

**TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING**  
**Held at the Clarkson Town Hall**  
**Wednesday, November 3, 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 and led all those present in the Pledge of Allegiance with a moment of silence for first responders. He then read aloud the agenda for the night.

**PUBLIC HEARING:**

**Applicant:** Daniel Brault

**Property Owner:** Daniel Brault

**Property Address:** 150 Lawton Road

**Tax ID:** 041.01-1-9.113

**Zoning:** RS-20

**Acres:** 5

Applicant requesting an area variance to build an 8x24 foot covered porch, not in accordance with Town Code § 140-7E(1)

E. Any required yard shall be entirely open and unoccupied by buildings other than:

(1) Entrance porch or steps not over seven feet deep in a front yard.

C. Ziarniak read aloud the Legal Notice for Daniel Brault and asked him to briefly describe his proposal.

Daniel Brault is present at the meeting representing himself, and stated that he would like to have an 8x24 foot front porch built on to his house. He further stated that he is asking for a 1 foot variance to do so.

C. Ziarniak asked if there was currently steps or a front porch on the house.

D. Brault stated, only temporary steps.

C. Ziarniak asked if there is anyone from the Public that is present for this item. No one answered.

C. Ziarniak asked A. Beardslee if any letters or comments had been submitted from the Public.

A. Beardslee stated, no.

C. Ziarniak made a motion to close the Public Hearing.

J. Gillette seconded.

Unanimously carried.

C. Ziarniak and J. Gillette took turns reading through the application questions and answers that D. Brault submitted.

C. Ziarniak made a motion to determine this item is a Type II action with a negative declaration and is not subject to further environmental review.

J. Scheid seconded.

Unanimously carried.

J. Scheid made a motion to approve the area variance request as submitted, with no conditions.

L. Rivera-French seconded.

Unanimously carried.

**NEW BUSINESS:**

**Applicant:** Wellington Clarkson, LLC.

**Property Owner:** Wellington Clarkson, LLC.

**Property Address:** 70 West Avenue

**Tax ID:** 068.02-1-4

**Zoning:** RS-10

**Acres:** 10.998

Applicant requesting a special use permit for signage.

C. Ziarniak read off the next two items on the agenda, which are both for Wellington Woods. He asked that the Engineer explain the signage proposals for each application.

Joe Ardieta from VanGuard Engineering is present to represent Wellington Woods. He explained that there are two separate sign applications for Wellington because they are on different sites.

C. Ziarniak asked J. Ardieta to explain the application for Wellington Clarkson, LLC first.

J. Ardieta asked for board members to refer to the map named, Wellington Woods Site Revisions, which was provided in the application. He stated the red box on the map shows the location of the sign, which is on the north east portion of the site. He further stated that the sign will not be visible to Lake Road and it will be utilized for informational purposes that are required by the state.

C. Ziarniak asked if the sign is being proposed for legal requirements and not to advertise.

J. Ardieta stated, yes.

C. Ziarniak referred to the diagram of the sign that was included in the application, noting that the sign will state the name, Wellington Woods Apartments and gives specific information for the apartment complex.

C. Ziarniak then read off the measurements of the signage.

J. Ardieta stated that the sign will be slightly over 3 feet.

C. Ziarniak asked if measurements for the height of the sign could be submitted for next meeting.

J. Ardieta, stated, yes.

C. Ziarniak asked if it would be a site obstruction.

J. Ardieta stated it would not be, because it is off to the side.

J. Ardieta explained that the sign will be carved wood and the posts are PVC.

C. Ziarniak asked how the wood is maintained.

J. Ardieta stated that he did not know the answer. He further stated that he has done multiple jobs for ODS Management, who owns Wellington Woods, and he said that they keep their signs maintained.

C. Ziarniak stated that a condition will be placed to keep signs maintained and in like new condition.

C. Ziarniak asked if the sign would be illuminated.

J. Ardieta stated, no.

J. Scheid asked if a sign was being done currently on the site.

J. Ardieta stated that he was not aware of it.

K. Moore stated that he had driven by earlier and noticed that people were doing work on a sign and that a new sign was not in the approved site plan. He further stated that he would give a phone call in the morning to find out what was going on.

J. Ardieta stated that he would also give a phone call in the morning.

K. Moore stated that it was possible they were redoing a sign that was already there.

C. Ziarniak asked J. Ardieta to go over the application for Wellington North's signage that was submitted.

**NEW BUSINESS:**

**Applicant:** Wellington North

**Property Owner:** Wellington Woods

**Property Address:** 1100 Wellington Woods Drive East

**Tax ID:** 62.08-1-3.1

**Zoning:** RS-10

**Acres:** 4.987

Applicant requesting a special use permit for signage.

C. Ziarniak described the diagram of the sign provided for Wellington North and stated that it was similar to the Wellington Woods Apartments signage, but with the different names.

J. Ardieta asked the board members to refer to the map that is named, Wellington North Senior Residence, to see the proposed location of the Wellington North signage. He further stated that the sign is located in the landscape island. He also stated that the sign is 8 feet tall.

C. Ziarniak asked what the reason was for placing the signage in the landscape island.

J. Ardieta stated that it will show the entry of the location and if the sign is placed elsewhere, it will be a site obstruction.

J. Gillette asked if there was lighting for this sign.

J. Ardieta stated that there is no lighting.

J. Gillette asked how tall the curb is.

J. Ardieta stated, 6 inches.

K. Moore stated that having the sign in the landscape island will help people avoid hitting the median.

J. Ardieta stated that this sign will also not be visible to Lake Road.

C. Ziarniak made a motion to place both Wellington Clarkson, LLC and Wellington North on for a Public Hearing on November 17, 2021.

J. Gillette seconded.

Unanimously carried.

**NEW BUSINESS:**

**Applicant:** Phil Ciufu

**Property Owner:** Phil Ciufu

**Property Address:** 3980 Lake Road

**Tax ID:** 069.05-1-25

**Zoning:** RS-10

**Acres:** 2.73

Applicant requesting to build a pole barn within the front setback of his property not in accordance with Town Code 140-7E(1) which states, Any required yard shall be entirely open and unoccupied by buildings other than:

- (1) Entrance porch or steps not over seven feet deep in a front yard.

C. Ziarniak read the request of the applicant to build a pole barn in front of the front setback of the house. He then looked over the map provided, and stated that the house was built on two separate lots, and has two separate tax ID numbers. He asked Phil Ciufu if he could give us some insight on the house and why the lots were never combined.

P. Ciufu stated that he bought his house 3 years ago and that when he purchased the house he had to also buy the other lot since his house is built on both lots. He was unsure why it was built this way.

K. Moore stated that the house had been built in the 1970's and he was unsure how the house got built on two different lots, stating that there is no information in the file on how it was approved.

C. Ziarniak asked why an application to the Planning Board hasn't been made to combine the lots.

K. Moore stated that the barn materials had already been purchased, and a surveyor has been contacted to begin the process to combine the lots.

C. Ziarniak stated that if the Zoning Board were to approve this application, there would need to be a condition that the lots be combined first.

P. Ciufu asked why it wasn't possible for him to be able to build the pole barn, since both of the lots are owned by him, and his house is built on both lots.

C. Ziarniak stated that in the future the lot lines could be changed, and it would be possible that a pole barn was on a property without a house, which is not within town code.

J. Gillette further stated that once the variance is granted for the pole barn, it is a forever thing.

K. Moore stated that it was his suggestion to have the two lots combined first.

C. Ziarniak asked what the pole barn was for.

P. Ciufu stated for vehicles and lawn equipment storage.

C. Ziarniak asked why the pole barn couldn't be built on lot 20 to the east.

K. Moore stated that the pole barn would not be able to go there because of the drainage patterns.

P. Ciufu stated it would be very close to the pond and it is very wet back there.

C. Ziarniak stated that he would be more inclined to have lots combined as a condition, and stated that the Zoning Board would need to seek out legal advice from the Town Attorney.

P. Ciufu stated that he would be speaking with the Surveyor, Rich Maier, tomorrow, to see if he could do a new survey map with the new lot lines.

C. Ziarniak asked about the construction of the pole barn.

P. Ciufu stated that it would be a wooden structure with a metal roof.

K. Moore stated that he would wait to hear from P. Ciufu first about Rich Maier being able to do the survey map, before consulting with the Town Attorney.

C. Ziarniak made a motion to place the application on for a Public Hearing, November 17, 2021.

L. Rivera-French seconded.

Unanimously carried.

**MINUTES:**

J. Gillette made a motion to approve the minutes from October 20, 2021.

L. Rivera-French seconded.

Unanimously carried.

**ADJOURNMENT:**

C. Ziarniak made a motion to adjourn at 7:58 PM.

L. Rivera-French seconded.

Unanimously carried.

**NEXT MEETING:**

The next meeting of the Zoning Board of Appeals will be Wednesday, November 17, 2021 at 7:00 held at the Town Hall.

Respectfully submitted,

*Anna Beardslee, Building Department Clerk*

*Minutes approved on 11/17/2021*