

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
FEBRUARY 12, 2024**

The Organizational and Regular Meetings of the Zoning Board of Appeals of the Town of Clay, County of Onondaga, State of New York, was held at the Clay Town Hall, 4401 New York State Route 31, Clay, New York on February 12, 2024. Chairman Wisnowski called the meeting to order at 6:00 P.M. and upon the roll being called the following were:

PRESENT:	Edward Wisnowski, Jr	Chairman
	Karen Liebi	Member
	Vivian Mason	Member
	Ryan Frantzis	Member

ABSENT:	David Porter	Member
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OTHERS

PRESENT:	Robert Germain	Attorney
	Chelsea Clark	Secretary
	Mark Territo	Commissioner of Planning & Development

All present participated in the Pledge of Allegiance.

MOTION made by Chairman Wisnowski that the Minutes of the meeting of December 11, 2023, be accepted as submitted. There was no meeting on January 8, 2024, as there was no business. Motion was seconded by Mrs. Liebi. *Unanimously carried.*

MOTION made by Chairman Wisnowski for the purpose of the New York State Environmental Quality Review (SEQR) all new actions tonight will be determined to be a Type II, and will be given a negative declaration, unless otherwise advised by our attorney. Motion was seconded by Mrs. Liebi. *Unanimously carried.*

ORGANIZATIONAL ITEMS FOR 2024:

MOTION made by Chairman Wisnowski accepting the 2024 Scheduling Calendar, which states the filing dates of when a completed application is to be received from an applicant; the designation that the second Monday of each month will be the regular meeting of the Zoning Board of Appeals with the exception of November 11, 2024, which is cancelled in honor of Veterans Day; the appointment of Vivian Mason as Deputy Chairperson; appointment of Chelsea Clark as the Secretary to the Zoning Board of Appeals; the acknowledgement that Robert Germain of Germain & Germain was appointed by the Town Board as the Zoning Board of Appeals Attorney; and that Proofs of Publication will be in the Tuesday edition of the Post Standard the week before the Zoning Board of Appeals meeting. Motion was seconded by Mrs. Liebi. *Unanimously carried.*

OLD BUSINESS:

None.

NEW BUSINESS:

Case: #1935 – Daniel Schirtz, 4923 Orangeport Road, Tax Map #014.-03-13.3.:

The applicant is seeking an Area Variance pursuant to Section 230-13 A.(4) – Front Yard Minimum for an Accessory Structure; and 230-11 C. – Definitions – Lot, Flag. The request is for a reduction in the front yard setback from 75 feet to 50 feet to allow for construction of a pole barn/garage. The property is in the RA-100 Agricultural Residential District.

The proof of publication was read by the secretary.

The applicant was present.

Chairman Wisnowski asked the applicant to explain his request for an Area Variance.

Mr. Schirtz explained that he would like to build a pole barn for storage of his tractors and trailers, however due to the size of the lot and the fact that it is a flag lot, he is limited on space of where the barn could be built.

Chairman Wisnowski asked Mr. Schirtz to address the Standards of Proof.

Mr. Schirtz addressed the Standards of Proof:

1. The applicant does not believe the requested Area Variance will create an undesirable change to the character of the neighborhood.
2. The applicant does not believe there is any feasible method other than the requested Area Variance.
3. The applicant does not believe the requested Area Variance to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. Yes, the need for an Area Variance is self-created.

Chairman Wisnowski asked if there were any further comments or questions from the Board.

Mrs. Liebi asked the applicant how far back from the road the driveway is.

Mr. Schirtz stated approximately 600 feet. The placement of the barn would allow for him to back his trailers into the barn.

Chairman Wisnowski asked Commissioner Territo if he had any questions.

Mr. Territo asked the applicant what the building shown in “photo 2 (provided by the applicant),” was.

Mr. Schirtz stated it is an old clubhouse built for his kids over 20 years ago.

Chairman Wisnowski asked if anyone in the audience had any questions or comments and there were none.

Chairman Wisnowski asked for those in favor of granting the Area Variance and those opposed to granting the Area Variance and there were none.

MOTION was made by Mrs. Liebi in Case #1935 to **approve** the Area Variance as requested with the condition it be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Frantzis.

Roll Call:	Chairman Wisnowski	- in favor	
	Mrs. Liebi	- in favor	
	Mr. Frantzis	- in favor	
	Mrs. Mason	- in favor	<i>Unanimously Carried.</i>

There being no further business, Chairman Wisnowski adjourned the meeting at 6:09 P.M.



Chelsea L. Clark, Secretary
Zoning Board of Appeals
Town of Clay