

**APPROVED
TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
OCTOBER 20, 2008**

Board Members present: Harold Carpenter, Les Drake, Darrel Hayes, Dave Storandt, Jim Kenney (arriving at 7:21)

Others present: ZEO Henry LaClair, Ass't ZEO / Code Enforcement Officer Richard Ingerson, Clerk Janet Sullins

Townpeople present: Jeremy (Jay) Slate, Doug Rogers, Robin and Steve Farress, Tom Tinney, Raymond (Skip) Couch

At 7:00, Vice-Chairman Harold Carpenter opened the meeting of the Joint Town and Village of Clayton Zoning Board of Appeals. Minutes from the September 15, 2008 meeting were reviewed. **MOTION** made by Board Member Dave Storandt, 2nd by Board Member Darrel Hayes to approve the minutes as written.

Aye: Les Drake, Dave Storandt, Harold Carpenter, Darrel Hayes

Nay: None

Absent: Jim Kenney

Abstain: None

Village --- Ronald & Carolyn Marriott, State Street, Tax Map No. 20.54-1-6, in the Marine-Development District. Set Public Hearing to erect a modular and garage with a 2-foot side variance

The couple are currently in the process of purchasing the property on State Street. The lot is vacant and unimproved at this time. **MOTION** made by Board Member Les Drake, 2nd by Board Member Storandt to set a Public Hearing for November 17, 2008 at 7:15. Motion carried.

New business: Clayton Marina is considering erecting a boat storage facility on Cantwell Drive, in the General Residential district. The Board reviewed the literal definitions of commercial and light industrial use, which are allowed in that district, to aid in their determination of whether boat storage would be allowed. The Board agreed that the applicant would be informed that they need to request a Site Plan Review as opposed to a Use Variance.

Village --- Doug and Dianne Rogers, 625 Brooks Drive, Tax Map No. 20.63-1-5, in the Neighborhood-Residential District. Public Hearing for erecting an attached garage closer to the property line than is currently allowed

At 7:16, Vice-Chairman Carpenter opened the Public Hearing. The Village Zoning Board of Appeals had previously granted a variance for a freestanding garage, which has been removed from the site. A floating slab still exists. The Rogers' wish to erect a new garage, attached to the house. (Chairman Kenney arrives at 7:21) Chairman Kenney has visited the site; the drip-line will not extend any farther than the previous one, and there is plenty of depth front and back, so no variance is needed there. With no letters received

Nay: None

Absent: None

Abstain: None

Town --- Terry and Bonnie Davenport, 14214 Lower Town Landing, Grindstone Island, Tax Map No. 12.00-1-42.1, in the Marine-Residential District. Public Hearing for an area variance to erect an addition to their house closer to the property line than is currently allowed by Town ordinance

At 8:04, Chairman Kenney opened the Public Hearing. Mr. Skip Couch came before the Board, representing the contractor, Chad Frost. The addition is set back from the front of the house, but still needs a variance, 18 feet from the high water mark. (The original application did not take eaves into consideration.) With no letters received or persons against the request, at 8:12 Chairman Kenney asked for a motion to close the Public Hearing. **MOTION** made by Board Member Drake, 2nd by Vice-Chairman Carpenter. Motion carried. Chairman Kenney then asked for a motion to declare this a Type II action. **MOTION** made by Board Member Hayes, 2nd by Board Member Drake. Motion carried. Chairman Kenney then proceeded to finding of facts. At 8:20, **MOTION** made by Board Member Drake, 2nd by Vice-Chairman Carpenter to approve the request as amended, and the Board proceeded to affix their signatures.

Aye: Jim Kenney, Les Drake, Dave Storandt, Darrel Hayes, Harold Carpenter

Nay: None

Absent: None

Abstain: None

Other business:

As some of the Board members had been to the recent Local Government Conference in Potsdam on October 14th, there was a brief discussion of the plenary session held.

Also, Mr. Robert Golden has requested another variance on the garage he has already illegally constructed on Cantwell Drive. Chairman Kenney read into the record a letter from Atty. Celia Moore, from Menter, Rudin and Trivelpiece, stating that since the Board has already denied a similar application, it can “refuse to consider and/or deny” this one as well. (It was noted that Mr. Golden does have the structure advertised for sale). At 8:32, **MOTION** made by Board Member Storandt not to entertain any other variance applications regarding this structure. This was 2nd by Vice-Chairman Carpenter. Roll call vote on this motion is as follows:

Jim Kenney – Aye; Les Drake – Aye; Dave Storandt – Aye; Darrel Hayes – Aye; Harold Carpenter – Aye. It is the unanimous decision of this Board not to grant another variance to Robert Golden for this structure. Mr. Golden will be so notified.

Regarding the alternate board member vacancy, Chairman Kenney read the letter from Geneva Miller of the Village stating that two persons, Duane Hazelton and Twyla Webb, had applied for the vacant positions of alternate members of the Joint Planning and Zoning Boards, with Mr. Hazelton preferring the Planning Board position. Board Member Storandt said that he would like to see Ms. Webb’s resume before deciding. Chairman Kenney said that he would request this, and send copies to the other Board Members. Upon review, Ms. Webb will be invited to come to the next Board meeting.

At 8:40, **MOTION** made by Board Member Storandt, 2nd by Board Member Drake to adjourn this regular meeting of the Joint Zoning Board of Appeals. Motion carried.

Respectfully submitted,

Janet Sullins
Recording clerk