

Regular Meeting  
Planning Board  
November 13, 2013

**A P P R O V E D**

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at Town Hall located at 4401 State Route 31, Clay, New York on the 13<sup>th</sup> of November 2013. The meeting was called to order by Chairman Hess at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	David Hess	Chairman
	Karen Guinup	Deputy Chairperson
	Hal Henty	Member
	Allen Kovac	Member
	Russ Mitchell	Member
	James Palumbo	Member
	Michelle Borton	Member
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineers
	Linda Simmons	Planning Board Secretary

**ABSENT:**

A motion was made by Russ Mitchell seconded by Allen Kovac to approve the minutes of the previous meeting.

**Motion Passed 7-0**

**Public Hearings:**

NONE

**Old Business: Adjourned Hearings:**

**\*Case #2013-018 – Michael Bell – (5) Special Permit referral, 10152 Caughdenoy Road (Adjourned from 4 previous meetings)**

Chairman Hess explained that the applicant has requested an adjournment.

A motion was made by Allen Kovac seconded by James Palumbo to adjourn the public hearing to December 11, 2013.

**Motion Passed 7-0**

**\*Case #2013-022 – Bergman Associates – Sunoco, Inc. (R&M) - Special Permit referral, 8450 Oswego Road (Adjourned from 4 previous meeting)**

**A P P R O V E D**

Chairperson Hess opened the hearing. Jeff Bauer, Jim Napoleon, Tom Santurri, and Mark Donahoe were present on behalf of the applicant. Mr. Bauer began by explaining what is being proposed before the Town Board. Since the last meeting they have added a full by-pass lane adjacent to the drive-thru lane, and there is now room for 10-car queuing within the parcel.

Mr. Napoleon presented his traffic study. He stated that the parcel to the south where the Laundromat is located wont agree to a connection, and because of this there are 2 different traffic scenarios 'Configuration A' and 'Configuration B'. Mr. Napoleon believes that under either configuration, the proposal before the Board will not add any additional impact to the already busy road network. As part of this proposal, the applicant intends to prohibit left turns onto Route 57, where currently they are allowed.

Mr. Tom Santurri and Mark Donahoe of Dunkin' Donuts presented the new use to the Board. They stated the average times it takes for a customer to get through the line, and compared this location to some of the other locations within gas stations. The Board also asked how this might compare to the busy Bayberry and Taft Rd. locations. The applicant stated that this location is going to be primarily beverage sales and people tend to move through these locations a bit quicker.

The Board discussed traffic movements and potential conflicts that may arise as a result of this proposal. The direction/flow of traffic was also discussed, as many people will be traveling from Oswego County and Baldwinsville in the morning rush hour, and left-turn movements will be problematic during this time.

Karen Guinup asked Scott Chatfield if we should ask the applicant to pave the connection up to the property line at this time, even if the property to the south won't allow a connection at this time. Scott stated that if the Board feels it is a good idea, now is the time to get it in writing and then if/when the parcel to the south ever comes in for an amended site plan, we can complete the connection requirement at that time.

James Palumbo wants to make a few comments that relate more to site plan issues, but he feels it is important to make the applicant aware at this time. Mr. Palumbo stated that the plan shows vacuums and an air pump, and because the drive-thru and the balance of the site funnel people to the east, the location of these could become a safety hazard, and create a bottleneck.

At this time the Chairman asked if there were any further questions or comments from the Board or the public. Hearing none, he closed the hearing.

The Chairman asked to poll the Board for recommendation and final comments.

Michelle Borton: She is in favor of recommendation.

James Palumbo: He feels that this will work, but a careful look will need to be given to this site during the site plan review.

**A P P R O V E D**

Al Kovac: Agrees with James Palumbo and feels this plan is ‘workable’, once we get the site plan we can work on these issues further.

Russ Mitchell: In favor of this proposal.

Hal Henty: Feels the sight is tight, but if it doesn’t work the applicant will have to find a solution for their business and the customers.

Karen Guinup: Is opposed for the following reasons. She feels that this site is very tight and the traffic pattern sets up for most traffic to be funneled to Route 31. The applicant did indicate they would approach the County to get an EXIT ONLY on to Route 57 at the Southerly corner of the parcel and that would help with the internal traffic flow to exit the property. The applicant suggests the Dunkin Donuts business is a mostly liquid type of business and therefore the drive-thru should operate in a timely fashion. A big concern she has is once the drive-thru is added there is always the possibility that Dunkin Donuts may leave and then we are stuck with a drive thru that may not work with another type of food and beverage service on a very tight site.

David Hess: Is in favor of this proposal but he feels it will take a lot of work during the site plan phase as there will be a lot of people trying to exit out of only 2 locations. If the applicant is successful with the special permit, they could ask the County DOT for a full access-exit onto Route 57, which may alleviate some of the pressure on the other exits.

The applicant asked if this special permit is granted could any drive-thru use go in. Scott Chatfield stated that special permits run with the land, and *any* type of restaurant drive-thru use could go in. He added that if the Town Board felt strongly about not wanting a higher-intensity drive-thru such as a McDonalds, they could limit this special permit to Dunkin’ Donut specifically as a condition of approval.

A motion was made by Russ Mitchell seconded by James Palumbo make a recommendation to the Town Board, along with the above comments using standard form #60 for case #2013-022 Bergman Associates – *Sunoco, Inc. (R&M)* Special Permit Recommendation, located at 8450 Oswego Rd., to grant the Special Permit. We feel it is compatible and will not have a significant impact on the environmental

**Motion Passed 6-1-(Guinup against)**

**Old Business: Hearings Closed**

NONE

**New Business:**

**A P P R O V E D**

**SIGNS**

**3 i Graphics– *Moe’s Southwest Grill – 7558 Oswego Road***

Zoned LuC-2, Permit #45,156 Presented by Eric Olsen

1 – new freestanding round sign of 32 square feet, 25 feet in height, internal Led illumination, where 32 square feet is allowed. The Planning Board recommends reducing the sign to a maximum of 15 feet high, or use a monument style (which is board’s recommendation) Mr. Olsen will take this recommendation to owner.

2 – wall signs, 1 (side elevation) sign 9 feet by 6 feet, 54 square feet, internal Led illumination, where 134.4 square feet is allowed and 1 (front elevation) sign 9 feet by 6 feet, 54 square feet, internal Led illumination, where 65.6 feet is allowed. The wall signage only is approved, without any additional logos on the awnings or entry signs.  
(No signs on canopy and no free standing signs are approved at this time)

The welcome to Moe’s sign is ok if the logo/little man is off the sign. The size is to be less than 4 square feet.

If they are going to obtain a variance, they must present to zoning board on December 9, 2013 and then to planning board on December 11, 2013. Deadline to file is November 22, 2013. The street number must be on the freestanding sign.  
Plan showing sign needs to be on plans.

A motion was made by Karen Guinup, seconded by Hal Henty to approve the 2 wall signs with the condition that approval is for the wall signs only, no canopy signage unless applicant obtains a variance. No freestanding sign approval at this time.

**Motion Passed 7-0**

**Kassis Superior Signs – *Mega Pawn – 7879 Oswego Road***

Zoned RC-1, Permit #45,165

1 wall sign 1.5 feet by 15 feet, a total 22.5 square feet, when 24.32 square feet is allowed

1 panel change on existing freestanding sign, 20 inches by 5.5 feet

The proposed signs will meet the code.

The Point of sword should be centered on store.

**A P P R O V E D**

A motion was made by Karen Guinup, seconded by James Palumbo to approve the signs as presented.

**Motion Passed 7-0**

**Maple Road Associates (Mike Bragman Jr.) – *The Farmstead* – 4741 Lynnville Way**

Zoned R-15, Permit #45,089

1 freestanding sign 6.8 feet by 3.5 feet, a total 23.8 square feet, when 24 square feet is allowed. The required setback is 25' from property line and a variance was obtained on November 11, 2013 to reduce this to 1'.

The proposed sign will meet the code. Establish gate restrictions and they will be responsible for maintenance. Deed restriction must keep and maintain sign.

A motion was made by Russ Mitchell, seconded by Karen Guinup to approve the sign as presented, subject to legal and engineering for content.

**Motion Passed 7-0**

**Allied Sign Company – *Honda City* – 7140 Henry Clay Blvd.**

Zoned HC-1, Permit #45,186

1 freestanding sign face change 8 feet by 8 feet, a total 64 square feet, and 25 feet high when 32 square feet is allowed.

The applicant obtained a variance in 1999 to increase this to 64 square feet and is currently updating the logo per corporate requirements.

The proposed sign will meet the code.

A motion was made by Michelle Borton, seconded by James Palumbo to approve the sign as presented.

**Motion Passed 7-0**

**Additional Resolution:**

A motion was made by Russ Mitchell seconded by Allen Kovac to add Final Plat approval resolution for *Lands of Martin* Final Plat to the agenda. Comments have been received from the County Planning Board.

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**A P P R O V E D**

**Motion Passed 7-0**

**\*\*Case #2013-036 – *Lands of Martin* (3) – Final Plat – end of Mill brook Road**

A motion was made by James Palumbo seconded by Allen Kovac, using form #40, granting Final Plat Approval to *Lands of Martin*, for property located in the R-10 zoning district, located at the end of Millbrook Rd., Case # 2013-036 based on a map by Ianuzzi and Romans, being file # 1513.110 dated October 23, 2013. Approval is subject to all engineering and legal requirements.

Snow removal easement has been reviewed by Legal and Highway Department, and reference to email of October 7, 2013 to Mark Territo, Commissioner of Planning, signed by Nicholas Capozza Sewer Maintenance Engineer. This parcel will be allowed to connect to the sanitary sewer, in exchange for 'Lot 1' of the Maple Park Subdivision until sanitary sewer issues at Oak Orchard are resolved.

**Motion Passed 7-0**

**Work Session:**

None

A motion was made by Hal Henty, seconded by Michelle Borton to adjourn the meeting at 10:21 PM.

**Motion Passed 7-0**

Respectfully Submitted

Linda Simmons