

**APPROVED  
TOWN/VILLAGE OF CLAYTON  
ZONING BOARD OF APPEALS  
DECEMBER 21, 2009**

**Board Members present:** Jim Kenney, Les Drake, Dave Storandt, Darrel Hayes, Harold Carpenter, Dale Maclaughlin

**Others present:** Zoning Enforcement Officer Henry LaClair, Assistant Zoning Enforcement Officer Richard Ingerson, Clerk Janet Sullins,

**Townsppeople present:** Lewis Bevens, Steve Nuber, Susan Nuber, Eric Youngs

At 7:05, Chairman James Kenney opened the meeting of the Joint Town and Village of Clayton Zoning Board of Appeals.

Minutes from the November 16, 2009 meeting were reviewed. One error was noted: that the clerk forgot to mention that Les Drake was recused from the Chris Badour public hearing, with Dale Maclaughlin voting in his stead. **MOTION** made by Vice Chairman Harold Carpenter, 2<sup>nd</sup> by Board Member Darrel Hayes to approve the minutes as amended. Motion carried.

**Town --- Clark Babcock, 36161 Clayton Center Road, Tax Map No. 31.15-1-9, in the Agricultural-Residential District. Public Hearing to Replace a Mobile Home on a Parcel with a House on it that Lacks Required Front Lot Width and Area that is Allowed in the Ordinance to Locate Two Principle Residences**

At 7:15, Chairman Kenney reconvened the Public Hearing for Clark Babcock. Lewis Bevens was again present for Mr. Babcock. At the last meeting, Mr. Bevens said he would try to figure out a way to site the replacement mobile home so as to require less of a setback. He said that the septic is farther away than he thought, so that would gain another five feet, requiring a 25-foot setback instead of 30-foot. Also, even though they have not yet shopped for a new one, his parents thought they could buy a 60-foot one instead of 70-foot. Board Member Storandt suggested that, if approved, the conditions could be “not to exceed 70 feet”. Although still non-conforming, these conditions would give proper setbacks.

With no one else present or letters received against the action, at 7:20 Chairman Kenney asked for a **MOTION** to make this a Type II action. Motion made by Board Member Drake, 2<sup>nd</sup> by Board Member Storandt. Motion carried. He then asked for a **MOTION** to close the Public Hearing. Motion made by Board Member Darrel Hayes, 2<sup>nd</sup> by Board Member Storandt. Motion carried. He then proceeded with the finding of facts. At 7:28, **MOTION** made by Board Member Drake, 2<sup>nd</sup> by Board Member Storandt to approve the application as amended.

Aye: Jim Kenney, Harold Carpenter, Les Drake, Darrel Hayes, Dave Storandt  
Nay: Absent: None Abstain: None

The Board affixed their signatures.

**Town --- Eric Youngs, 13887 House Road, Tax Map No. 30.00-3-10.3, in the Agricultural-Residential District. Public Hearing to Extend His Garage Closer to the Property Line than is Currently Allowed in the Ordinance.**

At 7:30, Chairman Kenney opened the Public Hearing. Mr. Youngs explained that he would like to add a lean-to to the side of his garage to accommodate some of his commercial equipment. This is the only feasible place he can do this, as otherwise a shed would be too close to the house, and the leach field and wooded areas on his property prevent location elsewhere. There would be no walls to the structure, but he would make it visually appealing to the surrounding area. Discussion followed concerning the distance needed to the eaves, and the application was changed to reflect that. The lean-to would actually start under the eaves of the garage, but would still have eaves of its own

With no one else present, or letters received against the action, at 7:40 Chairman Kenney asked for a **MOTION** to make this a Type II action. Motion made by Vice Chairman Carpenter, 2<sup>nd</sup> by Board Member Hayes. Motion carried. He then asked for a motion to close the Public Hearing. **MOTION** made by Board Member Drake, 2<sup>nd</sup> by Vice Chairman Carpenter. Motion carried. He then proceeded with the finding of facts. At 7:45, **MOTION** made by Vice Chairman Carpenter, 2<sup>nd</sup> by Board Member Hayes to approve the application as amended.

Aye: Jim Kenney, Harold Carpenter, Les Drake, Darrel Hayes, Dave Storandt  
Nay: Absent: None Abstain: None

The Board affixed their signatures.

**Village --- Steven and Susan Nuber, 205 Cantwell Drive, Tax Map No. 20.48-2-12.2, in the General-Residential District. Public Hearing to Replace a Single-Wide Mobile Home with a Double-Wide, Requiring Setback Approval.**

At 7:50, Chairman Kenney opened the Public Hearing. A revised application had been submitted. Mr. Nuber said that the new mobile home would be obviously larger than the existing single-wide, but the footprint is similar because the existing one has an addition on it. Because of the cold weather, they would not be able to pour the new slab until spring.

With no other persons against or letters received opposing the replacement, at 7:55 Chairman Kenney asked for a motion to make this a Type II action. **MOTION** made by Board Member Hayes, 2<sup>nd</sup> by Board Member Storandt. Motion carried. He then asked for a motion to close the Public Hearing. **MOTION** made by Board Member Storandt,

2<sup>nd</sup> by Board Member Drake. Motion carried. He then proceeded with the finding of facts. At 8:00, **MOTION** made by Board Member Storandt, 2<sup>nd</sup> by Vice Chairman Carpenter to approve the application as amended.

Aye: Jim Kenney, Harold Carpenter, Les Drake, Darrel Hayes, Dave Storandt  
Nay: Absent: None Abstain: None

The Board affixed their signatures.

**New business:**

There was a brief discussion about the Village Zoning Ordinance being revised. Doug Rogers, from the Village Board, is appointing a committee that will also include a member from the Jefferson County Planning Board. Also the LWRP for the Town is being worked on.

With no other business arising, at 8:05, **MOTION** made by Chairman Kenney, 2<sup>nd</sup> by Board Member Drake to adjourn this Zoning Board of Appeals. Motion carried.

Respectfully submitted,

Janet Sullins  
Recording Clerk