

**TOWN OF CLARKSON
ZONING BOARD OF APPEALS
October 21, 2015**

The Zoning Board of Appeals of the Town of Clarkson met on Wednesday, October 21, 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

Paul Dittman, Acting 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.

NEW BUSINESS

**Clayton & Sara Christ – 8089 Ridge Road
Tax Account# 054.04-1-45.11
Zoning: Highway/Commercial**

Regarding approval for an area variance to construct a greenhouse closer than the 40 feet side setback required per Clarkson Town Code §140-36 C: **Setbacks. For all buildings, structures and parking areas not abutting a major road, the minimum front setback shall be 70 feet, and the minimum rear and side setbacks shall be 30 feet, EXCEPT THAT, WHERE A LOT IN ANY COMMERCIAL OR INDUSTRIAL DISTRICT ABUTS A LOT IN A RESIDENTIAL DISTRICT, THE SIDE AND REAR SETBACK FOR ANY BUSINESS, COMMERCIAL OR INDUSTRIAL DISTRICT ON SAID ABUTTING LINE SHALL BE AT LEAST 40 FEET FROM THE PROPERTY LINE. A buffer area consisting of embankments, trees, shrubs, plantings or fences shall be erected along said property line as a condition of site plan approval by the Planning Board. [Amended 4-9-1985 by L.L. No. 2-1985]**

Paul Dittman asked the applicant to briefly outline the application. C. Christ presented a rendering of the proposed site plan with greenhouse #1. He would like to construct a greenhouse 25 feet from the neighboring residential property line. C. Christ is asking for relief from Clarkson Town Code §40-36 C, which requires 40 foot side and rear setbacks.

C. Christ briefly outlined the specifics for the greenhouse.

- Parcel 8089 Ridge Road will be used to operate a Farm Market with the addition of greenhouses.
- Greenhouse #1 will be 40' x 60'.
- Proposed greenhouse #1 will be 25 feet from the east property line and 95 feet from the front, facing north on Ridge Road.
- Hand sketched rendering of the Christ's proposed farm market was submitted.
- Trees surrounding the property.

P. Dittman stated Zoning Board members will visit the property to visualize where the proposed greenhouse #1 will be erected. C. Christ stated there is orange paint marking the proposed location of the greenhouse.

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 us to grow flowers, vegetable plants and produce for the surrounding areas.

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- 2. What changes will be produced in the neighborhood by the granting of this application?** Nothing negative would result from the variance.
- 3. What other methods does the applicant have to achieve the benefit other than the area variance?** There is no other option because of the constraints of the small lot and existing buildings that block the sun.
- 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?** Property purchased with existing tall buildings.
(Answers supplied by applicant)

Motion by Paul Dittman
Seconded by Joe Perry
To schedule a Public Hearing on Wednesday, October 21, 2015 at 7:00 p.m.
Unanimously carried

OLD BUSINESS

**John Clausen (T-Mobile) – 925 Drake Road
Tax Account #028.04-1-1
Zoning: RS-20**

Building Coordinator, Kristen DiFilippo stated that review of the American Tower structural analysis report by our Town Engineer, JP Schepp regarding the T-Mobile application was satisfactory and moving forward with building permits is acceptable.

WORK SESSION

WebQA

REVIEW OF MEETING MINUTES

Motion by Leslie Zink
Seconded by Tom Guarino
To approve the October 7, 2015 minutes.
Unanimously carried

ADJOURNMENT

Motion by Leslie Zink
Seconded by Paul Dittman
To adjourn the meeting at 8:30 pm.
Unanimously carried

NEXT MEETING

The next regularly scheduled meeting of the Zoning Board of Appeals will be Wednesday, November 4, 2015 at 7:00 p.m.

Respectfully submitted,
Kristen DiFilippo
Building Department Coordinator

Approved 11/04/2015