

**TOWN OF CLARKSON
ZONING BOARD OF APPEALS
November 2, 2016**

The Zoning Board of Appeals of the Town of Clarkson met on Wednesday, November 2, 2016 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 p.m.

PRESENT-Board Members

Paul Dittman- Chairperson
Harold Mundy
Leslie Zink
Tom Guarino
Joe Perry

Support Staff

Kristen DiFilippo – Building Coordinator

*Excused

CALL TO ORDER

Paul Dittman-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.

OLD BUSINESS

**Kevin Manna (Ridge Runners Bar & Grill) – 8006 Ridge Road
Tax acct# 054.04-1-7
Zoning: Highway Commercial**

Regarding: A Special Permit for a permanent sign.

Chairperson, P. Dittman stated the above application is considered a permanent sign per Clarkson Town Code **§140-13 D**; *No sign shall be newly erected in the Town which has a surface in excess of 40 square feet or in excess of 14 feet. The height shall be taken as the vertical distance from the uppermost portion of the sign to the ground.*

K. Manna asked for clarification between a permanent sign and a replacement sign. P. Dittman stated as per the Zoning Board of Appeals application, if the new sign is virtually identical with respect to size, location, illumination, etc. (“apples to apples”) then no new fee or public hearing would be required. If it is significantly different, then it would be treated as a new sign permit and the application fee and public hearing would be required. He stated Ridge Runners Bar & Grill sign is a permanent sign with significant differences.

P. Dittman stated there are (3) issues with the Ridge Runners Bar & Grill sign that need to be addressed;

1. The sign is currently in the right of way and therefore, needs permission from the New York State Department of Transportation.
2. The sign is over fourteen feet high, therefore, needs an area variance per Clarkson Town Code **§140-13 D**.
3. The application cannot go to a Public Hearing until the application fee is made for the appropriate regulations.

L. Zink stated in order to put up a sign in the Town of Clarkson, residents and business owners must follow the Zoning Code regulations. P. Dittman stated in order to move forward with this application, the Zoning Board of Appeals needs;

- Description of the dimensions of the sign.
- Description of the premises, instrument survey showing the location of the sign.
- Materials used for the sign.
- Illumination of the sign and hours lit.
- Maintenance of the sign.

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- Letter from the NYS DOT granting permission to erect the sign in the right of way.

K. Manna asked if he hung the same exact sign that was originally on the building back up, would he need another meeting or a public hearing. P. Dittman stated he would need to consult with Town Attorney and Town Building Inspector for the correct procedure. J. Perry stated P. Dittman does not have the authority to make that decision. He stated the Zoning Board of Appeals would need to speak with the Town Attorney to make sure they were not in violation of the Town of Clarkson Code.

P. Dittman stated that K. Manna needs to speak with Building Inspector, C. Fabry in proceeding with the application. T. Guarino stated the Zoning Board of Appeal needs K. Manna to complete a new sign application with all the required information before he appears for the Public Hearing. K. Manna stated his growing frustrations with the Town Code requirements as he is making efforts to bring business and jobs to the Town of Clarkson and being met with resistance. J. Perry stated it is the duty of the Zoning Board of Appeals to uphold the Clarkson Town Code and to have a standard for every resident/business owner to follow that is fair and unbiased.

Motion by Paul Dittman
Seconded by Leslie Zink
To schedule a Public Hearing on December 7, 2016 at 7:00 p.m.
Unanimously carried

MINUTES

Motion by Leslie Zink
Seconded by Tom Guarino
To approve the October 19, 2016 Minutes
Unanimously carried

AJOURNMENT

Motion by Paul Dittman
Seconded by Tom Gaurino
To adjourn the meeting at 8:15 p.m.
Unanimously carried

NEXT MEETING

The next regularly scheduled meeting of the Zoning Board of Appeals will be Wednesday, November 16, 2016 at 7:00 p.m.

Respectfully submitted
Kristen DiFilippo
Building Department Coordinator

Approved