

APPROVED

JOINT TOWN/VILLAGE OF CLAYTON

ZONING BOARD OF APPEALS

March 15, 2021

The meeting opened at 7:01 pm with **the following members present:** Jim Kenney, Steve Mack, Andrew Wood (alternate), Dale Maclaughlin, Lori Arnot. Absent were Ashley Owens and Chip Garnsey (alternate). Andrew Wood was selected to sit in for Ashley Owens. This meeting was conducted remotely via GoToMeeting.

Also present: ZEO Richard Ingerson, Recording Clerk Sue Kenney

Townspeople Present: Dean Morrow, Mike Lasell, Mark Morgia

ZEO Ingerson noted that it should be announced that the hearing for David Stilley was still open.

The minutes from the February meeting were reviewed, with one correction. At 7:03 pm, **MOTION** was made by Steve Mack, second by Dale Maclaughlin, to approved the minutes as corrected. Motion was passed with all in favor.

7:04 pm – Mark Morgia – Town – putting up new storage building closer to the property line than allowed by town zoning law

At 7:04 pm, the public hearing for Mark Morgia of River Roc Storage. Mike Lasell, the engineer, did the presenting. Mr. Morgia plans to put up a new storage building, 120'x85'. It will be sited to use the existing driveway. For boats to be able to turn into the driveway, more room is needed, so Mr. Morgia is requesting a 15 ft. side yard variance. The setback in that district is 25 ft.

No letters have been received on this application, and only one person talked to ZEO Ingerson: Jack Stopper, a neighbor, who had no issues with the project. Beyond the other side boundary is more storage.

Chairman Kenney read a letter from the Jefferson County Planning board, which said that this is of local concern only. The county planning board advised that the zoning board of appeals should consider the benefits for the applicant against detriment to the surrounding neighborhood. Mr. Maclaughlin noted that being so close to the St. Lawrence River, there are plenty of boats which need storage in the winter, so adding more opportunities for boat storage is a good idea.

Chairman Kenney stated that this would be an unlisted action rather than a Type II action, so the short form SEQR is needed. Mr. Morgia has already filled out Part I of the SEQR, and the ZBA needs to fill out Part II. All answers to the SEQR were negative. While answering the questions, it was noted that Mr. Morgia has solar collectors on an existing building on the site, with currently 25,000 kilowatts banked,

which he uses for both heating and lighting. There is no sewage necessary. Therefore his added building will be an asset rather than a liability.

MOTION was made by Lori Arnot, second by Steve Mack, to take lead agency for this application. Motion was carried with all in favor. Based on the above information, there is no significant environmental impact.

At 7:19 pm, **MOTION** was made by Steve Mack, second by Andrew Wood (sitting in for Ashley Owens), to declare this an unlisted action. Motion was carried with all in favor. At 7:20 pm, **MOTION** was made by Andrew Wood (sitting in for Ashley Owens), second by Dale Maclaughlin, to open the public hearing. Motion was carried with all in favor. There were no further comments. At 7:21 pm, **MOTION** was made by Steve Mack, second by Lori Arnot, to close the public hearing. Motion was carried with all in favor.

Chairman Kenney did the finding of fact. At 7:30 pm, **MOTION** was made by Dale Maclaughlin, second by Steve Mack, to approve the application as submitted.

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

Nay: none Abstain: none Absent: Owens

7:32 pm – Dean Morrow – Town – application to erect a deck closer to a property line than allowed by town zoning law

Mr. Morrow did the presenting. He wishes to add more area to an existing deck. Mr. Morgia does not wish to go any closer to the property line, but expand the deck 12 feet parallel to the property. Because the current deck is already non-conforming, a variance is needed.

One letter was received from a neighbor, Pat McHale, who has no issues with the project. Mr. Mack noted that the space where Mr. Morgia was to expand the deck is wide open, so it should not infringe on anything. The setback in that district is 15 ft., and Mr. Morgia requests an 8 ft. variance, which is just over 50% of the setback.

At 7:37 pm, **MOTION** was made by Steve Mack, second by Andrew Wood (acting for Ashley Owens), to open the public hearing. The only comment came from Steve Mack, who stated that the adjoining property is only 10 ft. wide, so there would be no infringement.

At 7:39 pm, **MOTION** was made by Steve Mack, second by Lori Arnot, to declare this a Type II action. Motion was carried with all in favor. **MOTION** was made by Andrew Wood (acting for Ashley Owens), second by Steve Mack, to close the public hearing. Motion was carried with all in favor.

Chairman Kenney did the finding of fact. At 7:46 pm, **MOTION** was made by Lori Arnot, second by Dale Maclaughlin, to approve the application as submitted.

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

Nay: none Abstain: none Absent: Owens

At 7:47 pm, **MOTION** was made by Lori Arnot, second by Dale Maclaughlin, to adjourn the David Stilley hearing until the April meeting. Motion was carried with all in favor.

At 7:49 pm, the recording of the meeting was ended. There followed a brief discussion of the GoToMeeting program: Andrew Wood and Dale Maclaughlin are having issues with being able to log on. They would prefer to use a different program, such as Zoom. ZEO Ingerson said he would discuss the problem with Alicia Dewey. Chairman Kenney stated that hopefully the board will be able to meet in person next month.

At 7:53 pm, **MOTION** was made by Lori Arnot, second by Steve Mack, to adjourn the meeting. Motion was carried with all in favor.

Respectfully submitted,

Susan Kenney, Recording Clerk