TOWN OF CLARKSON ZONING BOARD OF APPEALS Being held via Zoom Wednesday, May 20, 2020

Board Members

Support Staff

Conrad Ziarniak, Chairperson Jim Gillette

Richard Olson, Town Attorney Kevin Moore, Code Enforcement Excused *

Joseph Perry

Anna Dagadalaa Duilding Dagada

Lisa Rivera-French *

Anna Beardslee, Building Department Clerk

Joanne Scheid

CALL TO ORDER:

Conrad Ziarniak called the Zoom meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance and read aloud the agenda for the meeting via zoom. He explained how the public hearings would work that were on the agenda for the night via the Zoom Conference.

PUBLIC HEARING:

Applicant: Benjamin and Marcia Adams

Property Owner: Benjamin and Marcia Adams

Property Address: 461 Lawrence Road

Zoning District: RS-20 **Tax ID:** 030.040-01-028.2

Acres: 39.558

Applicants are requesting an area variance on their property for Creekwood Archery. They received a special permit in September 1994 allowing them to operate the Archery Club on 39.5 acres. They are now requesting that the Archery Club only be operated on 3.076 acres and are asking for an area variance not in accordance to Town Code § 140-3D Public Buildings and Grounds which reads as follows:

D. Golf courses and country clubs when occupying not less than 50 acres, not including, however, clubs whose activities include the maintenance, storage, takeoff or landing of aircrafts.

Kris Schultz representing Ben and Marcia Adams (who were also present at the Zoom Meeting) from Schultz Associates. He began explaining the request that the town code 140-3d public buildings and grounds states that they need to operate on at least 50 acres of land. The special permit for the archery club allowed them to operate on 39.5 acres and now they are asking to decrease the amount again to 3.076 acres of land, as they would like to subdivide their property from the creekwood archery. Kris explained that him and Ben had worked together to come up with conditions in order for the Creekwood Archery to be operated and managed as similar as possible to him managing the business.

Conrad asked about the non for profit organization information that was requested from the last meeting back in March.

Dick, the Town Attorney, explained that all paperwork had been received, and he looked it over and everything looks good. Dick also stated that he read through the code and felt that the

Creekwood Archery could fall under 140-3h, which has no size limitations. He also stated that reviewing the application again, the application is in need of a revision of the Special Permit that was given to the Creekwood Archery, instead of the Area Variance.

Conrad asked if any of the board members had anymore issues, and no one did. He then opened the Public Hearing up for the public to comment or ask questions.

Lisa Sausa was on the Zoom Meeting, who explained that she is the neighbor that lives right next door to Creekwood Archery. She wanted to make sure that whomever was buying the business, if they were to do outdoor shooting as well would they be under strict guidelines. She worries because her property borders theirs, and she has children and horses on her property and she is concerned about their safety. She is just asking that everything be done to code and away from her property.

Conrad asked if anyone else wanted to comment. No one replied, so he made a motion to close the public hearing.

Jim seconded.

Unanimously carried.

The board members discussed Lisa's concerns about her property. Lisa did state that an arrow had landed on her property one time in the years that she has lived there. But it had only happened once. And that is why she has the safety concern. Kris Schultz that the conditions that they will be put in place should help her to feel safe.

The board member discussed different scenarios of the new owner, and how to try and keep things in place as they are now. Kris offered several conditions that could be made to help alleviate some of those concerns. The conditions that were talked about were, hours of operation, no expansion of the business without going back to the Zoning Board, and keeping the amount of events and maximum amount of people who could be at the business at one time.

After much discussion, Conrad made a motion to determine that this a type II SEQR action and will not need further environmental review.

Jim seconded.

Unanimously carried.

Conrad made a motion on the application to approve the application for the Special Permit for the Creekwood Archery at 691 Lawrence Road with the following conditions:

- The hours of operation will be Sunday through Thursday 9 AM to 9 PM Friday and Saturday
 9 AM to 11 PM.
- No future expansion to the property without further application to the Zoning Board.
- The Creekwood Archery will be allowed to hold 2 large events per year with the maximum amount of 75 people being at the Creekwood Archery. When the events are to be held, the Creekwood Archery will need to notify the town of Clarkson and advance to ensure that all other agencies are notified as well. The owner will also manage the traffic and flow to prevent any traffic and safety issues.

Joe seconded.

Unanimously carried.

Conrad read aloud a brief summary of the Legal Notice for Paul Egan

PUBLIC HEARING:

Applicant: Paul Egan

Property Owner: Paul Egan

Property Address: 7893 Ridge Road

Zoning District: RS-10 <u>Tax ID:</u> 054.04-1-33 <u>Acres:</u> 41.10 acres

Applicant requesting a 35 foot area variance for the front setback, to build an addition to the existing residence not in accordance with town code §140-7D Use of structures and land

<u>D.</u> On any lot fronting on a major road, the minimum building setback shall be 75 feet from the street line of the major road.

Paul Egan here to represent himself on the Zoom Meeting. He explained that he and his wife would like to move in to their 4 unit dwelling. They are looking to build an addition on to the existing house that they would be residing in that would include a full bath, a laundry entry way, and a two car garage. They are asking for a 35 foot area variance for the front setback.

Conrad asked if any board members had any questions or comments. No board member did.

Conrad opened up the public hearing for anyone who wished to comment. No one replied. Conrad made a motion to close the public hearing.

Joe seconded.

Unianimously carried.

Conrad asked Kevin if all of the maps had been received and if there were any issues and concerns on his part. Kevin stated no.

Conrad asked Paul to speak about his wording in his application, that since he would be living in the home at 7893 Ridge Road, that he would be able to put some pride into the home. Paul spoke and said that he would be able to work on some things like the front porch and columns on the house, and just do some things that he never was able to, if he was living there. So the addition would be able to allow him to do so.

Conrad asked Dick his thoughts. He said he was fine with the application and that map shows that the additions is further back than the existing house.

Conrad made a motion to determine this action as Type II SEQR and it would not need further environmental review.

Jim seconded.

Unanimously carried.

Conrad asked if anyone would like to make a motion on the application itself. Or if anyone had any conditions that they wanted to address. Conrad stated that the fact that Paul would be residing in the home was a huge consideration for approval of the motion.

Joe made a motion to approve the area variance for the front setback of 35 feet for Paul Egan for 7893 Ridge Road, with no conditions.

Jim seconded.

Unanimously carried.

MINUTES:

Minutes will be looked over at the next meeting for March 4, 2020, May 6, 2020, and May 20, 2020 meetings for approval.

ADJOURNMENT:

Conrad made a motion to adjourn the meeting at 8:13 PM.

J. Scheid seconded.

Unanimously carried.

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, June 3, 2020 at 7:00 PM via Zoom. Zoom meeting information will be sent out to members as well as the Public on the Town of Clarkson website.

Respectfully submitted,

Anna Beardslee, Building Department Clerk

Approved on June 3, 2020