

APPROVED

JOINT TOWN/VILLAGE OF CLAYTON

ZONING BOARD OF APPEALS

January 27, 2020

The meeting was called to order by Chairman Jim Kenney at 7:06 pm, with **the following members present:** Jim Kenney, Dale Maclaughlin, Ashley Pastorious, Lori Arnot, Chip Garnsey (alternate), Andrew Wood (alternate).

Absent: Steve Mack

Also Present: Zoning Officer Richard Ingerson, Recording Clerk Sue Kenney

Townpeople Present: Christopher Chocie, Lori Chocie, Leigh Dillenbeck

At 7:06 pm, the minutes from the December meeting were reviewed and no corrections noted.

MOTION was made by Dale Maclaughlin, second by Lori Arnot, to approve the minutes as submitted. Motion was passed with all in favor. Andrew Wood was appointed to act in the stead of Steve Mack, who was absent.

7:08 pm – Robert McCann – Town – 17039 Blanchard Lane West, Clayton – To erect house and deck closer to property line than allowed by the zoning ordinance.

Leigh Dillenbeck presented for the McCanns. The McCanns currently have a very small residence; they want to put on a second floor. Because of the condition of the current residence, including foundation, they need to rebuild all new, using the same footprint as the old residence. They might possibly add a small entry bumpout on the front of the house. There was a deck going from the house to the river, but that had been taken down. They would like to rebuild the deck as well, in the same location as before. All the houses in the area are similarly close to the shore. Because they are taking the current structure down, grandfathering no longer applies, so the variances have to be redone.

Zoning Officer Ingerson said that he had received no letters or calls concerning this variance request.

Questions were raised concerning the septic; the sources of water and power, which will affect the placement of the house; a new house plan; and how far does the water come up when the water is high. Ms. Dillenbeck was unable to answer some of the questions, since the requested information was not on the survey of the property.

The house currently has two bedrooms, and this will continue in the new house, with a master bedroom and a small guest bedroom. The second floor will fit between the two sides of the roof, so it will actually be one and half stories. The current residence is the smallest house in the area, and the proposed new house shouldn't be much bigger than the other houses there. The current foundation is unusable and will have to be replaced.

At 7:30 pm, **MOTION** was made by Lori Arnot, second by Andrew Wood (sitting in for Steve Mack), to declare this a Type II action. Motion was carried with all in favor. **MOTION** was made by Ashley Pastorius, second by Lori Arnot, to close the public hearing. Motion was carried with all in favor.

Chairman Kenney did the finding of fact. A condition was proposed: The furthest extension of the new house can be no closer to the water than the current cottage, a distance of 34 feet from the breakwall, with the intended deck extending from the front of the house to the new front setback. At 7:50, **MOTION** was made by Dale Maclaughlin, second by Lori Arnot, to approve the application with the above condition.

Aye: Kenney, Maclaughlin, Arnot, Pastorius, Wood (sitting in for Mack)

Nay: none Abstain: none Absent: Mack

At 7:52 **MOTION** was made by Ashley Pastorius, second by Andrew Wood (sitting in for Steve Mack), to adjourn the meeting. Motion was carried with all in favor.

Respectfully,

Susan Kenney, Recording Clerk