

APPROVED
JOINT TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
May 21, 2007

Board members present: Darrel Hayes, Les Drake, David Clark, Harold Carpenter, Dave Storandt, Jim Kenney, Pete Brabant

Others present: Recorder Diane Clark

Townspeople: Terry Lindsay, Jennifer Stark

Minutes were reviewed from April 16, 2007. **MOTION** was made by Les Drake, 2nd by Dave Storandt to approve the minutes as written.

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

7:05PM - Town – Gerald Ingerson – Heritage Dr. Tax Map # 20.18-1-14.111 in the Residential I District. Area variance on three lots of major subdivision. Set a Public Hearing.

The board reviewed the application. Finding the application complete, **MOTION** was made by Les Drake, 2nd by Dave Clark to set a Public Hearing date and time for June, 18, 2007 at 7:15.

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

7:09PM – Town - Richard & Patricia Hiserodt – 16471 Rainbow Shores Drive. Tax Map # 12.20-1-2 in the Marine-Residential District. Area variance to site a garage close to lot lines on a nonconforming lot. Set a Public Hearing.

The board reviewed the application. Finding the application complete, **MOTION** was made by Harold Carpenter, 2nd by Dave Clark to set a Public Hearing date and time for June, 18, 2007 at 7:15 or soon after.

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

7:12PM – Village – Richard & Michelle Finley – 402 James St. Tax Map # 20.46-1-59 in the Neighborhood-Residential District. Area variance to extend an addition of 660 sq. ft. for added living space closer to the lot line than allowed.

The board reviewed the application. Finding the application complete, **MOTION** was made by Harold Carpenter, 2nd by Darrel Hayes to set a Public Hearing date and time for June, 18, 2007 at 7:15 or soon after.

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

7:15PM Town – Heidi Loy – 16664 Calhoun Rd. Tax Map # 12.26-1-80.1 in the Marine-Residential District. Open Application decision.

The board reviewed the application. It was determined that no action had been taken by the applicant. **MOTION** was made by Dave Stornadt, 2nd by Les Drake to deny and close this application.

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

7: 20 – Town - Jennifer Starks – 16840 McCormick Lane, Tax Map # 12.20-1-42 in the Marine-Residential District. Public Hearing for an area variance to extend her house and deck closer to the lot lines than allowed in the ordinance.

Ms. Stark addressed the board. She stated that she had changed her setback request instead of 5ft she would make it 7ft. by reducing the size of the addition. She also pointed out that she owns the lot next door so it would not infringe on anyone. She said she did not want to build on the other side of her home because the addition would be over her well and there is no view on that side of the property. She also stated that other neighboring property owners built additions that were nonconforming. Board member, Dave Clark, pointed out that in order for the board to approve the application she must meet certain hardship criteria and wanting a view of the river does not meet the criteria. He went on to state since Ms. Stark owns the adjacent parcel she could have the lot lines changed to give her the setback she needs. Chairman Kenney stated there were no letters or phone calls of opposition.

7:45 - MOTION was made by Darrel Hayes, 2nd by Pete Brabant to close the Public Hearing. Motion carried.

MOTION was made by Pete Brabant, 2nd by Darrel Hayes to declare this a Type II Action under the SEQR Law.

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

The board completed the finding of facts and affixed their signatures. **MOTION** was made by Pete Brabant, 2nd by Darrel Hayes to accept this application.

Aye: Brabant, Hayes,

Nay: Storandt, Kenney, Carpenter, Drake, Clark Abstain: None Absent: None

Other Business: Chairman Kenney stated he is in the process of setting up a meeting with Justine Taylor, Dale Kenyon and Joe Orobona to discuss the ramifications of the ZBA board member's term the village has set. He stated he would also like to resolve the issue with board member, Dave Clark's term. Mr. Clark noted that the Village Board still has not responded to his letters.

Being no further business to discuss, **MOTION** was made by Les Drake, 2nd by Chairman Kenney to adjourn this Public meeting at 8:30PM.

Aye: Storandt, Kenney, Hayes, Carpenter, Drake, Clark, Brabant

Nay: None Abstain: None Absent: None

Respectfully Submitted,

Diane Clark
Recorder