

JOINT TOWN/VILLAGE OF CLAYTON

ZONING BOARD OF APPEALS

June 17, 2024

The meeting opened at 7:00 pm with the following members present: Stephen Mack, Chairman; Dale MacLaughlin; Lori Arnot; Chip Garnsey; Ashley Owens; Nicholas Reddick (Alternate) **Absent:** Jeff Staples (Alternate).

Also Present: ZEO Richard Ingerson; Recording Clerk Mariah LaClair.

Townspople Present: Martin Yenawine; Susie Nolte; Brian Jones; Mike Kinnie; Rebecca Kinnie; Pat Micale

Minutes- The Board reviewed the minutes for the March meeting. **MOTION** to approve the March 2024 ZBA minutes made by Dale MacLaughlin, seconded by Ashley Owens. All in favor, motion carried. There was no meeting in April or May due to lack of agenda items.

New Business:

1. (Town)

Applicant: Susan Nolte

Action: 39'-10¼" West Front-Yard Area Variance

Site Location: 16485 Rainbow Shores Dr, Clayton, NY 13624 (Tax Map #12.20-1-3)

Information: Susan Nolte is applying for an area variance in order to reconstruct and relocate a garage closer to a property line allowed in the Marine Residential Zoning District. The plans are to demolish the existing garage and rebuild it raised to street level to improve the streetscape and improve drainage. The garage is 19' x 28' and owners plan to add a breezeway to connect the house and the garage. The zoning setback requirement is that the garage must be 55' from the property line and they are 15'-1¾" to the property line, therefore need a 39'-10¼" variance.

MOTION to open the public hearing for the Nolte area variance located at 16485 Rainbow Shores Drive, Clayton, NY, made by Lori Arnot, seconded by Dale MacLaughlin. All in favor, motion carried.

No public comment.

MOTION to close the public hearing for the Nolte area variance located at 16485 Rainbow Shores Drive, Clayton, NY, made by Lori Arnot, seconded by Dale MacLaughlin. All in favor, motion carried.

MOTION to declare this a Type II action made by Dale MacLaughlin, seconded by Chip Garnsey. All in favor, motion carried. Stephen Mack went through the finding of fact.

MOTION to approve the Nolte 39'-10¼" west front-yard area variance application as submitted in order to construct a garage located at 16485 Rainbow Shores Drive, Clayton, NY made by Chip Garnsey, seconded by Lori Arnot.

AYE: Mack; Arnot; Owens; MacLaughlin; Garnsey

NAY: None ABSTAIN: None ABSENT: None

PASSED

2. (Village)

Applicant: Michael Kinnie

Action: 6'-6" South Side-Yard Area Variance

Site Location: 418 Merrick Street, Clayton, NY 13624 (Tax Map #20.47-1-18)

Information: Michael and Rebecca Kinnie are applying for a variance in order to construct an attached year-round greenhouse addition to their existing home closer to the property line than allowed in the Neighborhood-Residential Zoning District. The proposed greenhouse will be 16' x 36' and will be 3'-6" from the property line bordering 402 Mary Street. The existing home is already the same distance from the property line and the greenhouse will be an extension of the home. There is also an existing fence built on the property line. Neighbors at 402 Mary Street have sent a letter of support of the project with no concerns or objections. The zoning setback requirement is that the greenhouse must be 10' from the property line and they are 3'-6" from the property line, therefore they will need a 6'-6" variance.

MOTION to open the public hearing for the Kinnie area variance located at 418 Merrick Street, Clayton, NY, made by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

No public comment.

MOTION to close the public hearing for the Kinnie area variance located at 418 Merrick Street, Clayton, NY, made by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

MOTION to declare this a Type II action made by Dale MacLaughlin, seconded by Chip Garnsey. All in favor, motion carried. Stephen Mack went through the finding of fact.

MOTION to approve the Kinnie 6'-6" south side-yard area variance application as submitted in order to construct an attached year-round greenhouse to an existing home located at 418 Merrick Street, Clayton, NY made by Lori Arnot, seconded by Chip Garnsey.

AYE: Mack; Arnot; Owens; MacLaughlin; Garnsey

NAY: None ABSTAIN: None ABSENT: None

PASSED

Pre-Conference- Pat Micale requested an audience with the Zoning Board of Appeals to discuss a future project he wishes to get consultation on. Pat owns multiple parcels in the same area. He wants to place a shed on a property of his on Riverwood Estates Lane but wants to know if it would be better to apply for a variance to put a shed on one small parcel or to apply after a lot line adjustment. The Board answered that it would be difficult to make any recommendation without detailed plans.

MOTION was made to adjourn the meeting at 7:45 PM by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

Respectfully submitted,

Mariah LaClair, Recording Clerk

DRAFT