

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held at the Clarkson Town Hall
Wednesday, December 15, 2021 at 7:00 PM

Board Members

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

Support Staff

Keith O'Toole, 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.

OLD BUSINESS:

Applicant: Phil Ciupo

Property Owner: Phil Ciupo

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 gave an update in regards to the Phil Ciupo item. He stated that Phil will not be at the meeting tonight as he was unable to get the documents that were needed for the meeting.

C. Ziarniak asked K. Moore if any of the requested documentation had been received.

K. Moore stated that a signed Mylar was received, but no other documents were provided.

C. Ziarniak discussed the concerns of the pole barn with the Board Members, stating, height, building materials, and construction of the proposed pole barn have not even been given.

C. Ziarniak further stated that the letter from the Town Attorney, Keith O'Toole addresses the criteria for an approval and in his opinion, the proposed pole barn does not meet that criteria for the pole barn location.

C. Ziarniak stated that the item will be on the next Zoning Board Meeting in January and a decision will need to be made that night. He then asked other board members on their feelings of the pole barn.

L. Rivera-French stated that the pole barn would be undesirable based off the criteria in the application questions and further stated that the area variance is extremely substantial. She also stated that the pole barn can be placed at a different location on his property.

J. Scheid stated that the pole barn does not match the characteristics of the area.

J. Perry stated that he agrees with the Board Members and that there are other locations the pole barn can be placed. He further stated that he feels badly for the homeowner as it is costly to get a layout for the pole barn. He then stated that he has not made a decision yet as he has not received all of the documentation.

L. Rivera-French stated that she is concerned about the height of the pole barn.

C. Ziarniak stated that at the next meeting that they would address all of the criteria on the application to come to a decision.

NEW BUSINESS:

Applicant: Jeff Carlucci

Property Owner: Cheryl and Howard Ward

Property Address: 3780 Lake Road

Tax ID: 054.17-1-7

Zoning: RS-10

Applicant requesting a variance to install a generator within the front setback of the house 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 aloud the next agenda item for the property owner of Cheryl and Howard Ward. He asked that a brief summary be given as to what they are requesting.

Jeff Carlucci stated that he was present at the meeting to represent for Cheryl and Howard Ward and is the project manager for the generator install. He explained that the homeowner would like to install a generator on his property and are requesting to place the generator within the front setback of the house as there are no other options of where the generator can be installed. He stated that the house is finished entirely with a unique design that cannot be destroyed and replaced and cannot be trenched. He is asked to install the generator 5 feet from the house in the front.

C. Ziarniak stated that the generator will allow for the homeowner to continue to have electricity if the power goes out.

J. Carlucci stated, yes.

J. Carlucci stated that the house has a decorative fence in the front that would cover the generator. He further stated that if you look at the pictures that were submitted, it shows where the location of the gas meter and electric meter are, and that is why they are requesting to place the generator in the front of the house.

C. Ziarniak asked about the noise of the exhaust.

J. Carlucci stated that both noise and exhaust will come from the generator. He stated that a portable generator is about 90 decibels, and the generator he is installing will be in the 60 decibel range from about 20 feet.

K. Moore gave a reference that a dishwasher running is about 60 decibels.

C. Ziarniak asked about the exhaust.

J. Carlucci stated that the 5 feet is the Code requirement and it is a clear burning fuel.

J. Scheid asked how often it would go on.

J. Carlucci stated that it goes on once a week for about 5 minutes.

J. Perry asked how the generator would run from the house.

J. Carlucci explained the connections.

J. Perry asked what size the generator was.

J. Carlucci stated that it would be a 22 kW generator.

J. Perry asked what kind of pad would be used.

J. Carlucci stated it would be a gen pad.

J. Perry made a comment to the homeowner that some plants may die from the exhaust and to keep that in mind.

C. Ziarniak made a motion to place on for a Public Hearing at the next meeting on January 5, 2022.

J. Perry seconded.

Unanimously carried.

DISCUSSION:

L. Rivera-French stated that she would not be at the January 5, 2022 Meeting. She stated that she could join via Zoom Meeting.

K. Moore stated that he would need to check in with the Town Attorney to see if Zoom Meetings can still be done.

MINUTES:

J. Scheid made a motion to approve the minutes from December 1, 2021.

L. Rivera-French seconded.

Unanimously carried.

ADJOURNMENT:

C. Ziarniak made a motion to adjourn at 7:40 PM.

J. Perry seconded.

Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, January 5, 2022 at 7:00 held at the Town Hall.

Respectfully submitted,

Anna Beardslee, Building Department Clerk

Minutes approved on 1/5/2022