

**TOWN OF CLARKSON
ZONING BOARD OF APPEALS
April 20, 2016**

The Zoning Board of Appeals of the Town of Clarkson met on Wednesday, April 20, 2016 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 – Building 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

Stephen Hansen – Ireland Road

Tax Acct# 041.02-1-30.1

Zoning: RS-20

Regarding: Request for an Area Variance to construct a storage barn on vacant land.

Chairperson, C. Ziarniak read aloud the Legal Notices for the above described application. Stephen Hansen briefly outlined his application for the Board Members:

- Construction of a proposed Pole Barn on vacant land (9.431 acres).
- Vacant land is adjacent to applicants parcel on 2203 Ireland Road.
- Vacant land is undeveloped.
- Dimensions of proposed barn approximately 30' x 50'.
- Overhead garage door (10' feet high).
- Proposed use of the pole barn is to store motor vehicles.
- Approximate height of the pole barn 22' feet high, single story.
- Location of the proposed barn is 635' feet back from Ireland Road and 100' feet from the eastern property line.

C. Ziarniak stated Clarkson Town Code §140-7 E: Use of structures and land. He briefly stated that the proposed barn, pursuant to Town Code, has to be constructed behind the primary residence. C. Ziarniak stated this application is unique because there is no primary residence with site plan approval. The applicant intends to construct a pole barn without a primary residence.

J. Perry asked if the parcel was covered with primarily trees and brush. S. Hansen stated yes, the parcel was farmland 30+ years ago with all overgrown brush and small ash trees. J. Perry asked what the approximate height of the trees on the vacant parcel are. S. Hansen stated between 50' and 60' feet.

C. Ziarniak opened the hearing for comments from the public. There was no formal request to speak on the record.

Motion by Conrad Ziarniak
Seconded by Leslie Zink
To Close the Public Hearing.
Unanimously carried

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C. Ziarniak stated that because there is no site plan approval for a primary residence being constructed, the Board Members needed to consult with Town Attorney, R. Olson as to the proper procedure. C. Ziarniak briefly outlined his discussion with R. Olson in which he prescribed two methods to happen in moving forward with the above referenced application:

1. The merging of the applicant's two parcels.
2. Proceeding with the Zoning Board of Appeals conditioned upon a site plan approval with the Planning Board.

C. Ziarniak stated The Zoning Board cannot proceed further until one of these two conditions take place.

S. Hansen's wife stated that these two options would put a huge financial pressure on them. S. Hansen asked for clarification of the Zoning board of Appeals process. C. Ziarniak stated that the Board would either approve or adjourn the application subject to the condition that the Planning Board approves the site plan.

S. Hansen stated his neighbors are in favor of him constructing a pole barn and questions why the Zoning Board as issues. C. Ziarniak stated there are Zoning laws that the Town of Clarkson puts forth that the Zoning Board of Appeals has to follow for the residents. He stated the Board Members are in a position to represent what is best for the Town of Clarkson and its residents and they must follow the Town Code.

S. Hansen stated he has health concerns and worries that his wife will carry the burden of being responsible for the pole barn if something happens to him. C. Ziarniak stated that it would be of utmost importance to get a stamped site plan with approval from the Planning Board to ensure his wife is legally taken care of.

Motion by Conrad Ziarniak

Seconded by Leslie Zink

To Adjourn the Public Hearing and keep it open until May 4, 2016.

Unanimously carried

NEW BUSINESS

Patrick & Susan Piano – 239 Pesh Homes Trail

Tax Acct# 039.01-1-26

Zoning: RS-20

Regarding: Request for an Area Variance to construct a pole barn on a corner lot.

P. Piano presented a survey map of his parcel with the proposed structure.

- Corner lot (triangular shape)
- The proposed barn is 40' feet x 36' feet x 14'feet.
- Parcel has a pond and natural buffering.
- The use of the barn will be to store motor vehicles.

C. Ziarniak stated a site visit would be appropriate in following up on this application. C. Ziarniak stated for P. Piano to put the specific location of the proposed barn on the survey map in reference to the distance from the closest lot lines.

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C. Ziarniak stated a finalized version of the survey map with appropriate information including, dimensions and location of the proposed pole barn to the adjacent lot lines need to be submitted before scheduling a public hearing.

REVIEW OF MEETING MINUTES

Motion by Leslie Zink
Seconded by Joe Perry
To approve the April 6, 2016 minutes.
Unanimously carried

AJOURNMENT

Motion by Conrad Ziarniak
Seconded by Paul Dittman
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, May 4, 2016 at 7:00 p.m.

Respectfully submitted
Kristen DiFilippo
Building Department Coordinator

Approved 05/04/2016