

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
September 11, 2023**

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 September 11, 2023. 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

ABSENT:	Luella Miller	Deputy Chairperson
	Ryan Frantzis	Member

OTHERS

PRESENT:	John Marzocchi	Attorney
	Chelsea Clark	Secretary
	Mark Territo	Commissioner of Planning & Development

All present participated in the Pledge of Allegiance.

Mrs. Liebi asked all present to join for a moment of silence in remembrance of 9/11.

MOTION made by Mrs. Mason that the Minutes of the meeting of August 14, 2023, 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:

Case #1925 – St. Joseph’s Imaging (Jamie Bracy, Agent) 8200 Oswego Road, Tax Map No. 067.-01-01.6.:

The applicant is seeking an Area Variance pursuant to Section 230-22 C.(1) – Major Sign Standards – to install a second free standing sign on the property. This is to identify the remaining businesses on the property. This property is located in the O-2 Office District.

The proof of publication was read by the secretary at the July 10, 2023, Zoning Board of Appeals meeting.

Rania Kassis of Kassis Superior Signs was present on behalf of the applicant.

Chairman Wisnowski asked Ms. Kassis to explain the applicants request for an Area Variance.

Ms. Kassis stated the applicant is requesting an additional monument sign, non-illuminated, to advertise for the two remaining tenants.

Chairman Wisnowski asked the applicant to address the Standards of Proof.

Ms. Kassis 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 if the applicant would be using the existing old pillar where the original signage exists.

Ms. Kassis asked if she was referring to the signage with the stone base.

Mrs. Liebi stated by the roadway.

Ms. Kassis stated there is a temporary sign where the applicant is looking to add the proposed signage.

Mrs. Liebi asked if the old sign will stay.

Ms. Kassis confirmed the old sign would remain.

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

MOTION was made by Mrs. Liebi in Case #1925 to **approve** the Area Variance as requested with the condition it be in substantial compliance with Exhibit “A”. Motion was seconded by Mrs. Mason.

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

NEW BUSINESS:

Case: #1930 - Jiffy Lube/Jennifer Wolfe, 5237 West Taft Rd., Tax Map #112.-06-14.0.:

The applicant is seeking an Area Variance pursuant to Section 230-22 C.(1) - Major Sign Standards, for an increase in the number of freestanding signs from zero allowed, to one proposed; an increase in the square footage of a freestanding sign from zero square feet to 57.5 square feet; and an increase in the height of a freestanding sign from zero to 25 feet, to allow for the freestanding sign.

The proof of publication was read by the secretary.

The applicant, Jennifer Wolfe, was present.

Chairman Wisnowski asked Ms. Wolfe to explain her request for Area Variance.

Ms. Wolfe stated they are requesting the variances to install a ground sign for the newly constructed Jiffy Lube in order to increase driver reaction time and decrease risk to drivers.

Chairman Wisnowski asked the applicant to address the Standards of Proof.

Ms. Wolfe 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 as other businesses in the area have similar signage.
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 Area Variance is self-created.

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

Mrs. Liebi asked if the ground side would be just to the side of the sidewalk.

Ms. Wolfe stated she had not seen the property until today and they may need 10 feet instead of 25 feet.

Mrs. Mason informed the applicant that the board would need to readvertise the case with that request and postpone until the next Zoning Board of Appeals meeting.

Ms. Wolfe stated she would like to proceed with the 25 feet and will make that work, whether it will fit the lot as-is or if they need to use a parking space to create an island for the ground sign.

Chairman Wisnowski asked Commissioner Territo if he had any questions.

Mr. Territo noted that when the out parcels were created, the intent was for future tenants to go on the panel sign, however, with the parcel being vacant for so long, it appears the existing tenants used more space than intended.

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.

MOTION was made by Mrs. Mason in Case #1930 to **approve** the Area Variances as requested with the condition it be in substantial compliance with Exhibit “A”. Motion was seconded by Mrs. Liebi.

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

There being no further business, Chairman Wisnowski adjourned the meeting at 6:16 P.M.



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