

APPROVED
JOINT TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
June 18, 2007

Board members present: Les Drake, David Clark, Harold Carpenter, Dave Storandt, Jim Kenney, Peter Brabant.

Others present: ZEO LaClair, Recorder Diane Clark

Townspeople: Richard Finley, Ron Chisamore, Carolyn & Andy Anderson, Richard & Patricia Hiserodt, Gerry Ingerson, Chip Garnsey, Rick Mulfi

Minutes were reviewed from May 21, 2007. **MOTION** was made by Harold Carpenter, 2nd by Dave Storandt to approve the minutes as written.

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

7:10PM – Town -Thomas & Rita Garrett, Tax map # 30.05-1-4 in the Marine-Residential District. Public Hearing to erect a private garage. A west side yard variance of 8 ft.

The board reviewed the application. Finding the application complete, **MOTION** was made by Harold Carpenter, 2nd by Dave Clark to set the Public Hearing date and time for July 16, 2007 at 7:15PM.

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

7:15 – Chairman Jim Kenney opened the Public Meeting.

7:15 –Town - Gerald Ingerson – Heritage Dr. Tax Map # 20.18-1-14.111 in the Residential I District. Public Hearing for area variance for front yard width on three lots of a major subdivision.

Mr. Ingerson addressed the board. He presented an overlay map of his proposed changes to lots #6 1022 (35.01), #7 1028 (18.94) and # 9 1028 (14.05) . He stated the Planning Board suggested the variance to make the lots conforming. Chairman Kenney read a letter from Roland & Nancy Van Deusen opposing the change and stating that Mr. Ingerson had verbally promised them that the lots would not be developed. This letter also included Mr. Rick Melfi as being opposed. Mr. Melfi was present and stated he was unclear as to what Mr. Ingerson's intentions were and wanted to hear his proposal and view the maps. The board allowed him to do so. The board also determined that the Van Deusen letter was a personal matter and was of no concern to this board.

7:40 – Chairman Kenney made a **MOTION** to close the Public Hearing. Motion carried.

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

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

The board completed the finding of facts and affixed their signatures. **MOTION** was made by Dave Clark, 2nd by Les Drake to accept this application as submitted.

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

7:50 – Village – Richard & Michelle Finley – 402 James St. Tax Map # 20.46-1-59 in the Neighborhood-Residential District. Public Hearing for area variance to extend the house and a rear yard area variance of 17ft.

Mr. Finley and his contractor, Chip Garnsey were present. The board reviewed the application. There were no phone calls, letters or anyone present with comments.

8:00PM- Chairman Kenney made a **MOTION** to close the Public Hearing. Motion carried.

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

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

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

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

8:10PM –Town - Richard & Patricia Hiserodt – 16471 Rainbow Shores Dr. Tax Map # 12.20-1-2 in the Marine-Residential District. Public Hearing for area variance to site a garage closer to the south side lot line (3ft) than is allowed in the ordinance.

Mr. Hiserodt addressed the board. He stated the reason he was asking for the variance is because of the many trees and the grade of his land made this the most desirable spot to build the garage. Board member Dave Clark asked where the septic and well were located on the property. Mr. Hiserodt showed Mr. Clark on his map. Board Member Dave Storandt asked where the shed was located and Mr. Hiserodt showed him on his map. Chairman Kenney stated he had looked at the property and noted the steep grading of the terrain. Chairman Kenney stated there were no calls or letters and no one present for additional comments.

8:15PM – Chairman Kenney made a **MOTION** to close the Public Hearing. Motion carried.

Mr. & Mrs. Hiserodt asked to leave at the closing of the Public Hearing. Chairman Kenney invited them to stay thru the finding of facts but they indicated they would like to have dinner.

Board Member Dave Clark pointed out to the board that Mr. Hiserodt could place the garage in another location simply by removing a tree and this location would not interfere with his well or septic and he wouldn't need a variance. The board discussed the possibility.

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

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

The board completed the finding of facts and affixed their signatures. **MOTION** was made by Dave Clark, 2nd by Les Drake to deny this application as submitted.

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

ZEO LaClair stated he would call the Hiserodts in the morning.

8:50PM – Harold & Carolyn Anderson – 16665 Rainbow Shores Dr. Tax Map # 12.20-1-15.2 in the Marine-Residential District. Public Hearing to extend deck with a 5.5ft. front yard variance.

ZEO LaClair handed the board members an amended application changing the front yard variance from 5.5ft. to 8.5 ft.

Mr. Anderson stated the reason for the change is that they would like to have their picnic table on the deck and placed so that everyone has a view of the river. He stated the addition would not be visible to any neighbors or seen from the road or by boaters. He provided pictures of his property and the existing deck he would like to replace.

8:55PM – Chairman Kenney made a **MOTION** to close the Public Hearing. Motion carried.

MOTION was made by Harold Carpenter, 2nd by Les Drake to declare this a Type II Action under the SEQR Law.

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

The board completed the finding of facts and affixed their signatures. **MOTION** was made by Les Drake, 2nd by Dave Storandt, to accept this amended application.

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

Being no further business to discuss, **MOTION** was made by Dave Storandt, 2nd by Les Drake to adjourn this Public meeting at 9:30PM.

Respectfully Submitted,

Diane Clark
Recorder