

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held via Zoom Meeting
Wednesday, January 20, 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: Dawn Ferris

Property Owner: Dawn Ferris

Property Address: 4 Wedgewood Court

Tax ID: 069.02-1-64

Zoning: RS-10

Acres: .28

Applicant requesting area variances, on a corner property lot to build a house. The front lot of Wedgewood Court as defined by the corner lot, would need an area variance of 5 feet. The front lot of Chandon Place as defined by the corner lot, would need an area variance of 12 feet. The variance requested for the rear setback of Wedgewood Court will be 4 feet. The variance requested for the rear setback of Chandon Place will be 2 feet. The area variances are not in accordance with Town Code §140-22D 1c[1-4].

§140-22D 1c[1-4]

D. In the absence of a public sanitary sewer system, development regulations shall be identical to those for RS-20 Districts. For houses on integral subdivision roads, if a public sanitary sewer system is provided, development regulations are as follows:

(1) Single-family dwellings on integral subdivision roads:

(c) Minimum setback:

[1] Front: 40 feet; 75 feet on a major road.

[2] Side: 10 feet.

[3] Rear: 30 feet to dwelling or attached garage; 10 feet to other structures.

[4] Corner lots: Both sides abutting a street, road or highway shall be considered front yards and shall be subject to the front setback requirement. Both sides not abutting a street, road or highway shall be considered to be rear yards and shall be subject to the rear setback requirement.

C. Ziarniak read through the application and questions provided from Dawn Ferris's request for an area variance. He then explained the maps and dimensions of the property and where the variances would be needed in order for her to build her house.

L. Rivera-French made a comment that the lot number on the map does not coincide with the lot number that they are planning on building on.

Don Kleinschmidt is present on the Zoom call and is representing Dawn from the LJ Klein Development Construction Company. He stated that it was a probably a goof from the surveyor.

C. Ziarniak stated that the property that we are referring to is the corner lot of Chandon and Wedgewood Court. He asked what the total square footage is.

J. Perry stated that the documents showed that the property is 1,092 square feet.

C. Ziarniak asked board members if they had any questions.

K. Moore stated that there is an elevation drop off on the property and there will be a drainage issue that needs to be taken care of. He also stated that he had met with and discussed with D. Kleinschmidt in depth on how the

house could be built on this lot. It is possible to build a house on the lot without a variance. However, the way the house would not to be built would not be suitable for the applicant's parents whom will be living at the residence with the applicant.

C. Ziarniak asked what footprint would fit on this lot without a variance.

K. Moore stated that the driveway could be placed towards Chandon Place and the garage could be built under the house because of the drop off.

D. Kleinschmidt added that you would have to take a flight of stairs up to your house when you pulled into garage. That would be the part that would be difficult for her parents, as they will not be able to get up the stairs easily.

L. Rivera-French stated that from a fire perspective, having a garage under the house, would be concerning because, fire goes up.

K. Moore stated that it is the preference to not have a garage under a house.

C. Ziarniak asked board members in regards to the application, if there was anything else that they would like to see.

D. Kleinschmidt stated his reasoning why he placed the house on the lot. He stated that by trying to contour the land it would be able to drain away from nearby houses and towards the storm drain and Chandon Place.

C. Ziarniak asked about when the site plan was approved and if it showed drainage.

K. Moore stated that the original site plan was for the whole subdivision and houses were not laid out on the approved building lots.

C. Ziarniak asked about drainage requirements.

K. Moore explained that there is nothing on file with the Town that shows grading or drainage for that lot specifically, which is why he has been working with developers on the best plan of action for this site.

C. Ziarniak asked if it was typical for a multi lot subdivision to be approved without drainage documented.

K. Moore stated, not usually.

C. Ziarniak asked if there was any historical background on the subdivision.

D. Kleinschmidt stated that they found site maps who were designed by Wendel Engineering from Amherst, NY. He stated that they have tried to research the maps and found an individual who worked at Wendel that did do the survey and no longer works for them, but he said that there would be no way of finding out any more information because it was over two decades ago.

K. Moore stated that in this neighborhood most of the houses had to have area variances just to be able to build the houses.

D. Kleinschmidt stated that he and Kevin met together at the site and went over how they could build this house. They decided the layout that was submitted seemed the best way to deal with the drainage issue, as well as allowing the applicant and her parents to be able to have the type of housing they need for accessibility.

J. Perry asked about detail of the outside of the home.

D. Ferris stated that it would be a standard roof with vinyl siding. She said it will look very similar to the neighborhood.

D. Kleinschmidt stated that the materials he would be using are the same as the other houses that were built in the neighborhood, so it would match.

C. Ziarniak asked if there were any other questions from the board members.

L. Rivera-French made a motion to place on for a Public Hearing on February 3, 2021.

J. Perry seconded.

Unanimously carried.

C. Ziarniak asked if this application could be sent over to Monroe County Planning for review.

A. Beardslee stated that she would make sure it gets sent over.

MINUTES:

J. Scheid made a motion to approve the minutes.

L. Rivera-French seconded.

Unanimously carried.

ADJOURNMENT:

J. Perry made a motion to adjourn at 7:55 PM.

L. Rivera-French seconded.
Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, February 3, 2021 at 7:00 PM via Zoom.

Respectfully submitted,
Anna Beardslee, Building Department Clerk
Approved on 2/3/2021