

APPROVED
JOINT TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
January 23rd, 2017

The meeting opened at 7:03 PM with the following members present: Chairman Jim Kenney, Dale MacLaughlin, Lori Arnot and Mike Ingerson. Absent: Kenneth Knapp and Alternate Steve Mack

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

Townspople Present: Jonathan Taylor and Jeffrey Messenger

The December 2016 meeting minutes will be approved or amended at the next regular meeting as not enough board members were present.

7:04 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 returned to the board presenting on behalf of John Tenny. The application has been amended and the proposed site plan will have two separate structures instead of one with a 0 setback. Tenny is requesting a 5' setback from the high watermark. The tower has been revised to meet the 35' height requirement. Taylor and the Board reviewed the site plan and it was discussed that Taylor is also working with Army CORE and the state on the application. It was stated the current setback of the existing house is approximately 9'. Tenny would like to preserve the existing vegetation by placing the new structure in the same general location the current structure is as well as maintain the current septic system; expanding as needed.

Dale MacLaughlin expressed concern that the septic system is located too close to the water. He also discussed the required setback of 55' from the high watermark. The Zoning Board of Appeals often approves applications that at least meet half the required setback. The lot is already non-conforming so any future construction should accommodate the existing footprint. He also stated that he feels the project exceeds the capability of the island. Taylor explained that the proposed structure does not exceed the 25% lot coverage size. The septic system was further discussed between Taylor and board members.

Board members discussed the non-conforming structure and the requested setback. Taylor expressed to the board that they are trying to avoid conducting any blasting on the island so they are keeping the new structure in a similar location to the existing house. He stated the existing septic system is approximately 12' above the high water mark. After further discussion the board

agreed they would like to see a minimum 10' setback which is more favorable than 5'. The board would also like a definite bedroom number, a drawing of the new location of the structure, and locations of trees on the island.

At 7:49 PM **MOTION** made by Mike Ingerson, 2nd by Lori Arnot to adjourn until the next regular meeting. Motion carried.

7:50 PM—Town—Jeffrey Messenger, Clayton.

Jeffery Messenger would like to construct a single family home with a walk out basement and plans to keep existing garage at its current location. He is requesting a 13' variance. Messenger owns both lots and plans to have a separate driveway going to each.

At 7:58 PM **MOTION** made by Dale MacLaughlin, 2nd by Lori Arnot to declare a Type II Action. Motion Carried. At 7:58 PM **MOTION** made by Dale MacLaughlin, 2nd by Lori Arnot to close the public hearing. Motion carried. Chairman Kenney conducted the Finding of Fact.

At 8:11 PM **MOTION** made by Dale MacLaughlin, 2nd by Mike Ingerson to approve the application as submitted. Motion carried.

Aye: MacLaughlin, Kenney, Arnot, and Ingerson.

Nay: none

Abstain: none

Absent: Knapp and Mack

At 8:13 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.

At 8:13 PM **MOTION** made by Dale MacLaughlin, 2nd by Mike Ingerson to adjourn the meeting. Motion carried.

*Respectfully Submitted,
Amanda Shane, Recording Clerk*