

**TOWN OF CLAY**  
**ZONING BOARD OF APPEALS AGENDA**

The next regular meeting of the Town of Clay Zoning Board of Appeals will be held on **September 14, 2020 at 7:30 PM** in the Clay Town Hall Located at 4401 New York State Route 31, Clay, New York

- A. PRE-AGENDA MEETING – *Jury Room* - 7:00 PM
- B. CALL THE MEETING TO ORDER - 7:30 PM
- C. MINUTES OF THE PREVIOUS MEETING AUGUST 10, 2020
- D. HEARING FORMAT ANNOUNCEMENT:

ALL MATTERS HEARD BY THIS ZONING BOARD OF APPEALS ARE IN THE FORM OF A PUBLIC HEARING. EVERYONE DESIRING TO BE HEARD WILL BE HEARD. BEFORE SPEAKING, YOU ARE ASKED TO STATE CLEARLY YOUR NAME AND ADDRESS.

THERE ARE THREE TYPES OF MATTERS THAT COME BEFORE THIS BOARD. THEY ARE SPECIAL PERMIT, VARIANCES AND INTERPRETATIONS. THE APPLICATION WILL BE DENIED UNLESS THE APPLICANT HAS PROVEN HIS CASE.

FOR THE PURPOSE OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW (SEQR), ALL NEW ACTIONS TONIGHT WILL BE DETERMINED TO BE TYPE II, AND WILL BE GIVEN A NEGATIVE DECLARATION, UNLESS OTHERWISE ADVISED BY OUR ATTORNEY.

**E. OLD BUSINESS:**

Case: #1783  
 Zone: HC-1  
 Tax #: 059.-01-13.1

Applicant: **Benjamin Kaye/Superior Self Storage**  
 Location: **4356 State Route 31**  
 Relief Sought: **Area Variance** (regarding required parking) to allow for 10 parking spaces instead of 16. Because a portion of the site is now being used for retail (1,000 square feet).

Per Town Ordinance Number: **Section 230-21 E.**

OCPB Report	SEQR Type <u>  Type II  </u>	Board Action <u>          </u>
Required (Y)	Negative <u>          X          </u>	Granted <u>          </u>
Date Sent <u>  5/29/2020  </u>	Positive <u>          </u>	Denied <u>          </u>
Received ( )	Hearing Closed <u>          </u>	Conditions(Y/N)

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**F. NEW BUSINESS:**

Case: #1799  
Zone: RC-1  
Tax #: 028.-01-45.1

Applicant: **Chenaga Restaurant Properties, LLC/IHop**  
Location: **4211 NYS Route 31**  
Relief Sought: **Area Variances** to increase the number of wall signs from the allowed two to four and to increase the square footage for the third and fourth wall signs from 0 square feet to 22.34 square feet, to allow for 2 additional wall signs for business recognition.

Per Town Ordinance Number: **Section 230-22 C.(1) and 230-22 C.(1)**

OCPB Report Required ( ) Date Sent _____ Received ( )	SEQR Type <u>Type II</u> Negative _____ Positive _____ Hearing Closed _____	Board Action _____ Granted _____ Denied _____ Conditions(Y/N)
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Case: #1801  
Zone: RA-100  
Tax #: 012.-01-12.0

Applicant: **Mary Cooper**  
Location: **3462 Horseshoe Island Road**  
Relief Sought: **Area Variances** for a reduction in the front yard setback from 75 feet to 8 feet, and for an increase in the height of a fence in a front yard from the allowed 2 1/2 feet to 3 1/2 feet. This is to allow for an existing fence.

Per Town Ordinance Number: **Section 230-13 A.(4) and 230-20 B.(2)(b)**

OCPB Report Required (N) Date Sent _____ Received ( )	SEQR Type <u>Type II</u> Negative _____ Positive _____ Hearing Closed _____	Board Action _____ Granted _____ Denied _____ Conditions(Y/N)
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Case: #1802  
Zone: R-7.5  
Tax #: 068.-28-10.0

Applicant: **Jack Howard**  
Location: **8111 Portobello Way**  
Relief Sought: **Area Variance** for a reduction in the front yard setback from 25 feet to 18 feet to allow for a covered front deck.

Per Town Ordinance Number: **Section 230-13 E.(4)(b)[1]**

OCPB Report Required ( ) Date Sent _____ Received ( )	SEQR Type <u>Type II</u> Negative _____ Positive _____ Hearing Closed _____	Board Action _____ Granted _____ Denied _____ Conditions(Y/N)
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Case: #1803  
 Zone: RA-100  
 Tax #: 024.-01-19.3

Applicant: **John L. Morrissey**  
 Location: **3941 Maider Road**  
 Relief Sought: **Area Variance** for an increase in the height of an accessory structure from the allowed 25 feet to 28 feet to allow for construction of a garage.

Per Town Ordinance Number: **Section 230-13 A.(4)**

OCPB Report Required ( ) Date Sent _____ Received ( )	SEQR Type <u>Type II</u> Negative _____ Positive _____ Hearing Closed _____	Board Action _____ Granted _____ Denied _____ Conditions(Y/N)
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Case: #1804  
 Zone: R-7.5  
 Tax #: 056.-07-07.0

Applicant: **Marlo Grandy**  
 Location: **4085 Rusty Pine Lane**  
 Relief Sought: **Area Variances** for a reduction in the front yard setback from the allowed 25 feet to 10 feet and for an increase in the height of a fence in a front yard from the allowed 2 1/2 feet to 6 feet (corner lots have more than one front yard). This is to allow for an existing fence, shed and pool.

Per Town Ordinance Number: **Section 230-13 E.(4)(b)[1] and 230-20 B.(2)(b )**

OCPB Report Required ( ) Date Sent _____ Received ( )	SEQR Type <u>Type II</u> Negative _____ Positive _____ Hearing Closed _____	Board Action _____ Granted _____ Denied _____ Conditions(Y/N)
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Case: #1805  
 Zone: RA-100  
 Tax #: 059.-01-19.1

Applicant: **Romer W. Rodriguez Ortiz**  
 Location: **4470 NYS Route 31**  
 Relief Sought: **Area Variances** for a reduction in the west front yard setback from 75 feet to 39 feet and for a reduction in the front yard designated highway overlay from 165 feet to 117 feet, to allow for construction of a deck and garage.

Per Town Ordinance Number: **Section 230-13 A.(4) and 230-19 A.(5)**

OCPB Report Required ( ) Date Sent _____ Received ( )	SEQR Type <u>Type II</u> Negative _____ Positive _____ Hearing Closed _____	Board Action _____ Granted _____ Denied _____ Conditions(Y/N)
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Case: #1806  
Zone: RA-100  
Tax #: 016.-01-07.1

Applicant: **Sandra and Nancy Radecki**  
Location: **3537 Bonstead Road**  
Relief Sought: **Area Variances** for a reduction in the front yard setback from 75 feet to 50 feet; for a reduction in the side yard setback from 25 feet to 4 feet; and for a reduction in the rear yard setback from 25 feet to 15 feet, to allow for construction of an above ground pool

Per Town Ordinance Number: **Section 230-13 A.(4)**

OCPB Report	SEQR Type <u>Type II</u>	Board Action _____
Required ( )	Negative _____	Granted _____
Date Sent _____	Positive _____	Denied _____
Received ( )	Hearing Closed _____	Conditions(Y/N)

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#### G. OTHER BUSINESS

#### H. ADJOURN THE MEETING