APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
November 21, 2011

Board Members Present: Chairman Jim Kenney**,** Les Drake, Dale Maclaughlin, Harold Carpenter, Dave Storandt

Others Present: Code Enforcement Officer Richard Ingerson, Recording Clerk Susan Kenney

Townspeople Present: Jonathan Taylor, Jamie Fox

At 7:02 Chairman Kenney opened the meeting of the Joint Town and Village of Clayton Zoning Board of Appeals.

Minutes from the October 17, 2011, meeting were reviewed. Two minor corrections were requested. **MOTION** was made by Les Drake, 2nd by Dale Maclaughlin, to accept the minutes as amended. Motion was carried.

7:04 --- Village --- Barbara & Brian Butts, 108 Swart Ave., Clayton, Tax Map #20.47-5-16, in the Marine Development District. Setback approval to erect a house.

The public hearing for Barbara and Brian Butts, adjourned at last meeting, was resumed. Jonathan Taylor, son of Steve Taylor (contractor for the Butts) was presenting. A map of the sewer and water lines in that neighborhood had been received and was passed around. Also, it had been learned that there are no existing easements for the neighbors of the Butts' property; that is an issue that the neighbors will have to settle with the Butts. That being said, the Butts have no plans to build on the former roadway.

It was noted that the Butts had been considering a detached garage near the southeast end of the lot, but are now more inclined to having an attached garage, and building the house closer to the river, nearer the northwest end of the lot. They only want a modest home. The Board will go with the measurements already presented.

At 7:13 **MOTION** was made by Dave Storandt, 2nd by Harold Carpenter, to declare this a Type II action. Motion was carried. **MOTION** was made by Les Drake, 2nd by Dave Storandt, to close the public hearing. Motion was carried.

Chairman Jim Kenney went through the finding of fact. At 7:16, **MOTION** was made by Dale Maclaughlin, 2nd by Dave Storandt, to approve the application as submitted.

Aye: Jim Kenney, Harold Carpenter, Les Drake, David Storandt, Dale Maclaughlin
Nay: None Abstain: None Absent: none

7:22 --- Village --- Leonard and Marilyn Frazzano, 109 Rivershore Dr.., Clayton, Tax Map #20.48-1-46, in the Resort-Single Family Residential District. For a Side Yard Variance.

Jamie Fox, agent for Mr. Frazzano, did the presenting, since Mr. Frazzano lives in New Jersey and will probably not be back for the winter.

It was noted that the deck had already been built on the house. It had been built to replace the previous deck, which was beginning to fall apart. Mr. Frazzano is handicapped and needs a deck with a ramp and handrails. He was unaware that he needed a permit to replace a deck. He is planning on moving up here after his retirement, so was trying to get the house ready for year-round habitation. The back deck is just as dilapidated, but replacing that one is not planned for the near future.

The lot is very large, with 30 feet on one side of the house and 96 feet on the other side. This makes the smaller side yard non-compliant because it is less than one-third of the larger side yard, even though there is plenty of room; therefore a variance is needed.

At 7:32, **MOTION** was made by Les Drake, 2nd by Dave Storandt, to declare this a Type II action. Motion was carried. **MOTION** was made by Harold Carpenter, 2nd by Dave Storandt, to close the public hearing. Motion was carried.

Chairman Jim Kenney went through the finding of fact. At 7:38 **MOTION** was made by Les Drake, 2nd by Dale Maclaughlin, to approve the application as submitted.

Aye: Jim Kenney, Harold Carpenter, Les Drake, David Storandt, Dale Maclaughlin
Nay: None Abstain: None Absent: none

At 7:41, **MOTION** was made by Dave Storandt, 2nd by Harold Carpenter, to set a public hearing for January 16, 2012, for 7:00 p.m. or shortly thereafter, for a use variance by George and Miriam Bowes. Motion was carried.

NEW BUSINESS
A complaint was raised that although all the Board members had requested their paychecks from the Town to come quarterly, they have not been receiving the checks. ZEO Ingerson promised to look into it.

As of right now, there are no hearings scheduled for December, so there will be no meeting in December.

At 7:42 **MOTION** was made by Dave Storandt, 2nd by Dale Maclaughlin, to adjourn the meeting. Motion was carried.

RESPECTFULLY SUBMITTED:
Susan E. Kenney, Recording Clerk