

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held at the Clarkson Town Hall
Wednesday, April 6, 2022 at 7:00 PM

Board Members

Conrad Ziarniak, Chairperson
Joseph Perry
Joanne Scheid
Howard Henick
Dan Maier

Support Staff

Keith O'Toole, Town Attorney * Excused *
Kevin Moore, Code Enforcement
Anna Beardslee, Building Department Clerk
Leslie Zink, Town Board Member

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: Alice and Melven Slate
Property Owner: Alice and Melven Slate
Property Address: 98 Lawrence Road
Tax ID: 031.03-1-4
Zoning: RS-20
Acres: 6.5

Applicant requesting to install a pole barn 27.8 feet from the right of way, 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 Legal Notice for Alice and Melven Slate and asked for the applicants to give a brief summary of their proposal.

Melven Slate stated that there is currently a pole barn on the property that is old and is falling apart and they are requesting to replace it. He explained that the property has a natural drainage area and the leach field lines extend out pretty long which limits where they are able to place it. He stated that the new pole barn would be a 20x24 foot building, with concrete flooring, and electric and water utilities will be hooked up.

C. Ziarniak asked when they would be building the new barn.

M. Slate stated that if the area variance is granted, they will begin work on the new pole barn as soon as possible. Alice Slate stated that the old pole barn will be taken down in September. She contacted Ursula from Highway Department and spoke to her about disposing of the barn materials. Ursula explained that Clarkson has junk days in April and in October. A. Slate stated that they would be missing the April junk days, so Ursula told her that they could dispose of the barn for the October junk days.

C. Ziarniak went through the map dimensions, noting that they are requesting to build a 20x24 foot pole barn, 27.8 feet from the right of way of the road.

C. Ziarniak asked if any of the board members had any concerns.
No one responded.

C. Ziarniak asked if anyone was present from the Public that would like to speak.
No one answered.

C. Ziarniak asked A. Beardslee if anyone had contacted the Building Department in regards to the Application.
A. Beardslee stated, no.

C. Ziarniak stated that he would go through the application questions. He began by reading off the first question.

1) What benefit would be derived by the applicant seeking a variance?

C. Ziarniak explained that a new barn would be placed so they are able to store their items. The applicant also explained that their Insurance Company will not insure the old barn anymore because it is falling apart.

2) What desirable changes will be produced in the character of the neighborhood by the granting of the area variance?

C. Ziarniak stated that he felt that the barn would produce desirable changes to make the neighborhood look nice.

3) What other methods does the applicant have to achieve the benefit other than the area variance?

H. Henick stated that he drove out to the property and it is very wet. He believes that there is no other area that the barn would be able to go on the property.

4) Is the requested area variance substantial?

J. Scheid stated that she didn't feel that the area variance was substantial. She explained that the new barn sits back further than where the current pole barn is.

5) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

J. Scheid stated that she did not believe that the proposed location would have an impact on the conditions of the neighborhood. She further stated that the applicants have chosen the proposed location so that it will not affect the natural drainage area.

C. Ziarniak asked what the plan is for drainage.

M. Slate stated that new piping will be put in to direct the water to the natural drainage area on their property.

D. Maier stated that moving the barn closer to the house will also help the natural drainage flow to go downward.

6) Was the alleged difficulty self-created?

C. Ziarniak stated it is self-created, but they are replacing the old pole barn to keep things similar.

J. Scheid asked about putting in a driveway for the pole barn.

M. Slate stated they would be putting down crushed stone and then asphalt.

C. Ziarniak asked if he had spoken with K. Moore in regards to getting a driveway permit.

M. Slate stated, no.

C. Ziarniak stated that they would put in a condition that a permit will be needed for the curbcut if granted.

C. Ziarniak made a motion for SEQR that this is a type 2 action with a negative declaration.

J. Perry seconded.

Unanimously carried.

H. Henick made a motion to approve the area variance allowing the applicant to install a 20x24 foot pole barn, 27.8 feet from the right of way with the following conditions:

- To work with Building Department to get necessary permits for demolition of old barn, curbcut and driveway permits for the new barn driveway.
- The barn is to only be used for residential storage purposes.
- The old barn and metal shed are to be removed by November 1, 2022.

D. Maier seconded.

Unanimously carried.

NEW BUSINESS:

Applicant: Lyndsay Brown

Property Owner: Lyndsay Brown

Property Address: 2 Tearose Meadow

Tax ID: 54.01-001-007.4

Zoning: RS-10

Applicant requesting an area variance to install a fence on her corner property lot 27 feet from a sanitary sewer easement and 47 feet from the property line of Gilmore Road, not in accordance with Town Code 140-22D(c)[4]

(c) Minimum setback: [1] Front: 40 feet; 75 feet on a major road.

[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 applicant's proposal to install a fence on a corner lot, 47 feet from the property line of Gilmore Road.

C. Ziarniak asked if the fencing was for a dog.

Lyndsay Brown stated yes.

C. Ziarniak read through the application questions and the applicant's responses.

1) What benefit would be derived by the applicant seeking a variance?

Applicant stated that it would be a safe and enclosed area for dog to play in.

2) What desirable changes will be produced in the character of the neighborhood by the granting of the area variance?

Applicant stated, none.

3) What other methods does the applicant have to achieve the benefit other than the area variance?

Applicant stated, none.

4) Is the requested area variance substantial?

Applicant stated, no.

5) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

Applicant stated, no.

6) Was the alleged difficulty self-created?

Applicant stated, no.

C. Ziarniak asked L. Brown to describe the fence that she would like to install.

L. Brown stated that it is a black vinyl coated chainlink fence.

J. Scheid asked what kind of dog she has.

L. Brown stated an 80 lb. boxer mix.

J. Perry asked if they will be taking trees down.

Doug Brown stated that they will not be taking any trees down.

J. Perry stated that there is screening of the fence because there are trees on the property.

C. Ziarniak asked if L. Brown was thinking about planting shrubs.

L. Brown stated that she will definitely be putting in some arborvitaes.

J. Perry stated that there are no site obstructions.

L. Brown stated that her Dad, Doug Brown, marked areas on the ground with spray paint to show the placement of the fence.

J. Perry asked if some stakes or flags could be put up so that you could see it easier.

D. Brown stated that he would put in some stakes.

C. Ziarniak made a motion to place this item on for a Public Hearing on April 20, 2022.

J. Perry seconded.

Unanimously carried.

MINUTES:

J. Scheid made a motion to approve the minutes as corrected from March 16, 2022.

H. Henick seconded.

Unanimously carried.

ADJOURNMENT:

C. Ziarniak made a motion to adjourn at 7:46 PM.

J. Perry seconded.

Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, April 20, 2022 at 7:00 held at the Town Hall.

Respectfully submitted,

Anna Beardslee, Building Department Clerk

Minutes approved on 4/20/2022