

**TOWN OF CLARKSON
ZONING BOARD OF APPEALS
July 15, 2015**

The Zoning Board of Appeals of the Town of Clarkson met on Wednesday, July 15, 2015 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 p.m.

PRESENT-Board Members

Conrad Ziarniak – Chairperson
Paul Dittman
Leslie Zink
Tom Guarino
Joe Perry

Support Staff

*Kristen DiFilippo, Bldg. Dept. Coordinator

*excused

CALL TO ORDER

Conrad Ziarniak-Chairperson called the meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance. The agenda was reviewed by the Board Members.

PUBLIC HEARING

Mary Mantegna – 3380 Sweden Walker Road

Tax acct# 055.01-1-29.1

Zoning: RS-20

Regarding: Area Variance to construct a pool closer than the 10 feet side setback required per Clarkson Town Code §119-2: ***The building line of a pool shall be the inside fence of the pool wall at the normal level of the water surface. Such building line shall be not less than 10 feet from the rear lot line, not less than 10 feet from each side lot line and behind the front setback of the dwelling.***

C. Ziarniak opened the Public Hearing by reading aloud the Legal Notice. C. Ziarniak asked Mr. Mantegna to briefly outline the application. Mr. Mantegna stated as per rendering of the pool on the survey map that was submitted to the Zoning Board, he would like to construct a pool 3 feet from his property line. He is asking for relief from Clarkson Town Code §119-2 which requires a pool to be 10 feet from the side and rear setbacks.

C. Ziarniak briefly outlined the specifics of the pool and parcel:

- 21 foot round diameter pool.
- Proposed pool will be 3 feet from north property line and 66 feet from the north-west corner of the home.
- Hand sketched rendering of Mantegna's property with the leach field, septic tank and underground electric utility line submitted.
- Large maple tree and deck dominating the center of the property.
- Property approximately ½ acre, 206' x 102.99'.
- Single car driveway.
- Mantegna's property neighbors farm land with natural buffering acting as a barrier between properties.
- Pool height 55 inches.

Motion by C. Ziarniak
Seconded by Paul Dittman
To close the Public Hearing
Unanimously carried

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According to N.Y.S. Town Law §267-b(3)(b) the Zoning Board of Appeals reviewed the requirements regarding granting an area variance:

1. **What benefit will be derived by the applicant who is seeking this variance?** It will allow applicant to install a pool in yard.
2. **What changes will be produced in the neighborhood by the granting of this application?** No changes to the neighborhood.
3. **What other methods does the applicant have to achieve the benefit other than the area variance?** There is no other possible area to install a pool.
4. **Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?** None that the applicant is aware of.
5. **How was the alleged difficulty created?** Due to the nature of the size of the lot combined with the septic system that was inherited when the applicants purchased the property.

Motion by Joseph Perry
Seconded by Leslie Zink

To approve the Area Variance application for 3380 Sweden Walker Road.
Unanimously carried

WORK SESSION

Drop Box and WebQA

REVIEW OF MEETING MINUTES

Motion by C. Ziarniak
Seconded by Tom Guarino
To approve the July 1, 2015 minutes.
Unanimously carried

ADJOURNMENT

Motion by Conrad Ziarniak
Seconded by Joe Perry
To adjourn the meeting at 8:20 pm.
Unanimously carried

NEXT MEETING

The next regularly scheduled meeting of the Zoning Board of Appeals will be Wednesday, August 5, 2015 at 7:00 p.m.

Respectfully submitted,
Kristen DiFilippo
Building Department Coordinator

Approved 8/19/2015