

**APPROVED
TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
OCTOBER 18, 2010**

Board Members present: Jim Kenney, Harold Carpenter, Dale MacLaughlin, Dave Storandt, Les Drake

Others present: Zoning Enforcement Officer Henry LaClair, Code Enforcement Officer Richard Ingerson, Clerk Diane Clark

Townspeople present: Gault Farrell, Phyllis Farrell, Steve Taylor, Rick Gregware, William Grater, Jennifer Caddick

ZEO LaClair handed out to the board information on an upcoming Land Use Workshop and apologized for the short notice.

At 7:00PM Chairman Jim Kenney opened the meeting of the Joint Town and Village of Clayton Zoning Board of Appeals. He asked for a moment of silence in recognition of the passing of long time board member Darrel Hayes. The board then took a few moments to reflect on Darrel's life and his 29 years of service on the ZBA.

Chairman Kenney noted ZBA alternate Dale MacLaughlin would be sitting in for Darrel Hayes.

Minutes from October 4, 2010 were reviewed. **MOTION** made by Dave Storandt, 2nd by Les Drake to approve the minutes with two minor changes. Motion carried.

7:05PM – Village – Save The River, 409 Riverside Dr., Tax Map # 20.38-2-24, in the Riverwalk B District. Public Hearing for setback approval to extend their building.

Architect Bill Grater approached the board with plans for the addition to the building. Board member Les Drake pointed out that on the application the arrow pointing north was indicated incorrectly. Mr. Grater stated he didn't fill out the application. He went on to say that the addition won't be any closer to the lot line than the existing building but it doesn't include the eaves. It will be taller than the existing structure. A steel and concrete handicapped accessible ramp will be located on the west side and will be to the lot line. The addition will be stylistically in keeping with the existing building. Mr. Grater and the board discussed the rain water problem on the property and neighboring properties. He stated he was aware of the problem and said there is a storm drain on Merrick St. that they may connect to. Builder Steve Taylor interjected stating the Meads, who are the neighboring property owners, will participate in some capacity to help mitigate the water

issues. Mr. Grater indicated the building will have at least 12” eaves but won’t exceed 16”. There will also be two parking spaces behind the building.

There being no further questions board member Les Drake asked for a motion to declare this a Type II Action. **MOTION** made by Dale MacLaughlin, 2nd by Harold Carpenter. Motion carried. **MOTION** made by Dave Storandt, 2nd by Les Drake to close the Public Hearing. Motion carried. Chairman Kenney proceeded with the finding of facts. At 7:40, **MOTION** made by Dave Storandt, 2nd by Les Drake to approve this application with the following condition: The rain water runoff problem is corrected with the advice and cooperation of the Village, DPW, DEC and interested affected neighbors.

Aye: Jim Kenney, Dave Storandt, Harold Carpenter, Les Drake, Dale MacLaughlin
Nay: None Absent: None Abstain: None

The Board affixed their signatures.

7:45PM – Town – Gault and Phyllis Farrell, 42680 Hub Island, Tax Map # 12.11-2-88 in the Marine-Residential District. Public Hearing to erect a storage building closer to the front property line than is allowed by the ordinance.

Mr. Farrell approached the board. He stated he would like to erect a 10’ X 14’ storage shed that would be nestled in the trees to make it less conspicuous. He is seeking a 14’ front yard variance. This would place the building 16’ from the high water level. It will have electricity for light. He said the shed would be on cement piers and reinforced with rebar into the rock.

There being no letters, phone calls or further questions from the board Chairman Kenney asked for a motion to declare this a Type II Action. **MOTION** made by Harold Carpenter, 2nd by Dale MacLaughlin. Motion carried. **MOTION** made by Dale MacLaughlin, 2nd by Harold Carpenter to close the Public Hearing. Motion carried. Chairman Kenney proceeded with the finding of facts. At 8:00, **MOTION** made by Harold Carpenter, 2nd by Dave Storandt to approve this application.

Aye: Jim Kenney, Dave Storandt, Harold Carpenter, Les Drake, Dale MacLaughlin
Nay: None Absent: None Abstain: None

The Board affixed their signatures.

There being no further business to discuss, **MOTION** made by Harold Carpenter, 2nd by Dale MacLaughlin to adjourn this meeting. Motion carried.

Respectfully submitted,

Diane Clark
Recording Clerk