

APPROVED
ZONING BOARD OF APPEALS
MINUTES OF MEETING
August 10, 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 August 10, 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
	Mary Lou DesRosier	Alternate Member
ABSENT:	Michael Becker	Member
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 July 13, 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. Frantzis seconded motion. Unanimously carried.

OLD BUSINESS:

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 proof of publication and standards of proof were read at the July 13, 2026, Zoning Board meeting.

Anthony Natale of Finger Lakes Construction was present on behalf of the applicant.

Mr. Natale stated he discussed the Zoning Boards concerns and suggestions with the applicant and the applicant would like to proceed with requesting a reduction in the front yard setback from 25 feet to 10 feet instead of the initially requested 2.3 feet.

Chairperson Mason asked if the applicant had a new exhibit, if not we would modify the provided exhibit with the updated setback.

Commissioner Bender had an updated exhibit.

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 #2008 to **approve** the Area Variance for a reduction in the front yard setback from 25 feet to 10 feet and **approve** the Area Variance for an increase in maximum height of an accessory structure from 12 feet to 18.4 feet as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mr. Frantzis.

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

NEW BUSINESS:

Case #2010 – Charles & Carol Lee/KK-J Architecture, 9178 Henry Clay Boulevard, Tax Map ID #034.-01-07.0.:

The applicant is seeking three Area Variances pursuant to Section 230-13A(4) – Lot and Structure Dimensional Requirements, for a reduction in the front yard setback from 75 feet to 40.83 feet, a reduction in the westerly side yard setback from 25 feet to 19.3 feet, and a reduction in the easterly side yard setback from 25 feet to 4.2 feet for the principal structure. The property is in the Residential Agricultural (RA-100) Zoning District.

The secretary read the proof of publication.

Kristin Koehler-Jeroloman of KK-J Architecture was present.

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

Ms. Koehler-Jeroloman explained the applicant is looking to do interior and exterior renovations including structural improvements, bring to current standards and raise the floor above base flood elevation. The applicant is also seeking to replace the existing deck with a 10x20 deck.

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

Ms. Koehler-Jeroloman 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 it would be similar to existing in the area.
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.
5. The need for the Variance is not self-created as the structure existed prior to the current code.

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 Mr. Porter in Case #2010 to approve the Area Variances as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Mrs. Liebi.

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 #2011 – Jesse Balaz, 8000 Ginger Road, Tax Map ID #081.-34-01.0.:

The applicant is seeking two Area Variances pursuant to Section 230-13E(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.

Mr. Balaz explained he would like to install a fence for the privacy and safety of his 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 as it would be similar to other fences in the area.
2. The applicant does not believe there are other feasible methods other than the requested Area Variances as the 2.5 foot fence allowed would not give the desired 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 acknowledges the need for requested 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.

Commissioner Bender stated he did receive a letter opposed to granting the Area Variance stating concerns about the bus stop on the corner and decreased visibility.

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.

Walter Schoen, 4300 Luna Course, stated he is opposed to granting the Area Variances due to traffic and pedestrian safety on the corner, adding that there are not similar fences in the area.

Kristie Costello, 4307 Luna Course, stated she has the same concerns as Mr. Schoen as well as concerns about displaced snow during winter months.

The applicant stated the corner of the proposed fence would be sheered off to increase visibility on the area of concern.

Commissioner Grispino added that the proposed fence would be 25 feet from the paved portion of the road.

Chairperson Mason closed the hearing.

MOTION was made by Mr. Frantzis in Case #2011 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 #2012- Paul B. White, 3851 Bonstead Road, Tax Map ID #025.-01-02.3.:

The applicant is seeking an Area Variance pursuant to Section 230-13A(4) - Lot and Structure Dimensional Requirements, for a reduction in the front yard setback from 75 feet to 14 feet for an accessory structure. The property is in the Residential Agricultural (RA-100) Zoning District.

The secretary read the proof of publication.

The applicant was present.

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

Mr. White explained he is requesting an Area Variance to allow for construction of a pole barn.

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 but would enhance the property.
2. The applicant does not believe there are other feasible methods other than the requested Area Variance.
3. The applicant does believe the requested Area Variance is substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. The applicant acknowledges the request for an Area Variance 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 #2012 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	- in favor	
	Chairperson Mason	- in favor	<i>Unanimously Carried.</i>

There being no further business, Chairperson Mason adjourned the meeting at 6:24 P.M.



Chelsea Clark, Secretary
Zoning Board of Appeals
Town of Clay