

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

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

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

**Townspople present**: Mary Zovistoski, Dianne Leavery, R. John Healy Jr., and Chris Matthews

The minutes were discussed from the August 17, 2015 meeting and two (2) changes were made. At 7:00 PM **MOTION** was made by Don Bell, 2<sup>nd</sup> by Harold Carpenter, to accept the minutes as amended. Motion carried.

**7:02 PM—Village—Dianne Leavery, 536 Webb Street, Clayton, Tax Map #20.47-2-27, in the Neighborhood Residential District. Area Variance application.**

Dianne Leavery presented to the board. She asked for a 5' rear and 5' side yard variance. She would like to build a garage where there is already an existing shed. The shed will be moved and kept if salvageable but will demolish if needed. The garage is proposed as 24'x24' 2 stall garage. The board explained she can make the garage larger if she would like as long as it meets the required setbacks. Zoning Officer Richard Ingerson presented an amendment to Ms. Leavery's application. Her application was for the wrong district and Ingerson explained that the district she is in requires 30' front, 10' side, and 10' rear setbacks. There were no comments submitted from neighbors. It was discussed adding the shed to the drawing and that in Ms. Leavery's district a shed can be located 5' from the lot line.

At 7:06 PM **MOTION** made by Harold Carpenter, 2<sup>nd</sup> by Ann Aubertine to declare a Type II Action. Motion carried. At 7:07 PM Chairman Kenney conducted the Finding of Fact.

At 7:15 PM **MOTION** made by Ann Aubertine, 2<sup>nd</sup> by Don Bell to approve the application as amended. Motion carried.

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

**7:17 PM—Town—Shirley A. Healy, 38104 NYS Rte 12E, Clayton, Tax Map #19.20-1-60, in the Agricultural-Residential District. Area Variance Application.**

R. John Healy, Jr. presented on behalf of his mother. The applicant is requesting a 4'4" east side variance. They would like to build a storage shed on an existing slab that was poured in 1982

before zoning made the location nonconforming. There has been 2 neighbors that contacted the town office just asking where the location of the shed will be.

At 7:19 PM **MOTION** made by Don Bell, 2<sup>nd</sup> by Ann Aubertine to declare a Type II Action. Motion carried. At 7:20 PM Chairman Kenney conducted the Finding of Fact.

At 7:29 PM **MOTION** made by Ann Aubertine, 2<sup>nd</sup> by Harold Carpenter to approve the application as presented. Motion carried.

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

**Nay: none**

**Abstain: none**

**Absent: MacLaughlin**

At 7:31 PM a **MOTION** was made by Harold Carpenter, 2<sup>nd</sup> by Ann Aubertine to adjourn the meeting. Motion carried.

*Respectfully Submitted,  
Amanda Shane, Recording Clerk*