

DRAFT/UNAPPROVED
ZONING BOARD OF APPEALS
MINUTES OF MEETING
July 13, 2026

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 July 13, 2026. Chairperson Mason called the meeting to order at 6:00 P.M. and upon the roll being called the following were:

PRESENT:	Vivian Mason	Chairperson
	Karen Liebi	Deputy Chairperson
	Ryan Frantzis	Member
	David Porter	Member
	Michael Becker	Member

ABSENT: None

OTHERS

PRESENT:	Robert Germain	Attorney
	Brian Bender	Planning & Development Commissioner
	Joseph Grispino	Code Enforcement Commissioner
	Mike Brown	Code Enforcement Officer & MCFD Volunteer
	Chelsea Clark	Zoning Board Secretary

All present participated in the Pledge of Allegiance.

MOTION made by Mr. Frantzis that the Minutes of the meeting of June 8, 2026, be accepted as submitted. Motion was seconded by Mr. Porter. Unanimously carried.

MOTION made by Chairperson Mason 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. Mr. Liebi seconded motion. Unanimously carried.

OLD BUSINESS:

Case #2001 – Greg Fischel (Allied Sign Company), 3567 State Route 31, Tax Map #019.-02-29.1.:

The applicant is seeking two Area Variances pursuant to Section 230-22C(1) – Maximum square footage for a Freestanding Sign, for an increase in square footage from the maximum 32 square feet to 59 square feet; and for an increase in the maximum number of wall signs from 2 to 3. The property is in the Highway-Commercial (HC-1) Zoning District.

The applicant was present.

The proof of publication and standards of proof were read at the June 8, 2026, Zoning Board meeting.

Mr. Fishel explained they would like to withdraw their request for an Area Variance for a freestanding sign but wishes to proceed with the Area Variance request for 3 wall signs. The additional wall sign would be the same size as the existing oval sign, non-illuminated.

Chairperson Mason asked if there were any further comments or questions from the Board and there were none.

Chairperson Mason asked Planning Commissioner Bender if he had any questions or comments and he had none.

Chairperson Mason asked Codes Commissioner Grispino if he had any questions or comments and he had none.

Chairperson Mason asked if anyone in the audience had any questions or comments and there were none.

Chairperson Mason asked for those who would like to speak in favor of granting the Area Variance and there were none.

Chairperson Mason asked for those who would like to speak against granting the Area Variance and there were none.

Chairperson Mason closed the hearing.

MOTION was made by Mr. Becker in Case #2001 to **approve** the Area Variance as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Frantzis.

Roll Call:	Mr. Becker	- in favor	
	Mr. Porter	- in favor	
	Mr. Frantzis	- in favor	
	Mrs. Liebi	- opposed	
	Chairperson Mason	- in favor	<i>Motion Carried.</i>

Case #2005- Paul Licari, 8894 Caughdenov Road, Tax Map #048.-01-06.0.:

The applicant is requesting two Area Variances pursuant to Section 230-17D(4)(b)[1][a] for a reduction in the front yard setback from 200 feet to 30 feet and Section 230-19A(5) for a reduction in Highway Overlay Type C setback from 115 feet to 54 feet to permit construction of a warehouse and accessory parking. The property is in the Industrial 2 (I-2) Zoning District.

The applicant has requested to withdraw their application.

NEW BUSINESS:

Case #2006 – Sarah Vartabedian, 9656 Beaver Watch Path, Tax Map ID #041.3-04-10.0.:

The applicant is seeking two Area Variances pursuant to Section 230-13D(4)(c)[1] – Lot and Structure Dimensional Requirements, for a reduction in the front yard setback from 25 feet to 10 feet; and Section 230-20B(2)(b) to have a fence height of 6 feet between the street line and setback line. The property is in the One-Family Residential (R-10) Zoning District.

The secretary read the proof of publication.

The applicant was present.

Chairperson Mason asked the applicant to explain the need for Area Variances.

Ms. Vartabedian explained she would like the variances to be able to utilize as much backyard space as possible and install a fence for the safety and privacy of her family.

Chairperson Mason asked the applicant to address the Standards of Proof.

The applicant offered the following responses:

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 are other feasible methods other than the requested Area Variances as a 30-inch fence would not provide the desired level of privacy.
3. The applicant does believe the requested Area Variances are substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. The applicant acknowledged that the need for Area Variances is self-created.

Chairperson Mason asked if there were any further comments or questions from the Board and there were none.

Chairperson Mason asked Planning Commissioner Bender if he had any questions or comments and he had none.

Chairperson Mason asked Codes Commissioner Grispino if he had any questions or comments and he had none.

Chairperson Mason asked if anyone in the audience had any questions or comments and there were none.

Chairperson Mason asked for those who would like to speak in favor of granting the Area Variances and there were none.

Chairperson Mason asked for those who would like to speak against granting the Area Variances and there were none.

Chairperson Mason closed the hearing.

MOTION was made by Mrs. Liebi in Case #2006 to approve the Area Variances as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Porter.

Roll Call:	Ms. DesRosiers	- in favor	
	Mr. Porter	- in favor	
	Mr. Frantzis	- in favor	
	Mrs. Liebi	- in favor	
	Chairperson Mason	- in favor	<i>Unanimously Carried.</i>

Case #2007 – Ulrich Sign Co. Inc., 3687 State Route 31, Tax Map ID # 020.-01-06.1.:

The applicant is seeking an Area Variance pursuant to Section 230-22C(1) – Maximum square footage for a Freestanding Sign, with an increase in square footage from the maximum 32 square feet to 40.11 square feet to enlarge the face of the current sign. The property is in the Highway Commercial (HC-1) Zoning District.

The secretary read the proof of publication.

The applicant, Chris McCaffrey was present.

Chairperson Mason asked the applicant to explain the need for an Area Variance.

Mr. McCaffrey explained that he is proposing to remove the existing sign and replace it with a more modern, updated sign. The new sign would be designed to conceal the existing steel support beams, enhancing its overall appearance. Landscaping would also be installed around the base of the sign to further improve its aesthetics. Mr. McCaffrey stated that the proposed sign would also improve visibility and better identify the entrance to the property.

Chairperson Mason asked the applicant to address the Standards of Proof.

The applicant offered the following responses:

1. The applicant does not believe the requested Area Variance will create an undesirable change to the character of the neighborhood as it would be similar to other signage in the area.
2. The applicant does not believe there are other feasible methods other than the requested Area Variance.
3. The applicant does not believe the requested Area Variance are substantial as the request is consistent with others in the area.

4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. The applicant acknowledged that the need for an Area Variance is self-created.

Chairperson Mason asked if there were any further comments or questions from the Board.

Mrs. Liebi asked the applicant if the dealership was acquiring the property to the West.

Commissioner Bender confirmed they will be using the property to the West, and pointed out said area on the property map.

Mrs. Liebi expressed her like for the base of the proposed new sign but did not understand the need for an increase in size.

Mr. McCaffrey stated that Chevrolet only offers certain sizes of their signage and this is the smallest sign they offer that the applicant believes to be reasonable. The applicant reiterated that the request is only requesting an increase of 8 square feet.

Chairperson Mason asked Planning Commissioner Bender if he had any questions or comments.

Commissioner Bender stated the applicant is scheduled to be in front of the Planning Board, Wednesday 7/22.

Chairperson Mason asked Codes Commissioner Grispino if he had any questions or comments and he had none.

Chairperson Mason asked if anyone in the audience had any questions or comments and there were none.

Chairperson Mason asked for those who would like to speak in favor of granting the Area Variance and there were none.

Chairperson Mason asked for those who would like to speak against granting the Area Variance and there were none.

Chairperson Mason closed the hearing.

MOTION was made by Mr. Porter in Case #2007 to approve the Area Variance as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Frantzis.

Roll Call:	Ms. DesRosiers	- in favor	
	Mr. Porter	- in favor	
	Mr. Frantzis	- in favor	
	Mrs. Liebi	- opposed	
	Chairperson Mason	- in favor	<i>Motion Carried.</i>

Case #2008 – Finger Lakes Construction, 8247 Oswego Road, Tax Map ID # 054.-02-18.0.:

The applicant is seeking two Area Variances pursuant to Section 230-13D(4)(c)[1] - Lot and Structure Dimensional Requirements, for a reduction in the front yard setback from 25 feet to 2.3 feet; and Section 230-13D(4)(c)[4] for an increase in maximum height of an accessory structure from 12 feet to 18.4 feet to construct a pole barn. The property is in the One-Family Residential (R-10) Zoning District.

The secretary read the proof of publication.

Anthony Natale was present on behalf of the applicant.

Chairperson Mason asked the applicant to explain the need for Area Variances.

Mr. Natale explained they moved to this property 8-months ago and does not have enough garage space. They are looking to add a pole barn with a covered porch facing the backyard that would provide privacy and additional space for a future pool.

Chairperson Mason asked the applicant to address the Standards of Proof.

The applicant offered the following responses:

1. The applicant does not believe the requested Area Variances will create an undesirable change to the character of the neighborhood as the proposed pole barn would be finished and trimmed.
2. The applicant does believe there are other feasible methods other than the requested Area Variances such as moving the proposed pole barn further back but adding it would be undesirable due to sloping and drainage concerns.
3. The applicant does believe the requested Area Variances are substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. The applicant acknowledged that the need for Area Variances is self-created.

Chairperson Mason asked if there were any further comments or questions from the Board and there were none.

Chairperson Mason asked Planning Commissioner Bender if he had any questions or comments and he had none.

Chairperson Mason asked Codes Commissioner Grispino if he had any questions or comments.

Commissioner Grispino and Mike Brown stated the proposed barn would be too close to the road and would create serious challenges for firefighters should they need to access the area.

Mr. Frantzis asked the applicant if he would consider shrinking the pole barn to create space between the barn and the road.

Commissioner Grispino added that Code Enforcement and the Fire Department spoke and they both agreed that 10 feet would be palatable.

Chairperson Mason asked if anyone in the audience had any questions or comments.

Janet Rathburn, 4760 Freestone Road, asked why 18 feet in height.

The applicant stated the would be angled upward to allow for a 10 foot garage door which requires a header.

Ms. Rathburn asked if he would be operating a business out of the pole barn.

The applicant stated no, it would just be for personal use.

Commissioner Grispino asked if there would be living space in the pole barn.

The applicant confirmed there would be no living space in the barn.

Chairperson Mason asked for those who would like to speak in favor of granting the Area Variances and there were none.

Chairperson Mason asked for those who would like to speak against granting the Area Variances and there were none.

The applicant will consider changes to the size of the proposed barn.

MOTION was made by Chairperson Mason in Case #2008 to adjourn the hearing to **August 10, 2026**. Motion was seconded by Mr. Frantzis.

Roll Call:	Ms. DesRosiers	- in favor	
	Mr. Porter	- in favor	
	Mr. Frantzis	- in favor	
	Mrs. Liebi	- in favor	
	Chairperson Mason	- in favor	<i>Unanimously Carried.</i>

Case#2009 – Johann Weigl, 200 Fletcher Drive, Tax Map ID #111.-08-01.0.:

The applicant is seeking two Area Variances pursuant to Section 230-13D(4)(c)[1] – Lot and Structure Dimensional Requirements, for a reduction in the front yard setback from 16.6 feet to 0 feet; and Section 230-20B(2)(b) to have a fence height of 6 feet between the street line and setback line. The property is in the One-Family Residential (R-10) Zoning District.

The secretary read the proof of publication.

The applicant was present.

Chairperson Mason asked the applicant to explain the need for Area Variances.

The applicant explained they are looking to replace the existing chain link fence adding they are not looking to increase only connect the existing fence to the house. They would like to replace the chain link with a vinyl fence to provide privacy for their children.

Chairperson Mason asked the applicant to address the Standards of Proof.

The applicant offered the following responses:

1. The applicant does not believe the requested Area Variances will create an undesirable change to the character of the neighborhood but would improve the homes aesthetic.
2. The applicant does not believe there are other feasible methods other than the requested Area Variances.
3. The applicant does not believe the requested Area Variances are substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood but would increase the value.
5. The applicant acknowledged that the need for Area Variances is self-created.

Chairperson Mason asked if there were any further comments or questions from the Board.

Mrs. Liebi asked why they were non-conforming.

The applicant stated the fence was existing when they purchased the property.

Chairperson Mason asked Planning Commissioner Bender if he had any questions or comments and he had none.

Chairperson Mason asked Codes Commissioner Grispino if he had any questions or comments and he had none.

Chairperson Mason asked if anyone in the audience had any questions or comments and there were none.

Chairperson Mason asked for those who would like to speak in favor of granting the Area Variances and there were none.

Chairperson Mason asked for those who would like to speak against granting the Area Variances and there were none.

Chairperson Mason closed the hearing.

MOTION was made by Mr. Porter in Case #2009 to approve the Area Variances as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Frantzis.

Roll Call:	Ms. DesRosiers	- in favor	
	Mr. Porter	- in favor	
	Mr. Frantzis	- in favor	
	Mrs. Liebi	- in favor	
	Chairperson Mason	- in favor	<i>Unanimously Carried.</i>

There being no further business, Chairperson Mason adjourned the meeting at 6:34 P.M.

Chelsea Clark, Secretary
Zoning Board of Appeals
Town of Clay