

APPROVED
ZONING BOARD OF APPEALS
MINUTES OF MEETING
September 9, 2019

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 9, 2019. Chairman Wisnowski called the meeting to order at 7:30 P.M. and upon the roll being called the following were:

PRESENT:	Edward Wisnowski, Jr	Chairman
	Karen Liebi	Member
	Luella Miller-Allgaier	Member
	John Marzocchi	Attorney
	Vivian Mason	Secretary
ABSENT:	Nicholas Layou	Member
	Mark V. Territo	Commissioner of Planning & Development

MOTION made by Mrs. Liebi that the Minutes of the meeting of August 12, 2019 be accepted as submitted. Motion was seconded by Mrs. Miller-Allgaier. *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. *Carried.*

OLD BUSINESS: None

NEW BUSINESS:

Chairman Wisnowski asked if all the Board members had visited the sites, and all said that they had.

Case #1763 –Isaac Eames, Riverview Road, Tax Map #038.-01-27.0:

The applicant is seeking Area Variances per Section 230-13 A.(4) for a reduction in the front yard setback from 75 feet to 5 feet 6 inches for the existing garage; a reduction in the side yard setback from 25 feet to 5 feet 7 inches for the existing garage; a reduction in the side yard setback from 25 feet to 8 feet on the *Martin side* for construction of a dwelling; and a reduction in the side yard setback from 25 feet to 8 feet on the *Reid side* for construction of a dwelling. The property is located in the RA-100 Residential Agricultural District.

The Secretary read the proof of publication, adding that the *Martin side* property is now owned by Josh Eames.

Isaac Eames explained that he is building a camp, a 28 foot by 48 foot house, and needs variances to accomplish this.

Isaac Eames addressed the Standards of Proof:

1. He believes there will not be any negative or undesirable change to the character of the neighborhood.
2. He believes there is not any other feasible method to build than to obtain Area Variances.
3. He feels the Area Variance requests are not substantial.
4. He believes there won't be any physical or environmental impact to the neighborhood.
5. He believes the need for the Area Variances is self-created.

Chairman Wisnowski asked if there were any comments or questions and there were none.

Chairman Wisnowski asked Commissioner Territo if he had any comments and he had none.

Chairman Wisnowski asked if anyone in the audience had any questions and there were none.

Chairman Wisnowski asked for those in favor and those opposed to granting the Area Variance requests and there were none.

Chairman Wisnowski closed the hearing.

MOTION was made by Mrs. Liebi in Case #1763 to approve the Area Variances as requested with the condition that it be in substantial compliance with Exhibit "A" dated 8/13/2019. The motion was seconded by Mrs. Miller-Allgaier.

Roll call:	Chairman Wisnowski, Jr.	- in favor	
	Mrs. Liebi	- in favor	
	Mr. Layou	- absent	
	Mrs. Miller-Allgaier	- in favor	<i>Carried.</i>

The Area Variance in Case #1763 is **approved**.

Case #1764 – Giovanni Canzano, 5057 Bear Road, Tax Map #089.-01-11.3:

The applicant is seeking an Interpretation for the definition of an *accessory structure* compared to *portable storage unit* to clarify the requested building permits to be granted or denied. The property is located in the RA-100 Residential Agricultural District.

The Secretary read the proof of publication.

The applicant was not present.

Chairman Wisnowski advised that the hearing be adjourned until October.

MOTION was made by Mrs. Liebi to adjourn Case #1764 to October 14, 2019. The motion was seconded by Mrs. Miller-Allgaier.

Roll call:	Chairman Wisnowski, Jr.	- in favor	
	Mrs. Liebi	- in favor	
	Mr. Layou	- absent	
	Mrs. Miller-Allgaier	- in favor	<i>Carried.</i>

The Interpretation in Case #1764 was adjourned to October 14, 2019.

There being no further business, Chairman Wisnowski adjourned the meeting at 7:40 P.M.



Vivian I. Mason, Secretary
Zoning Board of Appeals
Town of Clay