

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING
Held at the Clarkson Town Hall
Wednesday, October 2, 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.

NEW BUSINESS:

Applicant: Donna Donnelly

Property Owner: Doanna Donnelly

Address: 125 St. Katherine Way

Zoning: RS-10

Applicant requesting Area Variance for a shed not in accordance with Local Law #4-2023 Accessory Structures 140-7(b)(1) One accessory building shall be permitted on any residential lot in the Town of Clarkson.

C. Ziarniak: asked J. Perry to lead discussion on application since this is his neighbor.

J. Perry: asked Donna Donnelly to explain the zoning application for the area variance she is requesting.

D. Donnelly: would like to build a 10x14 shed in addition to the existing shed.

J. Perry: What will the shed look like.

D. Donnelly: The shed will have a double door to the rear of the shed facing west and 2 windows on the south side. The shed will match the existing structure.

J. Perry: went through the required six questions.

J. Perry: Asked for a photo to be provided of the finished look of the shed.

J. Perry: Made a motion for a public hearing to be held on October 16, 2024, at 7:00pm.

P. Connell: seconded motion.

Ayes: J. Perry, P. Connell, H. Henick, C. Mattison.

Abstain: C. Ziarniak

PUBLIC HEARING:

Applicant: Garrett Schalge

Property Owner: Garrett Schalge

Address: 9329 Ridge Road

Zoning: HC

Applicant requesting special permit and area variance for permanent sign not in accordance with Town Code 140-23(D) No sign shall be newly erected in the Town which has a surface area in excess of 40 square feet or a height in excess of 14 feet. The height shall be taken as the vertical distance from the uppermost portion of the sign to the ground.

C. Ziarniak: Read application and legal notice aloud.

C. Ziarniak: Reviewed application supporting documentation.

C. Ziarniak: asked how far from the right of way would the monument sign be located.

G. Schalge: it will be six foot outside of the right of way.

C. Ziarniak: discussed the supporting documents for the sign on the building.

C. Ziarniak: asked about the lighting on the sign.

G. Schalge: It will be on a sensor automatically coming on at dusk and going off at dawn.

C. Ziarniak: Went through six questions required when reviewing an area variance.

J. Perry: discussed brightness of the sign and asked if there were any complaints from neighbors that the brightness or time of illumination that it be adjusted.

C. Ziarniak: asked if any public was here on this application. No public was in attendance.

C. Ziarniak: Asked K. Moore if there were any correspondence from the public in regard to this application.

K. Moore: None were received.

C. Ziarniak: Motion to close public hearing.

H. Henick: Seconded motion.

Unanimously carried.

C. Ziarniak: read aloud the six questions required when granting an area variance and opened to discussion with the board.

1. What benefit will be derived by the applicant who is seeking this variance?

G. Schalge answer on application was ease of reading the sign.

Zoning Board member and applicant discussion:

J. Perry: Asked if the sign could be smaller.

G. Schalge: The sign company felt for the location, speed of traffic the size was appropriate. If it were smaller it could be a distraction coming to the intersection.

H. Hennick: Said he feels the sign is too large and should be smaller possibly 3ftx10ft. Also does not think it should be illuminated all night.

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

G. Schalge answer on application was none.

Zoning Board Discussion:

C. Ziarniak: being illuminated all night could be an undesirable change.

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

G. Schalge answer on application was none.

Zoning Board discussion:

C. Ziarniak: sign could be smaller.

H. Henick: Sign could be smaller.

4. Is the requested area variance substantial?

G. Schalge answer on application was yes.

Zoning Board discussion:

C. Ziarniak: yes, this is a one hundred percent increase.

5. Will the proposed action have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

G. Schalge: Answer on application was no.

Zoning Board Discussion:

C. Ziarniak: Possible if people are affected by the lighting.

6. Was the alleged difficulty self-created? Note: If the difficulty was self-created, it is relevant to the decision of the ZBA but does not necessarily preclude the granting of an area variance.

G. Scholge: answer on application was no, this is a highway commercial zoned property.

Zoning Board discussion:

C. Ziarniak: This is a Highway commercial Zoning and signs are an integral part to business.

C. Ziarniak: Motion to determine this is a type2 action under SEQR and does not require further review.

J. Perry: seconded motion.

Ayes: C. Ziarniak, J. Perry, P. Connell, C. Mattison.

Abstain: H. Henick

J. Perry: Motion to approve special permit and area variance for a permanent sign with the final conditions:

1. No additional signage on the 5ftx8ft wood plank base.
2. No additional flags or banners.
3. Illumination will be adjusted if complaints are received.
4. Signs shall be kept in like new condition.

C. Ziarniak: seconded motion.

Ayes: J. Perry, C. Ziarniak, P. Connell, C. Mattison.

Abstain: H. Henick.

Unanimously carried.

REVIEW MINUTES:

H. Henick: motion to approve minutes from 9/18/2024 with correction.

C. Mattison: seconded motion.

Unanimously carried.

ADJOURNMENT:

C. Ziarniak: Motion to adjourn at 8:16pm

J. Perry: seconded motion

Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, October 16, 2024, at 7:00 PM held at the Town Hall.

Respectfully submitted,
Kevin Moore, Building Inspector

Approved 10-16-2024