

**APPROVED
TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
APRIL 19, 2010**

Board Members present: Jim Kenney, Dave Storandt, Darrel Hayes, Harold Carpenter, Les Drake, Alternate Dale Maclaughlin

Others present: ZEO Henry LaClair, Clerk Janet Sullins

Townspople present: Gunther Schaller, Fred Schmitt, William Ferraldo, Mike Hogan, Rick Guga, Mark Hodge, Jan Brabant, Stan Brill, Yvonne Hogan

At 7:00, Chairman James Kenney opened the meeting of the Joint Town and Village of Clayton Zoning Board of Appeals. Minutes from the March 15, 2010 meeting were reviewed. It was suggested that a notation be added regarding JMB Foods sign application, that the limits of the signs were as Mr. Buker presented them, and that he thought the sign size was comprised of the size of the actual letters only. But the Board's interpretation was that spacing in-between the letters needed to be included. **MOTION** made by Vice Chairman Harold Carpenter, 2nd by Board Member Darrel Hayes to approve the minutes as amended. Motion carried.

Village --- Vincent Dee/Melissa Ringer, 602/604 Riverside Drive, Tax Map No. 20.38-1-7, in the Riverwalk B District. Set Public Hearing to Place Walk-in Freezers on the Outside of the Building.

There will be a special meeting for a Public Hearing for Vincent Dee/Melissa Ringer Hardy on May 3, for the purpose of seeking setback approval to place an addition for commercial freezers on the west side of the building.

Village --- Antique Boat Museum, 750 Mary Street, Tax Map No. 20.46-1-1, in the Riverwalk A District. Public Hearing to Allow a Sign on the Southeast Wall of the Dodge Launch Building.

Chairman Kenney completed Part II of SEQR for this to be an unlisted action. The Board took a roll call vote to determine that there would not be significant impact by the size of the sign requested. Board Member Les Drake felt there would be a significant impact; Board Members Harold Carpenter, Dave Storandt, Darrel Hayes and Jim Kenney felt it would not. **MOTION** made by Board Member Les Drake, 2nd by Board Member Storandt to find this an unlisted action. Motion carried.

At 7:35, he opened the Public Hearing. Concern by the Board and by townsperson Jan Brabant was that the sign looks too much like a billboard advertising a commercial operation and would detract from the quaintness of the village. The boat museum's new

executive director, Frederick Schmitt, said that he understood their concern, but that, although the Antique Boat Museum is a destination for many, and that the sign would not necessarily bring in more business, other visitors have expressed that the ABM is not easy to find, that the large plain building looks like an industrial building, not a museum. The small sign at James and Mary Streets is not enough. Mr. Brabant said that, although it is small, it is more in keeping with the historic flavor the village projects.

Chairman Kenney read a letter from the Jefferson County Planning Board. They felt that the sign issue is of local concern only but stressed that tests for an area variance must be met.

At 7:50 Chairman Kenney then asked for a motion to close the Public Hearing. **MOTION** made by Board Member Darrel Hayes, 2nd by Board Member Drake. Motion carried. He then proceeded with the finding of facts. At 8:00, **MOTION** made by Board Member Drake to deny the sign. No one seconded. **MOTION** made by Board Member Storandt to approve the application with the size presented with the condition that the sign not be lighted. 2nd by Board Member Hayes

Aye: Storandt, Hayes, Carpenter Nay: Kenney, Drake
Absent: None Abstain: None

The Board proceeded to affix their signatures.

Town --- Mark W. Hodge, 14431 Grossman Point, Tax Map No. 12.00-1-37.72, in the Marine-Residential District. Public Hearing for Variance to Erect a Porch on His House

At 8:05, Chairman Kenney opened the Public Hearing for Mark Hodge. Mr. Hodge applied for a porch to be put on the rear of his house, but needed a variance as it was too close to the property line to be allowed in the zoning ordinance. The drawing he provided had the setbacks given to the porch, not to the eaves, so the application needed to be amended.

At 8:15, with no letters received against or persons present against the application, Chairman Kenney asked for a motion to declare this a Type II Action. **MOTION** made by Board Member Drake, 2nd by Vice-Chairman Carpenter. Motion carried. Chairman Kenney then asked for a motion to close the Public Hearing. **MOTION** made by Board Member Storandt, 2nd by Vice-Chairman Carpenter. Motion carried. He then proceeded with the finding of facts. At 8:22, **MOTION** made by Board Member Drake, 2nd by Vice-Chairman Carpenter to approve the application as amended.

Aye: Jim Kenney, Les Drake, Dave Storandt, Darrel Hayes, Harold Carpenter
Nay: None Absent: None Abstain: None

The Board proceeded to affix their signatures.

Member Drake, 2nd by Vice-Chairman Carpenter. Motion carried. He then proceeded with the finding of facts. At 9:30, **MOTION** made by Board Member Storandt, 2nd by Board Member Hayes to approve the application as amended.

With no other business arising, at 9:35 **MOTION** made by Board Member Drake, 2nd by Board Member Storandt to adjourn this regular meeting of the Zoning Board of Appeals. Motion carried.

Respectfully submitted,

Janet M. Sullins
Recording Clerk