

APPROVED

JOINT TOWN/VILLAGE OF CLAYTON

ZONING BOARD OF APPEALS

September 21, 2020

The meeting was opened at 7:00 pm, with **the following members present:** Jim Kenney, Ashley Owens, Lori Arnot, Dale Maclaughlin, Andrew Wood (alternate), and Chip Garnsey (alternate). Absent was Steve Mack. Chip Garnsey will be sitting in for Steve Mack.

Also Present: ZEO Richard Ingerson, Recording Clerk Susan Kenney

Townspeople Present: Jack Ross

The minutes from the August meeting were reviewed, with suggestions for amending them. At 7:04 pm, **MOTION** was made by Ashley Owens, second by Chip Garnsey (sitting in for Steve Mack) to accept the minutes as amended. Motion passed with all in favor.

7:05 pm – Sean Patak – Town – area variance to locate a shed and new home closer to a lot line than allowed by the zoning ordinance.

ZEO Ingerson presented the variance request to the Board. The applicant wants to replace the old shed with a new one. He has changed the setback plan from 6' 8" to 7' 6". There is a tree next to the shed which he wants to keep, and a leach field in the rear yard, so a larger setback for the shed would be impossible. He also wishes to erect a new house on the site of the existing house. This new house will be no closer to the river or to the neighbor's property than the existing house. He is looking for a 23' variance from the house to the river, and a 7' 6" variance from the shed to the property line. The new house would be in line with the neighboring houses. There were no calls or letters received for this variance request.

At 7:09 pm, **MOTION** was made by Dale Maclaughlin, second by Chip Garnsey (sitting in for Steve Mack), to declare this a Type II action. Motion was carried with all in favor. **MOTION** was made by Dale Maclaughlin, second by Lori Arnot, to close the public hearing. Motion was carried with all in favor.

Chairman Kenney did the finding of fact. At 7:19 pm, **MOTION** was made by Dale Maclaughlin, second by Lori Arnot, to approve the application as submitted.

Aye: Kenney, Maclaughlin, Owens, Arnot, Garnsey (sitting in for Mack)

Nay: none

Absent: Mack

Abstain: none

At 7:22 pm, **MOTION** was made by Dale Maclaughlin, second by Chip Garnsey (sitting in for Steve Mack) to adjourn the hearing for David Stilley until the October meeting. Motion was passed with all in favor.

MOTION was made by Ashley Owens, second by Lori Arnot, to adjourn the hearing for River View Association until the October meeting. Motion was passed with all in favor. Both applicants had requested the tabling of their hearings for another month.

7:23 pm – Gail Beach – Town – requesting area variance to locate a garage closer to the property line than the zoning ordinance allows.

Jack Ross did the presenting. They are asking for an 11' 6" east side yard variance for the garage. Because of the well on the property, the siting of the garage is severely limited. There are no close neighbors on either side. No letters or calls had been received concerning this application.

At 7:26 pm, **MOTION** was made by Dale Maclaughlin, second by Ashley Owens, to declare this a Type II action. Motion was passed with all in favor. **MOTION** was made by Chip Garnsey (sitting in for Steve Mack), second by Dale Maclaughlin, to close the public hearing. Motion was passed with all in favor.

Chairman Kenney did the finding of facts. At 7:32 pm, **MOTION** was made by Ashley Owens, second by Chip Garnsey (sitting in for Steve Mack), to approve the application as submitted.

Aye: Kenney, Maclaughlin, Owens, Arnot, Garnsey (sitting in for Mack)

Nay: none Absent: Mack Abstain: none

At 7:35 pm, **MOTION** was made by Chip Garnsey (sitting in for Steve Mack), second by Dale Maclaughlin, to adjourn the meeting. Motion was passed with all in favor.

Respectfully submitted,

Susan Kenney, Recording Clerk