

JOINT TOWN/VILLAGE OF CLAYTON

ZONING BOARD OF APPEALS

July 29, 2024

SPECIAL MEETING

The meeting opened at 7:00 pm with the following members present: Stephen Mack, Chairman; Dale MacLaughlin; Lori Arnot; Chip Garnsey; Ashley Owens; Nick Reddick (Alternate) **Absent:** None.

Also Present: ZEO/CEO Richard Ingerson; Town Board Liaison James Kenney; Recording Clerk Mariah LaClair; Planning Board Chairman Doug Rogers.

Townspople Present: Megan Bugbee; Rebecca Hopfinger; Rick Tague; Robert Reddick; Norma Zimmer; Tracy Brabant; Ann Major-Stevenson; Paul Frickman.

Minutes- The Board will review the regular June meeting minutes at the ZBA meeting on August 19th.

New Business:

1. (Village)

Applicant: Antique Boat Museum

Application Number: V-VAR-005-24

**Action: 11' West Side-Yard Area Variance
4,400 Sq. Ft. lot size Area Variance**

Site Location: 624 Mary Street and 816, 818, 820, 824 Riverside Drive, Clayton, NY 13624 (Tax Map # 20.46-1-3, 20.46-1-4, 20.46-1-5, 20.46-1-6 & 20.46-1-7)

Information: Nick Reddick has abstained from any discussion and has sat in the audience. All full-time members are present therefore he will not be needed for any voting. The Antique Boat Museum ("ABM") is requesting variances in order to construct a new wooden boat shop. They are looking to construct on the corner of Riverside Drive and Mary Street after combining 5 parcels and removing the existing structures. The size of the new lot will be 15,600 Sq. Ft. and the required lot size for a museum in the Riverwalk-A District is 20,000 Sq. Ft. therefore, the ABM is requesting a 4,400 Sq. Ft. lot size variance. Due to the angled placement of the building, the West Side-Yard setback from the property line will not be met and therefore, the ABM is also requesting a 11' West side-yard variance. The affected parcel that shares the property line is also owned by the Antique Boat Museum. A representative of the Antique Boat Museum presented plans and renderings of the proposed boat shop. She commented that the size and the detentions of the building are set to accommodate their largest vessel, the "Seagull" and the building was angled to allow backing boats into the facility. Ashley Ownes asked where the boats are currently being worked on. Rebecca answered that the boats are being

worked on in an existing building on the ABM campus that is not tall enough and is of mix-use and shared with HVAC/maintenance. She stated that the maintenance equipment, and dust/ debris risks cross-contamination with boat varnish. The ABM's goal is to create a sterile environment solely for boat work. Lori Arnot inquires about the parcel next to the proposed building. If the ABM were willing to add that with the 5 other lots, there would be no need for either variance. Rebecca answered that there is currently a covenant with the Village of Clayton for that parcel to not change the parking lot. Combining the lots could be delayed due to the covenant if that other parcel were to be included. Lori Arnot also questions if future considerations of the extension of the Riverwalk would be affected. Rebecca answers that the ABM would love for the Riverwalk to be extended around the ABM campus and believe it could possibly increase tourism at the ABM facilities. The properties have plenty of room in the back for the Village to achieve that with the ABM's full support. Lori Arnot conveyed that should the ZBA grant these variances, there would be a great impact to prime waterfront real estate in the Village however Rebecca believes that the new boat shop would add to the appeal of the riverwalk. The Board members want to know the landscaping plan for the proposed shop. Rebecca stated that the tree on the corner of Mary and Riverside will be removed and repurposed for other projects. There will be some landscaping in the courtyard entrance. They do have to have gravel instead of greenspace on some of the property to use for driving boats into the shop. The Board agrees to recommend to the Planning Board to take examine the landscaping and advocate for more greenspace.

MOTION to open the public hearing for the Antique Boat Museum area variance application V-VAR-005-24 made by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

- Paul Frickman- Paul expressed appreciation towards the Antique Boat Museum however he is concerned about the 200-year-old tree being cut down. He would reduce his objection if the ABM truly does plan to repurpose the tree but wants more landscaping to be put back in for the sake of the environment and animals.
- Tracy Brabant- Tracy showed a picture of the tree to the ZBA so they know which tree Paul is referring to. She is concerned with granting the variance of the Sq. Ft. for a non-conforming lot. She referred to the Village Zoning Code and stated that it can only be done as long as the setbacks are met. She is worried about overcrowding in the Village from granting setback requirements.
- Ann Major-Stevenson- Ann mentions that the ABM should have to plant trees to replace the tree being cut down for loss of carbon-capture. The 200-year-old tree should not be cut down at all but instead should be historically preserved and have a plaque dedicated to its historical significance. She also stated that because the building being proposed is on a corner of Riverside and Mary and across from Alexandria, they need to be at least 40 ft from each corner on a conjunction. She expresses that the ABM needing variances is a problem of its own making. They have enough properties to avoid variances.

MOTION to close the public hearing for the Antique Boat Museum area variance application V-VAR-005-24 made by Dale MacLaughlin, seconded by Chip Garnsey. All in favor, motion carried.

Dale MacLaughlin believes that even though other spots are available, it would diminish the greenspace on those properties instead. Lori Arnot wanted clarification on the 40 ft setback requirement from each corner that Ann referred too. ZEO/ CEO Richard Ingerson answered that they will meet that setback and will actually sit further away than the houses currently there. He offered to measure the plans. Lori Arnot remarked that the proposed facility does fit in with the joint comprehensive plan.

MOTION to declare the Antique Boat Museum area variance application V-VAR-005-24 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 Antique Boat Museum area variance application V-VAR-005-24 with an 11' West side-yard Area Variance and a 4,400 Sq. Ft. lot size area variance in order to construct a new boat shop with the condition that a recommendation to the Planning Board to examine landscaping was made by Dale MacLaughlin, seconded by Chip Garnsey.

AYE: Mack; Arnot; Owens; MacLaughlin; Garnsey

NAY: None

ABSTAIN: None

ABSENT: None

PASSED

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