

**TOWN OF CLARKSON  
ZONING BOARD OF APPEALS  
January 7, 2015**

**PRESENT-Board Members**

Conrad Ziarniak – Chairperson  
Paul Dittman  
Leslie Zink  
Tom Guarino  
Joe Perry

**Support Staff**

Kristen DiFilippo, Bldg. Dept. Coordinator

**CALL TO ORDER**

Conrad Ziarniak-Chairperson called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance. The agenda was reviewed by the Board Members.

**NEW BUSINESS**

**Jim Reichert – Redman Road**

Regarding: An Area Variance for frontage of driveway. The proposed right-of-way frontage is 22.5 feet wide and per Town Code §140-21E(2) the minimum is 30 feet. James Glogowski, P.L.S. presented the application. C. Ziarniak read the code aloud: *The minimum right-of-way frontage on an existing state, Town or county road shall be 15 feet; provided, however, that in no case will the total width of the combined right-of-way of all flag lots in a subdivision be less than 30 feet or more than 60 feet wide.* J. Reichert owns approximately 62 acres of land with only 22.5 feet frontage access in the Town of Clarkson to his parcel. J. Glogowski stated J. Reichert is proposing to build a single family dwelling on his parcel and needs an area variance for an access driveway. The parcel is considered a “Flag Lot” and pursuant to Town Code §140-3{23} states: *A parcel of land which does not abut a public street except for a strip of land on which an access drive is located.*

T. Guarino asked when the construction of the proposed dwelling would start. J. Glogowski stated early spring. C. Ziarniak commented on the uniqueness of the parcel, stating the proposed access driveway abuts the Town of Hamlin, in which J. Reichert owns several acres. Mr. Reichert would like to reside in Clarkson and but only owns a small frontage to access his 62 acres. C. Ziarniak stated when approving an area variance, the variance goes with the parcel. In the future if the owner decides to sell his parcel, the new owner inherits the variance.

C. Ziarniak requested that the Town Attorney, Richard Olson, be present at the Public Hearing.

Motion by Conrad Ziarnaik

Seconded by Joe Perry

To schedule a Public Hearing on January 21, 2015

Unanimously carried

**C & B Subdivision – 2575 Lake Road**

Regarding: An Area Variance to allow for an existing structure to be located within the required front setback, pursuant to Town Code §140-7E(3) regarding use of structures and land. Rich Maier, surveyor for Charles Beadle was present at meeting. R. Maier stated C. Beadle purchased a home on a 5 acre parcel with a barn on the parcel. The owner plans to create a lot measuring 184.38 feet x 286.47 feet for the existing home. The remainder of the 5 acre lot would be subdivided. The existing 49 acres will remain farmland. The additional acres with barn will be added to that parcel.

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C. Ziarniak asked about the current condition and dimensions of the barn. R. Maier stated it was in good condition with the dimensions being 60 x 24 feet.

The definition of ACCESSORY STRUCTURE is: *A structure or a portion of a main structure or a use located or carried out on the same premises and incidental and subordinate to the main structure or use which customarily accompanies or is associated with such main use and structure.* C. Ziarniak assisted board members with interpretation of this code. The applicants accessory structure is to be considered frontage to a main structure and therefore he is requesting relief from Town Code §140-7E(3) which states: *Any required yard shall be entirely open and unoccupied by buildings other than: Detached accessory buildings occupying not over 25% of a required rear yard and setback as required by this chapter.*

Motion by Conrad Ziarniak

Seconded by Leslie Zink

To schedule a Public Hearing on January 21, 2015 contingent on approval by the Town Attorney and Town Building Inspector.

Unanimously carried

**MINUTES**

Motion by Leslie Zink

Seconded by Paul Dittman

To approve the December 17, 2014 minutes

Unanimously carried

**NEXT MEETING**

The next regularly scheduled meeting of the Zoning Board of Appeals will be Wednesday, January 21, 2015 at 7:00 p.m.

**ADJOURNMENT**

Motion by Leslie Zink

Seconded by Conrad Ziarniak

To adjourn the meeting at 8:20 pm.

Unanimously carried

Respectfully submitted

*Kristen DiFilippo*

Building Department Coordinator

Approved 1/21/2015