

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 12th day of October 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
	Allen Kovac	Member
	Michelle Borton	Member
	James Palumbo	Member
	Brian Hall	Member
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C&S Engineers
	Gloria Wetmore	Planning Board Secretary

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

Motion Carried 7-0

New Business:

*7:30 P.M. Case #2016-037 -- *James Donegan* (5) -- Zone change referral -- NYS Route 31 across from Davidson Ford.

*7:35 P.M. Case #2016-038 -- *James Donegan* (5) -- Zone change referral - NYS Route 31 across from Davidson Ford.

Karen opened both hearings. Brian Sinsabaugh, of Curtin and DeJoseph P.C. presented. Mr. Sinsabaugh explained both are zoned RA-100 they are requesting NC-1 for both parcels. The applicant wants to continue the use. Karen said the applicant was granted a variance on the smaller lot for not having minimum square footage. She then asked how his client will access the lots, because the State DOT will not allow another curb cut on to Route 31. Mr. Sinsabaugh said that they are working with Fox for access through their site. Karen said Fox has been reluctant to work with Widewaters for access.

The State DOT didn't want to give them a curb cut on to Route 31, they did finally get it.

Michelle asked if there are wetlands on these lots. Mr. Sinsabaugh said there are no wetlands through these parcels. Scott Chatfield asked if anyone had plotted on these two parcels with the setbacks. He added that on the smaller parcel with setbacks there may be "0" space for building left. Karen said looking at the County Comments, there isn't anything specific. Karen asked if there were any more comments or questions hearing none she closed both public hearing.

Karen asked for a motion,

Jim Palumbo made a motion seconded by Al Kovac Granting the Zone Change Recommendation for Case # 2016-037 – *James Donegan* located NYS Route 31 across from Davidson Ford using Form # 50 for a change of zone from RA-100 to NC-1. For the following recommendation that the applicant provide the Town Board with demonstration of parcel restrictions and or constraints that may be incurred if the Zone Change is granted.

Motion Carried 7-0

Jim Palumbo made a motion seconded by Al Kovac Granting the Zone Change Recommendation for Case # 2016-038 – *James Donegan* located NYS Route 31 across from Davidson Ford using Form # 50 for a change of zone from RA-100 to NC-1. Recognizing that the variance was granted. For the following recommendation that the applicant provide the Town Board with demonstration of parcel restrictions and or constraints that may be incurred if the Zone Change is granted.

Jim Palumbo- yes
Michelle Borton- yes
Al Kovac- yes
Karen Guniup-no
Russ Mitchell-no
Brian Hall-no
Hal Henty-no

Motion Failed 3 in favor 4 against

Brian Hall made a motion seconded by Hal Henty Denying the Zone Change Recommendation for Case # 2016-038 – *James Donegan* located NYS Route 31 across from Davidson Ford using Form # 50 for a change of zone from RA-100 to NC-1. Recognizing that the Variance was granted. This was denied due to the lot size and the number of access points to Route 31.

Regular Meeting
Planning Board
October 12, 2016

Jim Palumbo- no
Michelle Borton- no
~~Al Kovac- no~~
Karen Guniup-yes
Russ Mitchell-yes
Brian Hall-yes
Hal Henty-yes

Motion Carried 4 voting yes 3 voting no

Old Business:

**Case #2016-003 – J. Alberici & Sons Inc., *Woodside Estates Apartments* (3). – Site Plan– Oswego Road adjacent to Shoveler Lane (Adjourned from 10 previous meetings).

A motion was made by Hal Henty seconded by Michelle Borton to adjourn this case to the 10-26-2016 meeting.

Motion Carried 7-0

**Case #2016-009 – Nichols LD, LLC (*Liverpool Sports Complex*), (3) - Site Plan – 7286 Oswego Rd. (Adjourned from 3 previous meetings).

A motion was made by Al Kovac seconded by Russ Mitchell to adjourn this case to the 12-14-2016 meeting.

Motion Carried 7-0

**Case #2016-013 – *America Stores – It* (3) - Site Plan – Oswego Road across from Mendenhall Road intersection (Adjourned from 3 previous meetings)

A motion was made by Russ Mitchell seconded by Brian Hall to adjourn this case to the 10-26-2016 meeting.

Motion Carried 7-0

Case #2016- 034-- Greg Card Property, *Hidden Lake Woods* (3) – Preliminary Plat– Guy Young Road near Cicero Boarder. (Adjourned from 2 previous meeting)

A motion was made by Al Kovac seconded by Jim Palumbo to adjourn this case to the 10-26-2016 meeting.

Motion Carried 7-0

**Case #2016-036-- Woodside Commercial, LLC, *Inverness Gardens Commercial, Phase II*. (3) – Preliminary Plat– 4938 W. Taft Road. (Adjourned from 2 previous meeting)

Karen opened the hearing. Hal Romans explained the plan, he met with the Town Board they liked Plan “C”. Going with plan “C” they moved the 3 access points; one Rt. in Rt. out on Taft Road, one on Wintersweet and one will be on Lobellia Lane. This is an intermediate modification, up to date project plan for the remaining build-out. Preliminary Plat CR-1 and CR-2 ingress and egress is shown on the north side of Wintersweet.

Karen said it is clear now that when it’s not a minor change that it has to go back to the Town Board.

Jim said looking at the plat, will we have a chance to comment on the final plan.

Karen closed the Public Hearing, and will go directly to Final Plat.

2016-033 Inverness Gardens Commercial, Phase II – Final Plat – 4938 West Taft Road

A motion was made by Michelle Borton seconded by Al Kovac in the matter of the application of Planning Board file No. 2016-033 for Inverness Gardens Commercial – Phase II Final Plat, 4938 West Taft Road, I move to adopt a resolution using standard form #10, SEQR determination, that the proposed action is an unlisted action and does not involve any Federal agency. It is further determined that the proposed action will not have a significant effect on the environment and that this resolution shall constitute a negative declaration for the following reasons: the proposed action is compatible with planned growth, and will not have a significant impact on community character.

Motion Carried 7-0

In connection with Planning Board Case No. 2016-033, I move the adoption of a resolution using standard form No. 40 granting Final Plat approval to Woodside Commercial LLC, Inverness Gardens Commercial, Phase II, based upon a map made by Ianuzzi & Romans Land Surveying P.C., dated 08/02/2016, showing file No.1431.023, subject to all legal and engineering requirements and approvals.

Motion Carried 7-0

Closed Hearings - Board/Applicant discussions:

** Case #2016-026 – *Wegmans Taft Road Café Patio Expansion (3)*- Amended Site Plan – 4979 West Taft Road (Adjourned from 4 previous meetings)

Caitlyn explained they changed the stop bar to a cross walk, added bollards in front of the fence, shrunk the ADA ramp to 6 feet, so no railing is needed.

Jim thanked Caitlyn for addressing the ADA issues. Brian and Hal commented on how nice the site plan is

A motion was made by Jim Palumbo seconded by Al Kovac move to adopt a resolution using standard form #10, SEQR determination, for Case #2016-026 – *Wegmans Taft Road Café Patio Expansion (3)*- Amended Site Plan – 4979 West Taft Road that the proposed action is an unlisted action and does not involve any Federal agency. It is further determined that the proposed action will not have a significant effect on the environment and that this resolution shall constitute a negative declaration for the following reasons: declare as a type 2.

Motion Carried 7-0

A motion was made by Jim Palumbo seconded by Al Kovac to adopt a resolution using standard form # 20 Site Plan approval for Case #2016-026 – *Wegmans Taft Road Café Patio Expansion (3)*- Amended Site Plan – 4979 West Taft Road based on a map by Wegmans Food Markets dated and numbered 10/12/2016, CIV-01, CIV-02, CIV-03 and DET-01. The approval is conditioned on all legal and engineering. Subject to the following condition, the drawings shall be signed and provided with the seal of a design professional as required.

Motion Carried 7-0

***Inverness Gardens Project Plan 5th Amended "C"*–Resolution to accept project plan amendment as presented to the Town Board and Planning Board.**

Karen opened the discussion. Jim asked if every time there is a new building added will the Planning Board have input on the changes, Karen said because this is a PDD it has to go through the Town Board. Jim said there is one major problem with the proximity of the curb cut.

A motion was made by Hal Henty seconded by Brian Hall to accept the amended plan, known as *Inverness Gardens Project Plan 5th Amended "C"* having file # 1431.023 dated 08/02/2007 revised 10/03/2016.

Regular Meeting
Planning Board
October 12, 2016

Motion Carried 7-0

2016-030 Stewart's Shops Corp. - Final Plat – SE corner of Bear Road and Buckley Road

A motion was made by Al Kovac seconded by Brian Hall to adjourn this case to 10/26/2016.

Motion Carried 7-0

A motion was made by Al Kovac seconded by Michelle Borton to adjourn the meeting at 9:00 P.M.

Motion Carried 7-0

Respectfully Submitted



Gloria Wetmore