

**DRAFT/UNAPPROVED**  
**ZONING BOARD OF APPEALS**  
**MINUTES OF MEETING**  
**April 13, 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 April 13, 2026. Chairperson Mason called the meeting to order at 5:59 P.M. and upon the roll being called the following were:

PRESENT:	Vivian Mason	Chairperson
	David Porter	Member
	Mary Lou DesRosier	Member
	Michael Becker	Alternate Member

ABSENT:	Karen Liebi	Deputy Chairperson
	Ryan Frantzis	Member

**OTHERS**

PRESENT:	Robert Germain	Attorney
	Brian Bender	Planning & Development Commissioner

All present participated in the Pledge of Allegiance.

**MOTION**

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. Porter seconded motion. Unanimously carried.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**Case #1999 – Robert Aluzzo (John Anthony Properties LLC), 8285 Oswego Road, Tax Map #054.-02-08.1.:**

The applicant seeks Area Variances pursuant to Section 230-13 D.(4) – Lot and Structure Dimensional Requirements, for a reduction in the side yard setback from 20 feet to 9 feet; and an increase of the maximum height for an accessory structure from 12 feet to 18 feet to allow for the construction of a new 16 by 24-foot detached garage.

Chairperson Mason acknowledged the existence of the proof of publication.

The applicant was present as was Steve Calocerinos, P.E. of Calocerinos Engineering acting as the applicant’s agent.

Chairperson Mason asked Mr. Calocerinos to explain the need for the variances.

Mr. Calocerinos preceded to provide an overview of the project as his client recently acquired the property and started a complete renovation. As a rental, the lack of convenient storage is a problem for tenants and the owner decided to install a detached garage to provide additional storage. The owner decided to go with a detached garage since attaching the garage to the house would eliminate the side entrance into the house. Mr. Calocerinos explained how the design of the proposed garage is uniform with standard building practices.

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

Mr. Calocerinos offered the following responses:

1. Mr. Calocerinos does not believe the requested Area Variances will create an undesirable change to the character of the neighborhood but would add value to the property since the proposed garage is in character with area and is compatible with the existing uses.
2. Mr. Calocerinos does not believe there are other feasible methods other than the requested Area Variances due to the orientation of the residence on the lot and its side door.
3. Mr. Calocerinos does not believe the requested Area Variances are substantial as they are the minimum to accommodate the construction of the garage.
4. Mr. Calocerinos does not believe there will be any adverse effect to the neighborhood as a detached garage is commonly associated with a single-family residence.
5. Mr. Calocerinos acknowledged that the need for both Area Variances is self-created, as the property owner determined that the proposed garage location best supports the needs of the occupants while remaining consistent with the character of the surrounding area.

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.

Chairperson Bender stated the Planning Department completed the necessary notification requirements and received no remonstrance to the request. He continued by confirming if approved, the applicant will need to acquire a Building Permit.

Chairperson Mason acknowledged there was no audience present to speak for and/or against the Area Variances.

Chairperson Mason closed the hearing.

**MOTION** was made by Mr. Becker in Case #1999 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. Becker	- in favor	
	Chairperson Mason	- in favor	<i>Unanimously Carried.</i>

**Case #2000 – Erik Turner (Community Bank), 4000 State Route 31, Tax Map #055.-01-03.1.:**

The applicant seeks two Area Variances pursuant to Section 230-16 C. (4), Lot and Structure Dimensional Requirements, for a reduction in the side yard setback from 75 feet to 44 feet; and for a reduction in the site perimeter landscape strip from 30 feet to 25 feet to allow construction of a new bank and accessory drive-thru on a pad located on the easternmost portion of the parking lot of the existing commercial plaza.

Chairperson Mason acknowledged the existence of the proof of publication.

The applicant was present as was Lisa Wennberg, Project Manager with Keplinger Freeman Associates acting as the applicant’s agent.

Chairperson Mason asked Ms. Wennberg to explain the need for the Area Variances.

Ms. Wennberg explained the need for the requested Area Variances, consisting of a reduction in the required side yard setback from 75 feet to 44 feet and a reduction in the required site perimeter landscape strip from 30 feet to 25 feet. She noted that these variances are necessary to accommodate the construction of a new bank building with an accessory drive-thru facility. She further stated that the proposed layout is intended to efficiently utilize the available space while maintaining appropriate site circulation and compatibility with the existing development.

Chairperson Mason asked Ms. Wennberg to address the Standards of Proof.

Ms. Wennberg agreed and offered the following responses for the request to deviate from the landscape strip requirements:

1. Ms. Wennberg does not believe the requested Area Variance will create an undesirable change to the character of the neighborhood but would add value to the property since the adjacent commercial structures have similar setbacks.
2. Ms. Wennberg does not believe there are other feasible methods other than the requested Area Variance since the deviation is consistent with existing development patterns and recognizes the alignment of Soule Road.
3. Ms. Wennberg does not believe the requested Area Variance is substantial since the proposed bank will be compatible with the commercial character of the area.
4. Ms. Wennberg stated that she does not anticipate any adverse impact on the surrounding neighborhood, as the project will be developed in compliance with applicable Town Code requirements.
5. Ms. Wennberg acknowledged that the need for the requested variance is self-created, as the developers are working within the constraints of the existing landscape layout and established site conditions of the commercial plaza.

Ms. Wennberg agreed and offered the following responses for the request to deviate from the side yard setback requirements:

1. Ms. Wennberg stated that the requested side yard setback variance is not expected to result in an undesirable change to the character of the neighborhood, and may enhance the property, as adjacent commercial structures exhibit similar setback conditions.
2. Ms. Wennberg stated that there are no feasible alternatives to the requested side yard setback variance, as the proposed deviation is consistent with established development patterns and considers the alignment of Soule Road.
3. Ms. Wennberg stated that the requested side yard setback variance is not considered substantial, as the proposed bank will be compatible with the established commercial character of the area.
4. Ms. Wennberg stated that the requested side yard setback variance is not anticipated to result in any adverse impacts on the surrounding neighborhood, noting that the project has been designed to be compatible with the surrounding commercial character.
5. Ms. Wennberg explained that the need for the requested side yard setback variance is self-created, as the proposed layout is influenced by the constraints of the existing site design, including established landscaping patterns and the overall configuration of the commercial plaza. She further noted that the selected location represents the most suitable site for the proposed business, and that the presence of Soule Road provides sufficient buffering to mitigate potential impacts on adjacent properties.

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.

Chairperson Mason acknowledged there was no audience present to speak for and/or against the Area Variances.

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Commissioner Bender noted that the Planning Department did not receive any remonstrance to this application. He continued by confirming the Department received referral comments from the County Board, but they are more applicable to the subsequent Special Permit and Site Plan hearings.

The hearing was closed.

**MOTION** was made by Mr. Becker in Case #2000 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. Becker	- in favor	
	Chairperson Mason	- in favor	<i>Unanimously Carried.</i>

There being no further business, Chairperson Mason adjourned the meeting at 6:16 P.M.

Respectfully submitted by Commissioner Bender on behalf of Secretary Clark.

Chelsea Clark, Secretary  
Zoning Board of Appeals  
Town of Clay