

**APPROVED**  
**JOINT TOWN/VILLAGE OF CLAYTON**  
**ZONING BOARD OF APPEALS**  
**July 18th, 2016**

The meeting opened at 7:01 PM with the following members present: Chairman Jim Kenney, Lori Arnot, Kenneth Knapp, Dale MacLaughlin, and Mike Ingerson.

Also Present: Zoning Officer Richard Ingerson and Recording Clerk Amanda Shane

Townpeople Present: Kent Anderson, George Davenport, Ronald MacDonald, Twyla Webb, Donna Patchen, and Steve Mack

**7:02—Village—Kent and Mary Anderson, 821 Bartlett Point Road, Clayton, Tax Map #20.53-1-6.18. in the Resort-Single Family Residential District. Area Variance-Interpretation application.**

Kent and Mary Anderson own a corner lot on Bartlett Point Road. The corner lot has two roads and a water channel surrounding it making the property waterfront. Zoning Officer contacted Mike Bourcy with the Jefferson County Planning Board and provided some guidance to determine the interpretation was to consider it a side yard and no variance is needed. Kenneth Knapp joined the meeting at 7:07 PM.

At 7:08 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Lori Arnot that the interpretation defines the area as a side yard and a variance is not needed. The Board referenced page 16 of the Village Code as an example. Motion carried.

**Aye: MacLaughlin, Kenny, Arnot, Knapp, and Ingerson.**

**Nay: none**

**Abstain: none**

**Absent: none**

**7:10 PM—Town—George Davenport, 9005 Shady Shores Road, Clayton, Tax Map #30.05, Block #1, Lot #3, in the Marine-Residential District. Area Variance Application.**

The applicant requested a 27' front yard variance to construct a 35x20 deck. Currently there is a walkway to the top of a boat house and he would like a deck to accommodate the needs of his family. Mike Ingerson spoke with the neighbor who wasn't enthused about the project. The Board discussed their concerns about the structure blocking the view and if it becomes one solid structure there would be a 0 foot setback. The Board continued to discuss alternates to the plan and reviewed the site plan several times. The Board agreed it would be more favorable to reduce the size of the deck by 8'. The new proposal will be for a 12'x36' deck to meet grade. The application changed to a request of a 19' variance from the water. Richard Ingerson stated the deck can be connected to boat house without creating a 0' setback because landings and steps do not count. The ZBA suggested to keep the structures separate.

At 7:48 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Lori Arnot to declare a Type II Action. Motion carried. At 7:48 **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Kenneth Knapp to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 8:19 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Kenneth Knapp to approve the application as amended from a 27' variance to a 19' variance. Motion carried.

**Aye: Kenney, MacLaughlin, Arnot, Knapp, and Ingerson.**

**Nay: none**

**Abstain: none**

**Absent: none**

**7:59 PM—Town—Lisa Dunn/Ronald MacDonald, 12526 Brown Road, Clayton, Tax Map #11.00, Block #1, Lot #45, in the Marine-Residential District. Area Variance Application.**

Ronald Donald presented on behalf of his daughter Lisa Dunn. The applicant is requesting a 9' NW side yard setback so that she can construct a garage on her property without blocking a neighboring cottage. The Board discussed the required setbacks and explained that per National Grid any structure must be 10' away from a power line/poll. The applicant was willing to decrease the size of the garage from 24'x28' to 16'x20' or 22'.

At 8:19 PM **MOTION** made by Lori Arnot, 2<sup>nd</sup> by Kenneth Knapp to declare a Type II Action. Motion carried. At 8:19 PM **MOTION** made by Lori Arnot, 2<sup>nd</sup> by Kenneth Knapp to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 8:26 PM **MOTION** made by Kenneth Knapp, 2<sup>nd</sup> by Mike Ingerson to approve the application as amended. Motion carried.

**Aye: Kenney, MacLaughlin, Arnot, Knapp, and Ingerson.**

**Nay: none**

**Abstain: none**

**Absent: none**

At 8:28 PM **MOTION** made by Kenneth Knapp, 2<sup>nd</sup> by Lori Arnot to approve the June 20th, 2016 meeting minutes as presented. Motion carried.

At 8:28 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Lori Arnot to adjourn the meeting. Motion carried.

*Respectfully Submitted,  
Amanda Shane, Recording Clerk*