

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
November 13, 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 November 13, 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: Robert Germain Attorney
 Chelsea Clark Secretary
 Mark Territo Commissioner of Planning & Development

All present participated in the Pledge of Allegiance.

MOTION made by Mrs. Mason that the Minutes of the meeting of September 11, 2023, be accepted as submitted. Motion was seconded by Mrs. Liebi. There was no meeting on October 9, 2023. *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.*

NEW BUSINESS:

Case: #1932 – Kim Blaine, 4400 Riverview Road, Tax Map #038.-01-23.0.:

The applicant is seeking Area Variances pursuant to Section 230-13 A.(4) Detached Accessory Structure Dimensional Requirement for a reduction in the front yard setback from 75 feet to 17 feet and a reduction in the east side yard setback from 25 feet to 10 feet to allow for construction of a garage.

The proof of publication was read by the secretary.

The applicant, Kim Blaine and friend, Thomas Stairs of 104 Archer Road, were present.

Chairman Wisnowski asked Ms. Blaine to explain her request for Area Variances.

Ms. Blaine stated she would like to build a garage to store her car, lawn mower and contents of current shed, as she would like to remove the existing shed.

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

Ms. Blaine 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 neighboring properties have similar garages.
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 why the applicant is wanting to build the proposed garage to the left of the driveway.

Ms. Blaine explained that the owner of the neighboring property to the right informed her that three feet of her existing driveway is on his property.

Chairman Wisnowski asked if the proposed garage would have an impact on the existing wires.

Ms. Blaine stated it should not have any impact on the wires as the proposed garage is a standard height.

Chairman Wisnowski asked Commissioner Territo if he had any 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.

MOTION was made by Mrs. Liebi in Case #1932 to **approve** the Area Variances 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>

There being no further business, Chairman Wisnowski adjourned the meeting at 6:05 P.M.


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