

**DRAFT**  
**ZONING BOARD OF APPEALS**  
**MINUTES OF MEETING**  
**January 12, 2026**

The Organizational and Regular Meetings 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 January 12, 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	Member
	Michael Becker	Alternate Member

ABSENT: None

**OTHERS**

PRESENT:	Neil Germain	Attorney
	Chelsea Clark	Zoning Board Secretary
	Brian Bender	Planning & Development Commissioner

All present participated in the Pledge of Allegiance.

**MOTION** made by Chairperson Mason accepting the following: (1) The 2026 Scheduling Calendar, which states the filing dates of when a completed application is to be received from an applicant; (2) The designation that the second Monday of each month will be the regular meeting of the ZBA; (3) Appointment of Karen Liebi as Deputy Chairperson; (4) The acknowledgement that the Town Board appointed Robert Germain as the Attorney for the Zoning Board of Appeals; and (5) That Proofs of Publication will be in the Tuesday edition of the Post Standard the week before the meeting. Motion was seconded by Mr. Frantzis. *Unanimously carried.*

**MOTION** made by Mr. Frantzis that the Minutes of the meeting of December 8, 2025, be accepted as submitted. Motion was seconded by Deputy Chairperson Liebi. *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. Motion was seconded by Mr. Porter. *Unanimously carried.*

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**Case #1995 – Veterans of Foreign Wars, 5366 Caughdenoy Road, Tax Map #079.-01-05.1.:**

The applicant is seeking Area Variances pursuant to Section 230-13A(4) – Lot and Structure Dimensional Requirements (Accessory Structures), for a reduction in the front yard setback from the allowable 100 feet to 78 feet, and Section 230-21 E. – Parking and Loading Spaces, for the required minimum of 54 parking spaces to 35 parking spaces to allow construction of an outdoor pavilion.

The proof of publication was read by the secretary.

Tim Coyer of Ianuzi & Romans PC, was present on behalf of the applicant.

Chairperson Mason asked Mr. Coyer to explain the applicants request for Area Variances.

Mr. Coyer stated that the VFW is looking to install a pavilion in existing vacant grass area. Mr. Coyer added they would also like to add parking for proposed pavilion and noted that there are residential homes on both side of the parcel. Mr. Coyer stated that the existing building and pavilion would not be used at the same time. During a typical VFW meeting night there are approximately 10-15 attendees and 18-20 on a busy night. The building is used in the evenings where the pavilion would be used during the daytime when weather is nice.

Chairperson Mason asked Mr. Coyer to address the Standards of Proof.

Mr. Coyer addressed the Standards of Proof:

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 due to the lot size and layout.
3. The applicant does not believe the requested Area Variance for the front of the lot to be substantial, but does believe the requested Area Variance for the parking to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood as they will have landscaping and drainage as required or requested by the Planning Board.
5. Yes, the need for Area Variances is self-created.

Chairperson Mason noted that the Onondaga County Planning Board held no position on this application.

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

Deputy Chairperson Liebi asked if the VFW membership was declining or if they are still seeing new members joining.

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The applicant stated new members are still joining. The VFW currently had 38 members, with about a third of the members under the age of 40.

Deputy Chairperson Liebi asked if the VFW would be renting the pavilion for public use.

The applicant stated no, not at this time. The pavilion would be used by VFW members and there would be no associated fee.

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

Commissioner Bender noted that there were no letters or concerns from neighbors, and it is a good plan in which he is in favor of.

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

Janet Rathburn, 4760 Freestone Road, asked if they would have live bands at the pavilion.

The applicant stated they are not anticipating having live music and would like the pavilion for picnic type events.

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 hearing was closed.

**MOTION** was made by Deputy Chairperson Liebi in Case #1995 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
	Deputy Chairperson Liebi	- in favor
	Chairperson Mason	- in favor

*Unanimously Carried.*

**Case #1996 – William and Sahra Webb, 5225 Cremona Trail, Tax Map #075.-13-05.0.:**

The applicant is seeking an Area Variance pursuant to Section 230-13 E.(4)(c)[2] – Lot and Structure Dimensional Requirements (Accessory Structures), for a reduction in the side yard setback of the allowable 7.5 feet to 2.5 feet to replace the existing shed with a new 10 x 16 shed.

The proof of publication was read by the secretary.

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The applicant was present.

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

Mr. Webb stated he would like to replace an existing shed with a new 10ft by 16ft shed.

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

Mr. Webb 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.
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 to be substantial.
4. The applicant does not believe there will be any adverse effect to the neighborhood as there is an existing shed on the property currently.
5. Yes, the need for an Area Variance is self-created.

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

Deputy Chairperson Liebi asked if there would be electricity to the shed.

The applicant stated the shed would not have electricity.

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

Commissioner Bender stated the applicant would need a building permit, if Area Variance was approved.

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

Janet Rathburn, 4760 Freestone Road, asked if the shed would be in the side yard of the backyard.

The applicant confirmed the shed would be in the backyard.

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.

The hearing was closed.

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**MOTION** was made by Mr. Frantzis in Case #1996 to **approve** the Area Variance as requested with the condition they be in substantial compliance with Exhibit “A”. Motion was seconded by Ms. DesRosiers.

Roll Call:	Ms. DesRosiers	- in favor
	Mr. Porter	- in favor
	Mr. Frantzis	- in favor
	Deputy Chairperson Liebi	- in favor
	Chairperson Mason	- in favor

*Unanimously Carried.*

There being no further business, Chairperson Mason adjourned the meeting at 6:17 P.M.

Chelsea Clark, Secretary  
Zoning Board of Appeals  
Town of Clay