

Zoning Board of Appeals Agenda

The Regular Meeting of the Town of Clay Zoning Board of Appeals will be held on October 12th, 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. September 14th

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 #2018, Tax Map ID# 054.-02-08.1 John Anthony Properties LLC. is requesting an Area Variance pursuant to Section 230-13D(4)(c)[4] of the Town of Clay Zoning Ordinance - Lot and Structural Dimensional Requirements, for an increase in maximum height of an accessory structure from 12 feet to 26.3 feet. The property is in the One-Family Residential (R-10) Zoning District. The subject property is 8285 Oswego Road., Clay NY, 13090.

OCPB Report

Required: N

SEQR Type

Negative

Board Action

Granted

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

G. New Business.

- i. Case #2014, Tax ID# #021.-01-03.3– Walmart Inc. is requesting four Area Variances pursuant to Sections 230-16C(4)(a)[2][c] and 230-16C(4)(a)[1][b] of the Town of Clay Zoning Ordinance, - Lot and Structure Dimensional Requirements, and Section 230-21E- Required Parking and Loading Spaces. The requested variances include a reduction in the required rear yard setback for a principal building from 75 feet to 70.7 feet; a reduction in the required rear yard setback for an accessory structure from 75 feet to 50.5 feet; a reduction in the required site perimeter landscape strip from 30 feet to 19.5 feet; and a reduction in the required parking spaces from 619 to 536 spaces. The proposed improvements consist of a new convenience store and gas station within the southeast parking lot of the existing Walmart property. The existing retail store is required to provide 4 parking spaces/1,000 square feet, while the proposed convenience store and gas station require 5 parking spaces/acre and 6 parking spaces/1,000 square feet of retail space. The property is in the Regional Commercial (RC-1) Zoning District. The subject property is 8770 Dell Center Drive, Liverpool, NY, 13090.

OCPB Report

Required: N

Date Sent:

Received:

SEQR Type

Negative

Positive

Hearing Closed

Board Action

Granted

Denied

Conditions [Y/N]

- ii. Case #2019, Tax ID #048.-01-06.0 – Paul Licari is requesting three Area Variances pursuant to Sections 230-17D(4)(b)[1][a] and 230-17D(4)(b)[3] 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 from 200 feet to 50 feet, a reduction in the rear yard setback from 25 feet to 20 feet, and a reduction in Highway Overlay Type C setback from 115 feet to 74 feet to permit construction of a warehouse and accessory parking. The property is in the Industrial 2 (I-2) Zoning District. The subject property is 8894 Caughdenoy Road, Clay, NY 13041.

OCPB Report

Required: Y

Date Sent: 5/15/26

Received: Y

SEQR Type

Negative

Positive

Hearing Closed

Board Action

Granted

Denied

Conditions [Y/N]

- iii. Case #2020, Tax ID #111.-05-06.0 – Louis Pennacchia Jr. is requesting two Area Variances pursuant to Section 230-13D(4)(c)[1] – Lot and Structure Dimensional Requirements, and Section 230-20B(2)(b) -Land Use and Structures of the Town of Clay Zoning Ordinance – for a

reduction in the front yard setback from 25 feet to 7 feet; and to have a fence height of 6 feet between the street line and setback line. The property is in the One-Family Residential (R-10) Zoning District. The subject property is 110 Fletcher Drive, North Syracuse, NY, 13212.

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

- iv. Case #2021, Tax Map ID# 056.-02-67.0 Nicholas T. Cicolini is requesting an Area Variance pursuant to Section 230-13E(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 14 feet. The property is in the One-Family Residential (R-7.5) Zoning District. The subject property is 8413 Sugar Pine Circle, Liverpool, NY, 13090.

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

- v. 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.

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

- vi. 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 20 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

Required: Y
Date Sent: 9/24/26
Received: N

SEQR Type

Negative
Positive
Hearing Closed

Board Action

Granted
Denied
Conditions [Y/N]

- vii. Case# 2024, Tax Map ID# 013.-03-02.0 Michael & Karen Cusano are requesting an Area Variance pursuant to Section 230-13A(4) of the Town of Clay Zoning Ordinance – Lot and Structure Dimensional Requirements - for a reduction in the front yard setback from 75 feet to 52 feet for a principal structure. The property is in the Residential Agricultural (RA-100) Zoning District. The subject property is 9481 Horseshoe Island Road, Clay, NY ,13041.

OCPB Report

Required: N
Date Sent:
Received:

SEQR Type

Negative
Positive
Hearing Closed

Board Action

Granted
Denied
Conditions [Y/N]

- viii. Case# 2025, Tax Map ID#052.-02-11.1 Kimbrook Route 31 Development LLC./Stewarts Shop Corp. are seeking an Area Variance pursuant to Section 230-19A(5) of the Town of Clay Zoning Ordinance-Highway Overlay Zone District, for a reduction in the Highway Overlay Type A setback from 115 feet to 94 feet for the development of a gas fueling station. The property is in the Regional Commercial (RC-1) Zoning District. The subject property is 3566 State Route 31, Baldwinsville, NY 13027.

OCPB Report

Required: Y
Date Sent: 9/24/26
Received: N

SEQR Type

Negative
Positive
Hearing Closed

Board Action

Granted
Denied
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.