

APPROVED
JOINT TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
December 19th, 2016

The meeting opened at 7:04 PM with the following members present: Chairman Jim Kenney, Dale MacLaughlin, Kenneth Knapp, and Alternate Steve Mack (sitting in for Mike Ingerson).
Absent: Lori Arnot and Mike Ingerson

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

Townspople Present: Jonathan Taylor

At 7:04 PM **MOTION** made by Dale MacLaughlin, 2nd by Steve Mack to approve the November 2016 meeting minutes as presented. Motion carried.

At 7:06 PM **MOTION** made by Kenneth Knapp, 2nd by Dale MacLaughlin to adjourn Scott and Kim Kempton's application until the next regular meeting. Motion carried.

7:06 PM—Town—John Tenny, 43334 Point Angiers, Clayton, Tax Map #12.00-1-18.2, in the Marine Residential District. Area Variance Application.

Jonathan Taylor presented on behalf of the applicants who are seeking a 0' setback to construct a new house and boathouse on their island. Currently there is an existing house with a relatively new bio-mat septic system and two docks. The applicant would like to maintain the property and build where the existing house and not disturb the existing vegetation. The proposed structure will have a tower and bridge that will connect the house and boat house creating one large structure. Jonathan Taylor stated he intends to make the septic system compliant based on regulations if needed.

Jonathan Taylor presented renderings of the proposed structure indicating the only things over the island line is dockage and roof lines. The proposed tower will be in the Clayton jurisdiction and utilities as well as laundry will be above the FEMA flood line to meet regulations. The bridge connecting the tower and house will be enclosed and heated/cooled. The board discussed the height of the structure and it was indicated there will be no functional basement due to bedrock.

The Board discussed several aspects of the application including the height, setback request, and the classification of the structure. Several board members expressed concern over the requested setback.

At 7:48 PM **MOTION** made by Dale MacLaughlin, 2nd by Kenneth Knapp to declare a Type II Action. Motion carried. At 7:49 PM **MOTION** made by Dale MacLaughlin to close the public hearing. Motion carried. At 7:49 PM Chairman Kenney conducted the Finding of Fact.

The board discussed the septic system and concerns of the effect of the environment. A condition was created that the septic system be reviewed by a competent engineer to ensure it will safely operate without affecting the environment. Their main concern was that the system can handle an increase in occupancy.

At 8:07 PM **MOTION** made by Dale MacLaughlin, 2nd by Chairman Kenney to deny the application. Motion carried.

Aye: MacLaughlin, Kenney, Knapp, and Mack.

Nay: none

Abstain: none

Absent: Arnot and Ingerson

The board discussed alternatives to the 0 setback and the possibilities of the boathouse and house being considered 2 separate structures.

At 8:25 PM **MOTION** by Dale MacLaughlin, 2nd by Steve Mack to adjourn the meeting. Motion carried.

*Respectfully Submitted,
Amanda Shane, Recording Clerk*