

Regular Meeting
Planning Board
June 08, 2016

APPROVED

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 8th day of June 2016. The meeting was called to order by Chairwoman Guinup at 7:30 PM and upon roll being called, the following were:

PRESENT:	Karen Guinup	Chairwoman
	Russ Mitchell	Deputy Chairman
	Hal Henty	Member
	Michelle Borton	Member
	James Palumbo	Member
	Brian Hall	Member
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Gloria Wetmore	Planning Board Secretary
ABSENT:	Allen Kovac	Member

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

Motion Carried 5-0 Brian Hall abstained, he was not present at the previous meeting.

Public Hearings:

New Business:

**7:30 P.M. Case #2016-019 – Dave Essig/Essig Family LLC., (3) - Special Permit (Electronic Message Sign) – 3451 NYS Route 31.

Jim Hickey with Charles Signs explained the change, there is a manual change sign now and the applicant would like to install a full color electronic message sign.
Karen said Walter Kuhn wrote a letter and it will be attached to the minutes.

Hal Henty asked what the size of the letters would be, Mr. Hickey said the minimum size is 3 inches; the sign has to adhere to the new guidelines.
Jim Palumbo asked if there would be wires, and how will the sign be changed.

Karen asked if anyone on the board or anyone in the room had any comments or questions, hearing none she closed the public hearing.

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A motion was made by Brian Hall seconded by Russ Mitchell to move the adoption of a resolution using standard form # 70 for Case # 2016-19 Dave Essig/Essig Family LLC., Special Permit (Electronic Message Sign) – 3451 NYS Route 31.

Motion Carried 6-0

**7:35 P.M. Case #2016-020 – Joseph S. Janowski (3) - Special Permit (Electronic Message Sign) – 7608 Oswego Rd.

Jim Hickey of Charles signs and Joe Janowski owner of Bayberry Plaza were present. Karen said the existing sign is 185 sq. ft. above the sign it says Bayberry Plaza, will that stay the same. Mr. Hickey said it will be aluminum and the letters will illuminate. Karen asked if the top part would just be a face change. As far as the electronic L E D portion, it is 120 sq. ft. and will stay the same size. The top portion puts the sign is over the size allowed. This makes the sign nonconforming.

Karen explained that all nonconforming signs will have to be brought into compliance by 2018. She suggested that Mr. Janowski go before the ZBA to apply for a variance to bring the sign into conformance.

Russ Mitchell asked if the applicant had considered changing the sign from 8 x 15 to 7 x 15, Mr. Janowski said they discussed it but wanted to keep the sign at 120 sq. ft. Russ said he thinks it is important to keep the Bayberry Plaza portion of the sign.

Jim Palumbo asked if the brick wall at the base of the sign will have plantings, Mr. Janowski said no. He said that he would like to match the stone that was used at the base of the pillars in front of the stores. Jim asked if he would consider using the red brick that would match the bayberry entrance signs. Mr. Janowski said that he would.

There was some discussion about removing the top portion of the sign and putting it back up after the variance was granted. Scott Chatfield said if the applicant willingly removes that portion of the sign, He may be denied the variance.

Karen suggested a compromise; if the Board agrees they will approve the 120 sq. ft. Electronic portion of the sign and not include the header until the variance is granted By the Zoning Board of Appeals.

Joe Janowski said he will apply for the variance.

Karen asked if there were any questions or comments, hearing none she closed the public hearing.

A motion was made by Russ Mitchell seconded by Hal Henty to move the adoption of a resolution using standard form # 70 for Case # 2016-020 – Joseph S. Janowski (3) - Special Permit (Electronic Message Sign) – 7608 Oswego Rd.

Motion Carried 6-0

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Old Business:

**Case #2016-003 – J. Alberici & Sons Inc., *Woodside Estates Apartments* (3). – Site Plan– Oswego Road adjacent to Shoveler Lane (Adjourned from 5 previous meetings).

A motion was made by Michelle Borton seconded by Jim Palumbo to adjourn this case to July 22, 2016.

Motion Carried 6-0

New Business:

Signs

Carrols LLC. – *Burger King* – 7589 Oswego Road

Zoned RC-1, Permit #47,097

2 – Wall signs – 19 square feet each when 45.8 square feet each is allowed. The proposed signs will meet the code.

A motion was made by Hal Henty seconded by Brian Hall to approve the sign as presented.

Motion Carried 6-0

Signarama – *Clothing Exchange* – 4148 NYS 31 (Marketfair Shopping Center)

Zoned RC-1, Permit #47,306

2 – Wall signs – 68.9 square feet proposed when 160 square feet is allowed, and a 48.5 square foot sign when an 89 square foot sign is allowed. The proposed signs will meet the code.

A motion was made by Michelle Borton seconded by Brian Hall to approve the sign as presented.

Motion Carried 6-0

Charles Signs – *Electronic Message Sign* – 3451 NYS 31 (*Hickory Hill Golf Course/David Essig*)

Zoned REC-1, Permit #47,316

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1 – Freestanding Sign Electronic Message Panel Change. Applicant is proposing a 32 square foot full color electronic message sign. Should the applicant obtain the Special Permit; and considering the applicant obtained an Area Variance for this freestanding sign in 2008, the proposed sign will meet the code.

A motion was made by Michelle Borton seconded by Hal Henty to approve the sign as presented.

Motion Carried 6-0

Charles Signs – Electronic Message Sign – 7608 Oswego Rd. (Bayberry Plaza/Joseph Janowski)

Zoned RC-1, Permit #47,320

1 – Freestanding Sign Electronic Message Panel Change. Applicant is proposing a 161 ¾ square foot full color electronic message sign panel. Should the applicant obtain the Special Permit; The Planning Board approved the Special Permit for 120 sq. ft. Electronic Message Sign, excluding the top portion until a variance is granted.

A motion was made by Hal Henty seconded by Jim Palumbo to approve the sign with a condition.

Motion Carried 6-0

Butterfield Construction- Walk of Faith Church- 4617 Wetzel Road

Zoned I-1, Permit # 47216

1-Freestanding sign a total of 28.67 sq. ft. when 32 sq. ft. is allowed. The proposed sign will meet the code.

A motion was made by Brian Hall seconded by Michelle Borton to approve the sign as presented.

Motion Carried 6-0

Sign-A-Rama- Dynamic Health and Fitness-4100-4600 St. Rt. 31.

Zoned RC-1, Permit # 47372

1-Wall sign a total of 34 sq. ft. when 115 sq. ft. is allowed. The proposed sign will meet the code.

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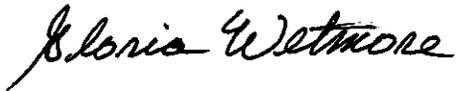
A motion was made by Russ Mitchell seconded by Hal Henty to approve the sign as presented.

Motion Carried 6-0

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn the meeting at 8:50 P.M.

Motion Carried 6-0

Respectfully submitted

A handwritten signature in cursive script that reads "Gloria Wetmore".

Gloria Wetmore

Mark Territo

From: Walter A. Kuhn [wakuhn@twcny.rr.com]
Sent: Saturday, June 04, 2016 11:17 AM
To: planning@townofclay.org
Subject: Communication on case 2016-019
3 June 2016

To Karen Guinup, Chairman
Planning Board
Town of Clay
4401 State Route 31
Clay, NY 13041

Re: Case Number 2016-019

Dear Ms. Guinup,

I request that Hickory Hill Golf Course be denied the subject special permit until it brings their existing equipment up to code.

Currently Hickory Hill operates equipment that violates municipal code §152-4 L, Prohibited Noises. They operate a propane powered generator/pump at nighttime near my home. It exceeds the code noise limit by 10 dB(A), and is operated nights from about 10pm until 7am if it has not rained during the day, to irrigate their property. The noise level interferes with our ability to sleep with the windows open and is a general nuisance.

A recent measurement of the noise level is given in attached Exhibit A. The location of Hickory Hill's equipment relative to the property line and measurement point is shown in Exhibit B. The applicable section 152-4 L of the municipal code is in Exhibit C.

I request Hickory Hill be required to demonstrate compliance of their existing equipment to the town code enforcement officer before any new permits are granted. I further request that Hickory Hill be prohibited from operating this equipment at nighttime until it can be brought up to code. If you do test the noise level, please ensure the equipment is operated at normal full speed, to get an accurate measurement.

Sincerely,

Walter A. Kuhn
8484 Gaskin Rd
Baldwinsville, NY 13027

cc: Town of Clay Code Enforcement Officer, James Condon

7/18/2016