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TOWN of CLAY
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Zoning Board of Appeals

Agenda

The Regular Meeting of the Town of Clay Zoning Board of Appeals will be held on November 9th, 2026, at 6 PM in the Clay Town Hall located at 4401 State Route 31, Clay, New York.

A. Pre-Agenda Meeting: Jury Room - 5:30 PM.

B. Call the Meeting to Order - 6 PM.

C. Pledge of Allegiance.

D. Motion approving the Minutes of the previous meeting as written.

i. October 12th

E. 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 or her case.

MOTION for the purpose of the New York State Environmental Quality Review (SEQR), all new actions tonight will be determined to be Type II Actions, and will be given a negative declaration, unless otherwise advised by our attorney.

F. Old Business.

i. Case# 2022, Tax Map ID# 063.-11-02.0 David Elbert/Craig Gould are requesting an Area Variance pursuant to Section 230-13C(4)(c)[4] of the Town of Clay Zoning Ordinance – Lot and Structure Dimensional Requirements - for an increase in maximum height of an accessory structure from 12 feet to 15.4 feet. The property is in the One-Family Residential (R-15) Zoning District. The subject property is 4831 Lepinske Farm Place, Clay, NY, 13041.

OCPB Report	**SEQR Type**	**Board Action**
Required: N	Negative	Granted

Date Sent:	Positive	Denied
Received:	Hearing Closed	Conditions [Y/N]

ii. Case# 2023, Tax Map ID# 087.-01-12.0 Todd Fritzen/ Wetzel Storage LLC. are requesting four Area Variances pursuant to Sections 230-17C(4)(b)[1][a], 230-17C(4)(b)[1][b], and 230-17C(4)(b)[2] of the Town of Clay Zoning Ordinance- Lot and Structure Dimensional Requirements, and Section 230-19A(5)-Highway Overlay Zone District. The requested variances include a reduction in the front yard setback along Wetzel Road from 200 feet to 10.3 feet, a reduction in the front yard setback along Maltlage Drive from 50 feet to 20 feet, a reduction in the side yard setback from 25 feet to 19.1 feet, and a reduction in Highway Overlay Type C setback from 115 feet to 10.3 feet for the development of BESS equipment. The property is in the Industrial 1 (I-1) Zoning District. The subject property is 4664 Wetzel Road, Liverpool, NY, 13090.

OCPB Report	**SEQR Type**	**Board Action**
Required: Y	Negative	Granted
Date Sent: 9/24/26	Positive	Denied
Received: Y	Hearing Closed	Conditions [Y/N]

G. New Business.

i. Case #2026, Tax ID #036.-02-04.1 – Cheryl White/Clay Equestrian Center are requesting an Area Variance pursuant to Section 230-20B(2)(b) of the Town of Clay Zoning Ordinance -Land Use and Structures– for a fence height of 6 feet between the front yard and street line. The property is in the Residential Agricultural (RA-100) Zoning District. The subject property is 9605 Black Creek Road, Brewerton, NY,13029.

OCPB Report	**SEQR Type**	**Board Action**
Required: N	Negative	Granted
Date Sent:	Positive	Denied
Received:	Hearing Closed	Conditions [Y/N]

ii. Case #2027, Tax Map ID# 063.-04-14.0 Mathew Wilson is seeking an Area Variance pursuant to Section 230-13C(4)(c)[3] of the Town of Clay Zoning Ordinance - Lot and Structure Dimensional Requirements- for a reduction in the rear setback from 10 feet to 3 feet for an accessory structure. The property is the One-Family Residential (R-15) Zoning District. The subject property is 4822 Lepinske Farm Place, Clay, NY, 13041.

OCPB Report	**SEQR Type**	**Board Action**
Required: N	Negative	Granted
Date Sent:	Positive	Denied
Received:	Hearing Closed	Conditions [Y/N]

iii. Case #2028, Tax Map ID# 107.-20-04.0 Pinecrest Apartments LLC/Rotem Evron are seeking an Area Variance pursuant to Section 230-13H(4)(c)[4] of the Town of Clay Zoning Ordinance – Lot and Structure Dimensional Requirements- for an increase in maximum height of an accessory structure from 15 feet to 22 feet. The property is in the Apartment (R-APT) Zoning District. The subject property is 7300 Cedar Post Road, Liverpool, NY 13088.

OCPB Report	**SEQR Type**	**Board Action**
Required: N	Negative	Granted
Date Sent:	Positive	Denied
Received:	Hearing Closed	Conditions [Y/N]

i. Forthcoming Cases.

i. None.

ii. Adjournment.

It is the responsibility of any applicant whose matter has been adjourned to submit all revised materials by the established filing deadline for the meeting at which they wish to be heard. Please refer to the Zoning Board of Appeals Calendar. Failure to meet this deadline may result in further adjournment. Please contact the Planning Department for assistance with filing schedules and how to submit revised materials.