

Approved

JOINT TOWN/VILLAGE OF CLAYTON

ZONING BOARD OF APPEALS

September 17, 2018

The meeting opened at 7:03 PM with the following members present: Chairman Jim Kenney, Dale MacLaughlin, Kenneth Knapp, Lori Arnot, Steve Mack and alternates Ashley Pastorius and Chip Garnsey.

Also Present: Zoning Officer Richard Ingerson and Ashley Pastorius as Recording Clerk

Townsperson Present: Mary Zovistoski, Chuck Livingston jr, lee Gill, Jack Stopper, Leslie Drake, Kenny Rogers, Norma Zimmer, Janet Fusillo, and Nancy Hyde.

At 7:03pm Chairman Jim Kenney called the meeting to order.

**7:03 PM—Village—Lee Gill Ventures LLC, 695 Riverside Dr, Clayton, in the Riverwalk-A District. Area Variance Application.**

Lee Gill is requesting a 51 sq. ft area variance to keep signage on building that is currently more than allowed according to village sign laws. Current signs were moved from previous location in Clayton and transferred to new current location. The law allows a maximum signage per business of 24 sq. ft and a maximum individual business sign of 18 sq. ft. The main Napa sign is 18' x 3'3". There is also a smaller 4' x 4' Napa Marine sign as well as four advertisement posters on building. The board explained to Mr. Gill and his representative Chuck Livingston Jr. that although he had 150 sq ft of signage on previous building which was in place before village sign restrictions were implanted, by moving to a new location he would need to conform to village laws with any signage. The board also explained that if a variance had been granted on previous building the variance goes with the parcel, not the business and signs on new building would still need to be conforming. The board, Mr. Livingston, and Mr. Gill came to an agreement where he may keep existing main Napa 18' x 3'3" sign and may also add "marine" somewhere on sign if he would like but would need to take down the separate Napa Marine sign as well as the four advertisement posters within two weeks. Application was amended to request a 40' 6" variance for a total signage of 58' 6".

At 7:38 Floor opened for discussion

Watertown Planning Board: Advised that this is a local matter to be settled by local ZBA board

Jack Stopper: stated that 24 sq ft was too small of a signage amount for that size of building

Gary Deyoung: Wrote a letter and advised he would be concerned if the signs were going to digital or back lit in any way due to his home being across from the Store. He also expressed concern if Mr. Gill would be adding more signs to the building.

Robert & Mary Slye: Wrote a letter advising that they were delighted with the improvements to the building and did not believe the signs produced an undesirable change to the neighborhood nor created a detriment to nearby properties and asked that the variance be granted.

Merle & Barbara Cornaire: Wrote a letter in support of the area variance for the signs be granted and were also pleased to see the improvements to the lot and building.

At 7:52 PM **MOTION** made by Dale MacLaughlin, 2nd by Kenneth Knapp to declare a Type II action. Motion carried.

At 7:53 PM **MOTION** made by Steve Mack, 2nd by Kenneth Knapp to close the public hearing. Motion carried. Chairman Kenney conducted the finding of fact.

At 8:00 PM **MOTION** made by Dale MacLaughlin, 2nd by Kenneth Knapp to approve the application as amended. Motion carried.

**Aye: MacLaughlin, Kenney, Knapp, Arnot, and Mack**

**Nay: None      Abstain: None      Absent: None**

**8:04 PM—Village—Janet Fusillo, 324 Webb St, Clayton, in the Neighborhood Residential District. Area Variance Application.**

Janet Fusillo is requesting a 5 ft area variance to erect a detached garage closer to property line than allowed by Article XII, SS 132-87-B of the local zoning law.

At 8:09 PM **MOTION** made by Kenneth Knapp, 2nd by Lori Arnot to declare a Type II action. Motion carried.

At 8:09 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 8:15 PM **MOTION** made by Kenneth Knapp, 2nd by Lori Arnot to approve the application. Motion carried.

**Aye: MacLaughlin, Kenney, Knapp, Arnot, and Mack**

**Nay: None      Abstain: None      Absent: None**

**8:17 PM—Village—Merle W. Cornaire, 703 Riverside Dr, Clayton, in the Riverwalk-A District. Area Variance Application.**

Merle Cornaire is requesting to have a lot line adjustment to make a lot smaller than allowed by Article IV. The previous meeting, Chuck Livingston Jr. on behalf of Lee Gill. Mr. Livingston presented to the board a proposal of dissolving a 15' easement between Mr. Gill and Mr. Cornaire. They would be taking two already non-conforming lots and make them more viable. It would be splitting the easement between the two properties of Mr. Cornaire and to Lee Gill Ventures LLC. This would also release Mr. Cornaire from paying taxes on a piece of land that he is not able to use. Mr. Livingston also presented a Boundary Adjustment Agreement signed by both parties agreeing to dissolve of the easement.

At 8:24 PM **MOTION** made by Dale MacLaughlin, 2nd by Lori Arnot to declare a Type II action. Motion carried.

At 8:24 PM **MOTION** made by Steve Mack, 2nd by Dale MacLaughlin to close the public hearing. Motion carried. Chairman Kenney conducted the finding of fact.

At 8:34 PM **MOTION** made by Dale MacLaughlin, 2nd by Lori Arnot to approve the application. Motion carried.

**Aye: MacLaughlin, Kenney, Knapp, Arnot, and Mack**

**Nay: None      Abstain: None      Absent: None**

At 8:41pm **MOTION** made by Kenneth Knapp, 2nd by Lori Arnot to approve August 2018 meeting minutes. Motion carried.

At 8:43 PM **MOTION** made by Dale MacLaughlin, 2nd by Steve Mack to adjourn the meeting. Motion carried.

Respectfully Submitted,

Ashley Pastorius, Recording Clerk