

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
MARCH 14, 2022**

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 March 14, 2022. 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
	Luella Miller-Allgaier	Deputy Chairperson
	Karen Liebi	Member
	Ryan Frantzis	Member
	Chelsea Clark	Secretary
	Mark V. Territo	Commissioner of Planning & Development
ABSENT:	Robert Germain	Attorney

MOTION made by Deputy Chairperson Miller-Allgaier that the Minutes of the meeting of February 14, 2022 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 Mrs. Liebi. *Unanimously carried.*

OLD BUSINESS:

None

NEW BUSINESS:

Case #1867 – Singh Petroleum, LLC/Gulf Gas Station, 4989 Bear Road, Tax Map #089.-01-05.0.:

The applicant is seeking Area Variances for the following pursuant to Section 230-22 C.(1): #1.) a reduction in the front yard setback from 25 feet to 2 feet to alter an existing freestanding sign; #2.) an increase in square footage of an existing freestanding sign from the allowed 32 square feet to 93.89 square feet; #3.) an increase in the number of wall/canopy signs from the allowed two to four; #4.) an increase in the square footage of a third wall/canopy sign from 0 square feet to 14.96 square feet; and #5.) an increase in the square footage of a fourth wall/canopy sign from 0 square feet to 14.96 square feet, to allow for additional signage. The property is located in the LuC-1 Limited Use District for Gasoline Services.

The proof of publication was read by the secretary.

Thomas Kilts of Singh Petroleum, LLC, was present on behalf of the applicant.

Chairman Wisnowski asked the Mr. Kilts to explain their request for the Area Variances.

Mr. Kilts stated the signs are already up because the applicant wanted a cleaner, sharper more streamlined look.

Mr. Kilts 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 are self-created.

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

Mrs. Liebi asked Mr. Kilts how the signs went up before coming to the Board.

Mr. Kilts stated he represents the signage company and they were unaware of any issue until the Town of Clay's code enforcement officer reached out.

Mrs. Liebi noted they went about the process backwards and asked if they have ever conducted business in the Town of Clay before.

Deputy Chairperson Miller-Allgaier asked if Mr. Kilts company represented Stewart's or if this was the first time they have represented an applicant in the Town of Clay.

Mr. Kilts said this was his first time representing an applicant in the Town of Clay.

Chairman Wisnowski asked if the communication was broken between the applicant and signage company.

Mr. Kilts confirmed communication was not clear and each party assumed the other was filing necessary applications.

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

There being no further comments, Chairman Wisnowski closed the hearing.

MOTION was made by Mrs. Liebi in Case #1867 to approve the Area Variances 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	
	Deputy Chairperson Miller-Allgaier	- in favor	
	Mrs. Liebi	- in favor	
	Mr. Frantzis	- in favor	<i>Unanimously Carried.</i>

Case #1869 – Dunk & Bright/Metropolitan Signs, 4081 State Route 31, Tax Map #028.-01-40.3:

The applicant is seeking Area Variances pursuant to Section 230-22 C.(1) for an increase in the number of wall signs from the two allowed to three and Section 230-22 C.(1) for an increase in the square footage of the third wall sign from 0 square feet to 490 square feet to allow for an additional wall sign. The property is located in the RC-1 Regional Commercial.

The proof of publication was read by the secretary.

Applicant Joe Bright and Dave Razzante of Metropolitan Signs were present.

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

Mr. Razzante explained they are looking to add signage to the previous Macy’s building. The sign will consist of a set of LED letters for Dunk and Bright, “New York States Largest Furniture Store,” needed for visibility.

Mr. Bright noted they are already in the space and are planning to paint the building, fill in the pot holes and update the landscaping once the weather improves. They are requesting signage on the East side of the building to ensure visibility to West bound travelers. Mr. Bright also noted that they purchased the piece of the building and are not a leasing tenant.

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 comments or questions 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.

There being no further comments, Chairman Wisnowski closed the hearing.

MOTION was made by Mr. Frantzis in Case #1869 to approve the Area Variances as requested with the condition it be in substantial compliance with Exhibit “A.” Motion was seconded by Deputy Chairperson Miller-Allgaier.

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

There being no further business, Chairman Wisnowski adjourned the meeting at 6:21 P.M.



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