

# TOWN OF CLARKSON – ZONING BOARD OF APPEALS

June 16, 2010

## PRESENT – Board Members

Conrad Ziarniak - Chairperson \*  
Paul Dittman  
Jackie Smith  
Scott G. Tantalo  
Michael Beadling

## Support Board Members

Richard Olson, Town Attorney \*  
Chad Fabry, Code Enforcement \*  
Ursula M. Liotta, Building Dept. Coordinator  
  
Excused \*

## CALL TO ORDER:

P. Dittman, acting Chairperson, opened the meeting with the Pledge of Allegiance, and reviewed the agenda.

PUBLIC HEARING: None

NEW BUSINESS: None

OLD BUSINESS: None

OPEN FORUM: None

## OTHER:

1. **Rhonda Sweet**, Ashley's Place Restaurant, new tenant at 8089 Ridge Road (formerly Scarpulla's)

A. Replacement sign @ road

Brian and Rhonda Sweet introduced themselves as the new tenants at the above address, and stated in part, as follows:

- that they are opening a new restaurant at the 8089 Ridge Road address;
- that they will be using the same sign framework as the former occupant;
- that they used the same sign company, The Signery, for the new sign;
- that the underside of the old sign was used for the new sign.

J. Smith stated that she recalled that Scarpulla's sign was on a timer for lighting, and the Sweets stated that they intended to do the same. (*Note: Scarpulla's ZBA Notice of Decision dated 9-9-08 states that "the lighting ... will be set on timers from 5:00 am to 9:00 pm."*)

P. Dittman stated that since the new sign is exactly the same size as previously approved, it is considered to be "apples to apples". P. Dittman made a motion to approve the new replacement sign; second by J. Smith; unanimously carried. The Sweets are allowed to install the new sign immediately.

B. Referral by Planning Board re: parking lot issue

On June 15, 2010, the Planning Board referred the parking space matter to the ZBA for review.

B. Sweet showed the Board members the layout of the proposed parking. U. Liotta stated that based on the type of occupancy, and the occupancy load for the building, C. Fabry, Zoning Officer, determined meet that 22 paved spaces are required per NYS code. Currently, there are 13 paved parking spaces and 9 gravel parking spaces.

The Board agreed that this matter should be monitored by C. Fabry as Zoning Officer, and not the ZBA. The Board suggested that at the time the Certificate of Occupancy is issued for the building renovations, that it be made contingent upon the 9 gravel spaces being paved by no later than September 30, 2011.

**TOWN OF CLARKSON – ZONING BOARD OF APPEALS**  
**June 16, 2010**

2. **Wegman Family LLC**, regarding Emeritus at Landing of Brockport, 90 West Avenue  
New name & new road sign

No representative from the Wegman Family LLC was present for the meeting.

U. Liotta had provided the Board with the ZBA minutes and the Notice of Decision from 1998, at which time a sign no larger than 3' x 6' (18 sq. ft.) had been approved for the "Assisted Living Facility" at 90 West Avenue. The name "The Landing" had not been determined at the time of the original application.

Further, the Board was provided with the information regarding the newly erected replacement sign, namely, "Emeritus at Landing of Brockport" which is 72" W x 86" H (i.e. 6' x 7.2') or 43 sq. ft.; that town code allows a maximum surface area of 40 sq. ft.

P. Dittman stated that he drove past the new sign, and is concerned about site obstruction per §140-11. Board discussion followed, resulting in the ZBA recommending that Wegman Family LLC make a full application for a Special Permit for the new permanent sign, and to apply for an area variance for the size of the new sign.

**REVIEW OF MEETING MINUTES:** June 2, 2010

P. Dittman made a motion to approve the minutes; second by S. Tantalo; unanimously carried.

**NEXT MEETING:** July 21, 2010 at 7:00 p.m.

The Board members agreed to cancel the July 7, 2010 meeting due to the 4<sup>th</sup> of July holiday. A cancellation notice will be printed in the Hamlin Clarkson Herald.

**ADJOURNMENT:** P. Dittman made a motion to adjourn at 8:00 p.m.; second by J. Smith; unanimously carried.

**Approved 7-21-10**

Respectfully Submitted,

Ursula M. Liotta,  
Building Department Coordinator