

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
February 23, 2015

The meeting opened at 7:01 p.m. with the following **members present**: Chairman Jim Kenney, Dale MacLaughlin, Harold Carpenter, Les Drake, Don Bell, and Alternate Ann Aubertine.

Also Present: Zoning Officer Richard Ingerson, Assistant Zoning Officer Kimberli Johnston, and Recording Clerk Amanda Shane.

Townspople present: Johnathon Taylor and Robert Meeks

The minutes were discussed from the January 26th, 2015 meeting and no changes were made. 7:01 PM **MOTION** was made by Don Bell, 2nd by Dale MacLaughlin, to accept the minutes as presented. Motion carried.

Board member Les Drake announced February 23rd, 2015 is his last meeting on the board as he will be moving away from the area. The board was also reminded that they should have received a confirmation e-mail that they are attending the Tug Hill training at JCC in March.

7:03 PM---Town---Stacy Case, 12077 Taylor Lane, Clayton, Tax Map #19.20-1-12, in the Marine-Residential district. Application for area variance.

Stacy Case would like to add an addition onto an existing structure and build a deck. There was some disagreement from neighbors that felt they did not have enough notice about the public hearing, however, letters were sent twelve (12) days prior to the meeting and advertised in the newspaper at the appropriate times.

Robert Meeks did the presenting. The proposed plan is to build a 12'x24' addition with a 2' overhang. The homeowner is requesting a one (1) foot variance on the west side of the proposed structure. The board reviewed pictures of the property.

Zoning Officer Richard Ingerson explained that the neighbors would like a review of the property line. Robert Meeks explained that the property line is accurate and there are already pins present that outline the property line. Ingerson also explained that should there only be a 12" overhang, the variance will not be needed.

7:13 PM—Chairman Kenney read letters submitted by neighbors. Patricia Bielawa expressed that she was highly opposed to granting the variance and feels that the addition would negatively impact the view of the St. Lawrence River. She also feared that allowing a deck to be built may lead to future interference of her view should the Case's enclose the porch. She asks that any addition, including roof overhang, not be permitted to go beyond the 15' setback.

Mary Anne Walsh Grattan and John Grattan also submitted a letter for board review. The Grattans had three (3) major concerns regarding the variance application. They felt there was lack of clarity on what is being proposed, timing of notification, and feel there will be significant detriments to their property. The Grattans requested a tape location map that would show the existing and resultant layout and lot boundaries. They were also concerned because they had received notification of the proposal just two days prior to the hearing. In addition, they feel that the addition will incur a significant obstruction of their view to the river. They asked that the board deny the Case's request for variance.

Tom and Angela Rackl submitted a letter requesting the variance not be granted as well. The Rackls stated that upon purchasing their cottage in 2007 they had inquired if anything could be built in their line of view to the river and that they would have never purchased the property if there was a possibility. They feel that the value of their cottage is in the property and view of the river. They stated that Marlene Zimmer informed them in September that they would be building an addition onto the cottage. The Rackl's suggested that an addition be added to the front of the cottage, reduce the size of the addition, or consider other options that will not affect the neighbors.

At 7:25 PM **MOTION** was made by Les Drake, 2nd by Don Bell, to declare the application a Type II Action. Motion was carried. **MOTION** was made by Les Drake, 2nd by Dale MacLaughlin to close the public hearing. Motion carried.

7:27 PM Chairmen Kenney did the finding of fact.

At 7:34 PM **MOTION** was made by Dale MacLaughlin, 2nd by Les Drake to approve the application as presented with a one (1) foot variance.

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

7:38 PM---Town--- Chub 1000 Islands LLC, 42287 Chub Island, Clayton, Tax Map #11.11-1-4, in the Marine-Residential District. Application for area variance.

Johnathon Taylor did the presenting. The homeowner would like to add an addition to an existing non-conforming cottage that is closer to the property line than is allowed by zoning ordinance. They are seeking a twelve (12) foot front yard variance. The addition would include a second story containing two bedrooms and an office, stairwell, and bathroom on the first level.

At 7:47 PM **MOTION** was made by Les Drake, 2nd by Harold Carpenter to declare this application a Type II Action. Motion carried. At 7:48 PM **MOTION** was made by Dale MacLaughlin, 2nd by Don Bell to close the public hearing. Motion carried.

7:48 PM Chairmen Kenney did the finding of fact and board discussed septic system layout and productivity in the winter months.

At 7:56 PM **MOTION** made by Les Drake, 2nd by Dale MacLaughlin to approve the application as submitted. Motion carried.

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

8:00---Town--- Nancy Bechtold and Melissa Murashige, 42751 Murray Isle, Clayton, Tax Map #12.11-1-12, in the Marine Residential District. Application for variance to add an addition to an existing non-conforming cottage.

Johnathon Taylor did the presenting. Bechtold and Mirashige are seeking a 38' and ½" variance to rebuild and add an addition onto their existing cottage. Taylor presented pictures of the cottage explaining to the board which parts of the existing cottage they will be preserving and building off of. There will be two (2) feet added onto the current living space and a new screened-in porch added to the front of the cottage with a stairway up to the porch from ground level.

At 8:13 PM **MOTION** was made by Don Bell, 2nd by Harold Carpenter to declare the application a Type II Action. Motion carried. At 8:14 PM **MOTION** made by Les Drake, 2nd by Dale MacLaughlin to close the public hearing. Motion carried.

At 8:14 PM Chairmen Kenney did the finding of fact and board discussed history of the property.

8:24PM **MOTION** made by Dale MacLaughlin, 2nd by Les Drake to application with the correction of the variance distance from 37' 11-1/2" to 38' ½". Motion carried.

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

8:25 PM **MOTION** made by Dale MacLaughlin, 2nd by Les Drake to adjourn the meeting. Motion carried.

*Respectfully Submitted,
Amanda Shane, Recording Clerk*