

*APPROVED*  
**ZONING BOARD OF APPEALS**  
**MINUTES OF MEETING**  
**October 14, 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 October 14, 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
	Ryan Frantzis	Member
	David Porter	Member
ABSENT:	Karen Liebi	Member

**OTHERS**

PRESENT:	Robert Germain	Attorney
	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 September 9, 2024, be accepted as submitted. Motion was seconded by Mr. Frantzis *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 #1960 – Michael Jordan, 4012 Marder Road, Tax Map #026.-01-01.0.:**

The applicants are requesting Area Variances pursuant to Section 230-13 A.(4) – Lot and Structure Dimensional Requirements, for a reduction in the east side yard setback from 25 feet to 12 feet to allow construction of a pole barn to replace an existing garage. The property is located in the RA-100 Residential Agricultural Zoning District.

The proof of publication was read by the secretary.

The applicant, Michael Jordan was present.

Chairman Wisnowski asked Mr. Jordan to explain the applicants request for an Area Variance. Mr. Jordan explained he is looking to build a pole barn to replace a previously existing 24' x 36' garage that was built in the early 1990s. Over time, he has outgrown this garage and there is now a need for a larger pole barn. Because of how it is situated on the property, keeping in line with the previous structure, there is a need for a variance.

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

Mr. Jordan 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 this is a country setting and it will replace an existing garage that is too small.
2. The applicant does not believe there is any feasible method other than the requested Area Variances as the driveway is close to the east property line and this new structure will be in line with that if variance is granted.
3. The applicant does not believe the requested Area Variances to be substantial as there are other similar pole barns in the area.
4. The applicant does not believe there will be any adverse effect to the neighborhood as the pole barn would have a similar footprint to what is there now.
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. Mason asked how tall the structure would be.

Mr. Jordan stated the pole barn would be 10 feet on the ground floor, and 11 feet on the second level for a total of 21 feet. The Commissioner verified that this meets the allowable height for zoning.

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

Chairman Wisnowski asked if anyone in the audience had any questions or comments but only the applicants were present, no additional audience was present.

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

**MOTION** was made by Mr. Frantzis in Case #1960 to **approve** the Area Variance as requested with the condition it be in substantial compliance with Exhibit "A". Motion was seconded by Mr. Porter.

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

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There being no further business, Chairman Wisnowski adjourned the meeting at 6:08 P.M.

Mark Territo, Acting Secretary

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