

**TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING**  
**Held at the Clarkson Town Hall**  
**Wednesday, June 19th, 2024, at 7:00 PM**

**Board Members**

Conrad Ziarniak, Chairperson  
Joseph Perry  
Howard Henick  
Peter Connell  
Colleen Mattison

**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 veterans and first responders.

**PUBLIC HEARING:**

Applicant: Leah Brady

Property Owner: Leah Brady

Address: 4068 Lake Rd

Zoning: RS-10

Applicant requesting special permit for a permanent sign for the business, Brockport School of Dance.

C. Ziarniak read the legal notice aloud for the public present.

C. Ziarniak asked if L. Brady could explain her application.

L. Brady said that she would like a special permit for the proposed sign that was resubmitted with measurements that follow the code.

C. Ziarniak asked if there would be any lighting.

L. Brady said that the building would have lighting not the sign.

C. Ziarniak motioned to close the Public Hearing.

J. Perry seconded the motion.

Unanimously carried.

C. Ziarniak motioned SEQR was determined a type II action and was not subject to further environmental review.

H. Henick seconded the motion.

Unanimously carried.

H. Henick motioned to approve the special permit for the two permanent signs as proposed for the Brockport School of Dance with the two following conditions,

1. The sign would be maintained in like new condition
2. The sign would remain safely always secured to the building.

J. Perry seconded the motion

Unanimously carried.

**PUBLIC HEARING:**

Applicant: Carly Truelson

Property Owner: Carl Grasta

Address: 122 West Ave

Zoning: Commercial

Applicant requesting special permit for a permanent sign for the business, Truly Pampered Salon.

C. Ziarniak asked if the applicant could explain the application.

Matt Trippy was representing the application on behalf of Carly Truelson.

M. Trippy said that the sign was plastic with vinyl lettering and has traveled with them to a couple different locations and has held up nicely.

There was no public input.

C. Ziarniak motioned to close the public hearing

J. perry seconded the motion

Unanimously carried.

J. perry said that the sign looks like the sign fits the character of the neighborhood.

C. Ziarniak motioned that SEQR was determined a type II action and was not subject to further environmental review.

C. Mattison motioned to approve the special permit for the permanent sign proposed with the following conditions:

1. The sign would be maintained in like new condition
2. The sign would remain safely always secured to the building.

H. Henick seconded the motion

Unanimously carried.

**PUBLIC HEARING:**

Applicant: Mark Ballerstein

Property Owner: Church Cares

Address: 2435 Lake Rd

Acres:1.30

Applicant requesting a special permit for Life Solutions of Hamlin at 2435 Lake Rd, emergency food pantry, treasure store and various seasonal programs.

C. Ziarniak explained that the Town amended Chapter 140 of the Code of the Town of Clarkson entitled "Local Law No. 1-1973 of the Town of Clarkson", to allow the charity to reside and operate at the location of 2435 Lake Road allowed under a special permit.

C. Ziarniak read aloud the family support center definition, "FAMILY SUPPORT CENTER A facility which conducts one or more of the following uses within an enclosed building to directly support persons and households in need: 1) thrift store, 2) food pantry, excluding food banks and soup kitchens, 3) collection and distribution of seasonal items like "toys for tots", clothing, and school supplies. Also, the following use is permitted indoors and outdoors: 4) mobile food pantry. The facility shall be operated by a charitable organization which is determined to be tax exempt by the IRS pursuant to Section 501(c)(3) of the Internal Revenue Code" as well as the definitions of a food bank and food pantry, "FOOD BANK A facility that collects, warehouses and distributes food to hunger relief organizations, such as food pantries. Food is not distributed directly to those in need from a food bank. FOOD PANTRY A facility to collect, store, package, and distribute food, such as fresh produce, perishables, canned goods, or food staples, directly to persons and households in need. The facility shall primarily distribute food but may also include toiletries and hygienic items, diapers, pet food, clothing, and incidental household items. Excluding food banks and soup kitchens. On-site preparation of food is not permitted. The facility shall be operated by a charitable

organization which is determined to be tax exempt by the IRS pursuant to Section 501(c)(3) of the Internal Revenue Code”

C. Ziarniak asked if M. Ballerstein could explain what the charity would be providing.

M. Ballerstein said that they provide four programs that will operate at their new location. He said that there is a Back-to-School Program where they provide school supplies and clothes for children.

C. Ziarniak said that falls under 3) of the new Local Law, “collection and distribution of seasonal items like “toys for tots”, clothing, and school supplies”

M. Ballerstein said that they have an Angel Program which provides Christmas gifts and toys.

C. Ziarniak said that falls under 3) of the new Local Law, “collection and distribution of seasonal items like “toys for tots”, clothing, and school supplies”

M. Ballerstein said that they have a Santa Program which allows children to pick out gifts for their families for Christmas.

C. Ziarniak said that falls under 1) of the new Local Law “thrift store”

M. Ballerstein said that they have a Treasure Store where they accept donated items and sell them at a low cost and the revenue for that directly supports the programs that Life Solutions of Hamlin provides.

C. Ziarniak asked how the donations occur.

M. Ballerstein said that items are donated during store hours.

C. Ziarniak asked if there would be anything outside the building

M. Ballerstein said there would only be parking and loading.

A resident of the Town near by the Life Solutions of Hamlin was concerned about the lighting. The resident said that they had an agreement with the previous owner for the building and parking lot lights to go off at night so there wouldn't be any glare.

M. Ballerstein said they do not operate at night.

No further public input

C. Ziarniak motioned to close the Public Hearing.

C. Mattison seconded the motion

Unanimously carried

J. Perry said that it sounded like Life Solutions of Hamlin met the definition of a family support center.

C. Mattison and H. Henick agreed

C. Ziarniak asked if Life Solutions would have a soup kitchen or mobile food pantry.

M. Ballerstein said no

C. Ziarniak motioned that SEQR was determined a type II action and was not subject to further environmental review.

J. Perry seconded the motion

Unanimously carried.

H. Henick motioned to approve the special permit meeting the definition of family support center uses according to the amended Local Law #3-2024.

J. Perry seconded the motion

Unanimously carried.

**OLD BUSINESS:**

Applicant: Jerry Scheck

Property Owner: Jerry Scheck

Address: 3432 Lake Rd

Zoning: RS-20

Applicant requesting a 5ft area variance to the property line for a garage not in accordance with 140-22D(1)(c)[2]side setbacks are 10ft and the garage occupying the front yard not in accordance with 140-7E 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. (2) Porches or terraces in side or rear yards, provided that they are not covered nor enclosed and are no closer to the lot lines than required by the applicable setback restrictions. (3) Detached accessory buildings occupying not over 25% of a required rear yard and setback as required by this chapter.

C. Ziarniak asked J. Scheck to explain his application.

J. Scheck said that he is the last house on Lake Road to get a garage and would like to have a garage to store cars because he collects cars.

K. Moore explained that J. Scheck changed the size of the garage and the variance to 11in. and that pitch would be under the height requirement.

H. Henick asked where the garage would align to on the house.

J. Scheck said that garage would be behind the overhang of the garage.

C. Ziarniak said that they would need the updated measurements on the drawings.

J. Scheck said that one of the doors on the front would be taller and the other would be wider.

J. Scheck also said that the color difference on the garage would be 1/3 and 2/3.

C. Ziarniak motioned for a Public Hearing on July 17<sup>th</sup>.

J. Perry seconded the motion.

Unanimously carried.

**REVIEW MINUTES:**

C. Ziarniak motioned to approve the minutes from 6/5/2024 as amended.

H. Henick seconded the motion.

Unanimously carried.

**ADJOURNMENT:**

C. Ziarniak motioned to adjourn 8:10pm

H. Henick seconded the motion.

Unanimously carried.

**NEXT MEETING:**

The next meeting of the Zoning Board of Appeals will be Wednesday, July 17th, 2024, at 7:00 PM held at the Town Hall.

Respectfully submitted,  
*Andrea Rookey, Building Department Clerk*