

**APPROVED**  
**JOINT TOWN/VILLAGE OF CLAYTON**  
**ZONING BOARD OF APPEALS**  
**August 21<sup>st</sup>, 2017**

The meeting opened at 7:02 PM with the following members present: Chairman Jim Kenney, Dale MacLaughlin, Kenneth Knapp, Lori Arnot, and Alternate Ashley Pastorius. Absent: Steve Mack.

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

Townspople Present: James F. Knight, Barbara and Greg Card, Stewart and Melanie Wattenbe, Jay Bearup, and Suzanne Mitchell.

**7:02 PM—Town—James F. Knight, Lyellton Drive, Clayton, in the Marine-Residential District. Area variance application.**

James F. Knight is requesting a 6'6" East side yard setback to construct a 30'x44' garage in the Marine-Residential district on the south side of an existing garage. The location was chosen to keep distance from the leach field and from the power line that runs to the house. The location was also selected to maintain aesthetics of the property and provides the ability to utilize the existing driveway. If the garage was constructed on the opposite side of the property it would encroach on the leach field and push the structure very close to the road.

Kenneth Knapp expressed concern regarding the height of the structure and draining issues. Mr. Knight plans to install gutters on the new garage and on the existing house which will improve the current drainage situation. Chairman Kenney read letters to the board from concerned neighbors who are contesting the application. Neighbors are worried about the impact on their view of the river and property values.

Skip Wattenbe presented photographs to the board expressing his concern of the proposed garages proximity to his fence. He also discussed the current drainage on the property and how he already has issues with excessive groundwater. He stated Mr. Knight removed trees from his own property which caused increased drainage issues for Mr. Wattenbe. Mr. Knight stated he had spoken to Mr. Wattenbe about removing the trees and that they were both in favor of removing them.

Jay Bearup told the board that the proposed garage would disrupt his view of the river and that he was opposed to the application. He also stated his taxes should be decreased if his view is disrupted by the structure.

Greg Carr expressed his concern over the existing water issues and doesn't want to see another structure to make the problem worse. He stated the applicant doesn't know where the power lines

are on the property and suggested he move the structure over so he doesn't impede on a river view. He agreed that Mr. Knight has the right to build a garage but feels it should be within zoning ordinances.

Mr. Knight reminded the board and townspeople that he will be installing gutters on the proposed house and existing house to redirect water to the river which will improve all drainage issues. In addition, it would be expensive to move the existing power line and wouldn't be aesthetically pleasing to build a garage directly in front of his home. He would consider decreasing the size of the garage but needs the space because Lyellton will be his permanent residence. Mr. Knight agreed to reduce the structure size or move the location over 2' to accommodate board requests. In addition, he will have a representative from the utility company to the property to locate the utility line.

The board agreed it would be beneficial to have the applicant establish the location of the power lines and south lot line and for the members to visit the property and neighboring properties. Neighbors confirmed they would be comfortable with board members visiting their properties as well. A discussion was held regarding river views, resale values, and property values. It was decided the board would like to adjourn for 1 month and have Mr. Knight return to the September 2017 meeting.

At 7:54 PM **MOTION** made by Dale MacLaughlin, 2<sup>nd</sup> by Lori Arnot to adjourn the application until the September 2017 meeting. Motion carried.

At 8:01 PM **MOTION** made by Kenneth Knapp, 2<sup>nd</sup> by Ashley Pastorius to approve the July 31st, 2017 meeting minutes as amended. Motion carried.

At 8:05 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*