

**ZONING BOARD OF APPEALS  
MINUTES OF MEETING  
DECEMBER 11, 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 December 11, 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
	Ryan Frantzis	Member

ABSENT:	Luella Miller	Deputy Chairperson
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**OTHERS**

PRESENT:	Robert Germain	Attorney
	Chelsea Clark	Secretary
	Mark Territo	Commissioner of Planning & Development
	David Porter	Potential Member

All present participated in the Pledge of Allegiance.

**MOTION** made by Mrs. Mason that the Minutes of the meeting of November 13, 2023, be accepted as submitted. Motion was seconded by Mrs. Liebi. *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: #1933 – America Stores It/Metropolitan Signs, Inc., 8372 Oswego Road, Tax Map #053.-01-03.1.:**

The applicant is seeking an Area Variance pursuant to Section 230-22 C.(1) Major Sign Standards, for a reduction in the front yard setback from 25 feet to 16 feet to allow for construction of a freestanding Electronic Sign. The property is located in the RC-1 Regional Commercial District.

The proof of publication was read by the secretary.

David Razzante of Metropolitan Signs, Inc., was present on behalf of the applicant.

Mr. Razzante explained the applicant is looking to install a freestanding electronic sign, set in the flower bed. He added that the applicant has been in front of the planning board three times, and should the sign be set any further back, it would be in the parking lot. (The applicant would remove the existing wood sign and replace it with the new electronic sign.)

Chairman Wisnowski asked if the sign would be behind the fence.

Mr. Razzante confirmed the sign would be located behind the fence.

Chairman Wisnowski asked Mr. Razzante to address the Standards of Proof.

Mr. Razzante addressed the Standards of Proof:

1. The applicant does not believe the requested Area Variance will create an undesirable change to the character of the neighborhood as the sign will be further back than other signs in the area.
2. The applicant does not believe there is any feasible method other than the requested Area Variance.
3. The applicant does believe the requested Area Variance to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood.
5. Yes, the need for an Area Variance is self-created.

Mr. Razzante added that the Planning Board recommended this site for the signage.

Chairman Wisnowski asked if there were any further comments or questions from the Board.

Mrs. Liebi mentioned that the storage units are highly visible, there is no denying what the building use is and asked what the electronic sign will designate.

Mr. Razzante stated it would display special rates for the month and the name of the storage units.

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 Variance and those opposed to granting the Area Variance and there were none.

**MOTION** was made by Mrs. Liebi in Case #1933 to **approve** the Area Variance as requested with the condition it be in substantial compliance with Exhibit "A". Motion was seconded by Mr. Frantzis.

Roll Call:	Chairman Wisnowski	- in favor	
	Mrs. Liebi	- in favor	
	Mr. Frantzis	- in favor	
	Mrs. Mason	- in favor	<i>Unanimously Carried.</i>

**Case: #1934 – John Bianco, 7350 Cedar Post Road, Tax Map #107.-13-16.0.:**

The applicant is seeking a Special Permit pursuant to Section 230-13 E.(2)(d)[1] – Home Occupation, and Section 230-27 I.(2)(a) - Standards of Review, to allow for the transfer of firearms. The property is located in the R-7.5 One-Family Residential District.

The proof of publication was read by the secretary.

The applicant was present.

Chairman Wisnowski asked the applicant to explain his request for a Special Permit.

Mr. Bianco stated he is not looking to make any modifications to his property, he is asking for a Special Permit to have a FFL home-based operation. He added that he is also an instructor at Shooters Haven.

Mrs. Mason asked the applicant what he would be doing exactly.

Mr. Bianco stated he would be doing official transfers of firearms for online purchases or purchases from another FFL to ensure the firearms are being put in the right hands. He would conduct background checks and gather necessary documentation prior to the transfer of firearms.

Mrs. Mason asked if he would be selling the firearms or just transferring.

Mr. Bianco confirmed he would just be transferring, not selling.

Chairman Wisnowski asked if there were any further comments or questions from the Board.

Mr. Frantzis asked the applicant how much traffic he expects.

Mr. Bianco stated it would be by appointment only, only when someone has a firearm shipped to him for transfer.

Chairman Wisnowski asked the applicant how many guns and ammunition he would have at his property at one time.

Mr. Bianco stated he will not be carrying stock or buying bulk, that it would be on an as-purchased basis. He is required to be present at the time of delivery and sign for all deliveries. It is illegal to leave guns or ammunition at the door without an authorized signature.

Mrs. Mason asked if there were gun safes in the home and what he had for home security.

Mr. Bianco stated he has four, 400 lb. bolted gun safes in his home along with cameras, internal security and ensures the guns are always locked in the gun safe(s). Mr. Bianco added that everyone in his home is over the age of 18 years old.

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.

Maria Viciguerra, of 4979 Surrey Lane, asked why the applicant wants the special permit and if he would be buying firearms.

Mr. Bianco stated he would not be buying, only transferring. He added that anytime someone wishes to purchase a firearm they must go through a FFL firearm dealer, meaning if someone purchases a firearm through a website, he is the middleman certified to receive the firearm and complete the background check to ensure the firearms are going into the hands of those authorized to possess them.

Tim Schafer, 4993 Surrey Lane, stated he is concerned with having firearms around their neighborhood.

Mr. Bianco informed Mr. Schafer that the Bureau of Alcohol, Tobacco and Firearms visited his property to inspect and ensure protocol, and that the firearms would not be used in the neighborhood, only transferred.

Mr. Frantzis added that it is becoming more and more difficult to obtain a pistol permit and those permit holders attend trainings and are typically a well-vetted group of individuals.

Sue Schafer, also of 4993 Surrey Lane, asked the applicant why he wants to do this at his home.

Mr. Bianco stated he feels safe doing transfers in his home as opposed to big-box retailers and it would give him the freedom to be home more often.

Chairman Wisnowski informed those in the audience, if the permit is granted and they find they have any concerns down the line, an appeal can always be made.

Chairman Wisnowski asked for those in favor of granting the Special Permit and those opposed to granting the Special Permit.

Mr. & Mrs. Schafer were against granting the Special Permit.

**MOTION** was made by Mr. Frantzis in Case #1934 to **approve** the Special Permit 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	
	Mr. Frantzis	- in favor	
	Mrs. Mason	- in favor	<i>Unanimously Carried.</i>

There being no further business, Chairman Wisnowski adjourned the meeting at 6:25 P.M.



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