

JOINT TOWN/VILLAGE OF CLAYTON

ZONING BOARD OF APPEALS

September 16, 2024

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

Nick Reddick will sit in for Lori Arnot

Also Present: Town ZEO/CEO Richard Ingerson; Village ZEO Dave Wilder; Town Board Liaison James Kenney; Recording Clerk Mariah LaClair.

Townpeople Present: Christine Bond; Tim Dingman; Bill Bonczyk; Joann Bonczyk; David Crandall; Margaret Timmerman; David Timmerman; Susan Bond; Joe Bond; Ron DuFord; Lynnette DuFord; Stephen Olson; Tracy Brabant; Ann Major-Stevenson; Melody Brabant; Patricia Ledoux; Stephen Grybowski; Paul Frickman; Meredith Bonisteel.

Minutes- MOTION to approve the August 19, 2024 ZBA minutes as submitted made by Nick Reddick, seconded by Ashley Owens. All in favor, motion carried.

New Business:

1. (Town)

Applicant: Christine Bond

Application Number: T-VAR-007-24

Action: 3' North front-yard variance

Site Location: 12311 House Rd, Clayton, NY 13624 (Tax Map #30.00-3-30.1)

Information: Christine Bond is requesting a 3' North front-yard variance in order to construct a 20'W x 40'L greenhouse on the property. The current setback requirement in the Agricultural Rural Residential district is 55' from the road and they will instead be 52' from the road. The existing landscape on the property will block the view from the road and neighbors.

MOTION to open the public hearing for the Christine Bond application T-VAR-007-24 located at 12311 House Rd., Clayton, NY, made by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

- David Timmerman: David is a neighbor and wants to know if the greenhouse will be used for a commercial business because he will be concerned about additional traffic coming down House Road. Richard Ingerson and the applicant both stated that the greenhouse will be for personal use only.

MOTION to close the public hearing for the Christine Bond application T-VAR-007-24 located at 12311 House Rd., Clayton, NY, made by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

MOTION to declare application T-VAR-007-24 a Type II action made by Chip Garnsey, seconded by Nick Reddick. All in favor, motion carried. Stephen Mack went through the finding of fact.

MOTION to approve the Christine Bond variance application T-VAR-007-24 as submitted in order to construct a greenhouse located at 12311 House Road, Clayton, NY made by Dale MacLaughlin, seconded by Chip Garnsey.

AYE: Mack; MacLaughlin; Garnsey; Owens; Reddick

NAY: None ABSTAIN: None ABSENT: Arnot

PASSED

2. (Village)

Applicant: William J. Bonczyk

Application Number: V-VAR-006-24

Action:

- **12' South rear-yard variance**
- **12' East side-yard variance**
- **3'-6" West side-yard variance**

Site Location: 309 Jane St., Clayton, NY 13624 (Tax Map #20.47-2-40)

Information: The applicant is requesting three variances in order to construct a 24'W x 28'L garage with attic level for storage in the Village. The size of the lot is .14 acres. The garage will be no higher than 23' to peak and will be 672 sq. ft. The character of the garage will match the house and the proposed length of the garage is to accommodate a large pickup truck.

MOTION to open the public hearing for the William Bonczyk variance application V-VAR-006-24 made by Chip Garnsey, seconded by Nick Reddick. All in favor, motion carried.

- **Ron DuFord:** Ron neighbors the property and expressed that the garage will be an undesirable change to the neighborhood. It will have drainage issues and take up a lot of permeable ground, will decrease the value of neighbor's homes, is too large of a garage for that size lot and could be more feasible by proposing a smaller garage. The alleged difficulty was self-created. The applicant needs to consider greenspaces.
- **Lynette DuFord:** Lynette neighbors the property and is concerned with how close to the property line the project will be. The garage is very large and therefore will affect the amount of

sunlight into Lynette's backyard. She strongly believes that the size of the garage is too large for this particular lot, and the variances requested too substantial.

- Stephen Olson: Stephen is another neighbor of the applicant and strongly opposes the application. He stated that there will be a decrease in available parking due to the displacement of snow with the garage taking up so much space. He is concerned about the drainage issues the garage could cause and believes the variances requested are too large.
- Dave Crandall: Dave recommends cutting down the size of the building and wants to know if the driveway will be paved. Dave states that the garage does not fit historically and is concerned about noise issues coming from working inside the garage. Dale MacLaughlin reminds Dave that the ZBA does not have authority over uses or appearances of the garage.
- Ann Major-Stevenson: Ann refers to Village code 132-21, for garages over 1500 sq. ft. and states that the garage is on a non-conforming lot.

MOTION to close the public hearing for the William Bonczyk variance application V-VAR-006-24 made by Dale MacLaughlin, seconded by Chip Garnsey. All in favor, motion carried.

MOTION to table the William Bonczyk variance application V-VAR-006-24 decision until October to give the applicant an opportunity adjust plans to reduce the amount of variances requested made by Dale MacLaughlin, seconded by Chip Garnsey. All in favor, motion carried.

MOTION was made to adjourn the meeting at 7:50 PM by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

Respectfully submitted,

Mariah LaClair, Recording Clerk