

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held at the Clarkson Town Hall and via Zoom
Wednesday, March 17, 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 at the Clarkson Town Hall and via Zoom. C. Ziarniak led all those present in the Pledge of Allegiance and read aloud the agenda for the night.

NEW BUSINESS:

Applicant: Henry and Carrie Conradt
Property Owner: Henry Conradt
Property Address: 3599 Lake Road
Tax ID: 54.13-001-002
Zoning: Highway Commercial
Acres: 2.299 Acres

Applicant requesting an area variance that is not in compliance with Town Code § 140-36 Regulations applicable to all commercial and industrial districts.

The following regulations shall apply to all commercial and industrial districts:

C.

Setbacks. For all buildings, structures and parking areas not abutting a major road, the minimum front setback shall be 70 feet, and the minimum rear and side setbacks shall be 30 feet, except that, where a lot in any commercial or industrial district abuts a lot in a residential district, the side and rear setback for any business, commercial or industrial district on said abutting line shall be at least 40 feet from the property line. A buffer area consisting of embankments, trees, shrubs, plantings or fences shall be erected along said property line as a condition of site plan approval by the Planning Board.

[Amended 4-9-1985 by L.L. No. 2-1985]

C. Ziarniak began to explain the application for Henry Conradt requesting to build another storage building on his property at 3599 Lake Road. He then stated within the paperwork received tonight was also a Notice of Decision from the Zoning Board dated from July of 2012 which granted a variance for Building 6 and granted a variance for a future phase II building, which is now called Building 7 on H. Conradt's property. The variance granted on the Notice of Decision for Building 7 was 30 feet. A review of the map provided tonight, shows that Building 7 was built 23.8 feet from the property line which was not the variance granted for that Building, according to the Notice of Decision.

C. Ziarniak asked K. Moore what needs to be done with this application. K. Moore stated that he would need to speak with the Town Attorney. C. Ziarniak proceeded to explain the current application request, to build an additional storage unit which needs an area variance as well.

C. Ziarniak read aloud the area variance application questions and answers provided by H. Conradt.

C. Ziarniak asked what percentage of the storage buildings are currently used.

H. Conradt stated that they are almost at full capacity.

C. Ziarniak asked H. Conradt to speak about emergency vehicle access onto the Storage Building Property.

H. Conradt stated that there is an access on the south and said it is wide and currently people drive all over. He stated there is quite a distance between the buildings for vehicle access. He said with the proposed new storage building in place it would be a 24 foot access driveway.

C. Ziarniak asked K. Moore to explain his concerns on the access.

K. Moore stated he has a concern about the emergency vehicles having access to building 7 on the property. He explained that the fire trucks are pretty large, and it would be very tight for them to make the turns to get around the building. K. Moore also stated that on the south side of the property there is a 10 foot drainage easement for the Town that runs the whole length of that property from East to West. The new proposed building would be 3.5 feet from that drainage easement.

H. Conradt stated that he gave the Town permission to put that easement on his property.

K. Moore asked about any other easements or swales on the east side of the property to the road.

H. Conradt stated that the Town keeps that part of the property up. He stated that it is all level ground.

C. Ziarniak asked if an emergency vehicle would be able to pull off of Lake Road on to the easement area to access the proposed building.

H. Conradt stated that the land is flat in front of Lake Road, there is no gate or fence there, and an emergency vehicle would be able to have access from Lake Road.

C. Ziarniak asked H. Conradt if the board members could go out to his property to look at the area of where the proposed storage building would be placed.

H. Conradt stated that they could, and that he would put out orange cones to show the location of where the proposed storage building would be on the property.

C. Ziarniak asked to be clear, that the access for the new storage units would be on the north or the south side?

H. Conradt stated the north side.

J. Perry asked how many storage units there are currently.

H. Conradt stated that there are 168 units.

J. Gillette pointed out an area on the map towards Lake Road and asked during the winter would an emergency vehicle be able to pull off the road and have access to the buildings.

H. Conradt stated that they would not be able to because there is a deep ditch along the side of Lake Road. H. Conradt pointed out an area, where there is flat land that can be driven on from Lake Road to get access to the Buildings. J. Gillette asked again, in the winter would an emergency vehicle be able to use that flat part of the land to access the building.

H. Conradt stated no, because it would have snow on it and does not get plowed there. He said a person could walk on to the area. He further explained, that if it came down to it, he would buy some of that property and have a pipe put in, so that there could be an access way from Lake Road, if the Town was willing to work with him.

C. Ziarniak stated that before they can move forward on the application that the issue with Building 7 needed to be addressed and taken care of first. He then explained that if Building 7 had been built according to the original plan, another building would not be able to be built at all.

C. Ziarniak stated that they will need to consult with the Town Attorney on how to proceed and that the Zoning Board would wait to schedule another date for this application to be heard until more information has been provided.

MINUTES:

J. Gillette made a motion to approve the minutes.

J. Scheid seconded.

Unanimously carried.

ADJOURNMENT:

C. Ziarniak made a motion to adjourn at 7:45 PM.

J. Perry seconded.

Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, April 21, 2021 at 7:00 PM in person and via Zoom.

Respectfully submitted,

Anna Beardslee, Building Department Clerk

Minutes approved on 4/7/2021