

APPROVED
ZONING BOARD OF APPEALS
MINUTES OF MEETING
August 12, 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 August 12, 2024. Chairman Wisnowski called the meeting to order at 6:00 P.M. and upon the roll being called the following were:

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| PRESENT: | Edward Wisnowski, Jr | Chairman |
| | Vivian Mason | Deputy Chairperson |
| | Karen Liebi | Member |
| ABSENT: | Ryan Frantzis | Member |
| | David Porter | Member |
| 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 Deputy Chairperson Mason that the Minutes of the meeting of July 8, 2024, be accepted as submitted. 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 Deputy Chairperson Mason. *Unanimously carried.*

OLD BUSINESS:

None.

NEW BUSINESS:

Case #1957 – Janet Guhin & Adib Sarakby, 8391 Gaskin Road, Tax Map #019.-01-27.1.:

The applicants are requesting Area Variances pursuant to Section 230-13 D.(4)(c)[2] – Side Yard Setback, for a reduction in the east side yard setback from 10 feet to 6 feet and Section 230-13 D.(4)(c)[4] – Maximum Height, for an increase in the height of a structure from 12 feet to 20 feet to allow construction of a pole barn. The property is located in the R-10 One-Family Residential Zoning District.

The proof of publication was read by the secretary.

The applicant Abid Sarakby and friend, Janet Rathburn were present.

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

Ms. Rathburn explained the applicant is looking to build a pole barn to store outdoor equipment including mowers and a motor home. In order for the motor home to fit in the proposed pole barn, the height variance is needed. Ms. Rathburn further added that the pole barn would allow for use of the existing garage to be used for vehicles and equipment that is currently stored outside to be enclosed and out of sight.

Chairman Wisnowski asked Ms. Rathburn to address the standards of proof.

Ms. Rathburn 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 equipment will be less visible and there are existing tree buffers to hide the view of the pole barn.
2. The applicant does not believe there is any feasible method other than the requested Area Variances as the height is needed in order to fit their motor home and the location for the pole barn is needed so they have accessibility from the driveway.
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 as the pole barn would house equipment that is currently stored outdoors in plain sight.
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 why the proposed pole barn is off to the side of the existing asphalt driveway.

Mr. Sarakby stated the pole barn would not fit between the existing garage and side yard so he had to move the location of the proposed pole barn back and to the side.

Mrs. Liebi asked how they would access the pole barn.

Ms. Rathburn stated that the applicant would have a man door, and overhead doors with stone access leading to the pole barn.

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 those opposed to granting the Area Variances and there were none.

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MOTION was made by Mrs. Liebi in Case #1957 to **approve** the Area Variances as requested with the condition it be in substantial compliance with Exhibit “A”. Motion was seconded by Deputy Chairperson Mason.

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

There being no further business, Chairman Wisnowski adjourned the meeting at 6:06 P.M.



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