

**JOINT TOWN/VILLAGE OF CLAYTON**  
**ZONING BOARD OF APPEALS**  
**April 21, 2025**

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

**Also Present:** Village ZEO Dave Wilder; Village Board Liaison Ron DuFord; Town Board Liaison James Kenney; Recording Clerk Mariah LaClair.

**Townpeople Present:** Thomas LaClair; James Jones; Damon Kenyon; Kathy Danielson; Pam McDowell; Bob McDowell; Heidi Smith; Sylvia Cerow-Hungerford; Lynette DuFord; Erin Greene; Jane Leahy; Ron DuFord; John T.; Charity Senecal; Elizabeth Price-Kellogg; Jeremy Kellogg; Meghan Chaddick; Tim LaLonde; Sandra Ladley; Les Henry; Kathleen Marceau; Ken Nims; Joan Varsics; Stephen Grybowski; Ann Major-Stevenson; Karen Lago; Jim Schnauber; Kevin Yard; Andrew Wood; Jeff Zoller; Courtney Zoller.

**Minutes- MOTION** to approve the February 2025 ZBA minutes as submitted made by Lori Arnot, seconded by Dale MacLaughlin. All in favor, motion carried. *There was no meeting in March due to lack of agenda items.*

**New Business:**

**1. (Village)**

**Applicant:** Meghan Chaddick

**Application Number:** V-005-25

**Action:** Side and Rear Set Back Variances

**Site Location:** 410 Merrick Street, Clayton, NY 13624 (Tax Map #20.47-1-16)

**Information:** The applicant is seeking two setback variances in order to construct a garage in the Neighborhood Residential District. Meghan Chaddick presented. The lot is unique because the property line is within 2ft of the house so she is asking to build within alignment with house. The detached garage is proposed to be 22ft x 24ft in the rear of the property and neighbors have garages approximately same size. The height of the garage is proposed to be 23'-6" Steve Mack commented that the application shows the west rear of the garage will have a 5ft setback and will need 5ft variance and south side of the garage will have a 2ft setback and would need an 8ft variance. The ZBA received two letters. One letter was from Diane Luciana objecting the variance. The second letter, from Meredith Bonisteel, expressed support for the variance request.

**MOTION** to open the public hearing for Meghan Chaddick variance application V-005-25 made by Chip Garnsey, seconded by Nick Reddick. All in favor, motion carried.

- Ron DuFord- Ron is concerned about drainage issues and notes that there are no scuppers on the plans.

- Ann Major-Stevenson- Wants clarification on the setbacks, specifically side and rear. States the variances are substantial due to being more than 50% of what is required. Ann commented that the parcel is too small, already has very little green space and will be detrimental to the appearance of the Village. Steve Mack states that the variances are indeed substantial.
- Lynette DuFord- Lynnette states that she is seeing another house on Merrick Street with the same issue, no greenspace due to new construction. She is also concerned about the drainage issues. She would like the ZBA to consider the future of the Village.

**MOTION** to close the public hearing for Meghan Chaddick variance application V-005-25 made by Lori Arnot, seconded by Chip Garnsey. All in favor, motion carried.

**MOTION** to declare the Meghan Chaddick variance application V-005-25 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 deny Meghan Chaddick variance application V-005-25, due to the fact that the variances are too substantial, made by Dale MacLaughlin, seconded by Chip Garnsey.

**AYE: Mack; MacLaughlin; Garnsey; Arnot; Reddick**

**NAY: None      ABSTAIN: None      ABSENT: None**

**DENIED**

## **2. (Village)**

**Applicant: Town of Clayton**

**Application Number: V-SIGN-04-25**

**Action: Use Variance**

**Site Location: Clayton Opera House, 405 Riverside Drive, Clayton, NY 13624 (Tax Map #20.38-2-25)**

**Information:** The Town of Clayton is seeking a use variance in order to place a digital banner at the front entrance of the Clayton Opera House. James Jones, Recreation Park Supervisor presented the application. The proposed digital banner would be 2ft x 8ft and would hang under the awning of the entrance to the Town Clerk's office. The purpose of the digital banner would be to display event and meeting dates for public awareness. The ZBA received two letters regarding the application. The first letter is from Nancy Hyde, Village Mayor. She notes that it does not comply with Village code and therefore a variance should not be approved for any businesses downtown. The second letter is from Mary Mascott which expresses her opposition to the application as a digital sign is not appropriate for the Clayton Opera House.

**MOTION** to open the public hearing for Town of Clayton application V-SIGN-04-25 made by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

- Bob McDowell states that taxpayers have funded millions of dollars to restore historic building and would like to see it remain historical.
- Sylvia Cerow-Hungerford is opposed to the application and believes that it will impede the preservation of the quiet neighborhood.
- Michelle Armstrong states that the Clayton Village is designated as historic district. She has called into National Historic Organization and did not find info. The LED sign will be a distraction to drivers and could lead to accidents. Traditional billboards already detriment view however, LED signage will be worse. It will have impact on environment and will impact value of property.
- Andrew Wood states that the Clayton Opera House is a National registered historic building and comments that the Town of Clayton can use the sign at the Fire Department.
- Thomas LaClair is the former Town and Village of Clayton historian and states that Clayton downtown is registered as historic district and includes Opera House. One digital sign may not make a difference but, it sets a precedence for additional signs.
- Ann Major-Stevenson states that based on other comments that the application is incomplete, the applicant has not included letters from historic societies. The Board would be wise to at the very least table application to receive more information but agrees with others on the opposition.
- Erin Greene was on TIPAF Board during the renovation of Opera House. States there is nothing in the TIPAF agreement addressing this but goes against the spirit of the agreement. This particular type of sign does not feel right on this type of building.
- Tim Lalonde is a current member of TIPAF Board. He states that the use of the Clayton Opera House will forever be used for performing arts.
- Jim Schnauber was on the TIPAF Board and asked how many in the room were opposed to the application.
- James Jones, Recreation Park Supervisor, noted he would have liked to see the public participation at the Town Board meeting, when the sign was originally discussed, but he understands the opposition of the digital sign on the Clayton Opera House and would like to withdraw the application.

**Town of Clayton application V-SIGN-04-25 to erect a digital sign at the Clayton Opera House withdrawn.**

### **3. (Village)**

**Applicant: Town of Clayton**

**Application Number: V-SIGN-03-25**

**Action: Area Variance**

**Site Location: Cerow Recreation Park Arena, 600 E. Line Rd, Clayton, NY 13624 (Tax Map #20.55-2-19)**

**Information:** The Town of Clayton is seeking an area variance in order to erect a digital sign at the East Line Road entrance to the Cerow Recreation Park Arena. The sign is proposed to be 4ft x 8ft and will display information such as upcoming events, event parking, meeting schedules and recreation schedules such as pool and ice rink hours/activities. The application states that the existing sign will be

removed and replaced but James Jones, Recreation Park Supervisor stated he actually is looking into keeping the current sign and adding the new sign a few meters down the road. This will change the requested variances substantially therefor he would like to consult with the Town Board before moving forward. A member of the ZBA suggested reaching out to the Fire Department to request sharing their sign however, James Jones replied that the amount of information displayed is too much and would completely “commandeer” the sign and although the Town has a great relationship with the Fire Department, it would be unfair to ask them such a large request.

**MOTION** to table the Town of Clayton application V-SIGN-03-25 to erect a digital sign at the Cerow Recreation Park Arena tabled until a later date made by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

**Motion** was made to adjourn the meeting at 8:40 PM by Chip Garnsey, seconded by Dale MacLaughlin. All in favor, motion carried.

*Respectfully submitted,*

*Mariah LaClair, Recording Clerk*