

**APPROVED**  
**JOINT TOWN / VILLAGE OF CLAYTON**  
**ZONING BOARD OF APPEALS**  
**August 18, 2014**

The meeting opened at 7 p.m. with the following **members present**: Chairman Jim Kenney, Harold Carpenter, Don Bell, Les Drake, Dale Maclaughlin, Alternate Ann Aubertine. No absences.

**Also present**: CEO Richard Ingerson, Clerk Kim Johnston, Recording Clerk Susan Kenney.

**Townspople Present**: Richard Haigh, Linda Haigh, Larry Aubertine, Mary Zovistoski, Joanne Eschenberg.

Minutes for the July 21, 2014, meeting were reviewed and corrections noted. **MOTION** was made by Harold Carpenter, 2<sup>nd</sup> by Dale Maclaughlin, to accept the minutes as amended. Motion was carried.

**7:01 --- Town --- Richard & Linda Haigh, 15560-568 Lyellton Drive, Clayton, Tax Map # 20.11-1-58, in the Marine-Residential District. Replace existing trailer and deck closer to property line than allowed by zoning ordinance.**

A call concerning this application had been received from Gerald Bearup, whose driveway runs along the east side yard. He has no problems with the application, since it is just a driveway and he anticipates no problems with maintenance or snow removal.

Mr. Haigh did the presenting. The trailer currently on the site measures 10x54 with a wrap-around deck. He wants to replace it, but the new minimum size is 14 ft. wide. He would like to go to 16 ft. wide for more room. But that size would necessitate coming closer to the property line. The only property line is by Bearup Lane, Mr. Bearup's driveway; the rest of the property is owned by an association, with each trailer having a certain allotment. The health department says there needs to be a minimum of 10 feet between trailers; Mr. Haigh says there is about 14 feet now between his trailer and the next.

Mr. Haigh intends to keep the deck the same size or perhaps just a little longer in the front; it is needed for proper entrance and egress. He is hoping to bring the trailer back a couple of feet from Lyellton Dr. Moving it back may gain a foot of clearance, so he would ask for a 14 ft. variance rather than 15 ft. He might consider moving it to the west, toward the next trailer, but would have to move the power pedestal. When asked about the distance from the property line to the edge of Bearup Lane, Mr. Haigh thought it was about 8 or 10 ft., which would mean no problems with snow removal in the winter.

Chairman Kenney read a letter from Mr. Bearup, which had been sent to Mr. Haigh, and the letter was entered into the record. It was agreed to change the requested variance from 15 ft. to 14 ft.

At 7:16 **MOTION** was made by Les Drake, 2<sup>nd</sup> by Don Bell, to declare this a Type II action. Motion was carried. **MOTION** was made by Dale Maclaughlin, 2<sup>nd</sup> by Don Bell, to close the public hearing. Motion was carried.

Chairman Kenney did the finding of fact. At 7:28 **MOTION** was made by Dale Maclaughlin, 2<sup>nd</sup> by Harold Carpenter, to approve the variance as amended.

Aye: Kenney, Carpenter, Bell, Maclaughlin, Drake  
Nay: none                      Abstain: none                      Absent: none

At 7:30 Harold Carpenter reminded the rest of the Board of the upcoming workshop in Potsdam in October.

**7:32 --- Town --- James W. Eschenberg, 38115 NYS Route 12E, Clayton, Tax Map # 19.20-1-21, in the Marine-Residential District. Reopening of hearing for request to erect a porch closer to east side yard property line than allowed by zoning ordinance.**

Mrs. Eschenberg did the presenting. She had all the requested measurements, and said that the current proposal moved the deck to the front of the trailer. A letter was read from Mr. Dunham, saying that he agreed to the proposal. This proposal would put the deck 4 feet off the line, necessitating a variance of 11 feet. Mrs. Eschenberg asked for 45 days, rather than the 30 days mentioned in Mr. Dunham's letter, to get this all done because this is an extremely busy time of year for their business. CEO Ingerson said that he had told Mr. Dunham that the time constraints would be up to the Board, so 45 days would be fine.

At 7:38 Chairman Kenney did the finding of facts. At 7:54 **MOTION** was made by Les Drake, 2<sup>nd</sup> by Dale Maclaughlin, to approve the variance with the following condition: that the 10'x14' and 10'5"x4'6" portions of the existing deck as shown as the shaded portion of the drawing submitted at the August 18, 2014 meeting, including the covering awning, will be removed within 45 days of the granting of this variance.

Aye: Kenney, Carpenter, Bell, Maclaughlin, Drake  
Nay: none                      Abstain: none                      Absent: none

At 7:55 **MOTION** was made by Dale Maclaughlin, 2<sup>nd</sup> by Harold Carpenter, to adjourn the meeting. Motion was carried.

Respectfully submitted,  
Susan Kenney, Recording Clerk