

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
September 19, 2011

Board Members present: Les Drake, David Storandt, Harold Carpenter, Chairman Jim Kenney, Dale Maclaughlin, Alternate Don Bell

Others present: Zoning Enforcement Officer Henry LaClair, Code Enforcement Officer Richard Ingerson, Recording Clerk Susan Kenney

Townspeople present: Sherry Mastic, Robert Cox, Mrs. Cox, Gil Schmidt, Mrs. Schmidt, Donna Brunelle, Joe Brunelle, Gay Clark, Anthony Malavenda, Curtis Byington, Chuck Spaulding, Libby Spaulding, Bud Baril

At 7:00 Chairman Jim Kenney opened the meeting of the Joint Town and Village of Clayton Zoning Board of Appeals.

Minutes from the August 15, 2011, meeting were reviewed. No corrections were requested. **MOTION** was made by Dave Storandt, 2nd by Harold Carpenter, to accept the minutes as presented. Motion was carried.

7:02 --- Village --- Curtis Byington, 1400 State St., Clayton, Tax Map No. 20.54-1-5 in the Resort-Single Family Residential District. Variance for an attached open-sided garage.

Mr. Byington did the presenting. He wishes to attach an open-sided garage or carport to the house, connected by a door into a back room. He plans on having 6-inch eaves on the garage/carport, so those will have to be accounted for in the site plan. This garage/carport would be put on top of an asphalt/gravel driveway; he hopes to get two cars side by side in the garage/carport, hence its size (24x22 ft.). He is also considering having a wheelchair-accessible door with a ramp. He wants to install a garage door and be able to wall in the garage/carport with canvas walls during bad weather. He plans on putting in a peaked roof with the ridge facing Hungerford Dr., and the gables parallel to State St. The proposed garage would face onto Hungerford Drive, a gravel drive owned by James Hungerford, leading down to several cottages that are mostly used for summer residence.

There was some discussion as to whether it should be considered a garage or a carport. Both would need to be built to fire code. According to the village zoning ordinance, a carport is a roofed structure with or without walls, making it essentially synonymous with a garage. Since the original application referred to a garage rather than to a carport, it was decided to deal with the proposed structure hereafter as a garage. It was also noted that the application did not need a 60-ft. rear yard setback request because it was determined that in his district, the setbacks had already been set.

Mr. Byington had asked for a 2-ft total side yard variance and a 4-ft east side yard variance. It was pointed out that these measurements were not correct. It was also pointed out that with a 5-ft. setback, rather than a 4-ft. setback, he would have less stringent codes to deal with, and would also keep his vehicles further off the road and lessen any run-off problems. He therefore agreed to make the garage only 20 ½ ft. deep, with 6-inch eaves, to make the requested setback 5 ft. instead of 4 ft.

required at time of purchase). (4) Even if the clientele is limited, if there is an exchange of money and goods, it should be considered retail.

At 9:46, Chairman Jim Kenney went through the finding of fact. At 9:51, **MOTION** was made by Dave Storandt, 2nd by Dale Maclaughlin, to approve the zoning officer's interpretation of redemption centers.

Aye: Jim Kenney, Harold Carpenter, Les Drake, David Storandt, Dale Maclaughlin
Nay: None Abstain: None Absent: none

9:52 --- James Morrin. Seeking extension of variance from May 2009.

After a brief discussion, the Board agreed unanimously to extend Mr. Morrin's variance as granted in May 2009.

At 9:55, **MOTION** was made by Dave Storandt, 2nd by Dale Maclaughlin, to adjourn the meeting. Motion was carried.

Respectfully submitted,
Susan E. Kenney, Recording Clerk