

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held via Zoom Meeting
Wednesday, January 6, 2021 at 7:00 PM

Board Members

Conrad Ziarniak, Chairperson
Jim Gillette
Joseph Perry
Lisa Rivera-French
Joanne Scheid

Support Staff

Richard Olson, Town Attorney* Excused *
Kevin Moore, Code Enforcement
Anna Beardslee, Building Department Clerk

CALL TO ORDER:

Conrad Ziarniak called the Zoning Board meeting to order at 7:00 p.m. The Meeting was held via Zoom platform. C. Ziarniak led all those present in the Pledge of Allegiance and read aloud the agenda for the night.

NEW BUSINESS:

Applicant: Pavlovych

Property Owner: Pavlovych

Property Address: Lake Road

Applicant requesting to build a barn within the front setback of his property not in accordance with Town Code.

C. Ziarniak read through the Pavlovych application and questions for the area variance.

Matt Tuttle present on Zoom Call to represent the applicant. He explained that the Planning Board approved the Site Plan, with the condition that the variance needed to be approved by the Zoning Board for the barn to be within the front setback.

C. Ziarniak began going over items on the map provided. He stated that the map does not show the dimensions of lot lines in respect to the pole barn.

M. Tuttle stated that from the front line, the nearest corner to the pole barn is 68 feet and the north line is 12 feet. C. Ziarniak did ask M. Tuttle to provide an updated map with the dimensions. He also stated that if he could provide details of the pole barn, such as access and door size that would help board members to get a better idea of what is being requested.

M. Tuttle stated that he will provide that information and he also explained that the access is on the south side of the barn.

J. Perry asked if M. Tuttle could also provide the height of the barn and material that would be used for the outside.

C. Ziarniak asked board members if they had questions.

L. Rivera-French asked why the area west of the house is not an option.

M. Tuttle stated that the owners were looking for ease of access and to have the backyard open.

L. Rivera-French asked about acreage.

C. Ziarniak explained, that of the 109 acres, there are two lots that are being subdivided into two separate building lots. He further explained that M. Tuttle did state that the Planning Board did approve the building lots, but they need approval of the variance to have the pole barn built within the front setback on lot 2. C. Ziarniak stated that looking at the map, it appears that the pole barn could be placed in the western part of the property. He asked besides the applicant's preference, if there were reasons like drainage, topography, or other features like hard woods, that are factors that they are unable to place it in a different location?

M. Tuttle stated that there are some hard woods that would need to be cut to place in the back of the parcel.

C. Ziarniak stated that is good to note, as that is a resource for the town and homeowners. He asked, what will the pole barn be used for?

M. Tuttle stated that it would be used for storage of recreational vehicles and farm equipment.

L. Rivera-French stated that if the pole barn is placed in the back, it would cut into the use of the recreational vehicles.

M. Tuttle agreed.

J. Scheid asked about the visibility for the two homes that are in front of the proposed building lots. She wanted to know if there would be a hedgerow or anything to separate the properties.

M. Tuttle stated that there are trees as a buffer that could be left.

L. Rivera-French asked if the pole barn would be visible to the neighbors.

M. Tuttle stated that most likely in the winter months when the leaves are off the trees. But stated during other times of the year it would be hardly visible.

J. Perry asked if it would be okay to do a site check.

M. Tuttle stated that he would check with the applicant, but does not see an issue with that.

C. Ziarniak asked what kind of recreational vehicles were they to use.

M. Tuttle stated, side by sides and ATV's.

C. Ziarniak asked if the intent is to ride them on that parcel.

M. Tuttle stated that he would imagine so.

C. Ziarniak asked K. Moore if there was an ordinance that regulates that use.

K. Moore stated that there is a noise ordinance, but not one for riding recreational vehicles, he stated that it is a civil matter. K. Moore also stated that we need to keep in mind that if we begin to grant variances for barns to be in front setbacks, other people will want to as well. Granting this type of variance is usually done if there are reasons that it can't be placed behind the house.

L. Rivera-French went over a few questions on the application and brought up some issues that would need to be addressed.

C. Ziarniak stated a code for 130-3, in regards to recreational vehicles. He stated it talks about creating loud noise that could disturb others, and that it may be a good idea to let the applicants know. He also mentioned that the size of the pole barn seems very large and asked if there were other items to be stored or any other uses of the pole barn.

M. Tuttle stated that they would also be storing farm equipment. He stated that he could provide the Zoning Board a general list of items that would be stored in the barn to justify the size.

L. Rivera-French asked that if it were going to be used for storing farm equipment, would there be an access road to the farm area or will they need to take their farm equipment down Lake Road.

M. Tuttle stated that it hasn't been discussed but does not think that they would use the public road.

J. Perry asked about utilities that would be used in the barn.

M. Tuttle stated, only electric.

J. Perry also stated that if the barn access will be on the south side, he stated that the map does not show a driveway, he wanted to know if it would be grass, stone, or cement.

M. Tuttle stated that it would be a stone pad to transition from the driveway to the pole barn.

J. Scheid asked if the pole barn was placed behind the house, is there a location where fewer trees would be impacted.

M. Tuttle stated to have the same separation from the pole barn to the house, it would be solid trees.

L. Rivera-French asked if there are any structures on the lot currently.

M. Tuttle stated, no.

L. Rivera-French stated that the trees will need to be taken down regardless, so it would be possible to move the house further east and the barn further west.

M. Tuttle stated, that it could be a possibility.

J. Perry asked if this is on a sewer system.

M. Tuttle stated that it is on a sewer system.

J. Gillette asked if M. Tuttle would be able to send new updated maps before the Public Hearing.

M. Tuttle stated, yes.

J. Perry asked if the four corners could be staked within reason.

M. Tuttle stated that they could.

K. Moore suggested that our office could send the board members a picture from a program that we use called Pictometry. It would be able to show the property layout.

J. Perry made a motion to schedule the Public Hearing for the next meeting on January 20, 2021, with the condition that updated maps are received and access to the site is granted by applicants.

L. Rivera-French seconded.

Unanimously carried.

NEW BUSINESS:

Applicant: Joanie Vendetti

Property Owner: Joanie Vendetti

Property Address: 27 Amenity Drive

Applicant requesting to install an in-ground pool not in accordance with the Town Code for the side setback.

K. Moore stated that he received the dimensions yesterday from Joanie Vendetti, and as he looked over everything, he stated that this does not need to go in front of the zoning board, because she is not violating any setbacks. He stated that Pettis Pools told her that she needed to get a variance. But by looking at the dimensions they are in compliance with the Town of Clarkson Code setback requirements.

C. Ziarniak went through the instrument survey that was provided.

K. Moore read off the dimensions of the pool on the map.

C. Ziarniak stated that it would not need an area variance because all of the dimensions are within the town code as K. Moore mentioned.

K. Moore stated to Joanie Vendetti to just check with her deed restrictions to be sure she is able to have the pool.

C. Ziarniak stated that this application can be closed out, as it was reviewed and it has been determined it is not applicable for the Zoning Board.

MINUTES:

J. Gillette made a motion to approve the minutes as amended from December 2, 2020.

L. Rivera-French seconded.

Unanimously carried.

ADJOURNMENT:

C. Ziarniak made a motion to adjourn the meeting at 8:01 PM.

J. Scheid seconded.

Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, January 20, 2021 at 7:00 PM via Zoom.

Respectfully submitted,

Anna Beardslee, Building Department Clerk

Approved on 1/20/2021