

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held at the Clarkson Town Hall
Wednesday, July 19, 2023, at 7:00 PM

Board Members

Conrad Ziarniak, Chairperson
Joseph Perry
Joanne Scheid
Howard Henick
Peter Connell *

Support Staff

Keith O'Toole, Town Attorney*
Kevin Moore, Code Enforcement
Andrea Rookey, Building Department Clerk

Excused *

CALL TO ORDER:

C. 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.

NEW BUSINESS:

Applicant: Jerold Benwitz Jr

Property Owner: Jerold Benwitz Jr

Property Address: 21 Leanna Crescent

Tax ID: 054.02-2-33

Acres: 0.23

Applicant requesting to Requesting an area variance for a side and rear setback to place a shed for storage 2ft off of the side and rear property line not in accordance with the Town Code: 140-22D(1)(c) Minimum setback:[1] Front: 40 feet; 75 feet on a major road.[2] Side: 10 feet.[3] Rear: 30 feet to dwelling or attached garage; 10 feet to other structures.

C. Ziarniak asked about the diameter of the pool.

J. Benwitz said that the pool is about 21ft.

C. Ziarniak asked if there was vinyl fencing in the rear.

J. Benwitz said yes, that is his neighbor's fence which is on his property.

C. Ziarniak asked how much the fence encroaches on his property.

K. Moore said that it encroaches on his property by 1.6 ft. New York State does not recognize adverse possession of fences, brush, or shrubbery so it is not a question if the lot lines will change.

H. Henick asked how tall the fence was.

J. Benwitz said 6ft tall.

C. Ziarniak asked if it was a solid fence.

J. Benwitz said that a portion of the fence is lattice.

H. Henick asked if the shed would be taller than the fence.

J. Benwitz said yes.

C. Ziarniak asked how he would maintain the back of the shed.

J. Benwitz said he would use Landscape fabric and then rock above it so that nothing would be able to grow back there.

C. Ziarniak asked if it was a standard 8ft wall.

J. Benwitz said yes.
C. Ziarniak asked if it was a 4 by 12 pitch.
J. Benwitz said that it would be a 9 by 12 pitch.
K. Moore stated it would be to match the house.

J. Benwitz said there is no door on the north side and a door on the south side.
C. Ziarniak confirmed it would be a 6ft door.

J. Perry asked about the overhang.
J. Benwitz said that it would be a 6in overhang.

H. Henick asked about the watershed going into his neighbor's property.
J. Benwitz said it should not reach his property.
K. Moore said that you have about a 4ft run of roofing, said he doesn't think it will shed much more water than an actual rainfall, it is close to the property and that area is wet to begin with.
K. Moore said that the shingles would be semi pervious and absorb some water rather than metal roof.

H. Henick asked about the distance between the shed and pool.
J. Benwitz said about 4-5ft.

C. Ziarniak asked if he explored other parts of the yard to see if it would work.
J. Benwitz said that it would be too close to the house.

J. Scheid motioned for a public hearing on August 2nd, 2023, at 7:00pm.
J. Perry seconded.
Unanimously carried.

REVIEW MINUTES:

J. Scheid motioned to approve the minutes from 7/5/2023.
H. Henick seconded the motion.
Unanimously carried.

ADJOURNMENT:

C. Ziarniak motioned to adjourn 7:50pm
J. Perry seconded the motion.
Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, August 2nd, 2023, at 7:00 PM held at the Town Hall.

Respectfully submitted,

Andrea Rookey, Building Department Clerk

