

*APPROVED*  
**ZONING BOARD OF APPEALS**  
**MINUTES OF MEETING**  
**MAY 13, 2024**

The Regular Meeting 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 May 13, 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
	Vivian Mason	Deputy Chairperson
	Karen Liebi	Member
	Ryan Frantzis	Member
	David Porter	Member (Absent for

ABSENT: None

**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 April 8, 2024, be accepted as submitted. Motion was seconded by Deputy Chairperson Mason. *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. Mason. *Unanimously carried.*

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**Case #1946 – Brew Team NY, LLC, 3906 and 3908 Brewerton Road, Tax Map #118.-01-07.1 and #118.-01-17.1:**

The applicant is requesting Area Variances pursuant to Section 230-13 B.(4)(b)[2][a] – Principal Structure and Attached Accessory Structures, for a reduction in the side yard setback from 50 feet to 32.8 feet for a proposed canopy on the north side; and Section 230-13 B.(5)(a) - LuC-1 – Supplemental District Design Standards, for a reduction in the perimeter landscape strip from 20 feet to 10 feet; and Section 230-13 D.(5)(a) - HC-1 – Supplemental District Design Standards, for a reduction in the perimeter landscape strip from 20 feet to 10 feet. This to allow a 7 Brew location.

The properties are located in the HC-1 Highway Commercial District and the Luc-1 Limited Use for Restaurants District.

The proof of publication was read by the secretary.

The applicant, Fran Taylor, was present.

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

Mr. Taylor explained they are looking to build a drink only drive-thru. The parcel would have two lanes for customers and a third lane for an escape and/or emergency route.

Chairman Wisnowski asked the applicant to address the standards of proof.

Mr. Taylor addressed the Standards of Proof:

1. The applicant does not believe the requested Area Variances 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 Variances.
3. The applicant does not believe the requested Area Variances to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. Yes, the need for Area Variances is self-created.

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

Deputy Chairperson Mason asked if there would be an entrance on both sides of the parcel.

Mr. Taylor confirmed there would be two entrances.

Chairman Wisnowski asked Commissioner Territo if he had any questions or comments and he had none.

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 Variances and there were none.

Chairman Wisnowski asked for those opposed to granting the Area Variances and there were none.

**MOTION** was made by Deputy Chairperson Mason in Case #1946 to **approve** the Area Variances as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Frantzis.

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

*Mr. Porter was absent for Case #1946.*

**Case #1947 – Brew Team NY, LLC, 3906 and 3908 Brewerton Road, Tax Map #118.-01-07.1 and #118.-01-17.1.:**

The applicant is requesting Area Variances pursuant to Section 230-22 C.(1) Sign Standards and Requirements: #1) to allow an additional freestanding sign on Brewerton Road when not allowed by the Zoning Code; a reduction in the front yard setback on Brewerton Road from 25 feet to 22.2 feet; and to increase the square footage of a freestanding sign on Brewerton Road from 0 square feet to 51 square feet; #2) to allow an additional freestanding sign on South Bay Road when not allowed by the Zoning Code; a reduction in the front yard setback on South Bay Road from 25 feet to 22.2 feet; and increase the square footage of a freestanding sign on South Bay Road from 0 square feet to 51 square feet; #3) to increase the number of wall signs to 3 when 2 are allowed; and #4) to increase the size of the third wall sign from 0 square feet to 31.66 square feet. This is to allow additional signage to properly identify the proposed business, a corporate standard. The properties are located in the HC-1 Highway Commercial District and the Luc-1 Limited Use for Restaurants District.

The proof of publication was read by the secretary.

The applicant, Fran Taylor, was present.

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

Mr. Taylor explained signs are important to promote new businesses adding after looking at the parcel, he does not need a sign on Brewerton Road and would like to request Area Variances for #2, #3 & #4 as listed in the proof of publication only – omitting Area Variance #1.

Chairman Wisnowski asked the applicant to address the standards of proof.

Mr. Taylor addressed the Standards of Proof:

1. The applicant does not believe the requested Area Variances 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 Variances.
3. The applicant does not believe the requested Area Variances to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. Yes, the need for Area Variances is self-created.

Chairman Wisnowski asked if there were any further comments or questions from the Board and there were none.

Chairman Wisnowski asked Commissioner Territo if he had any questions or comments and he had none.

Chairman Wisnowski asked if anyone in the audience had any questions or comments.

Thomas Gaines of 308 Wells Ave West, North Syracuse, asked if there were plans available for viewing on this application.

Chairman Wisnowski explained the site plans would be shown at the Planning Board meeting.

Deputy Chairman Mason told the resident that he could calling the Planning office to get the date and time for when this application will go before the planning board.

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

Chairman Wisnowski asked for those opposed to granting the Area Variances and there were none.

**MOTION** was made by Mr. Frantzis in Case #1947 to **approve** Area Variances #2, #3 and #4, as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Deputy Chairperson Mason.

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

*Mr. Porter was absent for Case #1947.*

**Case #1948 – Emily Salamone, 4924 Look Kinney Circle, Tax Map #096.-12-64.0.:**

The applicant is requesting Area Variances pursuant to Section 230-11 C. LOT, THREE-SIDED -- A lot with only three property lines forming its boundaries. For purposes of enforcement, it shall have: no rear yard, two side yards and a front yard extending the entire width of the lot; Section 230-13 D.(4)(b)[1] – Front Yard Minimum – for a reduction in the front yard setback from 25 feet to 12 feet; and Section 230-20 B.(2)(b) – Fences – for an increase in the height of a fence in a front yard from the allowed 2 ½ feet to 6 feet (a corner lot has two front yards). This is to allow construction of a fence. The property is located in the R-10 One-Family Residential District.

The proof of publication was read by the secretary.

The applicant was present.

Chairman Wisnowski asked the applicant to explain her request for Area Variances.

Ms. Salamone explained she moved into the property a year ago and is looking to install a fence to enhance the property and for privacy.

Chairman Wisnowski asked the applicant to address the standards of proof.

Ms. Salamone addressed the Standards of Proof:

1. The applicant does not believe the requested Area Variances 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 Variances.
3. The applicant does not believe the requested Area Variances to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. Yes, the need for Area Variances is self-created.

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

Mrs. Liebi asked what type of fence the applicant wanted to install.

Ms. Salamone stated she would like to put in vinyl fencing.

Chairman Wisnowski asked Commissioner Territo if he had any questions or comments and he had none.

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 Variances and there were none.

Chairman Wisnowski asked for those opposed to granting the Area Variances and there were none.

**MOTION** was made by Mrs. Liebi in Case #1948 to **approve** Area Variances as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Frantzis.

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

*Mr. Porter was absent for Case #1948.*

**Case #1949 – Amanda Jock, 4065 Sweet Gum Lane, Tax Map #055.-11-06.0.:**

The applicant is seeking Area Variances pursuant to Section 230-11 C. LOT, THREE-SIDED - A lot with only three property lines forming its boundaries. For purposes of enforcement, it shall have: no rear yard, two side yards and a front yard extending the entire width of the lot; Section 230-13 E.(4)(b)[1] – Front Yard Minimum – for a reduction in the front yard setback from 25 feet to 16 feet; and Section 230-20 B.(2)(b) – Fences – for an increase in the height of a fence in a front yard from the allowed 2 ½ feet to not more than 7 feet (a corner lot has two front yards) to allow construction of a fence. The property is located in the R-7.5 One-Family Residential District.

The proof of publication was read by the secretary.

The applicant was present.

Chairman Wisnowski asked the applicant to explain her request for Area Variances.

Ms. Salamone explained she moved into the property a year ago and is looking to install a fence to enhance the property and for privacy.

Chairman Wisnowski asked the applicant to address the standards of proof.

Ms. Salamone addressed the Standards of Proof:

1. The applicant does not believe the requested Area Variances 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 Variances.
3. The applicant does not believe the requested Area Variances to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. Yes, the need for Area Variances is self-created.

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

Mrs. Liebi asked what type of fence the applicant wanted to install.

Ms. Salamone stated she would like to put in vinyl fencing.

Chairman Wisnowski asked Commissioner Territo if he had any questions or comments and he had none.

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 Variances and there were none.

Chairman Wisnowski asked for those opposed to granting the Area Variances and there were none.

**MOTION** was made by Mrs. Liebi in Case #1948 to **approve** Area Variances as requested with the condition they be in substantial compliance with Exhibit "A". Motion was seconded by Mr. Frantzis.

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

*Mr. Porter was absent for Case #1948.*

Zoning Board Member, David Porter, entered the meeting during case #1948.

**Case #1950 – Greg Tweedy – 4409 & 4411 Riviera Drive, Tax Map #'s 039.-01-02.0 & 039.-01-01.0.:**

The applicant is seeking Area Variances pursuant to Section 230-13 A.(4) – Lot and Structure Dimensional Requirements for Lot #1: a reduction in the required lot area of 100,000 square feet to a proposed 52,457.94 square feet; a reduction in the 75-foot minimum requirement of a front yard to the proposed 36.4 feet; a reduction from the 75 feet required for an accessory structure, detached in a front yard to a proposed 20 feet; and a reduction in the side yard setback from the required 25 feet for an accessory structure, detached to a proposed 6 feet. Lot #2: a reduction in the required lot area of 100,000 square feet to a proposed 34,578 square feet; a reduction in the lot width from the required 250 feet to the proposed 197.55 feet; a reduction in the 75-foot minimum requirement of a front yard to the proposed 41.0 feet; a reduction from the 75 feet required for an accessory structure, detached in a front yard to a proposed 20 feet; and a reduction in the side yard setback from the required 25 feet for an accessory structure, detached to a proposed 9.2 feet. This is to allow a lot line adjustment between the two parcels. The properties are located in the RA-100 Residential Agricultural District.

The proof of publication was read by the secretary.

Tim Coyer of Ianuzi & Romans was present on behalf of the applicant.

Chairman Wisnowski asked Mr. Coyer to explain the applicants request for Area Variances.

Mr. Coyer stated the applicant is looking to move the property line between the parcels, both owned by the applicant, in order to have the existing garage on the property of the home the applicant is currently residing in and bring into compliance with current zoning.

Chairman Wisnowski asked Mr. Coyer to address the standards of proof.

Mr. Coyer addressed the Standards of Proof:

1. The applicant does not believe the requested Area Variances 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 Variances.
3. The applicant does not believe the requested Area Variances to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. Yes, the need for Area Variances is self-created.

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

Mrs. Liebi asked if the smallest lot will have the garage.

Mr. Coyer stated yes, the smaller lot has an existing attached garage.

Chairman Wisnowski asked Commissioner Territo if he had any questions or comments and he had none.

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 Variances and there were none.

Chairman Wisnowski asked for those opposed to granting the Area Variances and there were none.

**MOTION** was made by Deputy Chairperson Mason in Case #1950 to **approve** Area Variances as requested with the condition they be in substantial compliance with Exhibit "A". Motion was seconded by Mr. Frantzis.

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



**Case #1951 – Charles Weaver, 9710 Caughdenoy Road, Tax Map #041.-01-11.1.:**

The applicant is requesting Area Variances pursuant to Section 230-13 A.(4) – Lot and Structure Dimensional Requirements – for a reduction in the south side yard setback from 25 feet to 3 feet to allow for a proposed addition. The property is located in the RA-100 Residential Agricultural District.

The proof of publication was read by the secretary.

The applicant was present.

Chairman Wisnowski asked the applicant to explain the applicants request for Area Variances.

Mr. Weaver explained he purchased the property three years ago and is looking to add a 30x40 barndominium.

Chairman Wisnowski asked the applicant to address the standards of proof.

Mr. Weaver addressed the Standards of Proof:

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

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

Mrs. Liebi asked if the one-story house was still on the property and if there would be living space attached to the barn.

Mr. Weaver stated that was torn down and is now gone and yes there would be living space attached to the proposed barn.

Mrs. Liebi asked if the entrance to the barn would be where the old house was.

Mr. Weaver stated the old house was out approximately 20 feet further than the proposed barndominium.

Mrs. Liebi added that the house addition looks great and asked where you would enter.

Mr. Weaver stated you would enter through the front porch, facing the road.

Chairman Wisnowski asked Commissioner Territo if he had any questions or comments and he had none.

Chairman Wisnowski asked if anyone in the audience had any questions or comments.

Elizabeth Escudero, 9738 Caughdenoy Road, stated she is concerned about the environmental impact that building this barn would have, as the septic system is not sufficient. Ms. Escudero added that the previous owner dumped a lot into the property and she believes an environmental study needs to be done and that this property is in a wetland, creating a hazard.

Deputy Chairperson Mason added that the Onondaga County Health Department would need approve the septic, not the zoning board.

Chris Applegate, 9701 Caughdenoy Road, asked how far the proposed barn would be from the road.

Mr. Weaver stated the proposal is for 183 feet from the road and offered to show Mr. Applegate the plans where the barn would be further from the road than the previous house.

Jeff and Roseanne Cucneil, 9702 Caughdenoy Road, are opposed to the applicants request until septic system has been approved by the health department.

Chairman Wisnowski reiterated that the Onondaga County Health Department would need to approve the sewer, and that the zoning board of appeals is only hearing the application and making a decision on whether to grant the requested Area Variances; the zoning board of appeals does not have authority to approve or deny sewer concerns.

Gage Simmons, 9723 Caughdenoy Road, stated the applicant tore town the previous structure without a permit and buried an oil tank left by the previous oil tank in the backyard along with miscellaneous car parts and debris.

The applicant stated that the old house fell in on itself and was removed, as far as an oil tank and car parts being buried in the backyard, the applicant stated that is false and added he has greatly improved the property since he purchased it. Regarding the septic, he stated there is an existing septic system on the side of the garage and he will install a new septic system as long as he has the approval from the County. Should the County deny the septic, the property owner will walk away from intent to build on this parcel as he is just looking to downsize for him and his wife.

Chairman Wisnowski added that if the County says no to the sewer, building of the barn cannot happen. Granting the Area Variances does not effect the County's decision regarding the sewer.

Ms. Escudero asked the board how often does the board grant Area Variances to three feet.

Chairman Wisnowski stated they grant these Area Variances frequently.

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

Chairman Wisnowski asked for those opposed to granting the Area Variances.

Jeff and Roseanne Cucneil, 9702 Caughdenoy Road, are opposed.

**MOTION** was made by Mrs. Liebi in Case #1951 to **approve** Area Variances as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Frantzis.

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

**Case #1952 – North Syracuse Lodging Group, LLC (Marriott), 8505 Pepperidge Way, Tax Map #055.-01-01.1.:**

The applicant is requesting Area Variances pursuant to Section 230-16 C.(5)(b)[4][a] – Maximum Height; Hotel – to increase the height of a building from the allowed 50 feet to 55 feet; Section 230-16 C.(4)(a)[1][b] & [c] – Site Perimeter Landscape - for a reduction in the Site Perimeter Landscape Strip from 80 feet to 28.3 feet; and Section 230-16 E. – Required Parking and Loading Spaces – for a reduction in the required parking spaces from the allowed 243 to 206. This to allow for a proposed hotel. The property is located in the RC-1 Regional Commercial District.

The proof of publication was read by the secretary.

Brian Bouchard of CHA Consulting, Inc., was present on behalf of the applicant.

Chairman Wisnowski asked Mr. Bouchard to explain the applicants request for Area Variances.

Mr. Bouchard stated the applicant is looking to build a new, dual-brand hotel with extended stay style rooms. They are requesting an additional 5 feet in height to allow for accents to create architectural appeal. Request for reduced parking is based on the number of rooms and extended style of dual-brand hotel.

Chairman Wisnowski asked Mr. Bouchard to address the standards of proof.

Mr. Bouchard addressed the Standards of Proof:

1. The applicant does not believe the requested Area Variances will create an undesirable change to the character of the neighborhood as the additional height will allow for architectural appeal.
2. The applicant does not believe there is any feasible method other than the requested Area Variances.
3. The applicant does not believe the requested Area Variances to be substantial as there are similar porches in the area.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. Yes, the need for Area Variances is self-created.

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

Mrs. Liebi asked if there would be enough parking overall or if customers would need to walk over from the other hotel.

Mr. Bouchard stated no, the customers would not need to walk over from the other hotel as there would be more than sufficient parking available for customers and staff. If the hotel was at 100% capacity, only then may someone need to walk from the other hotel, adding that studies show hotels have been at an average of 65% capacity as of recently.

Chairman Wisnowski asked Commissioner Territo if he had any questions or comments.

Commissioner Territo asked the applicant if the parcel in the back of the property was the same parcel.

Mr. Bouchard stated it is the same parcel and the applicant has the intent to subdivide the parcel in the future.

Commissioner Territo asked if they were going to propose Town Houses on that parcel, where would the entrance be?

Mr. Bouchard stated they have done sketches, however, with such a small parcel, it would make a dwelling of that nature difficult and there is a chance that parcel would remain undeveloped or kept as a green space or park.

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

Dylan Rodner, 4047 Underbrush Trail, stated that the existing hotel next to the parcel was granted Area Variances to allow for additional height, in which has created light pollution and lack of privacy.

Ron Blair, 4048 Underbrush Trail, stated that the sign on the existing hotel, when lit, illuminates his bedroom and the proposed hotel is closer to his residence which will create more light pollution.

Mr. Bouchard stated that the signage for the proposed hotel will be facing the North and not visible to the residential homes.

Mr. Blair added that the proposed hotel would limit the market if they wanted to sell their home.

Kristin and Miles Davis, 4037 Underbrush Trail, stated the existing hotel is in her backyard and has created light pollution, noise and lack of privacy as customers of the hotel walk their pets in her backyard.

Angelina Rodner, 4047 Underbrush Trail, stated that sump pumps are dying quicker than normal in this area due to the drainage issues the existing hotel is causing. Ms. Rodner asked how the proposed hotel would impact drainage in the area.

Mr. Bouchard stated that the Town of Clay Planning Board is requiring a berm at the rear of the parking lot. Mr. Bouchard added that he is unsure if the proposed hotel would have the same or similar accent lighting as the existing hotel, same with drainage, as that would be discussed further down the line during the planning process.

Chairman Wisnowski added that the questions asked are questions that the Town of Clay Planning Board would need to address and encouraged residents to attend the Planning Board meeting for this applicant.

Mrs. Davis asked what type of hotel they are proposing.

Mr. Bouchard stated it would be a Marriot Flag, dual brand hotel – single studio, extended stay style.

Deputy Chairperson Mason asked the applicant to confirm they would not be apartments.

Mr. Bouchard stated no, no apartments just a hotel.

Mr. Rodner asked if the board would be voting on all Area Variances in the application.

Chairman Wisnowski stated yes, the board would be voting on the Area Variances as a whole.

Mr. Bouchard added that the applicant may or may not propose the same or similar lighting as the existing hotel, that would come further in the planning process.

Mrs. Rodner stated that she fears for privacy with the proposed.

Mr. Bouchard stated that they are scheduled to be in front of the Planning Board beginning in July.

Deputy Chairperson Mason encouraged the audience to attend the planning board meetings and bring support from neighbors.

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

Chairman Wisnowski asked for those opposed to granting the Area Variances.

Dylan and Angelina Rodner, 4047 Underbrush Trail, is opposed to granting the Area Variances.

Ron Blair and Nancy LaFond-Blair, 4048 Underbrush Trail, are opposed to granting the Area Variances.

Kristin and Mike Davis, 4037 Underbrush Trail, are opposed to granting the Area Variances.

**MOTION** was made by Mr. Frantsiz in Case #1952 to **approve** Area Variances as requested with the condition they be in substantial compliance with Exhibit “A,” and requests the Town Planning board to address lighting pollution concerns. Motion was seconded by Mrs. Liebi.

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

**Case #1953 – Thomas Femano for Katherine Winters, 8233 Sarona Lane, Tax Map #077.-11-04.0.:**

The applicant is requesting Area Variances pursuant to Section 238-18 H.(1)(d) – Waiver of PDD Standards – for a reduction in the front yard setback from 25 feet to 16 feet. This is to allow construction of a 9 foot by 15-foot three season covered porch to the front of the house. The property is located in the PDD Planned Development District.

The proof of publication was read by the secretary.

Thomas Femano was present on behalf of the applicant.

Chairman Wisnowski asked Mr. Femano to explain the applicants request for Area Variances.

Mr. Femano stated the applicant is looking to add a 9x15, 3-season covered porch to her home.

Chairman Wisnowski asked Mr. Femano to address the standards of proof.

Mr. Femano addressed the Standards of Proof:

6. The applicant does not believe the requested Area Variances will create an undesirable change to the character of the neighborhood.
7. The applicant does not believe there is any feasible method other than the requested Area Variances.
8. The applicant does not believe the requested Area Variances to be substantial as there are similar porches in the area.
9. The applicant does not believe there will be any adverse effect to the neighborhood.
10. Yes, the need for Area Variances is self-created.

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

Deputy Chairperson Mason asked if the porch would be screen in.

Mr. Femano stated there would be glass windows as well as screens.

Chairman Wisnowski asked if there would be heating or cooling on the porch.

Mr. Femano said there would be no heating or cooling on the porch.

Chairman Wisnowski asked Commissioner Territo if he had any questions or comments and he had none.

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 Variances and there were none.

Chairman Wisnowski asked for those opposed to granting the Area Variances and there were none.

**MOTION** was made by Deputy Chairperson Mason in Case #1953 to **approve** Area Variances as requested with the condition they be in substantial compliance with Exhibit "A". Motion was seconded by Mr. Frantzis.

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

There being no further business, Chairman Wisnowski adjourned the meeting at 7:24 P.M.



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