town Code, Section §140-22 D(1)c (1). The application was reviewed as follows:

1. ***What benefit will be derived by the applicant who is seeking this variance?*** The house we designed can work on this lot with a setback variance.
2. ***What changes will be produced in the neighborhood by the granting of this application?*** No changes; some homes on East Avenue have setbacks closer to what we are seeking.
3. ***What other methods does the applicant have to achieve the benefit other than the area variance?*** Design a new house.
4. ***Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?*** No.
5. ***How was the alleged difficulty created?*** This is an odd lot that affords opportunity for a ranch with a walk-out, but only affordable with north/south direction.

Discussion ensued with Don Dolliver, the applicant. This is a steep sloping lot with the front facing Wedgewood Court. Elevation is 488 at the front, back halfway is 471, which is a drop of 17 feet. If he moves the house back, he would need a tremendous amount of fill. There is a guard rail on the East Avenue side, so the driveway will be on the Wedgewood side of the lot. Mr. Dolliver remarked that on the southwest corner, there is a new build only has a 35-foot setback and another home to the west that has an approximately 60 foot setback. This was the only lot in this subdivision without a footprint. Since this is a corner lot, the question was raised whether or not the side facing Wedgewood requires a 40-foot setback or a 75-foot setback (Section β140-22 D(1)(c)[1]. After a lengthy discussion regarding corner lot setbacks, it was decided that the applicant only needs an area variance for East Avenue to create a front setback of 50 feet instead of 75 feet. The property has not been staked yet to designate the house location; Mr. Dolliver agreed to have that done by the end of the week. C. Ziarniak stated that it would be helpful for the ZBA members to visit the site once it has been staked to view the location of the home. The application will be referred to the Conservation Board and to the Monroe County Planning Board.

Motion by C. Ziarniak

Seconded by P. Dittman

To schedule a public hearing for July 2, 2014 on the Dolliver area variance application.

Unanimously carried

OLD BUSINESS

AT & T Mobility: A public hearing was previously scheduled, but the requested structural analysis report from American Tower did not become available in time so the public hearing was canceled. We have now received this structural analysis report, which was then forwarded to Chatfield Engineers. Chatfield then referred the report to Jensen Engineering who approved the analysis report. Members mentioned that they would still like to know the percentage of loading on the cell tower, both current and after the proposed alterations. The Town Engineer will be invited to the June 18th meeting to help ZBA members understand the structural analysis report further. At that time ZBA can call for a public hearing; it was confirmed that the applicant does not have to be present at this meeting. C. Ziarniak will contact AT & T to verify that D. Love is indeed an authorized agent. D. Love will then be contacted to see if she would be available for a public hearing on July 2nd.

MINUTES

Motion by P. Dittman

Seconded by C. Ziarniak

To approve the May 21, 2014 minutes.

Unanimously carried

Discussion: P. Dittman was successful in uploading minutes to Web QA. He questioned whether or not he would be able to edit minutes to include just portions of minutes pertinent to each application. This will be tested during the next Web QA workshop. C. Ziarniak stated it might be appropriate for the clerk to upload these minutes to Web QA. In the future, once meeting minutes have been approved, they will be sent to members as .pdf files.

NEXT MEETING

The next regularly scheduled meeting of the Zoning Board of Appeals will be Wednesday, June 18, 2014 at 7 p.m.

ADJOURNMENT

Motion by C. Ziarniak

Seconded by J. Perry

Motion to adjourn at 8:25 p.m.

Unanimously carried

Respectfully submitted,

Kristen DiFilippo

Building Department Coordinator

Approved 6-18-2014