

**APPROVED**  
**JOINT TOWN / VILLAGE OF CLAYTON**  
**ZONING BOARD OF APPEALS**  
**August 17<sup>th</sup>, 2015**

The meeting opened at 7:00 p.m. with the following **members present**: Chairman Jim Kenney, Don Bell, Dale MacLaughlin, and Ann Aubertine (sitting in for Harold Carpenter). **Absent**: Harold Carpenter

**Also Present**: Zoning Officers Kimberli Johnston and Richard Ingerson and Recording Clerk Amanda Shane.

**Townspople present**: Kevin Durr, Lori Arnot, Mary Zovistoski, Lisa Johnson, and James Shaw

It was discussed amongst board members that Les Drake is no longer a member of the board due to absences of three (3) consecutive meetings.

The minutes were discussed from the July 20, 2015 meeting and one (1) change was made. At 7:02 PM **MOTION** was made by Don Bell, 2<sup>nd</sup> by Ann Aubertine, to accept the minutes as amended. Motion carried.

**7:02 PM – Village – Kevin & Jennifer Durr, 317 Webb Street, Clayton, Tax Map # 20.39-1-4, in the Neighborhood-Residential district. Area Variance Application.**

Mr. Kevin Durr did the presenting. He is seeking a side yard variance to replace a shed that is closer to the property line than is permitted. It was reported to the board that the Ludlows, neighboring property owners, had contacted the board and stated they have no issues with the shed being closer to the property line. There will be no foundation or electric and the structure will be no higher than twelve (12) feet.

At 7:07 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Ann Aubertine to declare a Type II Action. Motion carried. At 7:08 PM **MOTION** made by Don Bell, 2<sup>nd</sup> by Dale MacLaughlin to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact. The board held a discussion regarding the feasibility of moving the shed further from the property line. The board stated that moving the shed will take away usability of the yard. Don Bell said the new shed will only improve the property.

At 7:02 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Ann Aubertine to approve the application as submitted. Motion carried.

**Aye: Kenney, Bell, MacLaughlin, and Aubertine (sitting in for Carpenter)**

**Nay: none                      Abstain: none                      Absent: Carpenter**

**7:22 PM – Town – James Shaw, 15183 Factory Street, Clayton, Tax Map #42.14-2-61, in the Hamlet District. Area Variance Application.**

James Shaw seeks an area variance to locate a storage building closer to the property line than is permitted. Richard Ingerson stated that there is already a shed on the property that Mr. Shaw would like to rebuild into a 10' x 16'. Shaw is willing to move shed over so it is 8' from the property line.

At 7:25 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Ann Aubertine to declare a Type II Action. Motion carried. Chairman Kenney read a letter from a neighbor who is in full support of the new shed. At 7:26 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Ann Aubertine to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 7:36 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Don Bell to approve the application as presented. Motion carried.

**Aye: Kenney, Bell, MacLaughlin, and Aubertine (sitting in for Carpenter)**  
**Nay: none                      Abstain: none                      Absent: Carpenter**

**New Business:**

Lori Arnot and Lisa Johnson were both present and interested in the open ZBA member position. Lori Arnot has already submitted an application. The board members discussed what happens during a typical meeting and the role the ZBA has in the community. They also discussed what the Planning Board does. The board went through some past applications as examples for the applicants. Both applicants are interested in the community and giving back by being members. It was also discussed that the ZBA deals with legal matters and the board can be sued as a municipal entity. They also discussed the 4 mandatory hours of training each year. Chairman Kenney will be writing a letter to the Town Board with his recommendations for a new member.

At 8:05 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Don Bell to adjourn the meeting. Motion carried.