CLAYTON JOINT TOWN/VILLAGE ZONING BOARD OF APPEALS AGENDA

Meeting of **Monday, October 19, 2026 at 7:00 PM**

7:00 PM: Consider minutes of previous meeting/meetings

7:00 PM: Public Hearing for Jessica Baxter
Area variance for a deck Marine Residential District
(Town)

New Business

Unfinished Business

Adjourn the Meeting

DRAFT

JOINT TOWN/VILLAGE OF CLAYTON
ZONING BOARD OF APPEALS
September 21, 2026

The meeting opened at 7:00 pm with the following members present: Nick Reddick, Chairman; Dale MacLaughlin; Mike McMahon; Christine Thurston. **Absent:** *PJ Schleher*

Also Present: Richard Ingerson, Town Codes/Zoning Enforcement Officer; James Kenney, Town Board Liaison; Steve Dorr, Town Board; Recording Clerk Mariah LaClair.

Townspeople Present: Jim Eschenberg; JoAnne Eschenberg; Michelle Topping; Gregory Topping; Justin Taylor; Ryan Christensen.

Communications: N/A

Minutes- MOTION to approve the July and August 2026 ZBA minutes made by Dale MacLaughlin, seconded by Christine Thurston. **Motion carried.**

New Business:

1. **(Town)**

Applicant: James Eschenberg
Application Number: T-VAR-009-26
Action: 45ft South Front-Yard Variance
5ft East Side-Yard Variance
Site Location: 38115 NYS Rte 12E, Clayton, NY 13624 (Tax Map #19.20-1-21)

Information: The applicant is requesting a variance in order to erect a storage building on the front corner of the property. The setback requirement for the side of the property is 15ft but the applicant is proposing to be 10fy from the side and the setback requirement for the front property line is 55ft and the applicant is proposing to be 10ft from the property line. A 6ft fence already exists on the property line that the proposed storage building would be on the inside of. The owner is removing two RV sites in order to construct the new building. No letters from the neighboring properties were received.

- Justin Taylor- He believes that the new building will be an enhancement because it will be replacing some RV's that are currently 5ft from the property line.

MOTION to close the public hearing for the Eschenberg variance application T-VAR-009-26 made by Mike McMahon, seconded by Dale MacLaughlin. Motion carried.

MOTION to declare the Eschenberg variance application T-VAR-009-26 a Type II action made by Dale MacLaughlin, seconded by Mike McMahon. Motion carried.

MOTION to *approve* the Eschenberg variance application T-VAR-009-26 as submitted made by Dale MacLaughlin, seconded by Mike McMahon.

AYE: Reddick; MacLaughlin; McMahon; Thurston

NAY: None ABSTAIN: None ABSENT: Schleher

APPROVE

2. **(Town)**

Applicant: Gregory Topping
Application Number: T-VAR-010-26
Action: 7ft-6in West Side-Yard Variance
Site Location: 38385 Taylor Lane, Clayton, NY 13624 (Tax Map #19.20-1-6)

Information: The applicant is requesting a variance in order to remove an existing home and construct a new home. The new home would be further from the property line than the existing but still requires a variance. The setback requirement from the side property line is 15ft and the owner is requesting to be 7ft-6in from the property line. The home cannot be placed further from the property line due to the location of the driveway and the septic system. Neighbors have expressed support for the proposed home, including one letter of support sent to the Zoning Officer.

MOTION to close the public hearing for the Topping variance application T-VAR-010-26 made by Mike McMahon, seconded by Dale MacLaughlin. Motion carried.

MOTION to declare the Topping variance application a Type II action made by Dale MacLaughlin, seconded by Mike McMahon. Motion carried.

MOTION to *approve* the Topping variance application T-VAR-010-26, as submitted, made by Mike McMahon, seconded by Dale MacLaughlin.

AYE: Reddick; MacLaughlin; McMahon; Thurston

NAY: None ABSTAIN: None ABSENT: Schleher

APPROVE

Motion was made to adjourn the meeting at 7:41 PM by Dale MacLaughlin, seconded by Mike McMahon. Motion carried.

Respectfully submitted,

Mariah LaClair, Recording Clerk

TOWN OF CLAYTON

Zoning Officer
Richard A. Ingerson
Office Hours
Mon. Through Fri.
7.00 AM-12:00 PM & 1:00 -3:30 PM

Zoning Department
405 Riverside Drive
Clayton NY 13624
(315) 686-3512 Ext. 29
Fax (315) 686-2651

Zoning Board of Appeals
Stephen Mack
(Chairman)
Dale Maclaughlin
Nick Reddick
Mike McMahon
Clyde H. Garnsey
Alt: Parker Schleher
Christine Thurston

NOTICE OF PUBLIC HEARING

Please take notice that the following public hearing will be held by the Joint Village/Town of Clayton Zoning Board of Appeals on **October 19, 2026 at 7:00 PM** or soon after in the Town's Recreational Park, 600 East Line Road, as required by the Zoning Ordinance to hear all persons concerned with the Boards consideration in granting an area variance to **Jessica Baxter** on their property located 42978 Murray Island, Clayton in the Marine Residential district, Tax Map # 12.11-1-41 & 37.8. The petitioner is requesting to locate a deck closer to a property line than allowed. Such action will require area variance from Article XII, Schedule D of the zoning ordinance.

All parties in interest and citizens will be given the opportunity to be heard in respect to such application. Persons may appear in person or by agent. Written comments must be received prior to the hearing. The above application is open for inspection in the Town Clerks Office.

Richard Ingerson
Zoning Officer

ZONING BOARD OF APPEALS
TOWN OF CLAYTON
APPLICATION FOR AN AREA VARIANCE

Application #: T-VAR-011-26
Date of Application: 10/8/2026
Application Fee Received: $150.00 #073531
Date of Public hearing: 10/19/2026 7:00pm

Zoning District: MR
Tax Map #: 12.11-1-41, 12.11-1-37.8 Block #: _____ Lot: 703, 714

TO THE ZONING BOARD OF APPEALS

A: Statement of Ownership and interest:
The applicant (s) _____
Is/are the owner (s) of property situated at the following address:
42978 Murray Island, Clayton N.Y.

The above described property was acquired by the applicant (s) on 7/18/22
Date

B: The applicant requests the following **AREA** variance to:
Front setback.
The area or dimensional variance requested is as follows:
42' 8" From S.W. Corner of deck
39' 10" from S.E Corner of deck
Furthest Point from front of property is 58' 7"
15' 2" South front yard variance
ATTACH A SITE PLAN DRAWN TO SCALE

C: Reasons for request:

(1) The requested variance will not create an undesirable change in the character or the neighborhood or detriment to nearby properties in that:
~~Island has~~ many Non Conforming Neighboring lot's
The Deck is an unenclosed structure
that will not increase (Dev / the buildings habitable footprint.

(2) The benefits sought by the applicant cannot be achieved by any other feasible method because:
Main Structure Required to Stay in same
Location

(3) The requested variance is not substantial in that: it Represents encroachment of only 13'-15', and involves only an open Deck

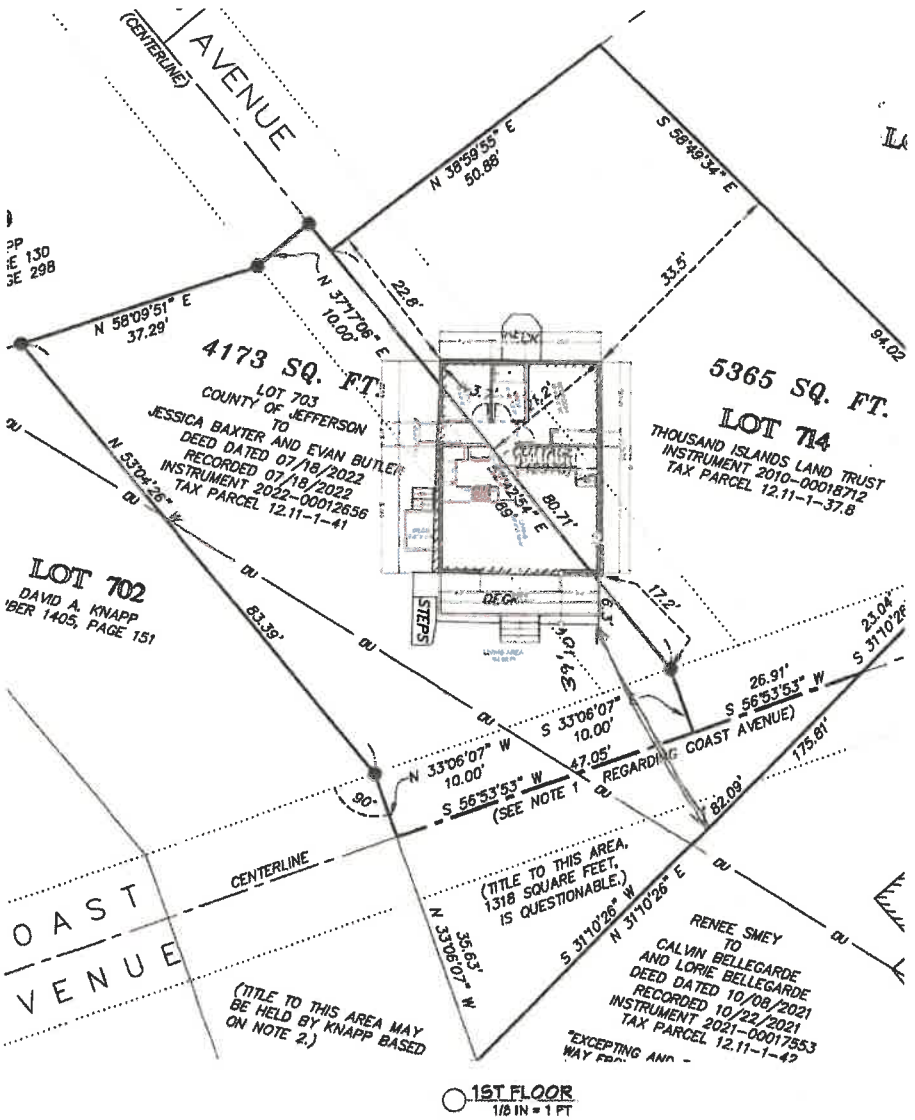
(4) The proposed variance will not have an adverse effect or impact on the physical and environmental conditions of the neighborhood or district because: The Deck will be on current graded Lawn ~~area~~ with no disturbance to Wetland's trees or Natural drainage patterns.

D: State Inspection:
Applicant agrees that members of the Joint Town/Village Zoning Board of Appeals may inspect the property site of the application by appointment or at other times as agreed to by the applicant and the Board. Please list preferred days/times:

Dated: 9/28/26 Phone #: 315-882-0921
Applicants Name: Shawn Cherchio (please print)
Mailing Address: 32762 St Rt 12E
Cape Vincent N.Y. 13618
Applicants Signature: Shawn Cherchio

EXTERIOR WALL ASSEMBLY (TYP.):
- Siding: vinyl or wood lap siding
- Weather-resistive barrier (housewrap)
- Sheathing: 7/16" OSB or plywood
- Framing: 2x6 wood studs @ 16" O.C.
- Insulation:R-13 minimum (Seasonal Cottage)
- Interior finish: 1/2" plywood, drywall, or T&G pine paneling

INTERIOR PARTITION WALL (TYP.):
- 2x4 wood studs @ 16" O.C.
- 1/2" drywall or paneling both sides, no insulation (unless sound/fire separation required)



1ST FLOOR
1/8 IN = 1 PT

Evan Butler, Jessica Baxter
518-429-9975, -
2 Rosebud Ct Rensselaer
New York12144

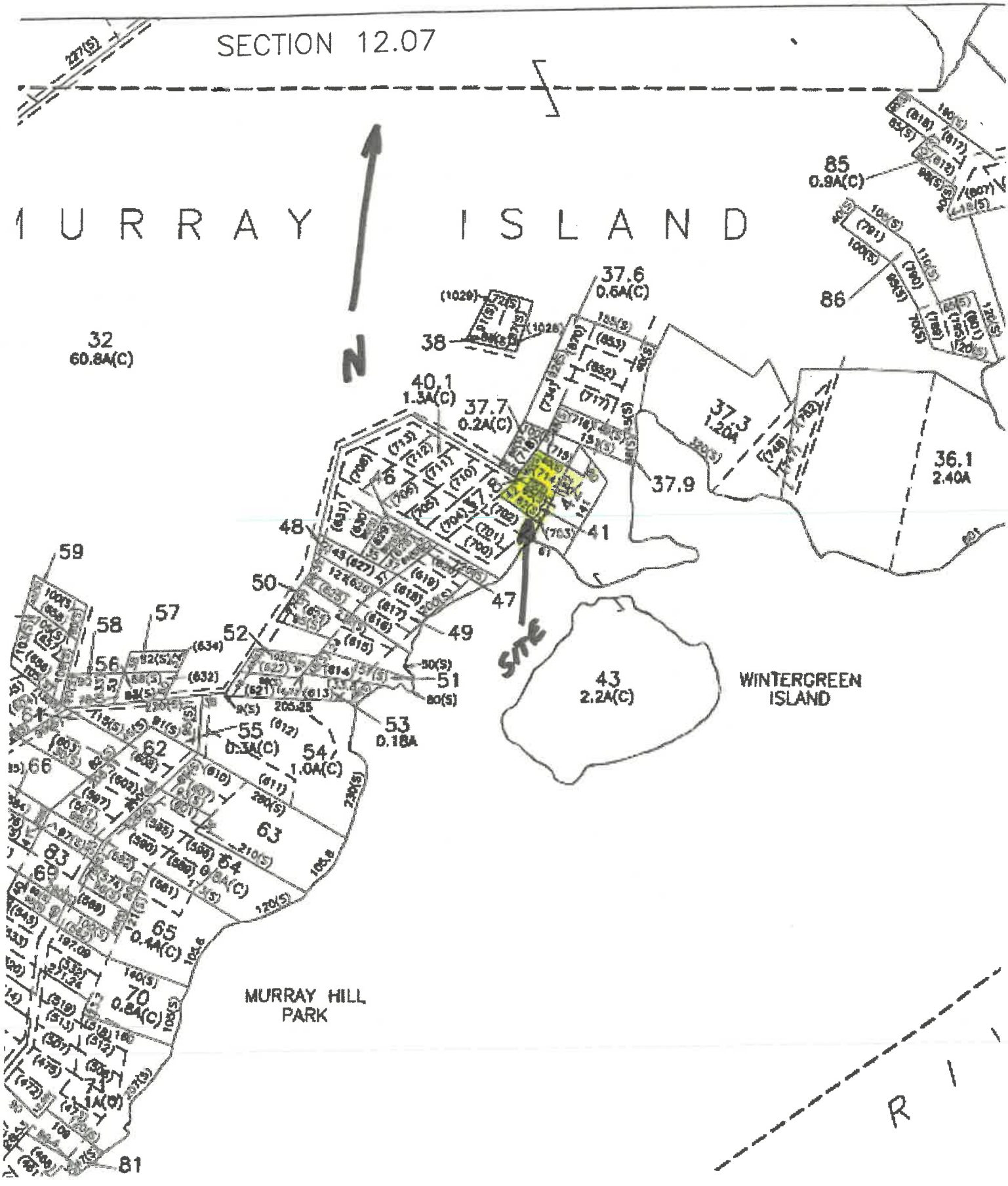
Project Overview

DRAWINGS PROVIDED BY:
OAKLOCK CONTRACTING
SHAWN CHERENG
315-602-0901
SHAWN@OAKLOCKCONTRACTING.COM

DATE: 9/8/2026

SCALE:

SHEET: P-1


SECTION 12.07
MURRAY ISLAND
N
SITE
32
60.8A(C)
38
37.6
0.6A(C)
40.1
1.3A(C)
37.7
0.2A(C)
37.3
1.20A
37.9
36.1
2.40A
85
0.9A(C)
86
48
41
47
50
49
59
58
57
52
56
51
53
0.18A
55
0.3A(C)
54
1.0A(C)
62
63
64
0.6A(C)
66
83
68
65
0.4A(C)
70
0.8A(C)
1A(C)
81
43
2.2A(C)
WINTERGREEN ISLAND
MURRAY HILL PARK
R I

Authentisign ID: 5BC619F3-0FBC-F111-A6A9-000D3A4FF82A

JOINT TOWN/VILLAGE OF CLAYTON ZONING BOARD OF APPEALS

AUTHORIZATION TO ACT AS AGENT

I Jessica Baxter give my permission to:
(Name of Property Owner)

(Agents name): Shawn Cherchio "Garlock Contracting"

Address: 15 Washington St
Alexandria Bay N.Y. 13607

to submit an application for an ____ Use Variance, an ____ Area Variance, or ✓ Setback Approval to the Joint Town/Village of Clayton's Zoning Board of Appeals for property located at:

42978 Murry Is
Clayton N.Y. 13624
(Address of Property)

Tax Map # 12.11-1-41 Block# ____ Lot# 703, 714

Date property was acquired: 7/18/22

Jessica Baxter
Signature of Property Owner

09/29/26
Date

Phone #: (___) 518-925-3575

Signature of Agent

9/29/26
Date

Phone #: (315) 882-0921

Tax# 12.11-1-41 & 37.8 Name: Jessica Baxter

APPLICANT Address: 3 Dennis Ave
Albany NY 12211

NEARBY LANDOWNERS

Tax# 12.11-1-40.1 Name: David A. Knapp
Address: P.O Box 271
Wellesley Island, NY 13640

Tax# 12.11-1-32 Name: Thousand Islands Land Trust Inc
Address: P.O Box 238
Clayton NY 13624

Tax# 12.11-1-42 Name: Calvin Bellegarde
Address: 21 Nicole Drive
Albany NY 12205

Tax# Agent Name: Shawn Cherchio
Address: 32762 NYS Route 12E
Cape Vincent, NY 13618

Tax# _____ Name: _____
Address: _____

Tax# _____ Name: _____
Address: _____

Tax# _____ Name: _____
Address: _____

Tax# _____ Name: _____
Address: _____