

APPROVED
JOINT TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
October 17th, 2016

The meeting opened at 7:01 PM with the following members present: Chairman Jim Kenney, Dale MacLaughlin, Kenneth Knapp, Alternate Steve Mack (sitting in for Lori Arnot), and Mike Ingerson.
Absent: Lori Arnot

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

Townspople Present: Frank and Ann Marsicane, Michael Ramo, Van Meckel, Loni Hall, Trevor Ramo, Ken Rogers, Kevin Kressman, Michael Fox, and Susie Marshall

At 7:02 PM **MOTION** made by Dale MacLaughlin, 2nd by Mike Ingerson to approve the September 2016 meeting minutes as presented. Motion carried.

7:03—Town—Kevin and Roxanne Kressman, 41165 Mason Point Rd, Clayton, Tax Map #12.20-1-20, in the Marine-Residential District. Area Variance Application.

The applicants are requesting a 49' front yard and 10' side yard to reconstruct a porch. The new deck will be the same size as the existing deck and the applicant plans to construct a roof. The only neighbor that may have their view impacted is the applicant's mother and she is in favor of the project. The new deck will be further from the lot line than the current deck and it will also meet the 8' clearance.

At 7:13 PM **MOTION** made by Dale MacLaughlin, 2nd by Kenneth Knapp to declare a Type II Action. Motion carried. At 7:13 PM **MOTION** made by Dale MacLaughlin, 2nd by Mike Ingerson to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 7:20 PM **MOTION** made by Kenneth Knapp, 2nd by Dale MacLaughlin to approve the application as presented. Motion carried.

Aye: MacLaughlin, Kenney, Knapp, Mack, and Ingerson.

Nay: none

Abstain: none

Absent: Arnot

7:22 PM—Town—Frank and Ann Marsicane, 17013 Blanchard Lane West, Clayton, Tax Map #12.20-2-5, in the Marine-Residential District. Area variance application.

Applicant is requesting a 6' wide side yard variance to construct an addition of 6'6" wide X 18' long. The addition will consist of a bathroom and closet. The applicant is able to connect into the existing septic. There were no calls from neighbors.

At 7:30 PM **MOTION** made by Kenneth Knapp, 2nd by Steve Mack to declare a Type II Action. Motion carried. At 7:30 PM **MOTION** made by Mike Ingerson, 2nd by Dale MacLaughlin to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 7:38 PM **MOTION** made by Dale MacLaughlin, 2nd by Kenneth Knapp to approve the application as presented with a correction to the application requesting a 6' west side yard variance. Motion carried.

Aye: MacLaughlin, Kenney, Knapp, Mack, and Ingerson.

Nay: none

Abstain: none

Absent: Arnot

7:41 PM—Village—Lonnie Hall, 1016 State Street, Clayton, Tax Map #20.54-1-19, in the Marine-Development District. Area Variance Application.

The applicant is seeking a 12' front yard variance to construct a gazebo closer to the lot line than is permitted. The gazebo will be 12'x12' with a covered roof and fire put on a cement slab. The gazebo is needed to accommodate health issues of guests. There was no complaints from neighbors.

At 7:47 PM **MOTION** made by Kenneth Knapp, 2nd by Mike Ingerson to declare a Type II Action. Motion carried. At 7:47 PM **MOTION** made by Dale MacLaughlin, 2nd by Steve Mack to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 7:55 PM **MOTION** made by Dale MacLaughlin, 2nd by Steve Mack to approve the application as presented. Motion carried.

Aye: MacLaughlin, Kenney, Knapp, Mack, and Ingerson.

Nay: none

Abstain: none

Absent: Arnot

7:58 PM—Village—Christine Tisa, 412 Merrick Street, Clayton, Tax Map #20.47-1-17, in the Neighborhood-Residential District. Area Variance Application.

Ken Rogers presented on behalf of the applicant. The applicant is requesting a 6.5' south side yard variance to construct a garage closer to the lot line than is permitted. The location was chosen to preserve an old maple tree on the property.

At 8:03 PM **MOTION** made by Kenneth Knapp, 2nd by Steve Mack to declare a Type II Action. Motion carried. At 8:03 PM **MOTION** made by Dale Mike Ingerson, 2nd by Kenneth Knapp to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 8:14 PM **MOTION** made by Dale MacLaughlin, 2nd by Steve Mack to approve the application as presented. Motion carried.

Aye: MacLaughlin, Kenney, Knapp, Mack, and Ingerson.

Nay: none

Abstain: none

Absent: Arnot

8:16 PM—Village—Steven Strouse, 410 Union Street, Clayton, Tax Map #20.47-1-37, in the Neighborhood-Residential District. Area Variance Application.

Susie Marshall presented on behalf of the application who is requesting a 5’ side and 5’ rear yard variance to construct an attached garage. There was some reservations from the board members because the lot is so small. Because there are no other residences in close proximity and because there is a fence the board felt the application was favorable.

At 8:23 PM **MOTION** made by Steve Mack, 2nd by Mike Ingerson to declare a Type II Action. Motion carried. At 8:23 PM **MOTION** made by Kenneth Knapp, 2nd by Steve Mack to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 8:31 PM **MOTION** made by Steve Mack, 2nd by Kenneth Knapp to approve the application as presented. Motion carried.

Aye: MacLaughlin, Kenney, Knapp, Mack, and Ingerson.

Nay: none

Abstain: none

Absent: Arnot

At 8:32 PM **MOTION** made by Kenneth Knapp, 2nd by Dale MacLaughlin to adjourn the public hearing for the Kempton project until the next scheduled ZBA meeting. Motion carried.

Aye: MacLaughlin, Kenney, Knapp, Mack, and Ingerson.

Nay: none

Abstain: none

Absent: Arnot

At 8:34 PM **MOTION** made by Dale MacLaughlin, 2nd by Kenneth Knapp to adjourn the meeting. Motion carried.

*Respectfully Submitted,
Amanda Shane, Recording Clerk*