

**TOWN OF CLARKSON  
ZONING BOARD OF APPEALS  
December 6, 2017**

The Zoning Board of Appeals of the Town of Clarkson held their regularly scheduled meeting on Wednesday, December 6, 2017 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 p.m.

**PRESENT-Board Members**

Paul Dittman, Chairperson  
Harold Mundy  
Lisa Rivera-French  
Joe Perry

**Support Staff**

\*Chad Fabry, Building Department  
Susan Kelly, Building Department

\*Excused

**ALSO ATTENDING**

Tom Beaty, LandPro Equipment  
Kris Schultz, Schultz Associates  
Lindsay Patten, Applicant

**CALL TO ORDER**

P. Dittman, Chairperson, called the meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance. P. Dittman read aloud the agenda.

**PUBLIC HEARING**

**LandPro Equipment  
7689 West Ridge Rd.  
Tax ID#: 054.04-1-27.121  
Zoning: HC**

Request for a special permit for a 7' fence pursuant to Clarkson Town Code § 140-14 B, 140-14 E, and 140-38 F.

*§ 140-14 Fences.*

*Fences erected in the Town shall adhere to the following standards:*

*B. No fence in a rear or side yard in a residential district shall be erected, altered or reconstructed to a height exceeding six feet above adjacent ground level.*

*E. Fences in commercial and industrial districts shall be as approved by the Planning Board on the site plan. For fences in commercial or industrial districts being built or modified after site plan approval and not provided for on the site plan, the property owner must apply to the Zoning Board of Appeals for a special permit in accordance with § 140-38F if the proposed fence exceeds the maximums set forth above for residential districts.*

P. Dittman read aloud the Legal Notice for Public Hearing.

K. Schultz gave a description of the expansion at LandPro Equipment, 7689 West Ridge Rd. There is an existing 7' high chain link fence at the back of the property. The proposal is to extend that fence south of the new building to enclose equipment for security purposes.

There were no comments from the public.

**12/6/17**

Motion by Paul Dittman  
Seconded by Joe Perry  
To close the Public Hearing.  
Unanimously carried

Motion by Paul Dittman  
Seconded by Joe Perry  
To determine this a Type II SEQR action and not subject to further environmental review.  
Unanimously carried

Motion by Joe Perry  
Seconded by Lisa Rivera-French  
To approve the application for a special permit for a 7' tall chain link fence south of the building, extending from the existing fence to enclose a secure storage area for equipment.

In making the motion to approve, the Board has taken the following into consideration:

- The only other method to achieve benefit to the applicant would be to construct a larger building.
- There will be no undesirable change in the neighborhood character or to nearby properties. The fence will be located at the rear of the building.
- The request is not substantial.
- There will be no adverse physical or environmental effects due to this structure.
- The alleged difficulty is self-created; however, the benefit to the applicant outweighs any detriment to the health, safety and welfare of the community. Outside storage is necessary for a typical John Deere dealership because of the large amount of repair business done on large pieces of equipment at these businesses.

Unanimously carried

**NEW BUSINESS**

**Robert Naum, Property Owner**  
**Lindsay Patten, Applicant**  
**6970 West Ridge Rd.**  
**Tax ID #: 055.04-1-11**  
**Zoning: RS-20**

Request for a special permit for a permanent sign pursuant to Clarkson Town Code § 140-13 A.

*§ 140-13 Signs.*

*A. No advertising sign or billboard of any description shall be erected at any place in the Town of Clarkson without a special permit by the Zoning Board of Appeals ...*

L. Patten stated that she is requesting a special permit for a 2' x 3' permanent sign for her business located near the corner of West Ridge Rd. and Clarkson Parma Town Line Rd. Sign would be located 50' off the center line of West Ridge Rd. The post for the sign would be located approximately 53' off the center line of West Ridge Rd. The sign needs to be moved to the west side of the yard so as not to obstruct the view for traffic purposes. The Board requested L. Patten to provide dimensions for:

- South corners of the house to edge of West Ridge Rd.
- East corners of the house to edge of Clarkson Parma Town Line Rd.
- West corner of the house to proposed sign.

L. Patten will note these dimensions on the drawing and bring it to the next Zoning Board of Appeals meeting. The Board also requested that L. Patten install a tall stake in the yard to mark the location of the proposed sign post so that members of the Board may view it prior to the next

**12/6/17**

meeting. J. Perry asked if there was any structure located behind the proposed sign. L. Patten answered no. J. Perry asked if the sign would be lighted. L. Patten answered no. L. Rivera-French expressed concern about how the sign would hold up in the wind and asked how it would be anchored to the ground. L. Patten stated that it would be hammered into the ground; no plans to use concrete. J. Perry stated that the sign should be kept in “like new” condition.

Motion by Paul Dittman

Seconded by Joe Perry

To schedule a Public Hearing at the next regularly scheduled Zoning Board of Appeals meeting on December 20, 2017.

Unanimously carried

**WORK SESSION**

ZBA Meeting Procedure document was reviewed and accepted.

Motion by Paul Dittman

Seconded by Lisa Rivera-French

To adopt the Zoning Board of Appeals Meeting Procedure document as of 12/6/17.

Unanimously carried

The Board discussed creating a procedure document for each type of request that comes before the ZBA. This will be pursued in the future.

P. Dittman announced T. Guarino’s resignation from the Zoning Board of Appeals, effective immediately. H. Mundy will assume responsibility for inputting documents to Web QA and Dropbox.

**MINUTES**

Motion by Paul Dittman

Seconded by Joe Perry

To approve the November 15, 2017 minutes.

Unanimously carried

**ADJOURNMENT**

Motion by Paul Dittman

Seconded by Lisa Rivera-French

To adjourn the meeting at 8:05 p.m.

Unanimously carried

**NEXT MEETING**

The next regularly scheduled meeting of the Zoning Board of Appeals will be Wednesday, December 20, 2017 at 7:00 p.m.

Respectfully submitted,

*Susan Kelly*  
Building Department

*Approved 1/3/2018*