

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held at the Clarkson Town Hall
Wednesday, September 1, 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
Keith O'Toole, Deputy Town Attorney

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.

PUBLIC HEARING:

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 read aloud the Legal Notice for Henry Conradt and asked H. Conradt to give a brief summary.

H. Conradt stated that originally he proposed a larger sized storage building in March, but stated, there were issues in regards to an existing storage building that have now been resolved. He stated that there were also concerns in regards to fire trucks being able to get around the buildings, and now is proposing a smaller 80x20 sized storage building. He further stated that there will only be storage units on the north side of the building.

C. Ziarniak spoke about the variance that had been granted for Building 7 in 2012. He explained that an error was found after a survey map for the new proposed storage building had been done in March 2021. The survey map showed that Building 7 had not been built where it should have been and what the variance had been granted for. He further explained that H. Conradt had gone in front of the Zoning Board since then; to correct the error by requesting the variance be changed to reflect what the actual measurement is for where Building 7 had been built.

C. Ziarniak confirmed that this request had been granted and the variance for Building 7 is now accurate.

C. Ziarniak then went through the concerns from the last meeting in regards to the new application which is proposing a smaller storage building. He stated that the Board Members and Building Inspector still had concerns on fire truck access and lot capacity.

K. Moore stated that the Fire Chief had not yet gone out to the site to confirm fire truck accessibility.

H. Conradt stated that he could slim the Building down, so that it would be 10-15 feet wide in order to allow more room for fire trucks to be able to get through the parking lot.

K. Moore stated that his recommendation is to have the Fire Chief come out with a fire truck to see if is feasible.

H. Conradt stated that he spoke with a former Fire Chief and was told that the largest fire truck that the Fire Department has would not be pulled in to that type of area anyway.

C. Ziarniak stated that the board members need documentation from a fire expert in regards to the fire truck access. C. Ziarniak further stated that board members need to discuss if another storage building would be a good fit, or if it may be too much on one property site.

K. O'Toole stated that the Zoning Board members should consult with the Town Engineer for his opinion.

C. Ziarniak asked K. Moore about the lot coverage.

K. Moore stated that with the new proposed storage building, the lot will be at 23% covered by structures. He further stated that the Town Code only allows 25% of the lot to be utilized with structures.

C. Ziarniak asked board members if they would like to have a site visit.

Board members discussed and agreed that a site visit should be done.

C. Ziarniak stated the board members could do the site visit at the next meeting, Wednesday, September 15th at 7:00 PM. He said after the site visit is completed, the board members will finish the meeting back at the Town Hall.

C. Ziarniak asked K. O'Toole if Zoning Board should consult the Town Engineer in regards to the fire equipment access.

K. O'Toole stated that the Town Engineer should be able to provide knowledge about the turn radius in regards to the fire trucks.

K. Moore stated that the Town Engineer defers to him and the Fire Department to help him with information as well.

C. Ziarniak made a motion to table the application to have the site visit and to receive written documentation from the Fire Chief in regards to accessibility.

J. Gillette seconded.

Unanimously carried.

Discussion was had between board members and K. Moore in more depth in regards to concerns of the application.

K. Moore stated that Zastrow Road is not actually a road and there is no documentation of easements on survey maps provided.

K. O'Toole stated to request that R. Maier provide easement information.

K. Moore brought up the point that if Building 7 had been built to the original variance granted in 2012, another building would not be able to be built at all.

C. Ziarniak stated that since this needs to go in front of the Planning Board; the Zoning Board could grant approval of the variance with the condition that an easement is in place and also contingent on site plan approval by the Planning Board.

MINUTES:

J. Gillette made a motion to approve the minutes as amended from July 21, 2021.

J. Perry seconded.

Unanimously carried.

ADJOURNMENT:

C. Ziarniak made a motion to adjourn at 7:50 PM.

L. Rivera-French seconded.

Unanimously carried.

ANNOUNCEMENTS:

J. Perry will be out of the country for the November 3rd Meeting.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, September 15, 2021 at 7:00 PM beginning at 3599 Lake Road for a site visit and then will proceed to Town Hall to finish meeting.

Respectfully submitted,

Anna Beardslee, Building Department Clerk

Minutes approved on 9/15/2021