

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
April 15, 2013

The meeting opened at 7:00 p.m. with the following **members present:** Chairman Jim Kenney, Vice Chairman Harold Carpenter, Dale Maclaughlin, Don Bell, Alternate Patty LeConey (sitting in for Les Drake), Alternate Ann Aubertine. Absent: Les Drake.

Also present: ZEO Henry LeClair, CEO Richard Ingerson, Recording Clerk Sue Kenney.

Townspople present: Paul Luck, Paul Chapman, Deb Chapman

There was no meeting of the Zoning Board of Appeals in March 2013. The minutes for the February 2013 meeting were reviewed. A minor correction was made. **MOTION** was made by Dale Maclaughlin, 2nd by Pat LeConey (for Les Drake), to approve the minutes as amended. Motion was carried.

The application for Jeremy Taylor has been withdrawn.

7:02 --- Town --- Paul & Deborah Chapman, 17079 Blanchard Lane West, Clayton, Tax Map # 12.20-2-13, in the Marine-Residential District. Area Variance to extend house with a deck closer to the front property line than allowed by Town zoning ordinance.

Paul Chapman did the presenting. They plan to build a deck extending toward the river, to a short concrete wall or curb running through the lawn. The deck will simply cover the existing lawn and go no further than the 8-inch concrete curb nearest the house. The original area of the deck was calculated at 570 sq. ft.; a letter had been received from Mr. Chapman revising that area to 430 sq. ft. The deck is not to be any higher than a foot or so, therefore it does not need a railing. They will also need to put in a new front door; the final elevation of the deck will depend on where the front door goes. There is a retaining wall as well, at the high water mark. Mr. Chapman asked that the application be amended to allow the deck to be up to 16 inches high, rather than just up to 12 inches. There should be no impact on the neighbors' views of the river.

No other letters or calls were received concerning this application.

At 7:11 **MOTION** was made by Don Bell, 2nd by Pat LeConey (for Drake), to declare this a Type II action. Motion was carried. **MOTION** was made by Don Bell, 2nd by Dale Maclaughlin, to close the public hearing. Motion was carried.

Chairman Kenney did the finding of fact. At 7:26 **MOTION** was made by Dale Maclaughlin, 2nd by Pat LeConey (for Drake) to approve the application as amended.

Aye: Kenney, Bell, Maclaughlin, Carpenter, LeConey (for Drake)
Nay: none Abstain: none Absent: Drake

7:34 --- Village --- Paul Luck, 112 Rivershore Dr., Clayton, Tax Map 20.40-1-10, in the Resort-Single Family Residential District. Variance to extend a non-conforming house lacking the required total side yard and east side yard setbacks.

Mr. Luck did the presenting. They wish to expand away from the river, aligning with the house on the right side. The front, facing the river, will remain the same. The addition will not be above 30 feet high, and will keep a 6/12 pitch. They are eliminating a second property and moving everything to this house. Their intent is a tasteful addition in line with other riverfront properties. To accommodate the addition, a couple of large trees will need to be removed. He has discussed the project with the neighbors on either side, and neither one expressed any negative response. ZEO LeClair received a call from one of the neighbors, who had several questions, but again had nothing negative to say about the project.

At 7:42 **MOTION** was made by Dale Maclaughlin, 2nd by Don Bell to declare this a Type II action. Motion was carried. **MOTION** was made by Dale Maclaughlin, 2nd by Pat LeConey (for Drake) to close the public hearing. Motion was carried.

Chairman Kenney did the finding of fact. At 7:51 **MOTION** was made by Dale Maclaughlin, 2nd by Pat LeConey (for Drake) to approve the application as submitted.

Aye: Kenney, Bell, Maclaughlin, Carpenter, LeConey (for Drake)
Nay: none Abstain: none Absent: Drake

7:55 --- Village --- Grandvue Properties LLC, 606 Alexandria St., Clayton, Tax Map # 20.46-3-14, in the Neighborhood-Residential District. Variance to erect a deck on a non-conforming house closer to the rear property line than allowed by the local zoning law.

Richard Ingerson did the presenting, since the owner was in Rochester and couldn't attend the meeting. The house is at the intersection of Union and Alexandria Streets, so by zoning definition, it has 2 front and 2 rear property lines, no side lines. The owner rents out 2 apartments in the house and just wants to improve it. The deck would be only 6x8 ft., using the existing steps, with no roof. It would be only about 20 inches off the ground, so no railings are required. There was one call from a concerned neighbor, but his concerns were answered when he learned the project would not be coming in his direction.

At 8:00 **MOTION** was made by Pat LeConey, 2nd by Don Bell, to declare this a Type II action. Motion was carried. **MOTION** was made by Pat LeConey, 2nd by Don Bell, to close the public hearing. Motion was carried.

Chairman Kenney did the finding of fact. At 8:08 **MOTION** was made by Don Maclaughlin, 2nd by Don Bell, to approve the application as submitted.

Aye: Kenney, Bell, Maclaughlin, Carpenter, LeConey (for Drake)
Nay: none Abstain: none Absent: Drake

At 8:10 **MOTION** was made by Jim Kenney, 2nd by Dale Maclaughlin, to adjourn the meeting.
Motion was carried.

*Respectfully submitted,
Susan Kenney, Recording Clerk*