

Town of Clay
Regular Planning Board Meeting
Date: December 12, 2001

APPROVED

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 12TH of December, 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineers
	David Tessier	Commissioner of Planning & Development
	Susan Beckhusen	Planning Board Secretary

Approval of Minutes

Motion was made by James Sharpe, seconded by Bruce Johnson, to approve the minutes of November 28, 2001 as presented.

Old Business: Adjourned Hearings

01-7-1 Doves Eye Enterprises, Inc. (Ashley Landing) (3) Preliminary Plat – north side of Oak Orchard and westerly of Henry Clay Boulevard

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske to adjourn this hearing until the Planning Board Meeting scheduled for January 23, 2002.

Motion passed unanimously.

01-10-3 Crown Atlantic Co., LLC, Special Use Permit – Recommendation for a Public Utility (150 foot high tower for wireless communications) – west side of Route 57 (Oswego Road), to the north and west of Clay Commons Shopping Plaza.

01-10-4 Crown Atlantic Co., LLC (3) Site Plan (150 foot high tower for wireless communications) – west side of Route 57 (Oswego Road), to the north and west of Clay commons Shopping Plaza.

Motion was made by James Sharpe, seconded by Bruce Johnson to adjourn these two hearings until the next Planning Board Meeting scheduled for January 9, 2002.

Motion passed unanimously.

Old Business: Hearings Closed

01-5-1 Tricon Global Restaurants (3) Preliminary Plat – 3877 & 3883 Route 31

01-5-2 Tricon Global Restaurants (3) Site Plan – 3877 & 3883 Route 31

Motion was made by James Keefe, seconded by Karen Guinup to adjourn both of these hearings until the next Planning Board Meeting scheduled for January 9, 2002.

Motion passed unanimously.

01-10-5 David G. Martin and Linda J. Martin, Zone Change Recommendation – R-2 to R-6, 7527 Buckley Road

Chairman Kovac asked the Planning Board members to either make a recommendation or have a discussion.

Walter Lepkowski felt that the Planning Board should have some discussion prior to making a recommendation.

The issue was again raised that should an R-6 zone change be granted and Mr. Martin, sometime in the future, decide to sell the property there could be implications for high intensity usage. It was noted that should future use cause high intensive use, it would be necessary for the prospective applicant to appear before the Planning Board for approval at which time the zone change recommendation could be re-reviewed. Currently, what Mr. Martin is proposing, does not substantiate a high intensive use of the property.

It was noted that as an R-2 the structure, should it burn down, be removed, etc., it could be rebuilt without variances, however, as an R-6 variances would be required.

Karen raised the question that signage under R-6 was fairly liberal. It was noted that Planning Board approval is not required on signage. Commissioner Tessier indicated that the Town Board raised concerns about the signage as well and Mr. Martin has agreed to sign a covenant limiting his sign to 2' x 3'.

Having heard no further discussion, Chairman Kovac asked if someone would like to make a motion regarding the recommendation that should be made to the Town Board on the proposed zone change.

Motion was made by Bruce Johnson, seconded by James Keefe to adopt a resolution using standard form #50 **RECOMMENDING** to the Town Board that the **CHANGE OF ZONE** requested by David G. Martin and Linda J. Martin on the parcel located at 7527 Buckley Road from R-2 to R-6 be approved for the following reasons:

1. R-6 zone is designed for situations such as this and that this a proper use of said zone.
2. Traffic implications would be minimal and not have an adverse effect on the highway.

Chairman Kovac then asked the Planning Board to vote on the above motion.

Vote: In favor: 5 Opposed: 2 Motion was passed.

Walter Lepkowski was opposed citing that an R-6 zone change creates a greater non-conforming use of the property and that the current zoning is a lesser non-conforming use by reason of the arterial setback but, furthermore, as an R-2, a new structure could be built on this lot without the need for any variances.

Chairman Kovac was opposed citing the same reasons as Walter Lepkowski as well as if a new structure had to be constructed he believes variances would be required in an R-6 situation but in an R-2 situation they could be avoided and a practical building could be built. He stated that the Planning Board would be inviting variances if a new structure was ever required.

01-10-6 Natick NY 1992 Realty Corp., and BJ's Wholesale Club, Inc. – Zone Change Recommendation, C-5 to C-4, in the BJ's Wholesale Club parking lot at Great Northern Mall, 4145 Route 31

James Keefe indicated that he felt that the proposed usage is appropriate in this location and that space is adequate and no additional traffic will be generated due to this usage.

It was noted that the Planning Board is looking at this as an individual situation and no precedent is being set for future proposals.

Motion was made by James Keefe, seconded by Ferdinand Lepinske recommending the Town Board approve the Zone Change Recommendation from C-5 to C-4 as proposed.

Motion passed unanimously.

New Business:

01-12- Summerset Homes – Cedar Hollow, Amended Final Plat – Lots 22, 23, 28, 29 and 33

Mr. Romans was present for the applicant, however, this hearing will be rescheduled to the Planning Board Meeting of January 9, 2002 and will include all lots and will be presented as such.

Signs:

Tricon Global Restaurants – KFC and A&W

Motion was made by James Keefe, seconded by Karen Guinup to adjourn this until the Planning Board meeting scheduled for January 9, 2002. Motion passed unanimously.

Alberici General Contractor – 4871 and 4881 West Taft Road Permit #34,063

APPROVED

This application was presented by Tony Alberici for a free standing sign. The current zoning for the parcel is R-6.

The sign would include the "Mapleridge" development and would include spacing for, at the present time, two physician's names who are located in the buildings. The applicant presented this as one "community sign" rather than having two separate signs, one for the development and one for the physicians. The signs will be angled rather than perpendicular to the road, therefore, allowing visibility from both directions.

Motion was made by Walter Lepkowski, seconded by Bruce Johnson for the approval of Mapleridge Community sign with additional signage for the professional office occupancy based on the applicant voluntarily offering to restrict his rights as follows:

1. Six square feet devoted to professions in the building.
2. Color scheme and letter style will match the main sign.
3. The community identification will be the most prominent identification on the sign.
4. The sign must show the building address number.

It was noted that the applicant consents and agrees with the above.

Motion passed unanimously.

Animal Kingdom Permit #34,056

Commissioner Tessier presented for the applicant. The proposal includes one sign to be located on Route 31 and one located on Stearns Road.

Current zoning at the proposed location is S-1 with special permit.

Motion was made by Bruce Johnson, seconded by Ferdinand Lepinske to recommend approval of the proposed sign based on the assumption that this is a solid masonry structure, address must be included on the sign and includes a 25' set back as presented. Approval was recommended on both signs, however, the second sign located on Stearns Road is not assumed to be of masonry work.

Motion passed unanimously.

Adjournment

Motion was made by James Sharpe, seconded by Ferdinand Lepinske to adjourn the meeting. The meeting was adjourned at 9:30 pm. Motion passed.

Respectfully submitted,



Susan Beckhusen
Planning Board Secretary

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 28th of November, 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineers
	David Tessier	Commissioner of Planning & Development
	Susan Beckhusen	Planning Board Secretary

Approval of Minutes

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske, to approve the minutes of November 12, 2001 with the following revisions:

Last page--Adjournment was at 12:15 am not pm.

Page 3—Second paragraph where “He asked the applicant to provide a map with the proposed tower and one without the tower at different heights to show the coverage” should be “He asked the applicant to provide propagations showing only cellular signals; only PC signals and each at different heights to show the coverage”.

Page 3—Fifth paragraph “the planning board asked the applicant to provide photo simulations of how the tower will look from the following locations: In addition to the north side of the Seneca River and Route 57 they were also requested from the south side. It was Walter’s suggestion that the first two items be the South and North side of the Seneca River and the South and North side of Route 57.

Page 3—Second to last paragraph “Walter Lepkowski felt that a motion tonight would be premature based on the fact that the Planning Board does not know if the Zoning Board will permit for the requested variance” the reason for my vote on not making a motion was that the Town Board, not the Zoning Board, may require a SEQR or other studies for the requested variance for the 150-foot tower.

Page 5-6—re: Barbet regarding reference to road. Suggestion to delete the word “emergency” and just simply call it an access road as it is a road for access not just for emergencies.

Page 6—second paragraph Video King/Starbucks Plaza sign—Motion passed. It makes no reference that there were 4 ayes and 3 nays.

Motion passed unanimously.

Public Hearings:

01-10-5 David G. Martin and Linda J. Martin, Zone Change Recommendation – R-2 to R-6, 7527 Buckley Road

Mr. David Martin presented the proposed zone change. Mr. Martin stated that he is currently running a legal service business out of his home and is interested in moving it from his home to the building located at 7527 Buckley Road as it would provide more space for his needs.

Mr. Martin indicated that he has no plans to change the outside structure. It is his intention to do interior remodeling only in order to facilitate his business needs. Currently the building is vacant.

The County Planning Board recommended that access be from Coffee Tree Lane rather than Buckley Road. It was noted that a barrier of hedges is currently on Coffee Tree Lane and would need to be partially removed to accommodate that recommendation.

The issue of parking was raised. Due to the square footage of the building it was determined that there should be parking for 5 cars. Mr. Martin presented pictures indicating that there currently is ample parking to meet his needs. It was noted that on the site plan, Mr. Martin would have to note that the additional parking is available.

Mr. Martin indicated that he has spoken with the residents in the area and they have no concerns in regards to his running his business from the location or the zone change to R-6.

Chairman Kovac asked for any additional questions or concerns. Having heard none, the public hearing was closed by Chairman Kovac.

Chairman Kovac asked whether a formal recommendation at this time should be made. Karen Guinup indicated that she prefer that a formal recommendation not be made at this time but that one could be made at the next Planning Board Meeting on December 12, 2001. The remainder of the Planning Board Members were in agreement with that as well.

This application is scheduled for a hearing at the next Town Board Meeting to be held on December 3, 2001.

01-10-6 Natick NY 1992 Realty Corp., and BJ's Wholesale Club, Inc.-Zone Change Recommendation, C-5 to C-4 in the BJ's wholesale Club parking lot at Great Northern Mall, 4145 Route 31

Robert Ventre, attorney, presented the proposed zone change recommendation. He stated that the applicant is looking for a zone change from C-5 to C-4 on a 1 acre parcel of the 16 acre parcel that is currently owned by the applicant.

The intended use for this 1 acre parcel is for the installation of 5 dispenser islands encompassing 10 fuel pumps, a canopy and a cubical/shed for an attendant for the sale of gasoline to BJ's Wholesale Club Members as well as the general public. It was noted that it would mainly be for use by Wholesale Club Members, as part of their membership, to obtain fuel at a reduced rate. The general public would be subject to increased cost for the gasoline if they are not a member of the club. It was noted that there would be no visibility of the fuel islands from Route 31.

Currently there is an existing fuel island located at BJ's in East Syracuse. It consists of 4 islands, a canopy and a cubical/shed for the attendant. Commissioner Tessier raised the question as to why the one on Route 31 would be larger and it was stated by Phil Woodyatt that it was due to the fact that the E. Syracuse building was limited due to utility issues and easements.

Bob Michelson, representative of Moyer's Corners Fire Department, indicated that additional hydrants and a water source would be necessary to aide the fire department in an emergency. It was noted that these would be included in the site plan.

Having heard no more questions or concerns, Chairman Kovac closed the Public Hearing.

A recommendation will be made at the next Planning Board Meeting to be held on December 12, 2001. This request will also be presented at the next Town Board Meeting to be held on December 3, 2001.

Old Business: Adjourned Hearings

01-7-1 Doves Eye enterprises, Inc. (Ashley Landing) (3) Preliminary Plat – north side of Oak Orchard and westerly of Henry Clay Boulevard

It was indicated that no current correspondence has been received. After the Planning Board Meeting of November 12, 2001, Commissioner Tessier did speak with the applicant who indicated that he was not prepared to present his case.

Motion was made by James Keefe, seconded by James Sharpe to adjourn this hearing until the next Planning Board Meeting, which will be held on December 12, 2001.

Motion passed unanimously.

01-10-3 Crown Atlantic Co., LLC, Special Use Permit for a Public Utility (150 foot high tower for wireless communications) – west side of Route 57 (Oswego road), to the north and west of Clay Commons Shopping Plaza

01-10-4 Crown Atlantic Co., LLC (3) Site Plan (150 foot high tower for wireless communications) – west side of Route 57 (Oswego Road), to the north and west of Clay Commons Shopping Plaza

The applicant nor a representative were present. They have requested adjournment until the next Planning Board Meeting of December 12, 2001.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe that both hearings be adjourned to the December 12, 2001 Planning Board Meeting. Motion passed.

New Business:

01-9-3 JOLU Development Company – Willow Stream Wood, Section 9 – Final Plat
Hal Romans presented the request for the final plat approval. It was noted that the development would consist of 18 residential lots.

Chairman Kovac asked the Planning Board members for any questions. Having heard none, he then asked Ron DeTota, C & S Engineering and Scott Chatfield, attorney, if everything appeared to be in place.

Both Ron DeTota and Scott Chatfield indicated that from an engineering and legal standpoint that all appeared to be in place.

Bob Michelson, Moyer's Corners Fire Department representative, indicated that they only issue was that the fire department would like to see an additional hydrant at the corner of Junco and Shoveler. This was noted and indicated that upon future development of that area, placement of an additional fire hydrant would be considered at that time.

Having heard no more questions, Chairman Kovac asked for a motion.

Motion was made by James Keefe to adopt a resolution using standard form #40 granting final plat approval to JOLU Development Company based upon a map made by Ianuzi &

Romans PC dated 10/2/00; latest revision 12/11/00, drawing file #488.007, subject to the following conditions:

- 1: Legal and engineering approval.

Motion was seconded by James Sharpe. Motion passed: 7:0

Informal Discussion

Taft Road Corridor Study

Commissioner Tessier presented a revised Corridor Study for current zoning along Taft Road.

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Various properties were noted with their current zoning and the recommended zone changes. The Corridor Study was reviewed by all Planning Board Members and changes were noted.

Overall the Planning Board felt that the recommendations presented in the study appeared acceptable with some changes noted.

Town of Clay Planning Board Meeting scheduled for December 26, 2001.

Commissioner Tessier and Chairman Kovac discussed the currently scheduled Planning Board Meeting to be held on December 26, 2001. It was noted that nothing is currently on the agenda for that meeting.

Motion was made by Ferdinand Lepinske, seconded by Bruce Johnson to eliminate the December 26, 2001 Planning Board Meeting in light of the holiday and lack of items on the agenda. Motion passed unanimously.

Adjournment

Motion was made by Ferdinand Lepinske, seconded by James Sharpe to adjourn the meeting. The meeting was adjourned at 9:45 pm. Motion passed.

Respectfully submitted,



Susan Beckhusen
Planning Board Secretary

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 14th day of November 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Scott Chatfield	Planning Board Attorney (Arrived at 8:00 PM)
	Ron Detota	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Substitute Planning Board Secretary
ABSENT:	Bruce Johnson	Member

Approval of Minutes

Motion was made by Walter Lepkowski, seconded by James Sharpe, to approve the minutes of October 24, 2001 as presented.

Public Hearings:

01-10-2 North Syracuse Towing and Recovery Site Plan- northeast corner of Goguen Drive and Maitlage Drive

N Syracuse Towing

Scott Doody, representing the applicant, appeared before the board to present the site plan for North Syracuse Towing and Recovery for property located on the northeast corner of Goguen Drive and Maitlage Drive.

The applicant is proposing a three (3) phase plan: the construction of a 20 x 40 foot pole barn office on the northern part of the parcel, a 40 x 52 foot three (3) bay pole barn for warehousing and equipment and a 60 x 70 foot fenced in storage area. When the project is complete, the applicant is proposing green landscaped area. The proposed plan is expected to be completed by the summer of 2002.

C & S letter of November 14, 2001 commented on two concerns regarding drainage and sanitary sewer and these items will be addressed by the applicant.

The pole barn will have vinyl siding with a pitched roof. The fenced in storage area will be behind the building, 7 feet high and will house no more than 20 vehicles.

The applicant stated that the storage area is for short-term storage of vehicles. There will be no car repair work done at this location.

The driveway will be constructed of recycled asphalt.

Ron Detota, C & S engineer, commented that the applicant needs to re-work some of the contours and construct a swale that will not impact the neighboring properties.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by Karen Guinup, seconded by James Sharpe, to adopt a resolution using Standard Form # 10, that for SEQR purposes, the site plan as proposed by North Syracuse Towing and Recovery be declared a negative declaration, as there appears to be no major environmental impacts that cannot be mitigated. This action does not involve any other agencies, including the Federal Government Motion Passed.

Motion was made by Karen Guinup, seconded by Walter Lepkowski, to adopt a resolution using Standard Form # 30, granting site plan approval to North Syracuse Towing and Recovery, case # 01-10-1, based on a map by Phillips and Associates, dated 6/9/99, no revisions, showing file # 1105.822, subject to the following conditions:

All items in the C & S letter dated November 14, 2001 being addressed and mitigated
Subject to the parking area and the area around the sign having flower beds installed
Subject to the landscaping on the east side of the fence being continued with additional 8 foot spruce trees placed 10 feet apart
Subject to the storage area holding no more than a maximum of 20 vehicles.
Subject to legal and engineering requirements.

Motion Passed.

01-10-2 Crown Atlantic Co., LLC Special Use Permit for a Public Utility (70 foot high tower, cell on wheels) – west side of Route 57 (Oswego Rd) to the north and west of Clay Commons Shopping Plaza

Jeffrey Davis, attorney at law, was present to request a recommendation for Special Use Permit for a Public Utility for a 70 foot Tower, a 150 foot Tower and Site Plan approval for the 150 Foot Tower.

The proposed location of the Tower is behind Taco Bell in the Clay Commons Shopping Area.

The 70-foot Cell on Wheels, also called a COW, will not require any variances and will be a temporary fixture necessary to provide coverage for Cricket and Cingular providers.

Crown Atlantic is a turnkey operation that works with multiple providers to provide coverage for wireless communications. They attempt to co-locate on existing structures, if possible.

The proposed location was chosen due to the lack of coverage in that area. Mr. Davis explained that the location is necessary to provide the necessary service to customers in that area. It will fill the gap that currently exists.

Mr. Davis proceeded with the propagation study for the area.

Chairman Kovac asked if there were any questions and Walter Lepkowski had the following concerns and questions:

He inquired as to whether the applicant had explored co-locating on other Towers in the area, specifically the one at Marketfair North and the tower at Verplank Road. The applicant stated that neither site would accomplish the desired coverage.

He asked if they explored upgrading the tower at Marketfair. Currently the tower in that location holds two providers and is only 86 feet high.

He asked what would happen if capacity doubled in the proposed area and if additional equipment could be added to the proposed tower. The proposed tower is designed to hold four providers. Two are currently proposed for the Tower- Cricket and Cingular.

He asked why they can't locate on a structure other than a pole, such as bridges, buildings, etc. The applicant commented that it would not provide the needed service to that area, as there are no alternative structures available.

He asked the applicant to provide propogations showing only cellular signals; only PC signals and each at different heights to show the coverage.

The 70-foot cell on wheels will meet all setback requirements and will be placed in the same approximate location as the 150-foot tower. It will be removed when the 150-foot tower is built.

The Planning Board asked the applicant to provide photo simulations of how the Tower will look from the following locations:

- South and North side of Seneca River
- South and North side of Route 57
- West of Soule Road
- Center of Casual Estates
- Park Ridge
- Strawberry Runne
- Forest Hills Area

They asked that all propogations be in 8 1/2 x 11 format.

Walter Lepkowski was concerned with the aesthetics of the tower and how it will affect the scenery from the Seneca River area.

County Planning had no position on the 70 foot tower but had the following comment on the proposed 150 foot tower:

County Planning recommends that said application be DISAPPROVED for the following reason:
The County Planning Board believes that this important setback regulation should be enforced to uphold the integrity of the zoning ordinance.

Chairman Kovac closed the public hearing on case # 01-10-2 Crown Atlantic Co. LLC Special Use Permit for a Public Utility (70-foot high tower, cell on wheels).

James Keefe suggested that a recommendation be made for the 70-foot tower due to the fact that no variances are needed for the Cell on Wheels.

Walter Lepkowski felt that a motion tonight would be premature if the Town Board would require SEQR or other studies for the requested variance for the 150-foot tower.

Motion was made by James Keefe, seconded by Ferdinand Lepinske, to recommend to the Town Board that the 70 foot cell on wheels (COW) be approved for a special use permit for a public utility for location on the west side of Route 57 (Oswego Road) to the north and west of Clay Commons Shopping Plaza. Vote- 5 ayes- one nay (Walter Lepkowski voted no) Motion Passed.

01-10-3 Crown Atlantic Co., LLC Special Use Permit for a Public Utility (150 foot high tower for wireless communications) – west side of Route 57 (Oswego Road) to the north and west of Clay Commons Shopping Plaza

Variance is needed to recommend approval for this case.

Motion was made by Karen Guinup, seconded by James Sharpe, to adjourn this public hearing to November 28, 2001. Motion Passed.

01-10-4 Crown Atlantic Co. LLC Site Plan (150 foot tower for wireless communications)- east side of Route 57 (Oswego Road) to the north and west of Clay Commons Shopping Plaza

Variance is needed to recommend approval for this case.

Motion was made by Karen Guinup, seconded by James Sharpe, to adjourn this public hearing to November 28, 2001. Motion Passed.

Old Business: Adjourned Hearings

01-7-4 Robert J. Hamlin & Ethel M. Hamlin Preliminary Plat- 8064 Henry Clay Boulevard

B.A. Russell, attorney at law, appeared before the planning board to present the preliminary plat for Robert J. Hamlin and Ethel M. Hamlin for property located at 8064 Henry Clay Boulevard.

Mr. Russell explained that the applicant did receive the requested variances from the Zoning Board of Appeals. The Zoning Board granted the requested variances conditioned upon the lots being re-designed and that there be no further subdividing of either lot.

The lots have been re-designed, lot # 1 is 162.98 feet and lot # 2 is 120 feet.

C & S engineer commented that they would request the following information on the plan:

Forty feet from the center line of the road be dedicated to the County

Date of the variance be shown on the plan

Description of variance granted

Note that there will be no further subdivision of lots 1 & 2

Note # 5 on the plan will be re-worded according to the verbage that County Health Department requires.

Chairman Kovac asked if there were any questions and hearing none he closed the public hearing.

Motion was made by Walter Lepkowski, seconded by James Keefe, to adopt a resolution using Standard Form # 10 that for SEQR purposes, the preliminary plat approval for Robert J. Hamlin and Ethel Hamlin be declared a negative declaration, as there appears to be no major environmental impacts that cannot be mitigated. This action does not involve any other agencies, including the Federal Government Motion Passed.

The planning board proceeded to Final Plat Approval at this time.

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske, to adopt a resolution using Standard Form # 40, granting Final Plat approval to Robert J. Hamlin and Ethel M. Hamlin, for property located at 8064 Henry Clay boulevard, based on a map by Robert Goodeve, dated 8/26/2000, revised 9/25/2001 showing file # 930.71 subject to the following conditions:

Property lines being re-drawn

Variance granted and date of variance

Note stating that there will be no further subdivision of lots 1 and 2

The applicant will dedicate 40 feet from the road centerline to Onondaga County

That the note regarding County Health will be re-worded
Subject to legal and engineering requirements.

Motion Passed.

01-7-1 Doves Eye Enterprises, Inc. (Ashley Landing) Preliminary Plat – north side of Oak Orchard and westerly of Henry Clay Boulevard.

At the request of the applicant, this case will be adjourned to November 28, 2001. Commissioner Tessier endorsed this request. The applicant has not received the necessary letter from the State Historical Association.

Motion was made by James Sharpe, seconded by Ferdinand Lepinske, to adjourn this public hearing to November 28, 2001. Motion Passed.

Old Business: Hearings Closed

01-5-1 Tricon Global Restaurants Preliminary Plat – 3877 & 3883 Route 31

01-5-2 Tricon Global Restaurants Site Plan – 3877 & 3883 Route 31

At the request of the applicant, this public hearing will be adjourned to December 12, 2001. Negotiations are still pending for Tricon Global.

Motion was made by Walter Lepkowski, seconded by James Sharpe, to adjourn this public hearing to December 12, 2001. Motion Passed.

01-5-3 Barbet Development Corp Preliminary Plat, Fairway East Extension No. 2 and No.3 and Streamwood Extension No. 1- west side of Morgan road, south of Route 481 and north of Fairway

Commissioner Tessier gave the presentation on Barbet Development, due to the fact that this public hearing is closed.

Chairman Kovac commented that the Planning Board received letters from the following residents regarding the proposed Barbet Development:

Sharon Michaels
Cheryl Keene
Neil Fitzpatrick
Thomas and Barbara Tucci
Paul & Mary Jo Lakomski
Robert Haskins
Amy Riou
Perry Scohertz

These will be included in the file for Barbet Development Corp., case # 01-5-3.

At the last planning board meeting, seven options were discussed for this development regarding the proposed emergency access road. Option # 6 seems to be the most appropriate for this road. This option is reprinted below:

Option #6 Develop two distinct roads of traffic (two one way roads) with runover curbs for emergency vehicles to use if needed. (This would eliminate the need for #1, #2 or #3)

Commissioner Tessier commented that the key to this option would be the divided highway concept. A concept drawing was presented that shows a divided highway with two 12.5 foot travel lanes, a 5-foot medium, and two 2-foot gutters on each side. A six-foot walking path is shown on one side of the road. The

width of the proposed lanes was discussed and it was felt that 18-foot lanes might be more practicable. The pedestrian walkway was discussed and a decision was made that the inside of the walkway (closest to the road) should be protected with a guardrail and that the outside of the path should be protected with a chain link fence for added safety. The pedestrian path should be constructed of asphalt.

The proposed medium for the access road shows four breaks for driveways to cross.

C & S engineer commented that any concerns regarding drainage and easements could be addressed. He did state that the plan needs to be drawn by a licensed land surveyor.

The sixty-foot right of way was discussed with the configuration of that area possibly changing through the culvert area.

The Planning Board decided that through the culvert area two (2) 13 ½ foot lanes, a 5 foot medium, 4 foot walkway and two (2) foot gutters could be constructed and the remainder of the access road would be constructed with two (2) sixteen foot lanes, 5 foot medium, 4 foot walkway and two (2) foot gutters.

Motion was made by Walter Lepkowski, seconded by James Sharpe, to adopt a resolution using Standard Form # 30, granting preliminary plat approval to Barbet Development Corp. based on a map by Phillips and Associates, dated 11/14/2001, no revisions, subject to the following highway configurations for the emergency access road:

- Two 16 foot driving lanes with the exception of the area through the culvert area
- Two 13 ½ foot lanes in the culvert area
- Five (5) foot medium throughout the entire access road
- Four (4) foot walkway with guard rails on the inside of the road area and a short chain link fence to protect the outside of the culvert area for pedestrians
- Two 2 foot gutters (one on each side of road)

Subject to the inclusion of a pedestrian walkway extending from the end of Datum Lane to the loop road immediately west of the northerly boundary of the Michaels property and subject to all three sections being shown on the plan showing where each section is located. Motion Passed.

01-9-1 Eldan Homes, Inc. Revised Preliminary Plat- Streamwood Townhouses, Section B on Sandbar Lane, east of Streamwood Drive

Dan Barnaba, President of Eldan Homes, presented the revised preliminary plat for Eldan Homes, Streamwood Townhouses, Section B on Sandbar Lane, east of Streamwood Drive.

This case was adjourned due to technical criteria requested by C & S engineers and the Town Attorney.

The applicant stated that the individual lot lines are now shown. There are 24 blocks proposed, with 57 buildings and lots.

The applicant stated that the Town Attorney requested that, due to the fact that application is being made to Town Law # 278, that those exceptions to the zoning requirements be identified on the current plan.

Current zoning is R-5 and the following are the exceptions that are being requested:

- Reducing the minimum space between buildings from 40 feet to 20 feet.
- Side yard setbacks from 20 feet to 5 feet
- Minimum number of units per buildings from 2 to 3.

These are shown on the plan.

The applicant indicated that there is a minor change in the location of the sewer easement for Block 1 and that there will be a driveway on Block 14 that will not encroach on the drainage basin.

Ron DeTota, engineer, commented that he felt that any drainage concerns could be mitigated.

Motion was made by James Keefe, seconded by Karen Guinup, to adopt a resolution using Standard Form # 30, granting preliminary plat approval to Steppingstones of Streamwood Townhouses (formerly Streamwood Townhouses) based on a map by Phillips and Associates, dated 10/5/2001, revised 11/13/2001, showing file # 2730.001 subject to the planning board knowingly exercising the acceptance of exceptions under Section # 278 to reduce the geometry set forth by the applicant and subject to legal and engineering requirements. Motion Passed.

New Business:

JOLU Development Company – Willow Stream Wood, Section 6C- Final Plat

Hal Romans, representing the applicant, presented the final plat for JOLU Development Company, Willow Stream Wood, Section 6C.

This is a 26-lot subdivision, with no changes from the preliminary plat. The swale has been indicated on the final plat map.

Chairman Kovac asked if there were any questions.

The applicant was asked if there were a stub street that would connect to the Ianno property. There is a stub street that will connect when the next section is developed.

Hearing no questions, Chairman Kovac asked for a motion.

Motion was made by Walter Lepkowski, seconded by James Sharpe, to adopt a resolution using Standard Form # 40, granting final plat approval to JOLU Development Company, case # 08-8-01, based on a map by Ianuzi & Romans, dated 8/1/200, no revisions, showing final # 488.007 subject to legal and engineering requirements. Motion Passed.

Signs:

Goodrich Auction Service

The applicant presented his application for an awning type sign for Auction Network, located at Henry Clay Boulevard and Route 31. The parcel is located in a C-5 zone. The proposed sign is within the zoning requirements.

Motion was made by James Keefe, seconded by James Sharpe, to approve the sign as presented in application # 34.003. Motion Passed.

Oswego County Savings Bank- Route 57 (Dairy Queen Building)

The application for Onondaga County Savings Bank requests 3 wall signs, each 25 square feet and one free standing pylon sign that is 44 square feet. The freestanding sign will utilize the existing base.

The Planning Board stated that the freestanding sign could only be a total of 32 square feet.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to approve application # 34.023 for 3 wall signs as shown at 25 square feet each and one free standing pylon sign that will use the existing base and that will be no more than 32 square feet in size. Motion Passed.

Video King – Starbucks Plaza

Sarah Grace Campbell, attorney at law, presented the revised application for Video King Store, located in Starbucks Plaza, Route 57.

The parcel is located in a C-5 zone at 7567 Oswego Road. The applicant has changed the background to white and has reduced the number of colors on the sign to two colors. The letters will be red and the crown will be gold. The square footage for the proposed sign is slightly under the square footage permitted by zoning regulations.

There was a lengthy discussion on the original site plan approval and if the owner had specified a certain color scheme and size for signs for the plaza.

Attorney Chatfield commented that if this restriction were a condition of site plan, it would be enforceable. It appeared that this was not a condition placed on the site plan approval.

Motion was made by James Keefe, seconded by James Sharpe, to approve the sign application of Video King, Starbucks Plaza, # 33.999 based on a design by PAC Sign Company, Inc., dated 10/18/2001, revised 10/29/2001. Motion Passed. (Vote 4 ayes, 2 nays)

Audrey's Gifts and Collectables

The proposed sign for Audrey's Gifts and Collectibles, 8017 Oswego Road is within the zoning requirements. The proposed sign is approximately 8 square feet.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to approve the sign application for Audrey's Gifts and Collectibles, # 34.028. Motion Passed

Adjournment

Motion was made by James Sharpe, seconded by Ferdinand Lepinske to adjourn the meeting. The meeting was adjourned at 12:15 AM. Motion Passed.

Respectfully submitted,



Mary Ellen Sims
Substitute Planning Board Secretary

Town of Clay
Regular Planning Board Meeting
Date: 10/24/01

APPROVED

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 24th of October, 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Susan Beckhusen	Planning Board Secretary

Approval of Minutes

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to approve the minutes of October 10, 2001 as presented.

Public Hearings:

No new public hearings.

Old Business: Adjourned Hearings

01-5-7 Patrick & Kathryn Hadley (3) Preliminary Plat – Mud Mill Road

Robert Burleigh, surveyor and Patrick Hadley were present. Mr. Burleigh provided a survey of the property indicating the two separate lots. The frontage for each lot is 189 ½'. It was noted that there is a 16' right of way ingress/egress on either side of the railroad.

A variance was granted by the Zoning Board of Appeals regarding the less than minimum frontage for each of the two lots. The County Planning Board recommended disapproval indicating that the minimum building lines should be upheld.

James Keefe questioned whether or not there would be two driveways. It was noted that Parcel A currently has a driveway and that Parcel B, which, would be owned by the Hadley's daughter, would eventually have a driveway and a structure on it.

Ron Detota, C & S Engineering, indicated that Mud Mill Road was a county road not a town road and that 40' from the centerline of the parcels should be designated to the county in case they ever decided to widen the road.

The survey did note the variance Case #1035.

Chairman Kovac asked if there were any further questions or comments and hearing none, he declared the public hearing closed.

Motion was made by Walter Lepkowski, seconded by James Keefe to adopt a resolution using Standard Form #10, that for SEQR purposes, case #01-5-7 Patrick and Kathryn Hadley, Preliminary Plat be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or other environmental concerns that cannot be mitigated. Motion passed unanimously.

The final survey must comply with the 40' designation for the County should they decide to widen the road at a later date.

Motion was made by James Keefe, seconded by Karen Guinup adopting a resolution using standard form #40 granting Final plat approval to Patrick and Kathryn Hadley, based upon a map made by Robert Burleigh dated 10/22/01 subject to the following conditions:

1. Grant 40' easement along Mud Mill Road to the county.
2. Change the title to the Final Plat.

Motion passed 7:0

01-7-1 Doves Eye Enterprises, Inc. (Ashley Landing) (3) Preliminary Plat – north side of Oak Orchard and westerly of Henry Clay Boulevard

No one was present and there has been no communication since the last meeting.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe to adjourn this hearing until the next Planning Board meeting on November 14, 2001. Commissioner Tessier's office will be contacting the applicant in the meantime. Motion passed 7:0

Old Business: Hearings Closed

01-5-01 Tricon Global Restaurants (3) Preliminary Plat – 3877 & 3883 Route 31

01-5-02 Tricon Global Restaurants (3) Site Plan – 3877 & 3833 Route 31

Mr. Joseph Jerry was present. He indicated that Tricon had received an offer from COR, LLC to rent space from them. It was Mr. Jerry's understanding that Tricon was looking into this offer and may be withdrawing their applications to the Planning Board.

Mr. Jerry requested adjournment of these hearings until the November 14, 2001 Planning Board meeting.

Motion was made by James Sharpe, seconded by Bruce Johnson to adjourn these hearings until the next Planning Board Meeting, which will be held on November 14, 2001. Motion passed 7:0

01-5-3 Barbet Development Corp. (3) Preliminary Plat – Fairway East Extension No. 2 and No. 3 and Streamwood Extension No. 1 – west side of Morgan Road, south of Route 481 and north of Fairway East.

Chairman Kovac reiterated that the public hearing was closed and that this discussion was strictly for the Planning Board to discuss the street configurations. There would be no comments or questions from the public.

Chairman Kovac also noted that he, as well as the other Planning Board members, had received numerous letters from the residents and that their concerns were being reviewed and addressed. He noted the following letters as being received and the date of the letter.

Cheryl Keene dated 10/15/01
Joe Murman dated 10/18/01
Sharon Michaels dated 10/18/01
Steve Rubacky dated 10/19/01
Gary Collison dated 10/24/01

A rendition of the preliminary plat was displayed. Commissioner Tessier outlined Morgan Road and Soule Road to establish the "boundaries" involving the Fairway East and Streamwood developments.

Commissioner Tessier indicated that he was working with the Planning Board to facilitate various ideas and options. It was noted that the Town Board had made the zone change and it was up to the Planning Board to try to work out an acceptable solution for the road.

The proposal for this development would include approximately 80 new homes. One parcel would consist of 37 lots, another 35 lots and the last, being in Streamwood, would consist of 8 lots.

Various options were discussed and included:

- Option #1 Extension of Dayton Drive to Coconut Tree Drive
- Option #2 Road proposed to extend through Streamwood
- Option #3 Road to extend through to Sampan. This would entail conditioning the development of a stub street to facilitate this option since this area will not be developed for another 2-3 years).
- Option #4 Eliminate road (area) between proposed parcel including 35 houses and parcel with 37 houses (This would require a combination of #1, #2, and/or #3, above)
- Option #5 Dayton Drive, go south and omit attachment to Coconut Tree Drive
- Option #6 Develop two distinct roads of traffic (two one way roads) with runover curbs for emergency vehicles to use if needed. (This would eliminate the need for #1, #2 or #3)
- Option #7 As proposed by applicant to Planning Board originally with no emergency vehicle dual access.

After reviewing all of the options the following issues were noted.

- Option #1 The emergency vehicles would have a difficulty time in maneuvering the 90 degree turn that was proposed. Ron Detota indicated that the town has standards for town road and that there are minimum turning radii. These are necessary so that all vehicles would have the ability to navigate all turns without causing multiple accidents. It was noted that the current curve on Coconut Tree Drive is of greater concern than the one proposed.
- Option #3 Is not feasible as the area to be developed would not be done for at least 2-3 years.
- Option #4 This would eliminate the culvert that was proposed to allow for walking from one area to another in the open space. This option would also cause issues with drainage.
- Option #5 This would not be recommended from an engineering standpoint due to crossing of wetlands and issues with drainage.

APPROVED

Option #6 Ron Detota was asked whether or not this was a “doable” option. He indicated the road would have to extend from intersection to intersection. The road would need to be built to accommodate the Fire Department vehicles (heavier weight). It would basically be a one lane road but a bit wider to accommodate the larger vehicles. This would be “doable” however, the cost may be excessive to the developer. They would have to do research to decide on feasibility.

Bob Michelson from the Moyer’s Corner Fire Department was present and Commissioner Tessier asked that he be able to speak in regards to the Fire Department issues. Mr. Michelson indicated that in regards to Option #6 the road would have to go from intersection to intersection and the Fire Department cannot drive on lawns due to the weight of the apparatus and the fact that the yards cannot support that weight.

Chairman Kovac indicated that he would like the Planning Board to narrow down the options so that they could give the developer some ideas on what they would like to see him work on to provide a revised plat. The developer can then work with Ron Detota to come up with a feasible plan.

After much discussion, the options chosen were: Option 1, 2, 3 and 4 (as one proposal) and Option 6.

Chairman Kovac asked that a vote be taken regarding each. It was noted that for Option #1, 2,3 and 4, James Sharpe, James Keefe and Ferdinand Lepinske were in favor of. Option #6, Al Kovac, Karen Guinup and Walter Lepkowski, Bruce Johnson were in favor of.

Chairman Kovac asked the developer if Option #6 was feasible and he indicated that he would have to do some research into it. He requested the opportunity to do research and work with C & S Engineering to see if it would work.

Motion was made by James Keefe, seconded by Ferdinand Lepinske to vote on SEQR.

Having heard no more questions, a motion was made by James Keefe to adopt the Town Board findings in FEIS, seconded by Ferdinand Lepinske. Motion passed 6:0

Walter Lepkowski abstained, as he would like to review FEIS prior to making a SEQR determination.

This item was adjourned to the next Planning Board Meeting on November 14, 2001.

01-9-1 Eldan Homes Inc. (1) Revised Preliminary Plat – Streamwood Townhouses, Section B – on Sandbar Lane, east of Streamwood Drive

Dan Barnaba, President of Eldan Homes, was present to present the amended plan. It was noted that at the last Planning Board meeting of 10/10/01 he was requesting a revision from Townhouses to Patio Homes. He was also requesting an amendment to the previously proposed drainage sites. The request was to narrow the drainage easements.

There was further discussion regarding the proposed Home Owner’s Association.

Mr. Barnaba is requesting approval for preliminary plat so that they can move into the next step of grading, utility acceptance, etc. and then onto final approval.

It was noted that on the preliminary plat presented no property lines were indicated. Scott Chatfield indicated that in order for a preliminary plat to be approved, property lines would need to be established and indicated. Since this was not done, it was felt that no decision could be made on this item.

Mr. Barnaba requested adjournment until the next Planning Board Meeting to be held on November 14, 2001 at which time he would have the necessary changes to present again for approval.

Motion was made by Ferdinand Lepinske, seconded by Karen Guinup to adjourn this hearing to the November 14, 2001 Meeting. Motion passed.

New Business:

01-7-2 Kelly-Tobin Development Corp., Lawton Valley Hunt, Sec. No. 5 – Final Plat

Ron Detota, C & S Engineering, presented on behalf of Nick Ianuzzi who was in a car accident and was recovering from surgery. The applicant is requesting subdivision for 31 lots. The Town Board has accepted the utilities and now the applicants are seeking approval of Final Plat from the Planning Board.

Motion was made by Karen Guinup, seconded by James Sharpe to adopt a resolution using standard form #40 granting Final Plat approval to Kelly-Tobin Development Corp., Lawton Valley, Section No. 5, based upon a map made by N. Ianuzzi, file #1774.004 dated 03/30/01; latest revision 08/14/01, subject to the following conditions:

1. Legal and engineering approval.

Motion passed 7:0

Informal Discussion:

Commissioner Tessier had a request from the zoning Board of Appeals to look at a special permit application from Goodrich Auction Services. The Zoning Board of Appeals is looking for some guidance from the Planning Board regarding the operation of an auction service. The applicant currently has a permit for an antique store. The Zoning Board has issues with the number of parking spaces and the access to and from the site.

Julian Clark, from Plumley engineering and Mr. and Mrs. Goodrich were present to discuss these issues. It was noted that both the County DOT and State DOT are satisfied with the 30', 27' and 25' driveways shown. Route 31 currently has a building set back of 135' and 90' to parking. The applicant is currently in compliance with that.

Mr. and Mrs. Goodrich have been working with the Town of Clay Planning and Development Office and it was noted that they are comfortable with the stated 89 parking spots that are available and the inside seating area to accommodate 100 people.

The current zoning in this area is C-5.

Based on the three buildings currently in the C-5 zone, parking requirements would be 121 spaces. There is a gravel area behind the building that could be used for additional parking.

Town of Clay
Regular Planning Board Meeting

Date: 10/24/01

APPROVED

The Zoning Board of Appeals is looking for the Planning Board to make comments as to what kinds of items they should be including for site plan..

Comments: Number of parking spaces should be 121 marked parking spaces.
Driveways as required by Onondaga County DOT on Henry Clay Blvd. and NYS DOT on Route 31.

These comments will be given to the Zoning board of Appeals via Commissioner Tessier and/or the Planning Board minutes from this meeting, 10/24/01.

Chairman Kovac asked whether the ZBA was looking for a formal recommendation or just comments.

Formal comment was made by Walter Lepkowski that the plan submitted looks adequate provided it is amended to show 121 parking spaces and noting that the Planning Board is neither advocating or not advocating that the special permit be approved.

Signs:

Tricon Global Restaurants – KFC and A & W

Adjournment to the next Planning Board meeting of November 14, 2001.

Video King permit #33,999

Jeff Packard, Packard Sign Co., and Larry Wilson, President of Video King, were present to present the application for a sign that would be located on the building located on Route 57.

Currently all signs on the building are done in green. The Video King sign as proposed would be located on the building, and would be within 10% of the section of the building that they would be occupying. The applicant presented a sign that would consist of red and white background with black lettering.

It was noted that the color scheme differs from what is currently on the building for the existing occupants. It was also noted that at the time of the original approval for signs on this building, any and all future signs would have to be in accordance with the green/beige color theme and style. This was expressed to the owner of the building at the time of his original request.

Mr. Wilson indicated that the owner/landlord of the building had approved what he was proposing and had provided a letter in which the owner/landlord stated such. It was the owner/landlord's recommendation that the Planning Board should approve it as well. The Planning Board members again indicated that the owner was aware that any future signs for this structure would have to remain within the same color theme and style as what had previously been approved.

Mr. Wilson raised the issue that the surrounding businesses have unique signs and questioned why that was possible and he was "restricted" to the green/beige theme and style. It was stated by the Planning Board members that the surrounding businesses were "free-standing" structures and where Video King was proposing to go it would be going in with other businesses and should be conforming.

Motion was made by Karen Guinup, seconded by James Keefe that the Video King application be denied based on the fact that when the owner originally requested approval he was told that all future signage would have to be conforming.

Town of Clay
Regular Planning Board Meeting
Date: 10/24/01

APPROVED

This particular location has a uniformity in color and size and what was proposed by the applicant for Video King does not comply.

Motion to deny passed 7:0

Adjournment

Motion was made by Bruce Johnson, seconded by James Sharpe to adjourn the meeting. The meeting adjourned at 11:50 PM. Motion passed.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan Beckhusen". The signature is written in black ink and is positioned above the printed name and title.

Susan Beckhusen
Planning Board Secretary

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 24th of October, 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Susan Beckhusen	Planning Board Secretary

Approval of Minutes

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to approve the minutes of October 10, 2001 as presented.

Public Hearings:

No new public hearings.

Old Business: Adjourned Hearings

01-5-7 Patrick & Kathryn Hadley (3) Preliminary Plat – Mud Mill Road

Robert Burleigh, surveyor and Patrick Hadley were present. Mr. Burleigh provided a survey of the property indicating the two separate lots. The frontage for each lot is 189 ½'. It was noted that there is a 16' right of way ingress/egress on either side of the railroad.

A variance was granted by the Zoning Board of Appeals regarding the less than minimum frontage for each of the two lots. The County Planning Board recommended disapproval indicating that the minimum building lines should be upheld.

James Keefe questioned whether or not there would be two driveways. It was noted that Parcel A currently has a driveway and that Parcel B, which, would be owned by the Hadley's daughter, would eventually have a driveway and a structure on it.

Ron Detota, C & S Engineering, indicated that Mud Mill Road was a county road not a town road and that 40' from the centerline of the parcels should be designated to the county in case they ever decided to widen the road.

The survey did note the variance Case #1035.

Chairman Kovac asked if there were any further questions or comments and hearing none, he declared the public hearing closed.

Motion was made by Walter Lepkowski, seconded by James Keefe to adopt a resolution using Standard Form #10, that for SEQR purposes, case #01-5-7 Patrick and Kathryn Hadley, Preliminary Plat be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or other environmental concerns that cannot be mitigated. Motion passed unanimously.

The final survey must comply with the 40' designation for the County should they decide to widen the road at a later date.

Motion was made by James Keefe, seconded by Karen Guinup adopting a resolution using standard form #40 granting Final plat approval to Patrick and Kathryn Hadley, based upon a map made by Robert Burleigh dated 10/22/01 subject to the following conditions:

1. Grant 40' easement along Mud Mill Road to the county.
2. Change the title to the Final Plat.

Motion passed 7:0

01-7-1 Doves Eye Enterprises, Inc. (Ashley Landing) (3) Preliminary Plat – north side of Oak Orchard and westerly of Henry Clay Boulevard

No one was present and there has been no communication since the last meeting.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe to adjourn this hearing until the next Planning Board meeting on November 14, 2001. Commissioner Tessier's office will be contacting the applicant in the meantime. Motion passed 7:0

Old Business: Hearings Closed

01-5-01 Tricon Global Restaurants (3) Preliminary Plat – 3877 & 3883 Route 31

01-5-02 Tricon Global Restaurants (3) Site Plan – 3877 & 3833 Route 31

Mr. Joseph Jerry was present. He indicated that Tricon had received an offer from COR, LLC to rent space from them. It was Mr. Jerry's understanding that Tricon was looking into this offer and may be withdrawing their applications to the Planning Board.

Mr. Jerry requested adjournment of these hearings until the November 14, 2001 Planning Board meeting.

Motion was made by James Sharpe, seconded by Bruce Johnson to adjourn these hearings until the next Planning Board Meeting, which will be held on November 14, 2001. Motion passed 7:0

01-5-3 Barbet Development Corp. (3) Preliminary Plat – Fairway East Extension No. 2 and No. 3 and Streamwood Extension No. 1 – west side of Morgan Road, south of Route 481 and north of Fairway East.

Chairman Kovac reiterated that the public hearing was closed and that this discussion was strictly for the Planning Board to discuss the street configurations. There would be no comments or questions from the public.

Chairman Kovac also noted that he, as well as the other Planning Board members, had received numerous letters from the residents and that their concerns were being reviewed and addressed. He noted the following letters as being received and the date of the letter.

Cheryl Keene	dated 10/15/01
Joe Murman	dated 10/18/01
Sharon Michaels	dated 10/18/01
Steve Rubacky	dated 10/19/01
Gary Collison	dated 10/24/01

A rendition of the preliminary plat was displayed. Commissioner Tessier outlined Morgan Road and Soule Road to establish the "boundaries" involving the Fairway East and Streamwood developments.

Commissioner Tessier indicated that he was working with the Planning Board to facilitate various ideas and options. It was noted that the Town Board had made the zone change and it was up to the Planning Board to try to work out an acceptable solution for the road.

The proposal for this development would include approximately 80 new homes. One parcel would consist of 37 lots, another 35 lots and the last, being in Streamwood, would consist of 8 lots.

Various options were discussed and included:

- Option #1 Extension of Dayton Drive to Coconut Tree Drive
- Option #2 Road proposed to extend through Streamwood
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- Option #1 The emergency vehicles would have a difficulty time in maneuvering the 90 degree turn that was proposed. Ron Detota indicated that the town has standards for town road and that there are minimum turning radii. These are necessary so that all vehicles would have the ability to navigate all turns without causing multiple accidents. It was noted that the current curve on Coconut Tree Drive is of greater concern than the one proposed.
- Option #3 Is not feasible as the area to be developed would not be done for at least 2-3 years.
- Option #4 This would eliminate the culvert that was proposed to allow for walking from one area to another in the open space. This option would also cause issues with drainage.
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Option #6 Ron Detota was asked whether or not this was a “doable” option. He indicated the road would have to extend from intersection to intersection. The road would need to be built to accommodate the Fire Department vehicles (heavier weight). It would basically be a one lane road but a bit wider to accommodate the larger vehicles. This would be “doable” however, the cost may be excessive to the developer. They would have to do research to decide on feasibility.

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Chairman Kovac indicated that he would like the Planning Board to narrow down the options so that they could give the developer some ideas on what they would like to see him work on to provide a revised plat. The developer can then work with Ron Detota to come up with a feasible plan.

After much discussion, the options chosen were: Option 1, 2, 3 and 4 (as one proposal) and Option 6.

Chairman Kovac asked that a vote be taken regarding each. It was noted that for Option #1, 2,3 and 4, James Sharpe, James Keefe and Ferdinand Lepinske were in favor of. Option #6, Al Kovac, Karen Guinup and Walter Lepkowski, Bruce Johnson were in favor of.

Chairman Kovac asked the developer if Option #6 was feasible and he indicated that he would have to do some research into it. He requested the opportunity to do research and work with C & S Engineering to see if it would work.

Motion was made by James Keefe, seconded by Ferdinand Lepinske to vote on SEQR.

Having heard no more questions, a motion was made by James Keefe to adopt the Town Board findings in FEIS, seconded by Ferdinand Lepinske. Motion passed 6:0

Walter Lepkowski abstained, as he would like to review FEIS prior to making a SEQR determination.

This item was adjourned to the next Planning Board Meeting on November 14, 2001.

01-9-1 Eldan Homes Inc. (1) Revised Preliminary Plat – Streamwood Townhouses, Section B – on Sandbar Lane, east of Streamwood Drive

Dan Barnaba, President of Eldan Homes, was present to present the amended plan. It was noted that at the last Planning Board meeting of 10/10/01 he was requesting a revision from Townhouses to Patio Homes. He was also requesting an amendment to the previously proposed drainage sites. The request was to narrow the drainage easements.

There was further discussion regarding the proposed Home Owner’s Association.

Mr. Barnaba is requesting approval for preliminary plat so that they can move into the next step of grading, utility acceptance, etc. and then onto final approval.

It was noted that on the preliminary plat presented no property lines were indicated. Scott Chatfield indicated that in order for a preliminary plat to be approved, property lines would need to be established and indicated. Since this was not done, it was felt that no decision could be made on this item.

Mr. Barnaba requested adjournment until the next Planning Board Meeting to be held on November 14, 2001 at which time he would have the necessary changes to present again for approval.

Motion was made by Ferdinand Lepinske, seconded by Karen Guinup to adjourn this hearing to the November 14, 2001 Meeting. Motion passed.

New Business:

01-7-2 Kelly-Tobin Development Corp., Lawton Valley Hunt, Sec. No. 5 – Final Plat

Ron Detota, C & S Engineering, presented on behalf of Nick Ianuzzi who was in a car accident and was recovering from surgery. The applicant is requesting subdivision for 31 lots. The Town Board has accepted the utilities and now the applicants are seeking approval of Final Plat from the Planning Board.

Motion was made by Karen Guinup, seconded by James Sharpe to adopt a resolution using standard form #40 granting Final Plat approval to Kelly-Tobin Development Corp., Lawton Valley, Section No. 5, based upon a map made by N. Ianuzzi, file #1774.004 dated 03/30/01; latest revision 08/14/01, subject to the following conditions:

1. Legal and engineering approval.

Motion passed 7:0

Informal Discussion:

Commissioner Tessier had a request from the zoning Board of Appeals to look at a special permit application from Goodrich Auction Services. The Zoning Board of Appeals is looking for some guidance from the Planning Board regarding the operation of an auction service. The applicant currently has a permit for an antique store. The Zoning Board has issues with the number of parking spaces and the access to and from the site.

Julian Clark, from Plumley engineering and Mr. and Mrs. Goodrich were present to discuss these issues. It was noted that both the County DOT and State DOT are satisfied with the 30', 27' and 25' driveways shown. Route 31 currently has a building set back of 135' and 90' to parking. The applicant is currently in compliance with that.

Mr. and Mrs. Goodrich have been working with the Town of Clay Planning and Development Office and it was noted that they are comfortable with the stated 89 parking spots that are available and the inside seating area to accommodate 100 people.

The current zoning in this area is C-5.

Based on the three buildings currently in the C-5 zone, parking requirements would be 121 spaces. There is a gravel area behind the building that could be used for additional parking.

Town of Clay
Regular Planning Board Meeting

Date: 10/24/01

APPROVED

The Zoning Board of Appeals is looking for the Planning Board to make comments as to what kinds of items they should be including for site plan..

Comments: Number of parking spaces should be 121 marked parking spaces.
Driveways as required by Onondaga County DOT on Henry Clay Blvd. and NYS DOT on Route 31.

These comments will be given to the Zoning board of Appeals via Commissioner Tessier and/or the Planning Board minutes from this meeting, 10/24/01.

Chairman Kovac asked whether the ZBA was looking for a formal recommendation or just comments.

Formal comment was made by Walter Lepkowski that the plan submitted looks adequate provided it is amended to show 121 parking spaces and noting that the Planning Board is neither advocating or not advocating that the special permit be approved.

Signs:

Tricon Global Restaurants – KFC and A & W

Adjournment to the next Planning Board meeting of November 14, 2001.

Video King permit #33,999

Jeff Packard, Packard Sign Co., and Larry Wilson, President of Video King, were present to present the application for a sign that would be located on the building located on Route 57.

Currently all signs on the building are done in green. The Video King sign as proposed would be located on the building, and would be within 10% of the section of the building that they would be occupying. The applicant presented a sign that would consist of red and white background with black lettering.

It was noted that the color scheme differs from what is currently on the building for the existing occupants. It was also noted that at the time of the original approval for signs on this building, any and all future signs would have to be in accordance with the green/beige color theme and style. This was expressed to the owner of the building at the time of his original request.

Mr. Wilson indicated that the owner/landlord of the building had approved what he was proposing and had provided a letter in which the owner/landlord stated such. It was the owner/landlord's recommendation that the Planning Board should approve it as well. The Planning Board members again indicated that the owner was aware that any future signs for this structure would have to remain within the same color theme and style as what had previously been approved.

Mr. Wilson raised the issue that the surrounding businesses have unique signs and questioned why that was possible and he was "restricted" to the green/beige theme and style. It was stated by the Planning Board members that the surrounding businesses were "free-standing" structures and where Video King was proposing to go it would be going in with other businesses and should be conforming.

Motion was made by Karen Guinup, seconded by James Keefe that the Video King application be denied based on the fact that when the owner originally requested approval he was told that all future signage would have to be conforming.

Town of Clay
Regular Planning Board Meeting
Date: 10/24/01

APPROVED

This particular location has a uniformity in color and size and what was proposed by the applicant for Video King does not comply.

Motion to deny passed 7:0

Adjournment

Motion was made by Bruce Johnson, seconded by James Sharpe to adjourn the meeting. The meeting adjourned at 11:50 PM. Motion passed.

Respectfully submitted,

Susan Beckhusen /TC

Susan Beckhusen
Planning Board Secretary

Town of Clay
Regular Planning Board Meeting
Date: October 10, 2001

APPROVED

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 10th of October, 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Ron DeTota	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Susan Beckhusen	Planning Board Secretary
LATE:	Scott Chatfield	Planning Board Attorney

Approval of Minutes

Motion was made by Deputy Chairman Walter Lepkowski, seconded by Ferdinand Lepinske, to approve the minutes of September 26, 2001 as presented.

Public Hearings:

01-9-1 Eldan Homes, Inc. (3) Revised Preliminary Plat-Streamwood Townhouses, Section B – on Sandbar Lane, east of Streamwood Drive.

Dan Barnaba was present to present the revised preliminary plat for Streamwood Townhouses, which would now be referred to as Patio Homes.

The project of 84 townhouses was previously approved, however, that project has now changed with the new proposal being that of 57 Patio Homes consisting of four different designs ranging in square footage of 1100 up to 1450 and ranging in price from \$110,000 to \$170,000. The patio homes would be more appealing to “empty nesters”. Mr. Barnaba was also requesting approval of a cluster development of units that would be 20’ apart versus 40’ as previously approved.

Questions were asked in regards to how these units would be built. Will there be an increase in traffic during peak times of day. At the present time there is an overgrowth of vegetation that currently acts as a noise buffer for the Streamwood residents from Route 481 traffic, and would this remain, or what would be done to keep some type of buffer for the residents.

It was noted that the utilities have yet to be approved.

Town of Clay
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Ron DeTota, C & S engineer, recently received an updated plan in regards to grading and drainage issues that he will need to review further. There were some questions on the property line easements and lot lines, and it was noted that re-grading would be necessary.

It was noted that a SEQR determination was made, and since this was a revised preliminary plat it should not change.

Mr. Barnaba indicated that there would be further approvals needed in order to begin, however, he felt that they could start building before the end of the year and that new homeowners would be able to move in, in late spring or early summer 2002.

Hearing no more questions or comments, Chairman Kovac closed the public hearing.

Motion was made by Walter Lepkowski, seconded by James Keefe to adopt a resolution using Standard Form #10, that for SEQR purposes, case #01-9-1 Eldan Homes, Inc. be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion passed unanimously.

Old Business: Adjourned Hearings

01-5-3 Barbet Development Corp(3) Preliminary Plat, Fairway East Extensions No. 2 and No. 3, and Streamwood Extension No. 1-west side of Morgan Road, south of Route 481 and north of Fairway East.

Ivan Zdrahal, representing Barbet Development presented the plans for the preliminary plat for Fairway East Extension No. 2 and No. 3 and Streamwood subdivision Extension No. 1. He stated that since the last meeting of September 26, 2001 there had been a few revisions, and the recommendations that were made by the Board last meeting have been addressed.

Revisions include:

- Provide plan for emergency access road
- New proposed town road to be paved
- Detention basins are now shown
- Reference to the parkland was changed to open space with paths allowing for pedestrian traffic

Over 35 residents from the Fairway East and Streamwood developments were present at the meeting. Many residents voiced their concerns in regards to the proposed access road encompassing Dayton Drive and Coconut Tree Drive.

The main concerns of the residents are as follows:

- Safety of the residents and children
- Increased traffic due to more residents as well as the "cut through" traffic
- Excessive speeding
- Drainage
- Additional noise

Town of Clay
Regular Planning Board Meeting
Date: October 10, 2001

Attorney Scott Chatfield took his seat at 9:00 pm.

The residents of Fairway East are opposed to the new location of the road and many raised questions on how the change was determined. It was noted that the Town Board gave the zoning change and it is up to the Planning Board to approve the location of the roads and of the lots.

Mr. Zdrahal indicated that the reason the Dayton Drive/Coconut Tree Drive area was chosen was based on the wetlands and that by putting the road in this area, they would be way above the flood levels. If you go straight through to Streamwood or the other surrounding areas, you would have to go through the wetlands which would require DEC approval, which they were not likely to obtain.

While the residents, in general, oppose the new development and additional access road, they brought up the idea of the possibility of having two "one-way" roads for the emergency access road. Mr. Zdrahal indicated that this might be a possibility.

Ron DeTota, C & S engineer, indicated that he will work with the developers and the engineers to determine a feasible alternative.

Chairman Kovac asked if there were any further questions and there being none, Chairman Kovac closed the public hearing. This item was adjourned to the next Planning Board Meeting, October 24, 2001.

01-5-7 Patrick & Kathryn Hadley (3) – Preliminary Plat, Mud Mill Road

Motion was made by Ferdinand Lepinske, seconded by James Sharpe to adjourn this case to October 24, 2001. Motion passed.

01-6-1 Anthony Ianno – Zone change Recommendation –A-1 to C-2 3652 State Route 31

Jan Kublick, attorney for the applicant, was present to present zone change recommendation, A-1 to C-2 – 3652 State Route 31

The issues under discussion relate to traffic. The engineers did a traffic study and submitted it to the State DOT, County DOT and Town Engineers. The main issue is the concern about cut through/bypass traffic from Route 57 to Route 31. This has been addressed. It was indicated that the traffic would enter into the parking lot, circulate through the parking lot and leave from the opposite end. This plan was acceptable to the State DOT.

It was noted that the public would not utilize this ingress and egress to bypass the existing traffic light at Route 57 and Route 31 due to the fact that there would be nothing to gain by doing so. It would not provide any faster alternative than to utilize the existing pattern.

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There was a question raised in regards to the left in/left out proximity to the existing Mobil station and it was determined that there would be approximately 300' between each.

It was indicated that the Route 31 frontage would most appropriately be commercial zoning while the balance of the property be residential.

Mr. Kublick indicated that should the Planning Board consider making positive recommendation for C-2 to the Town Board, a resolution would be made for residential zoning for the balance of the property.

Having heard no further questions, Chairman Kovac closed the public hearing and asked for a motion.

Motion was made by Bruce Johnson, seconded by Karen Guinup, recommending the Planning Board recommend disapproval to the Town Board for zone change from A-1 to C-2 based on the fact that C-2 seems improper zoning for the location.

James Keefe opposed based on the fact that he felt that C-2 was a valid use and it was the most economically feasible.

Ferdinand Lepinske opposed stating that he felt C-2 would be an acceptable zone and for the high density housing that would probably be built on the balance of the property.

James Sharpe opposed stating that he was not entirely accepting of the C-2 but the other options, he felt, would not fit in as well with the surrounding areas as well as C-2 would.

A vote was taken and was as follows:

- Allen Kovac – For
- Walter Lepkowski – For
- James Keefe – Against
- Karen Guinup – For
- Ferdinand Lepinske – Against
- James Sharpe – Against
- Bruce Johnson – For

Motion to recommend disapproval was passed 4 to 3.

01-6-3 Nortel Networks (3) Site Plan – 4785 Buckley Road

Alfredo D'Ambrogio, from Pyramid Network Services, LLC and Jill Yonkers, of Hodgson Russ, LLP, stated that they had received the necessary area variance from the Zoning Board of Appeals to extend the existing tower by 12'. They are now looking for site plan approval from the Planning Board. It was noted that any additional extensions would require additional variances but it was not their plan to do any additional extensions.

Hearing no further questions, Chairman Kovac closed the Public Hearing.

Motion was made by Karen Guinup, seconded by James Keefe to adopt a resolution using Standard Form #10, that for SEQR purposes, case #01-6-3, Nortel Networks Site Plan, be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion passed.

Motion was made by Deputy Chairman Walter Lepkowski, seconded by James Sharpe to adopt a resolution using standard form #20 granting site plan approval, to Nortel Networks, based upon the map made by KDC Architects/Engineers, P.C. (Drawing A-1) Job #SRY-0158 dated 09/04/01, subject to the condition of applicant indicating Zoning Board of Appeals variance information on the plan.

01-7-1 Doves Eye Enterprises, Inc. (Ashley Landing) (3) Preliminary Plat – north side of Oak Orchard and westerly of Henry Clay Boulevard

Motion was made by Walter Lepkowski, seconded by Karen Guinup, to adjourn this hearing to October 24, 2001 pending additional information from the applicant. Motion passed.

01-7-4 Robert Hamlin & Ethel M. Hamlin (3) Preliminary Plat-8064 Henry Clay Boulevard

Ben Russell, attorney for applicant, Mrs. Ethel Hamlin and Mr. David Hamlin were present, however, they had to leave prior to the hearing.

It was noted that they did receive a variance regarding the subdivision showing the lot division line 30' south as previously recommended by the Planning Board. The Zoning Board of Appeals also added the condition of no further subdivisions.

It is recommended that the applicants submit a revised plat showing the new subdivision moving the lot 30' south as recommended.

Motion was made by James Keefe, seconded by Walter Lepkowski to adjourn this to the November 14, 2001 meeting. Motion passed unanimously.

Old Business: Hearings Closed

00-4-1 Amerada Hess Corporation-Zone Change Recommendation, Second amended application R-4 to C-4 and C-1, southeast corner of Bear and Buckley Roads

Paul Curtin, attorney, and Dennis Kennelly, engineer, were present to request a zone change from R-1 to C-1 and C-4. It was stated that they are requesting C-4 for the corner parcel where the Hess gas station will be and the remainder of the parcel will be C-1. They are asking for recommendation from the Planning Board for the C-1 and C-4 zone change. This will then be presented to the Town Board.

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Chairman Kovac hearing no other questions asked for a motion.

Motion was made by James Keefe, seconded by Bruce Johnson, to recommend to the Town Board to rezone to C-1 and C-4 as applied for, acknowledging applicant has offered to install an increased buffer zone.

Walter Lepkowski was opposed to the C-4 change as he felt that Hess should be considered a heavy usage. He had concerns regarding the traffic flow in and out. He did however, agree with the C-1 zone change request.

Motion passed 6 to 1.

New Business: Signs

Thrifty Car Rental – 3808 Brewerton Raod (Formerly DeWitt Bagelry) Permit #33964

Anthony Sgroi, owner, was present. Mr. Sgroi indicated that the sign would be 25' high and 32 square feet. He is also requesting two wall mount signs.

It was noted that the area is zoned C-5.

Deputy Chairman Lepkowski indicated that he would like to see the sign be a bit smaller.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to approve the sign as presented by the applicant.

Bruce Johnson opposed.

Motion passed 6 to 1

Park Rose Estates, formerly Janus Park, Permit #33948

Commissioner Tessier presented the application for a free standing sign 8'x 11' and 3' off the ground.

The area is zoned C-5

Motion was made by Bruce Johnson, seconded by Ferdinand Lepinske to approve the sign as presented.

Walter Lepkowski opposed.

Motion passed 6 to 1

Town of Clay
Regular Planning Board Meeting
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Target Permit #33952

Commissioner Tessier presented the application from Target. He indicated that the letters would be "cutout" and mounted on the building.

Motion was made by Deputy Chairman Walter Lepkowski, seconded by James Sharpe, to approve the sign as presented.

Motion passed 7 to 0

Adjournment

Motion was made by James Sharpe, seconded by Ferdinand Lepinske to adjourn the meeting. The meeting adjourned at 12:00 midnight. Motion passed.

Respectfully submitted,

A handwritten signature in black ink that reads "Susan Beckhusen". The signature is written in a cursive style with a large initial 'S'.

Susan Beckhusen
Planning Board Secretary

APPROVED

September 26,2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 26th of September 2001.

The meeting was called to order by Deputy Chairman Lepkowski at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	James Sharpe	Member
	Scott Chatfield	Planning Board Attorney
	Ron Detota	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary
ABSENT:	Allen Kovac	Chairman
	Bruce Johnson	Member
LATE:	Ferdinand Lepinske	Member

Approval of Minutes

Motion was made by Karen Guinup, seconded by James Keefe, to approve the minutes of September 12,2001 as presented.

Deputy Chairman Lepkowski thanked Mary Ellen Sims, Planning Board Secretary for a job well done over the past years. She is resigning her position with the Planning Board due to work commitments.

01-7-4 Robert Hamlin & Ethel M. Hamlin Preliminary Plat- 8064 Henry Clay Boulevard

Deputy Chairman Lepkowski stated that this case should not be on the agenda tonight and therefore is deleted from tonight's agenda.

04-4-1 Amerada Hess Corporation Zone Change Recommendation-Second amended application, R-4 to C-04 and C-1- southeast corner of Bear and Buckley Roads

This case should be listed under closed hearings

Public Hearings:

01-5-3 Barbet Development Corp Preliminary Plat, Fairway East Extension No. 2 and No.3 and Streamwood Extension No. 1- west side of Morgan Road, south of Route 481 and north of Fairway East

Ivan Zdrahal, representing Barbet Development presented the plans for the preliminary plat for Fairway East Extension No. 2 and No. 3 and Streamwood subdivision Extension No. 1.

The total project encompasses 87.61 acres and a proposed 78 R-1 lots that will be developed. The applicant denotes 49 acres of open land and parkland that will be offered for dedication to the Town of Clay.

The Town Board recently rezoned this property. There were six items of concern when the zone change application was presented to the Town Board. One concern was that the applicant provide access for emergency vehicles from the proposed R-5 area to the proposed R-1 area.

The applicant responded by stating that that access could not be installed due to the extensive amount of fill that would have to be installed in the wetland area. They stated that they would be unable to obtain a permit from the DEC or the Army Corps of Engineers. However, they believed that it was possible to install an

emergency access roadway at the intersection of Coconut Drive and Dayton Drive that would allow the emergency access that is desired. A crash gate could be installed so that emergency vehicles use this road only.

The planning board discussed this option at length. They were concerned that this access, as proposed, would not be built to Town specifications and therefore would not be accepted by the Town. The road would be on Town property. One issue was the snow accumulation in the winter months would deem this road unusable many months out of the year.

Deputy Chairman Lepkowski asked if there were any questions.

Rand Klinke, 8239 Coconut Tree Drive, asked where the crash gates would be located in regards to the property line at the Michaels residence. He asked if the road would be dedicated to the Town of Clay. James Keefe stated that the Town would not accept a road not built to Town specifications. Mr. Klinke was concerned about the drainage issue. He commented that his house backs up to the wetland area and that there are many animals that reside there. He stated that, if this land were developed, there would be no place for the animals to go. He would like to see a nature trail area, similar to Beaver Lake in this area.

Jim Kristoff, resident, asked about the parkland and a walkover to the parkland from the Fairway East development. He commented that in 1988 the residents in this area wanted the parkland accessible to all residents.

Bob Michelson, Moyers Corners Fire Department, was concerned that the land to the west was isolated and that the proposed access road should be a true road.

Ferdinand Lepinske took his place on the board. Time is 8:15 PM.

Onondaga County Planning Board recommendation was that this application be approved with the following condition:

That any future subdivision request which proposes new lots accessing the intersection of Fairway North and Morgan Road will require a traffic impact study.

Commissioner Tessier commented that the Town Board is aware of the traffic issues on Morgan Road They have requested that C & S engineers do a brief study to present to the County DOT to do a further study of the traffic on Morgan Road, Henry Clay Boulevard and Soule Road.

The proposed open space includes detention basins and parkland area as denoted on this plan. The planning board needs to determine if this is an adequate amount of open space.

Ron DeTota, C & S engineer commented the following items need to be addressed:

The preliminary plat needs to be prepared by a licensed land surveyor

New districts will need to be created and approved

All detention basins that are proposed are located on Town land, and should be located on private land with easements.

Reference to the parkland should be changed to open space. The Town Board decides whether to designate this land as parkland.

The Chief of the Clay Fire Department wrote a letter to the Planning Board regarding this proposed development. They had specific criticism of the access road and the proposed cul-de-sac and requested a through street for emergency access.

The planning board took a poll on the proposed access road to Coconut Tree Drive with the options being:

- Paved road
- Access road as presented
- No road of any kind

The members voted as follows:

- Jim Keefe- paved road
- Karen Guinup- paved road
- Walt Lepkowski- road as presented
- Jim Sharpe- paved road
- Bud Lepinske- paved road

James Keefe commented that it is a safety issue that the proposed access road should be a second access point and should be paved.

Dan Barnaba, developer, commented that creating a paved access road is against the wishes of the residents.

Bob Michelson, Moyers Corners Fire Department, stated that if the road is paved, he did not feel that it would be a cut-through. He felt that life safety is a bigger concern.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to adjourn the public hearing to October 10, 2001. Motion Passed.

01-9-2 Town of Clay Town Board, Zone Change Recommendation, A-1 to R-1 – west of Morgan Road, south of Fairway East

Commissioner Tessier presented the application of the Clay Town Board for a zone change recommendation from the Planning Board from A-1 to R-1 for property located west of Morgan Road, south of Fairway East.

The parcel is approximately 17 acres and is owned by Barbet Corporation.

Commissioner Tessier presented a conceptual plan drawn by C&S Engineers, showing the possibility of 36 R-1 lots on this parcel. The lots would be comparable to the existing single-family homes in Fairway East.

Karen Guinup asked if R-1B would be a practical zone change for this parcel. Commissioner Tessier stated that R-1B would not be practical for this area. R-1A might be a feasible zone change.

It was noted that the two stub streets located in Fairway East were built with the intention of future development to the south of this area.

Deputy Chairman Lepkowski asked if there were any questions or concerns.

Brad Olin, president of Barbet, stated that he was the owner of the 17-acre parcel. He noted that Barbet is not part of this zone change request and that they do not want to be part of this zone change application.

He stated that they are opposed to any rezoning on this parcel and that they oppose an R-1 rezoning classification.

He commented that they could assure the Town of Clay that this parcel will only be developed as residential. They would not seek any other zone change. He felt that many other residential zoning classifications could be utilized on this parcel, including the possibility of an R-5 zone. His biggest concern is that this is not the

time for a zone change on this property. He felt that Barbet Corporation should not be forced into an R-1 zone.

He commented that a new intersection constructed at Morgan Road across from Waterhouse Road would be mitigation for increased traffic on Morgan Road as a result of future development.

Dan Barnaba, developer, commented that his company would be interested in the parcel if it were zoned R-5. The parcel that is zoned R-5, along Route 481, will have patio homes constructed and if this project is successful, he would consider the same type of project for this parcel.

James Keefe, Planning Board member commented that the Town Board has been more re-active, rather than pro-active. He would like to see the area developed as a whole.

Deputy Chairman Lepkowski commented that he felt that density would be very important. He is open to any residential zoning for this parcel. He stated that the felt that a corridor study should be done for Morgan Road.

He felt that R-1 zone would be a recommended zone with the stipulation that, as a result of a corridor study, other residential zones could be feasible.

James Keefe felt that the parcel should remain A-1 and start the process for the corridor study for Morgan Road.

Dan Barnaba felt that the Town should not take someone's property and rezone it against his or her wishes.

Hearing no more questions, Deputy Chairman Lepkowski closed the public hearing.

Motion was made by Ferdinand Lepinske, seconded by James Keefe, to recommend to the Town Board in regards to Case # 01-9-2 that there be no change in zoning, that this parcel remain an A-1 zone and that the Town should undertake a corridor study for Morgan Road. Motion Passed Unanimously.

Old Business: Adjourned Hearings

01-5-7 Patrick and Kathryn Hadley, Preliminary Plat- Mud Mill Road

Motion was made by James Sharpe, seconded by Ferdinand Lepinske, to adjourn this case to October 10, 2001. Motion Passed.

01-6-1 Anthony Ianno - Zone Change Recommendation - A-1 to C-2 3652 State Route 31

The applicant has requested an adjournment to a later date on this public hearing.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to adjourn this public hearing to October 10, 2001. Motion Passed.

01-7-1 Doves Eye Enterprises, Inc (Ashley Landing) (3) Preliminary Plat - northside of Oak Orchard and westerly of Henry Clay Blvd.

Carl Ashley, owner of the parcel, was present to present the preliminary plat for Doves Eye Enterprises, Inc. for a parcel located on the northside of Oak Orchard and westerly of Henry Clay Boulevard.

The parcel is approximately 41 acres and zoned A-1. The applicant proposes a 13-lot subdivision, with 100,000 square foot lots. The applicant is proposing a road access onto Oak Orchard Road.

Onondaga County Planning Board's recommendation, dated August 9, 2001 stated that they needed an extension of review time for the site distance requirements for the proposed access road. The original plan did not meet the Onondaga County Department of Transportation site distance requirements.

The applicant commented that the resolution to this concern was the relocation of this road and the adjustment of the road contours. He commented that the plan does meet A-1 requirements and that the Town specifications for the cul-de-sac have been met.

Deputy Chairman Lepkowski stated that the Planning Board did receive a letter from Desmond Farrell, adjoining neighbor to the west of the proposed access road. He is concerned that lights from cars will shine into his home and that the proposed access road is too close to his side property line.

The applicant stated that he has planted a row of trees along this property line to shield Mr. Farrell's property.

The planning board suggested that the applicant could convey the small triangular piece of land between the proposed access road and Mr. Farrell's property line to Mr. Farrell.

The following items need to be addressed by the applicant:

- Catch basin needs to be located between lots # 3 and # 4
- Increase the diameter of the cul-de-sac to 130'
- Road should be conveyed to the Town
- Site Distance Easement needs to be shown on the plan
- Archeological study- the planning board needs a comment from the State Historical Preservation Office. A Phase 1 study may need to be done on this property.

Ferdinand Lepinske commented that a neighbor stated that 30 years ago a skeleton was found in this location and there could be more on this property.

The applicant stated that lot # 2 and lot # 9 have been mined.

Motion was made by James Sharpe, seconded by James Keefe, to adjourn this case to October 10, 2001.
Motion Passed.

Old Business: Hearings Closed

04-4-1 Amerada Hess Corporation Zone Change Recommendation-Second amended application, R-4 to C-04 and C-1- southeast corner of Bear and Buckley Road

There are issues regarding the storm water drainage to be mitigated in regards to this application. The hearing is closed and this case will be on the October 10, 2001 agenda.

01-5-6 Hafner Developers (3) Preliminary Plat, off Dolshire Drive, south of West Taft Road and east of Clay Town Park South

John Wentling, Engineer for Hafner Development, presented the preliminary plat for Hafner Developers for property located off Dolshire Drive, south of West Taft Road and east of Clay Town Park South.

The developer has made the modifications suggested by the planning board. The road width has been added to the plan, the drainage easement has been shown on the plan and the developer has addressed the concerns regarding drainage. Grading will be addressed.

Ron DeTota, C & S engineers stated that the applicant will need to petition for sewer, drainage and water districts.

Onondaga County Planning Board recommended that the applicant consider combining the 23' x300" extension of Lot 16 with an adjoining property to avoid creating an unusable area between the park and the uses along Taft Road.

Motion was made by James Keefe, seconded by Karen Guinup, to adopt a resolution using Standard Form # 30, granting preliminary plat approval to Hafner Developers, based on a map by Robert Goodeve, dated 8/3/2000, revised 9/20/2001 showing file # 86173-S and subject to legal and engineering requirements. Motion Passed.

01-5-1 Tricon Global Restaurants, Inc. (3) Preliminary Plat - 3877 & 3883 Route 31

01-5-2 Tricon Global Restaurants, Inc. (3) Site Plan - 3877 & 3883 Route 31

This case is adjourned to October 24, 2001.

Signs:

Tricon Global Restaurants- KFC and A & W

Deputy Chairman Lepkowski stated that the sign request from Tricon Global Restaurant would not be addressed at this meeting.

North Medical Center Office Building Sign

Commissioner Tessier presented the revised application from Gastroenterology & Hepatology of CNY, 5112 West Taft Road.

The applicant addressed all the concerns of the board stated at the meeting of September 12, 2001 and incorporated these requests into their revised application.

There was a lengthy discussion on the sign that would read "Endoscopy Center".

Motion was made by James Keefe, seconded by James Sharpe, to approve the signs as presented in application # 33,864 for the Gastroenterology & Hepatology of CNY sign and the Endoscopy Center sign. Motion Passed.

Adjournment

Motion was made by James Sharpe, seconded by Ferdinand Lepinske to adjourn the meeting. The meeting was adjourned at 11:00 P.M. Motion Passed.

Respectfully submitted,



Mary Ellen Sims
Planning Board Secretary

APPROVED

September 12, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 12th of September, 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Scott Chatfield	Planning Board Attorney
	Ron Detota	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Susan Beckhusen	Acting Planning Board Secretary

Chairman Kovac asked for a moment of silence prior to the start of business, in respect for the victims, their families and all personnel involved in the terrorist attack on America.

Approval of Minutes

Motion was made by James Sharpe, seconded by Walter Lepkowski, to approve the minutes of August 22, 2001 as presented.

Public Hearings:

00-4-1 Amerada Hess Corporation, Zone Change Recommendation – Second amended application, R-4 to C-4 and C-1, southeast corner of Bear and Buckley Roads.

Paul Curtin, attorney, Dennis Kennelly, and William Wolfrom, marketing real estate manager for Hess Corporation, were present to brief the board on the revised site plan for Hess Corporation for property located at 7369 Oswego Road.

The applicant requested a zone change from R-1 to C-1 and C-4. A traffic study was performed and C-1 zoning would allow for less intensive use. Mr. Kennelly stated that the level of service would not change whether it was zoned R-4, C-4 or C-1. Paul Curtin indicated that if C-1 zone was given there would be more interest in a larger build out by prospective tenants.

More landscaping was added to the plan. There was concern about lighting and it was agreed that the applicant would work closely with the Planning Board on this.

Commissioner Tessier indicated that a DEIS was requested by the Town Board, and they accepted the previously submitted DEIS for the C-2 zone change. The Town Board has also received a protest petition per Section 265 of Town Law, which will require a vote of 75% of the Town Board Members.

Chairman Kovac, having heard no further comments, closed the public hearing for case #00-4-1 Amerada Hess Corporation, Zone Change Recommendation. Recommendation will be made at the September 26, 2001 meeting for the Town Board meeting on October 1, 2001.

01-7-4 Robert J. Hamlin & Ethel M. Hamlin (3) Preliminary Plat – 8064 Henry Clay Boulevard

Ben Russell, attorney for applicant, Mrs. Ethel Hamlin and Mr. David Hamlin were present to present preliminary plat plans for the property located at 8064 Henry Clay Boulevard.

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The plan is to subdivide the lot and obtain a variance allowing for two separate lots. The County is not in favor of this since it would involve an additional driveway, however, it was noted that there currently is a driveway present that is overgrown and not currently in use. The applicants have appeared before the Zoning Board for the variance and it is under consideration. A variance is needed due to the fact that the lot dimensions will fall short of the square footage and frontage requirements. Chairman Kovac suggested that the applicants consider additional ways to make Lot 2 larger by moving the lines. He also indicated that all of this would have to be proposed in the variance. Deputy Chairman Lepkowski questioned whether the Zoning Board of Appeals was looking for guidance from the Planning Board and Commissioner Tessier stated that the Zoning Board of Appeals was asking for some input on lot division. It was stated by the Planning Board that a more equal division of the lot is preferable.

Attorney Scott Chatfield indicated that there was a time when the Planning Board routinely was involved in recommendations to the Zoning Board of Appeals for variances and have routinely said that they get decided solely on their merits. While the Planning Board is not recommending the variance, they are simply providing input because the Zoning Board of Appeals specifically asked for the Planning Board's input, the Planning Board believes that the more the property division is equal, in terms of frontage and square footage, the better.

Deputy Chairman Lepkowski made the following resolution. Be it resolved that, by motion, the Planning Board is recommending that the southerly lot line of Lot 2 be moved south 30 feet. They feel that this represents a reasonable accommodation to follow the intent of the A-1 zoning.

Motion was made by Walter Lepkowski, seconded by James Keefe, commenting on the reconfiguration of Lot 1 and 2 to more closely represent the requirements of A-1 zoning.

Commissioner Tessier will provide the Zoning Board of Appeals with the recommendation at the October 8, 2001 meeting. A site map will be revised and present to the Zoning Board of Appeals at the October 8, 2001 meeting.

Motion was made by James Keefe, seconded by Karen Guinup, to adjourn this public hearing to October 10, 2001. Motion Passed 6-1. Ferdinand Lepinske opposed the movement of the lot line.

Old Business: Adjourned Hearings

01-6-3 Nortel Networks (3) Site Plan – 4785 Buckley Road

Commissioner Tessier stated that the applicant was not expected tonight on this issue as they are in need of variances. He spoke with the applicants and they have agreed to adjourn this hearing until October 10, 2001 assuming they can get their variances voted on October 8, 2001 by the Zoning Board of Appeals.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to adjourn this hearing to October 10, 2001. Motion Passed.

01-7-1 Doves Eye Enterprises, Inc. (Ashley Landing) (3) Preliminary Plat – north side of Oak orchard and westerly of Henry Clay Boulevard

The applicant is working on resolving issues that the County has in regards to the location of the road for the subdivision. Commissioner Tessier stated that he received a call from the applicant requesting adjournment of this hearing to September 26, 2001. Property owners, Mr. and Mrs. Farrell, have a house that is west and very close to that driveway. Mrs. Farrell was present and had concerns.

Mrs. Farrell voiced her concerns about the location of the road, as it will surround almost all of her house. She indicated that there was a larger space between her property and the property up the street that might be more suitable. Mrs. Farrell was also concerned about increased traffic coming in and out of there as well as the lighting at night.

The County is concerned with the location of where this new proposed road meets this existing road. Commissioner Tessier believes that the County has asked the applicant to relocate it, however, he has not received their response to

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that. The proposal is to move the road to the east. Commissioner Tessier spoke with Jim Stelter of Onondaga County D.O.T. regarding this.

Chairman Kovac advised Mrs. Farrell that she should be present when the applicant is present, possibly at the September 26, 2001 meeting to further voice her concerns. Mrs. Farrell stated that she and Mr. Farrell would be unavailable to attend that meeting. It was recommended that she and Mr. Farrell voice their concerns in written form to be presented at the September 26, 2001 meeting by the Planning Board.

Commissioner Tessier indicated that the County has requested an indefinite extension awaiting something in writing from Jim Stelter in regards to relocation of the road. Chairman Kovac stated that the County DOT indicated that the proposed side road does not meet site distance requirements and will have to be relocated. Chairman Kovac requested this in writing from the County D.O.T. Commissioner Tessier stated that it was up to the applicant to provide something to County Planning. Their next meeting is October 18th.

Chairman Kovac asked if there were any further comments and after hearing none, he requested adjournment as the applicant requested.

Motion was made by Karen Guinup, seconded by Walter Lepkowski to adjourn this Preliminary Plat hearing to September 26, 2001. Motion Passed.

Old Business: Hearings Closed

01-5-1 Tricon Global Restaurants (3) Preliminary Plat – 3877 & 3883 Route 31

01-5-2 Tricon Global Restaurants (3) Site Plan – 3877 & 3883 Route 31

Chairman Kovac indicated that the only update that has been seen is a letter to Mr. Joseph Jerry, attorney for the proposed KFC store. It is from Barry Stevens of the State D.O.T and it reiterates their position regarding the right in/right out type of driveway. It is assumed that that is what the state would entertain as far as an access to Route 31.

Mr. Joseph Jerry, attorney for KFC was present. He is aware that the State D.O.T would be calling a meeting and Tricon Global Restaurants, COR Development and representatives of the Planning Board would be invited to attend.

Chairman Kovac inquired as to what action Mr. Jerry would like to see taken at this meeting. Mr. Jerry indicated that if the board wished to plead the access question to the state or the alternative would be that the board could adjourn again if they so desire.

Chairman Kovac indicated that what the board has seen in regards to the right in/right out type of restriction on access to route 31 is what would be approved. As far as the subdivision goes, if Mr. Jerry wanted to see this done, they could do that. A site plan is not available that would be acceptable to approve.

Mr. Jerry's position was that it would be better to wait and see what the outcome of the State meeting will be. He requests that the hearings be adjourned.

Chairman Kovac indicated that since the hearings are closed, and you cannot adjourn a public hearing that is closed, it would be placed on the agenda for the September 26, 2001 meeting.

Attorney Chatfield indicated that he is not terribly concerned about site plan approval because it will automatically default and he is really not concerned about subdivision because it is such a simple process but he would like Mr. Jerry to state for the record that he waives any rights that he would otherwise require in respect to subdivision and site plan by reason of the 62 day statute. Mr. Jerry indicated for the record that it was so waived.

New Business: Signs

Tricon Global Restaurants – KFC & A & W Chairman Kovac indicated that the Tricon Global Restaurants – KFC & A & W signs would not be addressed at this meeting.

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North Medical Center Office Building

Commissioner Tessier presented the application for Gastroenterology & Hepatology of CNY located at 5112 W. Taft Road. There was concern as to the length of the lettering, style and location. It was determined that the lettering cannot exceed 16 feet in length, the board will allow for smaller lettering, letters no taller than existing, it would be limited to the name of the business only, letter style to match existing letter style on building, only white letters and there would be only one sign, one line per sign allowed and it would be located on the first level.

Chairman Kovac recommended rejection of the sign as presented. Commissioner Tessier will present a re-designed sign permit at a future date.

Town of Clay Town Board, Zone Change Recommendation, A-1 to R-1 Barbet Development Corp., property, Morgan Road and Fairway East Drive

Chairman Kovac indicated that the Town Board would like the Planning Board to review the zoning on the property south of the Morgan Road entrance to Fairway East. On the south of it there is currently a parcel that is zoned A-1. The parcel on the north side is R-1 and the Town Board would like the Planning Board to consider zoning this parcel R-1.

Chairman Kovac inquired as to what other zones might be appropriate. On the west side of Fairway East there is an area that is currently zoned R-5.

Chairman Kovac noted Morgan Road gets a lot of commuter traffic and he inquired as to whether the county is studying the traffic on Morgan Road. Commissioner Tessier indicated that the Town Board has request C & S Engineers to do a brief study to present to the County D.O.T to do a further study of the traffic on Morgan Road, Henry Clay and Soule Road, in this area, because of this additional and projected development.

Commissioner Tessier indicated that he felt it was best to discuss this tonight so that at the next meeting the Planning Board could make a recommendation. There will be an informational hearing on this at the September 26, 2001 meeting.

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske to adjourn this meeting. The meeting was adjourned at 10:00 PM. Motion Passed.

Respectfully submitted,



Susan I. Beckhusen
Acting Planning Board Secretary

APPROVED

August 22, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 22nd of August, 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Scott Chatfield	Planning Board Attorney
	Ron Detota	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary
ABSENT:	Bruce Johnson	Member

Approval of Minutes

Motion was made by James Sharpe, seconded by Ferdinand Lepinske, to approve the minutes of July 25, 2001 as presented.

Public Hearings:

01-7-1 Doves Eye Enterprises, Inc (Ashley Landing) (3) Preliminary Plat - northside of Oak Orchard and westerly of Henry Clay Blvd.

Carl Ashley, owner of the parcel, was present to present the preliminary plat for Doves Eye Enterprises, Inc. for a parcel located on the northside of Oak Orchard and westerly of Henry Clay Boulevard.

The parcel is approximately 41 acres and zoned A-1. The applicant proposes a 13 lot subdivision, with 100,000 square foot lots. The applicant is proposing a road access onto Oak Orchard Road.

Chairman Kovac read the following statements from Onondaga County Planning Board's Recommendation dated August 9, 2001:

Onondaga County Planning Board requests a extension of review time on this application for the following reason: The proposed access road does not meet Onondaga County Department of Transportation sight distance standards and the subdivision needs to be reviewed. They state that if the extension is not granted, they would recommend

DISAPPROVAL because the proposed intersection of Ashley Landing Drive with Oak Orchard Road does not meet Onondaga County Department of Transportation sight distance requirements.

The applicant responded that he would consider re-locating the road more towards the center of the development and applying under Article 278, asking for a reduction of 10% for lot size and 10% reduction of side yard setback requirements.

Ron DeTota, C & S engineer, stated that he had not prepared a formal letter on this application to date, due to the fact that the plan was changing. He did comment that this is a very sensitive archeological area and asked if the applicant had arranged for a Phase 1 Study.

Ferdinand Lepinske also commented that this is a very sensitive area for artifacts. The applicant responded that he would have the study and results by the next meeting.

Commissioner Tessier commented that he has been in contact with Mr. Farrell, a neighbor to this proposed development. Mr. Farrell is concerned that the proposed road is too close to his property and would like to see the road moved further to the east.

Clay Fire Department sent a letter to the Planning Board stating that they are recommending fire hydrants be placed at 500 foot intervals beginning at the intersection of Oak Orchard and Ashley Landing Drive and that the temporary turn around should be large enough to allow a fire truck to turn around without backing up.

Hearing no more questions, Chairman Kovac asked for an adjournment on this hearing.

Motion was made by Karen Guinup, seconded by James Keefe, to adjourn this public hearing to September 12, 2001. Motion Passed.

Old Business: Adjourned Hearings

01-5-7 Patrick and Kathryn Hadley (3) Preliminary Plat - Mud Mill Road

The applicant has requested an adjournment to a later date for this public hearing.

Motion was made by Ferdinand Lepinske, to adjourn the public hearing for Patrick and Kathryn Hadley for a preliminary plat on Mud Mill Road to September 26, 2001. Motion Passed.

01-6-1 Anthony Ianno - Zone Change Recommendation - A-1 to C-2 3652 State Route 31

The applicant has requested an adjournment to a later date on this public hearing.

Motion was made by Karen Guinup, seconded by Walter Lepkowski, to adjourn this public hearing to September 26, 2001. Motion Passed.

Old Business: Hearings Closed

01-5-6 Hafner Developers (3) Preliminary Plat, off Dolshire Drive, south of West Taft Road and east of Clay Town Park South

Commissioner Tessier presented the revised preliminary plat for Hafner Developers for a parcel located off Dolshire Drive, south of West Taft Road and East of Clay Town Park South.

The revised plan shows 14 buildable lots, with only three driveways around the cul-de-sac. Previously, there were 15 lots, with 6 driveways around the cul-de-sac. The lots to the east are deeper than the previous plan. The applicant shows a proposed walkway to the park on the revised plan.

The planning board stated that the revised plan is a substantial improvement. C & S engineers will be reviewing drainage. The planning board noted that the T-shaped parcel should have a lot number assigned to it.

Motion was made by Walter Lepkowski, seconded by Karen Guinup, to adopt a resolution using Standard Form # 10, that for SEQR purposes, case # 01-5-6 Hafner Developers be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion Passed.

01-6-2 Anil K. Verma, MD - Zone Change Recommendation R-2 to R-6 - 4923 West Taft Road

The attorney and the applicant could not be present at tonight's meeting.

The applicant is requesting a zone change from R-2 to R-6 for a 15, 500 square foot lot located on the north side of West Taft Road, east of the Humane Association Animal Shelter and west of Wegmans Plaza.

Onondaga County Planning Board Recommendation stated that they felt that the lot was not large enough for a medical office and might result in parking in the Taft Road right-of-way. They stated that granting this zone change could encourage requests for similar zone changes for other small lots fronting on Taft Road creating numerous, close-spaced commercial driveways and impairing the traffic carrying function of Taft Road. They commented that they felt that the Town needs to decide what to do with these small residential properties along Taft Road and they suggested that a land use study is needed before any zone changes are granted.

Jim Keefe commented that the proposed parking for this site is new and that the plan shows a 3 foot perimeter strip on the side yards; however, zoning requires a 15 foot perimeter strip on side yards. The planning board commented that if the zoning were changed to an R-6, the existing structure could be re-used with no variances required. If the building was totally

destroyed, the parcel would not be large enough to rebuild a structure according to R-6 standards.

The planning board commented that changing to an R-6 creates a problem with parking requirements being met and that the lot is too small for an R-6.

Motion was made by Walter Lepkowski, seconded by James Sharpe, to recommend to the Town Board that the zone change request by Anil Verma, MD from R-2 to R-6 for a parcel located at 4923 West Taft Road be DENIED for the following reasons: that allowing the R-6 zone change creates greater non-conformity, the lot is not large enough for an R-6 and that it creates a more intense traffic situation on West Taft Road. Motion Passed Unanimously.

01-5-1 Tricon Global Restaurants, Inc. (3) Preliminary Plat - 3877 & 3883 Route 31
01-5-2 Tricon Global Restaurants, Inc. (3) Site Plan - 3877 & 3883 Route 31

Chairman Kovac commented that at the July 25, 2001 meeting, it was determined that additional information was needed on this plan in order to make a SEQR determination. He commented that additional information has been received. A letter from Traffic Solutions, dated July 30, 2001, with follow up information on questions regarding traffic was received.

Also, a copy of a letter from State DOT, dated August 8, 2001 was received and stated in part:

“Due to the changing highway design we anticipate taking place on Route 31, we have re-evaluated the access design for the proposed development and have determined that a full access driveway is no longer appropriate.

The proposed highway mitigation for the COR development surrounding the KFC property will widen Route 31 significantly. As a result, left-turning motorists on Route 31 will be required to cross three lanes of oncoming traffic to enter the KFC. Left turning motorists exiting KFC will have to cross four lanes of traffic to go east on Route 31. The projected traffic volumes on Route 31 are quite significant. This combined with the number of lanes on Route 31, will make a left turn maneuver very difficult and unsafe. For these reasons, we can no longer permit a full access driveway as you have designed. If access to Route 31 is approved for this development, it will be restricted to right turns in and out only.”

The letter from State DOT suggested that revised plans be sent to State DOT for their review.

Joseph Jerry, attorney., stated that revised plans have not been submitted to State DOT. He stated that the director of the State DOT said that he would be contacting Commissioner Tessier's office to discuss a further review of the traffic.

Commissioner Tessier stated that the State DOT did comment that they would be taking a further look at the traffic information being submitted and that they would be reviewing this information.

Scott Chatfield, attorney, suggested the board may need additional information before they decide how the entrance should be designed.

Walter Lepkowski was concerned about making a SEQR determination, knowing that the applicant and the State DOT will be working on some issues. He did indicate to the applicant that there are some members on the board, including himself, that feel that the ability for traffic to make right in and right out should be designed into the plan. He commented that there are other issues, such as the possibility of a median. He would suggest adjourning the hearing to allow the applicant and the State DOT to confer.

Joseph Jerry, attorney, commented that he would like to have more discussions with the State DOT and the adjoining property owner. He stated that he would have no objection to adjourning the public hearing. He also commented that he would like to have the Town's input.

Mr. Michelson, Moyers Corners Fire Department, commented that the fire department did send a document in regards to the right in and right out and that he has a clarification regarding the width of the two lanes. They should be 15 feet, not 25 feet. He also commented that the fire department would be opposed to a median and will send a letter to this effect.

Walter Lepkowski commented that he was not a proponent of a median, but that it is an issue that the State Dot will have to address.

Chairman Kovac stated that the planning board did receive the letter from Moyers Corners Fire Department listing the reasons they are opposed to right turn only restrictions.

Motion was made by Walter Lepkowski, seconded by James Sharpe, to adjourn the public hearing to September 12, 2001. Motion Passed.

New Business:

01-7-5 William F. Arnold - Final Plat - Arnold Acres, Sec. D

Mr. Arnold was present to brief the board on the revisions made to the proposed plan for Arnold Acres, Section D.

The revised plan satisfied all the previous concerns of the planning board. These included the title being changed, drainage was added, access has been shown for lot # 2 and lot # 2 has been labeled "not for development."

The planning board commented that the former Karen Street is not shown as part of lot # 2 or lot # 3 and should be part of one of these lots. The planning board stated that lot # 2, if developed, will not have access to Route 57.

Karen Street was conveyed to the Town of Clay and it was suggested that this street be deeded back to Mr. Arnold and then made part of a lot.

Motion was made by Karen Guinup, seconded by James Keefe, to adopt a resolution using Standard Form # 40, granting final plat approval to William F. Arnold, Section D, based on a map by A. Scott Whittaker, dated 12/14/2000, revised 4/9/2001, showing file # 0012-261-CL, subject to the following conditions:

- ◆ That the 60 foot wide strip called Karen Street (not open) be conveyed back to Mr. Arnold and becomes part of lot # 3.
- ◆ Ingress and Egress easement for lot # 2 be extended across that portion of lot # 3 known as Karen Street(not open)
- ◆ Lot # 2, if developed, will have no access to Route 57 but will have access across the right-of-way.
- ◆ Subject to legal and engineering requirements.

Discussion:

Chairman Kovac noted that Onondaga County Planning Agency, in their review of this application, did not want lot # 2 to have access to Route 57.

Motion Passed.

**Zone Change Recommendation - upon request from the Town Board.
Bassett & Fava property, Route 31 at Soule Road, currently zoned A-1.**

Commissioner Tessier stated that he sketched the parcel with a C-2 zoning for discussion reasons. He compiled a list of C-1 and C-2 zoning requirements and setback requirements. There is a limit in C-2 for a 15,000 square foot building. There are not a lot of differences in the area and setback requirements for the two zones. The difference is in the uses allowed in each zone. Commissioner Tessier stated the uses that would be permitted in a C-1 and a C-2 zoning. A C-2 zoning classification has a more intense use.

Commissioner Tessier stated that his sketch plan was based on the two lots being combined. Karen Guinup commented that, at present, there are two separate lots in this location. She asked if the lots are not combined, could two C-2 lots be developed. They could be developed but would have two smaller buildings with a different parking configuration.

Walter Lepkowski asked how close the southerly line of this parcel is to the northerly line of Pine Gate Acres development. It was determined that it is approximately 970 feet.

Chairman Kovac commented that the major issue is traffic. He commented that a C-1 zone is less traffic intense.

James Keefe commented that he felt that a C-1 zoning classification is more marketable.

Walter Lepkowski asked what the difference was in an R-6 and C-1 zoning classification. An R-6 intent is to be residential in nature. Commissioner Tessier commented that he felt that this did not fit this area at all, regardless of setback requirements. The residential character of an R-6 is not practicable in this location.

The planning board commented that a C-1 is the recommended zone change for this parcel.

Motion was made by Chairman Kovac, seconded by Karen Guinup, to recommend to the Town Board that the Zone Change Recommendation for the parcel located at Route 31, at Soule Road, currently zoned A-1, Bassett and Fava property be changed to C-1 for the following reasons:

- ◆ The C-1 use is the most appropriate zone based on access to the property
- ◆ Less potential traffic
- ◆ A C-1 zone creates a less intense use, with patrons spending less time going in and out.

Motion Passed Unanimously.

Signs:

Dollar General - Seneca Mall

The proposed sign is similar to the other signs at Seneca Mall and is within the size permitted by the zoning ordinance.

Motion was made by James Sharpe, seconded by Ferdinand Lepinske, to approve the sign as proposed in permit # 33793 for the Dollar General Store located in Seneca Mall. Motion Passed.

Pet Shop - Route 57 (Starbucks) Plaza

The proposed sign will be the same color and type lettering as the other signs in the plaza.

Motion was made by James Sharpe, seconded by Walter Lepkowski, to approve the sign as proposed in permit # 33834. Motion Passed.

Informal Discussion

Streamwood Townhouses

Mr. Barnaba asked to informally address the board regarding how to approach the Steamwood Townhouse final plat. Preliminary plat was approved with 84 units of townhouses. Mr. Barnaba would like to change the plan to develop and construct 57 units of one -story homes, referred to as "empty nest" homes.

He asked the planning board if he would be able to go right to final or if he would need to present the preliminary plat. He is planning to present the preliminary plat under article 278 for the purpose of reducing the space between the buildings from 40 feet to 20 feet. It was determined that this would be an acceptable approach.

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Adjournment

Motion was made by James Sharpe, seconded by Ferdinand Lepinske to adjourn the meeting. The meeting was adjourned at 10:35 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims / TC

Mary Ellen Sims
Planning Board Secretary

APPROVED

July 25, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 25th day of July 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

- | | | |
|----------|--------------------|--|
| PRESENT: | Allen Kovac | Chairman |
| | James Keefe | Member |
| | Karen Guinup | Member |
| | Walter Lepkowski | Member |
| | James Sharpe | Member |
| | Ferdinand Lepinske | Member |
| | Bruce Johnson | Member |
| | Scott Chatfield | Attorney - Planning Board |
| | Ron Detota | C & S Engineer |
| | Douglas Stansbury | C & S Engineer |
| | David Tessier | Commissioner of Planning & Development |
| | Vivian I. Mason | Acting Planning Board Secretary |

Approval of Minutes:

Motion was made by Mr. Lepinski, and seconded by Mr. Sharpe, to approve the minutes of July 11th, 2001. Motion Passed.

Public Hearings:

01-6-2 Anil K. Verma, MD - Zone Change Recommendation, R-2 to R-6, 4923 West Taft Road.

Charles Farrell, the Attorney representing Dr. Verma, located the parcel by architectural drawing. He also presented pictures of the house which is about two tenths of a mile from Wegmans. To the east of this parcel are four residential pieces of property and an R-6, and to the west, the Humane Society. Across the street is an R-6 and a C-1. Trees to the rear of the property and to the side provide screening, which the applicant plans to leave. The Doctor would like to use this house for his Psychiatry business.

Walter Lepkowski asked if the Doctor would be residing in the house and Dr. Verma said he would not.

Attorney Farrell said there is enough space in the front for two cars and that there is enough room to the side to allow a driveway to the back of the house for additional parking.

James Sharpe asked how much traffic was expected and Dr. Verma said about ten patients a day. He would also have a secretary.

Town Attorney Chatfield commented that should they want to enlarge the structure there might be a problem with building code setbacks.

Chairman Kovac asked if there were any further questions and there being none, Chairman Kovac closed the public hearing. A recommendation will be made at the next Planning Board Meeting, August 22, 2001.

01-6-3 Nortel Networks - Site Plan - 4785 Buckley Road:

Alfredo D'Ambrogio, the Site Acquisition Manager for Pyramid Network Services, LLC, stated that they want to co-locate antennas on a current structure. They need to make the tower taller to a height of approximately 140 feet in order to connect their system. The new company who wants to use this current tower needs the extension in order to get their signal.

Michael Kotin, representing the new company, Cricket Communications defined the type of cellular service, which is a little different from the usual cellular phones. They want complete coverage, and are seeking the areas where their coverage has gaps, trying to be the least obtrusive as possible, thereby using existing facilities when they can. They need a tower every one to two miles and target their coverage for the populated areas.

Chairman Kovac commented that the drawing the applicant is submitting inadequate, as there are no dimensions to enable the Board to determine the distance from the tower to the property line. The original tower had no site plan approval.

Mr. D'Ambrogio said he didn't provide any dimensions because the structure was already there.

Chairman Kovac explained that there's a requirement in the Town's ordinance stating the distance from the tower to the property line has to be the height of the tower plus twenty-five feet.

James Keefe pointed out the tower is already not to code and is currently a non-conforming structure.

Planning Board Attorney Scott Chatfield stated that legally the tower is actually sub-standard with the inadequate distance from the property line. Also, the tower has not had site plan approval in the past. Because it will not meet the site plan requirements, the applicant would have to go before the Zoning Board of Appeals and ask for an area variance in order to add onto the tower.

Michael Kotin suggested that the Planning Board grant approval, with the condition that the applicant get an area variance.

Chairman Kovac said the Board could not act on approval without the dimensions and the side line distance from the property line. The applicant needs to get the area variance before the Planning Board can approve a site plan. Chairman Kovac suggested that Mr. D'Ambrogio review the site plan requirements.

Commissioner Tessier stated that certain criteria need to be met and he could share that with them. He added that it could be possible for the applicant to go before the Zoning Board September 10th.

Motion was made by Karen Guinup and seconded by James Keefe to adjourn the public hearing for the site plan to September 12, 2001. Motion passed.

01-5-1 Tricon Global Restaurants, Inc. - Preliminary Plat - 3877 & 3883 State Route 31

01-5-2 Tricon Global Restaurants, Inc. - Site Plan - 3877 & 3883 State Route 31

Chair Kovac explained that this hearing was adjourned from a previous meeting. Traffic information has been received and has been turned over to the Town Engineer.

Joseph Jerry, the Attorney representing the applicant explained that the traffic needed to be reviewed. Three traffic engineers have been retained and there are three opinions. Tricon Global retained the services of Lawrence Turchin.

The Town Engineer, Ron Detota, stated that Kentucky Fried Chicken retained James Napoleon and that the traffic engineer for C& S Engineers is Douglas Stansbury.

Attorney Jerry stated that their conclusion is that full access to Kentucky Fried Chicken from Route 31 will not create a problem with traffic.

Chairman Kovac said that the Board had just received the report from their engineer, Mr. Stansbury, and they have not had time to study it or read all the information. He didn't see how the Board could make a decision tonight.

Lawrence Turchin gave an overview of his traffic report. There is a dual turning lane going into the shopping center which the State has found to be safe and he doesn't feel the lane will back up and cause any traffic problems for cars entering and exiting KFC.

Walter Lepkowski questioned the gap periods for cars on Route 31 and Mr. Turchin stated that the signal lights would be coordinated to create gaps.

Attorney Chatfield stated that in order to make a left out, a signal gap is needed and a place to go. There are cars stopped at the light plus through lanes to consider when pulling out. James Napoleon said the level of service rating for the driveway is A and C for traffic in and out for a unsignalized driveway. He said he would review COR's traffic study and get back to Mr. Lepkowski and answer his concern about queuing.

Douglas Stansbury of C & S Engineers said that in general he concurs with the other traffic reports in that there is not a capacity issue, but he has safety and operation concerns for the left in and left out for the parcel.

Attorney Chatfield noted that there are two left lanes at the COR signal light intersection. Cars turning into KFC would have to be in the left most lane of the two left lanes, which could hold up traffic wanting to turn into the COR shopping center.

Mr. Turchin stated that people go into gas stations that are located before intersections all the time and have no problem.

Robert Michelson of Moyers Corners Fire Department, Inc. asked if the left lanes to turn onto Dell Center Drive could be shortened.

Chairman Kovac read a portion of the May 21, 2001 letter from the New York State Department of Transportation stating in part that they have received the site plan Tricon submitted. What is shown conceptually represents what was discussed with Jim Santos of Tricon Global and Bruce Letts of C & S Engineering as being an acceptable access design.

Scott Chatfield, the Attorney for the Planning Board, stated that while the Town does not have the ability to impose conditions on the State Department of Transportation, or to tell them what they must accept or what they can't accept, their conferred jurisdiction with the Town does not deprive the Town of approving a plan within the framework of their plan. Granted, if the State says they are not going to allow access, then a conundrum is created, but the mere fact that conceptually they will allow an unrestricted intersection does not deprive the Town from restricting the intersection, assuming that there's adequate factual basis in the record to support such a restriction.

Chairman Kovac stated as a point of clarification that the Board could allow unrestrictive access on Route 31 with no tie in to the rear, or restrictive on Route 31 if we have supportive expert traffic opinions to support such restrictions.

Attorney Chatfield said that if the Board was to approve a plan imposing some limitations on the exit and entrance from this site onto Route 31 the State Department of Transportation would have the final say, because they could say that's not an acceptable driveway configuration. They could refuse to issue a permit. The Town can't say to an applicant they cannot have access to a highway, because that decision is controlled by the County or the State, as the case may be.

Ron Detota and Douglas Stansbury concurred that they are concerned with the five lane section of highway with the development by COR and the two additional lanes for people turning left going eastbound. Eastbound vehicles entering KFC will have to cross three lanes of

oncoming traffic. The cars exiting KFC will have to cross four lanes. A right in right out only could reduce their safety concerns.

Mr. Turchin said he did not consider crossing three lanes an issue and that it shouldn't be a problem.

Mike Rookey the resident of the property for the KFC proposed restaurant, said he has had no problems turning in and out of this parcel any time of the day.

Ron Detota said he recommended that further efforts be taken by Tricon Global to gain access to the COR Development ring road.

Robert Michelson commented that the Fire Department needs twenty-five feet for their trucks to make turns in and out of the parcel. Restricted lanes would restrict access in case of a fire.

Karen Guinup asked if the twenty-five feet would be necessary if there was another access road and Mr. Michelson said yes.

Chairman Kovac asked for any further questions and there being none, Chairman Kovac closed the public hearing.

Chairman Kovac called for a break at 10:17 P.M. The meeting was reconvened at 10:27 P.M.

Walter Lepkowski said that because he hadn't had time to read the traffic report and that there was a storage capacity question regarding traffic, he thought it was premature to make a SEQR finding with regard to Tricon Global. He would like to have time to look it over.

A brief discussion followed.

James Keefe said the Board was dealing with details of access, and that he has concerns with regard to access.

Attorney Chatfield pointed out that whatever access that is to be determined is not SEQR related.

Motion was made by Walter Lepkowski and seconded by James Sharpe to table the SEQR determination so that the Board could look at all the information.

Roll call:	James Keefe	- Nay	Karen Guinup	- Yes
	Walter Lepkowski	- Yes	Ferdinand Lepinske	- Nay
	James Sharpe	- Yes	Bruce Johnson	- Yes
	Chairman Allen Kovac	- Nay		

Motion passed.

01-7-3 COR Development - Final Plan - State Route 31

Motion was made by Chairman Kovac and seconded by Walter Lepkowski to add the COR Route 31 Company, LLC final plat to the agenda. Motion passed.

Motion was made by Chairman Kovac and seconded by Walter Lepkowski to waive the public hearing for the COR Route 31 Company, LLC final plat (subdivision) because it is essentially the same as the preliminary plat. Motion passed.

Chairman Kovac said he has the final plat and the reason he is putting this on the agenda is because there is a letter from Robert Germain, the Town Attorney, to the Planning Board Chairman dated July 25, 2001, regarding Dell Center Section 3, Clay Shopping Center. It states in part: please be advised that the Town Attorney has reviewed the terms of the Type B Agreement executed by COR Route 31 Company LLC relative to the above captioned matter and declare same to be acceptable as to form and content. The developer has posted securities

in the form of cash, \$500,000 in a manner acceptable to the Town and has agreed to comply with the Town's insurance requirements prior to construction. The developer has received a written explanation of the Town's insurance requirements.

Chairman Kovac has discussed this with the Town Supervisor and the Town Attorney. This assures that the utilities and other infrastructure can be completed, even though the districts have not been established. The Town will still be waiting for the legal descriptions for the easements.

Attorney Chatfield said he would like to ask Mr. Gerardi for the record whether he is willing to provide access to the out parcel, KFC.

Attorney Gerardi answered for the record that it would be the same as his answer at the Planning Board meeting of June 27, 2001. It would not be a commitment they would be willing to make. However, as part of any application that a third party such as KFC might have pending, they would be willing to consider entertaining providing access in lieu of, not in addition to, access to Route 31, that intended use of the parcel be consistent with and not cause contractual problems with the tenants in the center and that all properties beneficiary of that access would be required to comply with all the other terms and conditions of the center including maintenance type conditions.

Ron Detota recommended that additional land be conveyed for highway purposes on the lot that borders Ver Plank Road should it be needed for future access to Ver Plank Road. Commissioner Tessier stated that COR does not own lot No. 10, but should it be developed in the future the Town would then have the opportunity to require the additional land conveyance.

Motion was made by James Keefe and seconded by Bruce Johnson to adopt a resolution in regard to Case No. 01-07-3, using Standard Form 40 and granting conditional final plat approval to COR Route 31 Company, LLC based on a map by CNY Land Surveyors, file number 00.145 dated 6-13-01, last revised 7-18-01 subject to legal and engineering requirements. Motion passed.

Adjournment:

Motion was made by Ferdinand Lepinski, and seconded by James Sharpe, to adjourn the meeting. The meeting was adjourned at 11:07 p.m. Motion Passed.

Respectfully submitted,



Vivian I. Mason
Acting Planning Board Secretary

APPROVED

July 11, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 11th day of July 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	Bruce Johnson	Member
	James Sharpe	Member
	Scott Chatfield	Planning Board Attorney
	Ron Detota	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary

Minutes of Previous Meeting

Motion was made by James Sharpe, seconded by James Keefe, to approve the minutes of June 27, 2001 with the following correction: page 4, 5th paragraph include the following: and subject to legal and engineering requirements. Motion Passed.

Public Hearings:

00-2-3 Amerada Hess Corporation (3) Revised Site Plan -7369 Oswego Road

Paul Curtin, attorney and William Wolfrom, marketing real estate manager for Hess Corporation, were present to brief the board on the revised site plan for Hess Corporation for property located at 7369 Oswego Road.

The applicant proposes to modify the existing station by enlarging the building to approximately 1,200 square feet.. The applicant had appeared before the Zoning Board of Appeals and obtained the necessary variances for this location. Hess proposes to replace the existing gasoline dispensers to update those facilities. The canopy will remain the same, the lighting will remain the same and the dumpster will be located in the same area but will have new gates added.

More landscaping was added to the plan and more curbing was incorporated into the site plan. There will be only one sign on the façade of the building. The existing sign, that states gasoline prices, will remain.

Onondaga County Planning recommendation was incorporated into the plan. It states, in part, the following:
That the southern driveway be reduced to 40 foot width in accordance with OCDOT requirements.

Hearing no more questions, Chairman Kovac closed the public hearing.

Ron DeTota, engineer, commented that he would like to see the following items on the revised site plan:

- That the applicant is not proposing any new connection to existing facilities.
- That the applicant is not changing any grades
- The applicant needs to indicate variances received and the date of those variances.

- County Planning Board's recommendation that the southern driveway be reduced to 40 foot width in accordance with OCDOT requirements.

Motion was made by Karen Guinup, seconded by Walter Lepkowski, to adopt a resolution using Standard Form # 10, that for SEQR purposes the revised site plan for Amerada Hess Corporation, 7369 Oswego Road be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion Passed.

Motion was made by James Sharpe, seconded by Ferdinand Lepinske, to adopt a resolution using Standard Form # 20, granting revised site plan approval to Amerada Hess Corporation, 7369 Oswego Road, based on a map by FRA Engineering, P.C., dated 2/9/2000, revised 6/19/2001 subject to legal and engineering requirements and the following:

- That the applicant is not proposing any new connection to existing facilities.
- That the applicant is not changing any grades
- That the applicant needs to indicate variances received and the date of those variances.
- County Planning Board's recommendation that the southern driveway be reduced to 40 foot width in accordance with OCDOT requirements.

Motion Passed.

01-5-7 Patrick and Kathryn Hadley (3) Preliminary Plat -Mud Mill Road

Motion was made by Karen Guinup, seconded by James Sharpe, to adjourn the public hearing for Patrick and Kathryn Hadley to August 22, 2001. Motion Passed.

01-6-1 Anthony Ianno, Zone Change Recommendation - A-1 to C-2 - 3652 State Route 31

Jan Kublick, representing Anthony Ianno, appeared before the board to request a zone change from A-1 to C-2 for property located at 3652 Route 31 for approximately 6.9 acres of a 26.7 acre parcel. The remainder of the parcel would be residential use.

The Route 31 and Route 57 Land Use and Circulation Plan designates this entire parcel to be high density residential.

The plan presented tonight is slightly different from the original plan. The new plan shows additional proposed commercial land use. This additional land use would be for an access road to Route 57.

Onondaga County Planning Board's recommendation is as follows:

The Onondaga County Planning Board recommends DISAPPROVAL for the following reason:

The proposal is contrary to the Route 31 and Route 57 Land Use and Circulation Plan, which designates this site plan for high density residential. If the applicant believes the plan should be altered, justification should be provided including details about how the remainder of the property is to be used.

The Board also notes its concern with a sketched internal road on the 6.49 acre site which could become a short cut around the Moyers Corners Intersection.

The applicant felt that the portion of land on Route 31 should not be residential. The applicant stated that they would be prepared to covenant that the remainder of the parcel would be residential. The applicant stated that the C-2 zoning is the most restrictive of the commercial uses and feels it appropriate for this 6.9 acres of land.

The applicant stated that the traffic issues will be addressed by a traffic study. The intent is to create two (2) C-2 parcels with a sole access road.

Chairman Kovac commented that he agreed with the County Planning Board's concerns that the access road could become a short cut around the Moyers Corners Intersection.

Karen Guinup asked if the access drive would align with the Kimbrook Plaza entrance and the applicant responded that it would.

The planning board requested that the traffic study include maximum build out, different scenarios, the commercial impact and the residential impact.

The planning board commented that sometimes when commercial backs a residential area, an R-6 or C-1 is a more appropriate land use.

A recommendation will be made at a future meeting, after the traffic study is received and reviewed.

Motion was made by James Keefe, seconded by Walter Lepkowski, to adjourn the public hearing to August 22, 2001. Motion Passed.

Old Business: Adjourned Hearings

00-9-5 Carlton Lahah (1) Preliminary Plat - south side of Route 31, Pompadour Hair Salon and the Metropolitan Water Board

Joseph W. Jerry, Attorney, appeared before the board to present the preliminary plat for Carlton Lahah for property located on the south side of Route 31.

Mr. Jerry stated that Mr. Lahah has obtained the variances that were requested. The intent is to combine the parcels into one lot and then divide the parcels into two (2) 1 ½ acre parcels.

Onondaga County Planning Board had made the recommendation that the plan be approved with access at the light for the entire parcel, as it is presently being used.

Ron DeTota commented that the plan should be labeled Preliminary Plat and the new variances should be listed on the map, with the date that the variances were granted. He stated that in regards to his letter dated 12/12/2000, comment three and four remain the same.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to adopt a resolution using Standard Form # 30, granting preliminary plat approval to Carlton Lahah, for property located on the south side of Route 31, based on a map by Alfred Ianuzi, dated 8/7/200, showing file # 335-01-0 and subject to the following conditions: that both properties will be considered one shopping center with one free standing sign closest to the drive, that variance details be shown on the map with dates, that according to Onondaga County Planning Board's recommendation one access drive will be used, which is the current drive at the light and subject to legal and engineering requirements. Motion Passed.

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01-5-1 Tricon Global Restaurants, Inc. (3) Preliminary Plat - 3877 & 3883 Route 31

01-5-2 Tricon Global Restaurants, Inc. (3) Site Plan - 3877 & 3883 Route 31

Joseph W. Jerry, Attorney, appeared before the board to present the preliminary plat and site plan for Tricon Global Restaurants.

Chairman Kovac read the Onondaga County Planning Board's recommendations. County Planners acknowledge that Tricon proposes to combine two existing lots to form a 1.79 acre parcel zone C-5. The proposed plan shows one driveway directly onto Route 31, with no connection to the COR Shopping Center. The Route 57 and Route

31 Land Use Study recommends that access should be tied into an internal road. The free standing parcels should be tied to the internal road network of COR properties. Onondaga County Planning Board acknowledges the coordinated review on June 21, 2001 to encourage Tricon Global to work with Town of Clay, COR Route 31, NYS DOT, OCDOT in developing an access plan to the internal road and elimination of the direct access to Route 31. Onondaga County Planning Board also acknowledges that State DOT would rescind its approval of Tricon's direct access to Route 31, if alternate municipal access could be made available. The Town and COR indicated such access could be extended from Dell Drive west along the loop road and then south onto the site. It also states that the 20/10 Development Guide states that access to County and State roads should be designed to protect through traffic mobility. Therefore, it resolves that the application be approved with the following condition: That the proposed site plan be modified to show sole access to this property from the internal road system serving COR and adjacent developments and that there be no direct access to this property from Route 31.

Joseph Jerry stated that Tricon Global Restaurants wants access to Route 31. At the last meeting, Chairman Kovac stated that if Tricon was insistent about the access to Route 31, they would have to provide a traffic study to this board. Tricon has provided this traffic study this evening.

Larry Turchin, Traffic Solutions, was present to explain the details of the traffic study.

Joseph Jerry stated that the only outstanding issue is the access to Route 31 and he asked to address that issue at this time. Tricon has offered the ability to tie into the COR development and show that ability on the map before the board. The map, also shows an additional bypass lane, available adjacent to the drive-by window that would accommodate that access. He stated that there is no question that his clients would appreciate and benefit by access to the COR Center. However, all discussions that COR has had with the Town, County Planning Board and Tricon is that they would be willing to offer access to the ring road on the condition that Tricon have no access to Route 31. Tricon has gone on record to say that their restaurant would not be successful without access to Route 31. Consequently, even though COR did state that they would give them access to the internal road for \$1.00, Tricon has gone the extra mile and offered a purchase offer telling them that if the access, in regards to Route 31, could be made available to them, they would pay \$10,000 for the easement.

Mr. Jerry stated that they tried to work out a solution that would make the County happy and would serve the interests of all parties by having access to their ring road and access to Route 31. The offer called for a two day response and, Mr. Jerry stated that they have not received the courtesy of a telephone call and have heard no response from COR. Mr. Jerry believes, at this time, that the offer will not be accepted. He feels, at this time, there are no choices for Tricon to get to a public road, they need access to Route 31. He stated that access to Route 31, with their parcel between two lights, that there will be enough traffic controls so that the access will not endanger the traffic on Route 31.

Larry Turchin, Traffic Solutions, addressed the board on the traffic study that was submitted. A lengthy discussion ensued as to the contents of the study and possible different scenarios. However, the planning board and C & S engineers requested time to review the traffic study that was given to them at tonight's meeting.

Ron DeTota, C & S engineer, commented that most likely, C & S would be able to review the traffic study and have comments by the August meeting, possibly before.

Motion was made by Walter Lepkowski, seconded by Karen Guinup, to adjourn the public hearings for both cases, # 01-5-1 and 01-5-2 to July 25, 2001. Motion Passed.

**01-5-6 Hafner Developers (3) Preliminary Plat, off Dolshire Drive,
south of West Taft Road and East of Clay Town Park South**

Chairman Kovac stated that the following comments have been received in regards to this case. They are as follows:

- Letter from County of Onondaga DOT dated 6/26/2001 in which it states that they will not allow an additional intersection on West Taft Road and they suggest installing a “hammer head” type turnaround with the capability of a inner connect with commercial lots on West Taft Road.
- Letter from Onondaga County Planning Board that they have no jurisdiction in regard to this referral, since the property does not abut or have access to a State or County Road.
- Letter from William Weaver, Town of Clay Highway Superintendent, stating that there is no reason for the proposed street off Dolshire Drive to have a cul-de-sac and that it should be a through street to West Taft Road. He stated that for plowing purposes, he wants the street to enter and exit onto another street.
- Letter from Lori Mulcahy, dated 6/18/2001, that contained many comments and offers opinions of the cul-de-sac.

These letters are on file in the Town of Clay Planning Department.

Chairman Kovac stated that these lots would meet the requirements of an R-1 zone, in regards to size and dimensions of each lot. The developer proposes to construct 14-15 lots on the parcel of land that is zoned R-1.

Commissioner Tessier presented a petition with 20 pages of signatures, 284 residents, that object to the Hafner development. These residents requested that a traffic study be conducted for this proposed development. They also commented that the detention pond is unacceptable.

Ron DeTota, C&S engineers, commented that a number of things need to be addressed. He suggested that the cul-de-sac could be offset, which would maintain a more uniform depth of the lots. He commented that less development around the cul-de-sac would be better. He commented that the zoning needs to be shown on the plan for adjacent parcels, lots sizes and dimensions need to be shown for each lot, that the plan needs to be prepared by a licensed land surveyor and that there needs to be a different layout for the storm system.

The Planning board suggested that the developer consider a means of access to the park, by possibly creating a paved path.

Residents in attendance are concerned about through traffic. They asked what would need to be done to have the Town buy the land for parkland. They commented that a “hammer head” would be the lesser of two evils. They were concerned about the depth of the detention pond and asked why a detention pond is necessary. They inquired about the possibility of Stop Signs being placed on Maryland and Dolshire Drive.

Commissioner Tessier commented that some type of “hammer head” would probably be the best layout.

Scott Chatfield commented that he would investigate the County comment in regards to their statement that they would not allow an additional intersection on West Taft Road.

Additional comments are as follows:

- A “hammer head” off Dolshire is preferred
- A cul-de-sac with three homes at the end
- Access to the park
- More balanced lots
- Through street could possibly be a one-way street

Hearing no more comments or questions, Chairman Kovac closed the public hearing.

Old Business: Hearings Closed

NONE

New Business:

01-5-4 Alberici General Contractors, Inc., Landscaping Plan Maple Ridge Residential Office Park

Motion was made by Bruce Johnson, seconded by James Sharpe, to accept the landscaping plan by Alberici General Contractors for the Maple Ridge Residential Office Park, revised 7/11/2001, subject to the applicant saving as many trees as possible and based on faith and prior work that has been done by the contractor in the Town of Clay. Motion Passed.

01-7-2 Kelly-Tobin Development Corp., Lawton Valley Hunt, Sec. No. 5 - Final Plat

Adjourned to later date.

Signs:

Tricon Global Restaurants - KFC/A & W

Will be addressed on July 25, 2001

JGB Enterprises, Inc. - 7576 Oswego Road

Motion was made by Bruce Johnson, seconded by James Sharpe, to approve the sign and location as shown in the permit application conditioned upon the street address being shown on the sign. Motion Passed.

ADJOURN

Motion was made by Bruce Johnson, seconded by James Sharpe, to adjourn the meeting. The meeting was adjourned at 11:50 PM. Motion Passed.

Respectfully submitted,



Mary Ellen Sims
Planning Board Secretary

APPROVED

June 27, 2001

The special meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 27th day of June 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Ferdinand Lepinske	Member
	James Sharpe	Member
	Scott Chatfield	Planning Board Attorney
	Ron Detota	C & S Engineering
	Gindy Heid	Assistant Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary
ABSENT:	David Tessier	Commissioner of Planning & Development
	Karen Guinup	Member
	Bruce Johnson	Member

Approval of Minutes

Motion was made by James Sharpe, seconded by Ferdinand Lepinske, to approve the minutes of June 13, 2001 with the following corrections: page 2, paragraph 10 should read: Chairman Kovac stated that the planning board would need a traffic analysis for any sole access to Route 31, page 7 last paragraph should be Joseph Gerry- not Joseph Gerardi; page 8 after second paragraph should read: Hearing no more questions, Chairman Kovac closed the public hearing and under the paragraph that begins; Motion was made by Walter Lepkowski, seconded by Karen Guinup, to schedule a special meeting on June 27, 2001. Motion Passed. Add the following to that paragraph: Chairman Kovac stated that the reason for this special meeting is the COR Route 31 Company site plan and preliminary plat. Motion Passed.

Public Hearings: None

Old Business: Adjourned Hearings: None

Old Business: Hearings Closed

00-12-1 COR Route 31 Company, LLC Site Plan

1. Accept Findings
2. Decision

Chairman Kovac stated that the planning board has received input since the last meeting in regards to the FEIS.

Motion was made by James Keefe, seconded by James Sharpe, to adopt a resolution to accept the correspondence received since the last meeting regarding the FEIS from Paul Reagan, dated 6/22/2001, from Joseph Gerry, dated 6/23/2001 and from Russell Porter, from Wegmans dated 6/25/ 2001 and to adopt the findings as prepared by the Town of Clay, which include in summary the following conclusions:

The Lead Agency certifies that the requirements of 6NYCRR Part 617 have been met. This determination of the lead agency is based upon a review of all the relevant environmental impact information supplied to the Lead Agency during the SEQR process from various sources including the Applicant, the Town Engineer, New York State Department of Transportation, Onondaga County Planning Agency, Commissioner of Planning and Development and interested members of the public. The lead agency has carefully considered the potential impact of the project upon the environment, and has carefully considered and weighted the facts and conclusions disclosed in the Final Environmental Impact Statement submitted by the Applicant. Furthermore, the lead agency has considered the overall social and economic impact of the proposed project upon the community and the proposed impact mitigating measures.

The Lead Agency certifies that consistent with social, economic and other essential considerations from the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

Motion Passed – Five ayes- no nays

**00-12-5 COR Route 31 Company, LLC Preliminary Plat
Decision- Preliminary and Final**

Joseph Gerardi distributed the revised preliminary plat maps to the board. He stated that there has been a slight change in lot # 4. The southern most portion, where it adjoins the Saturn parcel, was formerly part of lot # 3. This small finger parcel is now part of lot # 4. This will provide the applicant the means to be able to provide for that road to be a municipal road, if needed in the future.

Chairman Kovac asked Mr. Gerardi, representing COR Route 31 if they intend to complete the connector road between Dell Center Drive and Carling Road.

Mr. Gerardi stated that they made that commitment early on. He stated that it is COR Route 31 Company's goal and obligation to complete that connection between Dell Center Drive and Carling Road in conjunction with the approval of the preliminary plat and upon construction and approval of the parking lot and driveways.

Motion was made by Walter Lepkowski, seconded by James Keefe, to adopt a resolution using Standard Form # 30, granting Preliminary Plat approval to COR Route 31 Company case # 00-12-5, based on a map by CNY Land Surveying, dated 6/13/2001, revised 6/20/2001 showing project # 00.145 and **subject to the following conditions:** that the connector road between Dell Center Drive, and Carling Road, located behind Sam's Club be completed by the applicant before any CO's are issued, that the title box be amended – it should be called Preliminary Plat and subject to the fact that it is the Planning Board's intent that it does incorporate as conditions, in the final plat approval, those mitigation measures identified in the findings conclusions as recently adopted. Motion Passed- five ayes and 0 nays.

Chairman Kovac stated that County Planning had received the application many months ago. County Planning had recommended approval with conditions verbally but they have not forwarded their comments in writing. The planning board will notify County Planning of their approvals with conditions.

Site Plan for COR 31 Company

The site plan shows the landscaping around the dumpster corral for McDonald's. This will consist of approximately 7 arborvitae trees around the dumpster.

McDonald's did provide a photometric diagram. This diagram shows two foot-candles, with ten-foot candles around the dumpster area.

Walt Lepkowski asked why there was a range of two-foot candles to 10-foot candles around the dumpster area. The applicant responded that the increase in foot-candles was for safety reasons.

As far as access to the shopping center, Chairman Kovac stated that his recollection was that COR Route 31 Company made a more general offer to the parcels that are zoned agricultural or residential, for the future. Chairman Kovac asked the applicant to clarify this for the record.

Mr. Gerardi stated that the conditions that they would suggest for access being considered for these properties is that these properties will be provided access to the internal ring road on the condition that in be in lieu of, not in addition to, access to Route 31. In addition to that, it would have to be a site plan that would not cause contractual problems with the tenants in the center and be permitted in the reciprocal agreements. The other properties, the out parcels, would have to abide by these same rules and regulations. In addition, to the extent that there are shared costs in operating the ring road, such as plowing it, maintaining it, lighting the ring road and replacing it some time in the future, the out parcels would have to participate in those costs as well. Mr. Gerardi stated that that is where they are in relation to the access to the center for the out parcels.

The directional signs for McDonald's were discussed. Walt Lepkowski felt that the signs should specify enter and exit but have no further advertising.

Bob Michelson, Moyers Corners Fire Department, had some concerns regarding the location of the hydrant, stated that a hydrant is needed on the ring road and stated that he was waiting for information regarding the size of the main water line and if it was sufficient.

James Keefe, commented that the comments from the Fire Department should be in writing. The applicant commented that they would be willing to address the concerns of the fire department.

There was a discussion regarding the architectural designs that were committed by Home Depot and the fact that these designs are not shown on the plans. The discussion on what type of roof, colors and type of split face block were in the public hearings of previous minutes for McDonald's and Home Depot and also for the building that will be located on Lot # 3. The remaining lots that will have buildings constructed on them have not been discussed for architectural design. The planning board could review these before site plan approval is made.

Lot # 1, 2 and # 3 need variances for the buildings that will be constructed on them. These variances are before the zoning board of appeals.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to approve the site plan for COR Route 31 Company, using Standard Form # 20, case # 00-12-1, based on the 21 drawings and subject to obtaining variances on lots # 1, 2 and # 3, subject to the front of Home Depot building will be split face block, with the rest of the building having smooth pre-cast panels, that the architecture of lot # 1, 2, 3 and 7 will be identical to that which was presented to the board in

previous planning board meetings and that the applicant will submit plans to the planning board for the remainder of the buildings and subject to all 21 drawings listed on drawing C1. Motion Passed.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to amend the previous motion that signage is one single shopping center sign for each entry road for a total of two shopping center signs, which will be for all participants in the center, including the out parcels, and subject to legal and engineering requirements. Motion Passed.

New Business: Signs

COR - Shopping Center

The shopping center signs were discussed for the COR Route 31 shopping center. The applicant is requesting two freestanding signs, one at each entrance to the center.

Clarence Rycraft quoted from the zoning book the following:

“A Community Shopping Center Industrial or Commercial Complex sign is a permanent sign which identifies a community, shopping center, industrial or commercial complex..” He stated that it says nothing about identifying tenants on that particular sign. He contends that this particular sign (as shown in pictures attached) was the intent of the ordinance, not a sign that identifies tenants.

James Keefe commented he was Commissioner at the time the ordinance was written and knew what the intent of the code was and is.

Clarence Rycraft stated “ Do we have a clear enough understanding of that ordinance to make a determination of which sign is right.”

James Keefe commented that “Yes, we do. As they are both right and both fit within the language of the ordinance.” The intent of the ordinance was that they could put identification only on, or that they could identify tenants.

Chairman Kovac stated that he felt that this sign fits within the code.

Mr. Rycraft requested that the pictures be attached to the minutes.

Motion was made by James Keefe, seconded by Ferdinand Lepinske, to approve one freestanding sign for the shopping center that is 33 feet high and 10 feet wide, for the entrance on Route 31. Motion Passed.

Home Depot

Motion was made by Walter Lepkowski, seconded by James Keefe, to approve the wall signs as presented for Home Depot, as they are within the 10% permitted by code. The total signage is 535 square feet. Motion Passed.

McDonalds

Motion was made by Walter Lepkowski, seconded by James Keefe, to approve the McDonald’s wall signs as shown and to approve the directional signs, **without the arch on the top of the signs.** Motion Passed.

Adjournment

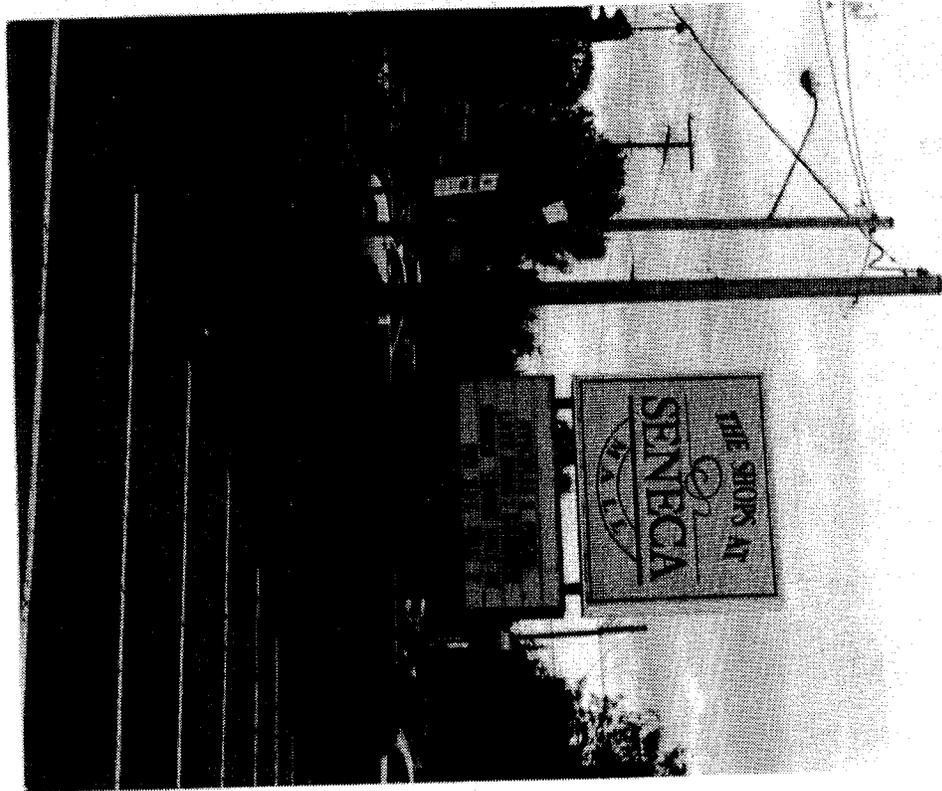
Motion was made by Walter Lepkowski, seconded by James Keefe, to adjourn the meeting. The meeting was adjourned at 10:30 PM. Motion Passed.

Planning Board Minutes
Town of Clay Special Meeting
June 27, 2001

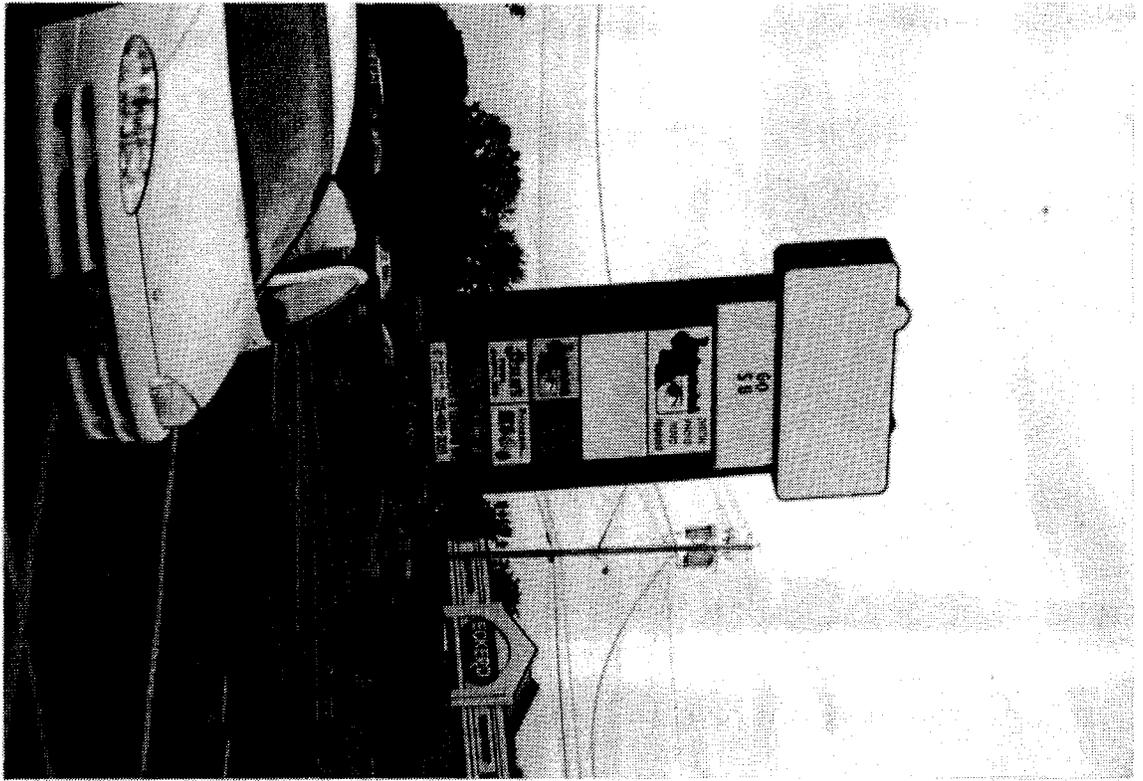
Respectfully submitted,

Mary Ellen Sims /tc

Mary Ellen Sims
Planning Board Secretary



6-27-01



6-27-01

APPROVED

June 13, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 13th of June 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	Bruce Johnson	Member
	James Sharpe	Member
	Scott Chatfield	Planning Board Attorney
	Ron Detota	C & S Engineering
	Cindy Heid	Codes Enforcement Officer
	Mary Ellen Sims	Planning Board Secretary
ABSENT:	David Tessier	Commissioner of Planning & Development

Approval of Minutes

Motion was made by James Sharpe, seconded by Bruce Johnson, to approve the minutes of May 23, 2001 with the following clarification on page 2 fourth paragraph: A hair salon would not be an appropriate use for an R-6 zone.

Modification of recommendation to the Town Board for case #01-4-1 Andrew Augustinos-Zone Change Recommendation R-1 to C-1, 4976 West Taft Road

At the meeting of May 23, 2001, the Planning Board made the recommendation that Mr. Augustinos change his zone change request to an R-6 for this parcel. At this time, the planning board recommends:

R-6 is an appropriate zone, but the parcel may not be able to be used as a hair salon. The applicant needs to be advised of this.

Also, correction on the minutes of May 23, 2001: Page 10 change June 14 to June 13th, 2001.

Motion Passed.

Public Hearings:

01-5-1 Tricon Global Restaurants, Inc. Preliminary Plat 3877 & 3883 Route 31

01-5-2 Tricon Global Restaurants, Inc. Site Plan 3877 & 3883 Route 31

Attorney Joseph Gerry, representing the applicant, presented the preliminary plat and the site plan for Tricon Global Restaurants for property located at 3877 & 3883 Route 31.

Tricon Global Restaurants is proposing to construct a KFC and A & W Restaurant adjacent to the Saturn Dealership on Route 31. The existing properties at 3877 and 3883 have homes located on them at this time. The homes will be demolished and the two lots combined into one for use by Tricon Global Restaurants

William Morse, engineer, briefed the board on the proposed site plan for KFC/A & W Restaurants for this parcel. It will be a 60-seat restaurant, with drive-through facilities. Access will be via Route 31. There are two curb cuts presently for the two parcels. The parcels will be combined into one, with one curb cut. The applicant is providing more than the required parking spaces and the parcel meets all the set back requirements.

Chairman Kovac read the letter from C & S engineers dated 6/13/ 2001.

Walt Lepkowski inquired about he lighting plan and asked for a photometric plan. The applicant will submit this photometric plan. Landscaping plan included tress around the perimeter of the site, with the remainder of the site having a combination of low plantings and grass. The low plantings will be close to the building.

Jim Santos, Tricon Global, was present and stated that a photometric design plan will be submitted. He did comment that there would be 24-foot poles with shoebox type fixtures on them. Hours of operation will be from 10:30 AM to a time compatible with that of existing competitors. The dumpster will be double size and will be enclosed on three sides with the same siding as the building.

The planning board noted that the signage shown on the plan is for location purposes only and a separate sign approval will be required of the applicant.

Chairman Kovac stated that the Town, as of this date, has not received County Recommendation.

The applicant desires to tie into the shopping center via an access in the rear of the parcel. Planning Board commented that if the sole access to this parcel is via Route 31, the applicant would need to provide a traffic analysis.

The applicant would like to have access via Route 31 and access via an internal connection to the shopping plaza in the rear of their parcel. Joseph Gerry, attorney, commented that in addition to the Route 31 access, the access to COR is viable and vital. The applicant stated the Route 31 access is essential for this business to be successful.

The applicant presented a letter, dated May 21, 2001, from the State of NYDOT, in which the State DOT commented that of particular interest to them, is the future connection Tricon Global Restaurants shows on plans to the COR development in the rear of the parcel. They stated that they highly support this concept and recommend to the Town that it be required for Site Plan approval on both developments.

Chairman Kovac stated that the planning board would need a traffic analysis showing sole access to Route 31.

Joseph Gerry commented that he was at the meeting of the OCPB and that the County passed a resolution in regards to this case on June 5, 2001. The Town, however, has not received this.

Chairman Kovac asked if there were any questions from the public.

The attorney for the property owners commented that his clients have been attempting to sell their parcels for some time. They now have a buyer that is proposing to develop the land in such a manner as is compatible with the area. He commented that with out the Route 31 access, the property values are diminished for these parcels.

Mr. Michelson, Moyers Corners Fire Department, asked how wide the turning lanes would be. He stated that the front driveway width should be at least 24 feet wide and that the connector road should be 30 feet wide.

Michael Rooky, property owner for one of the parcels, asked what the Town would do to protect his parcel from the effects of having a shopping plaza behind his home, if the parcel does not sell. He was concerned about noise, lighting, lack of privacy and traffic.

Hearing no more questions, Chairman Kovac asked for a motion to adjourn the public hearings.

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske, to adjourn the public hearings to July 11, 2001. Motion Passed.

01-5-4 Alberici General Contractors, Inc. Site Plan northeasterly and northwesterly corners of Lazybrook Circle and Taft Road

Alfred Ianuzi, representing the applicant, appeared before the board to present the site plan for Alberici General Contractors for property on the northeasterly and northwesterly corners of Lazybrook Circle and Taft Road.

Mr. Alberici purchased the property, including the lands zoned for professional office buildings. The applicant proposes to construct two (2) 4,000 square foot buildings. One building will be on each parcel, housing two tenants each. The buildings will be one-story buildings, residential in nature. The roofline will be architectural; the siding will be vinyl or aluminum in earth tone colors. The dumpster will be enclosed with the same siding as the buildings. There will be a total of sixteen parking spaces for each building.

Lighting will be no more intense than that of a residential home.

The applicant would like to construct two more homes at the end of the lots, closest to the development.

Onondaga County Planning Board recommendation stated that OCDOT evaluated the site plan and indicated that the access points to Lazybrook Circle must have at least a 60 foot setback from W. Taft Road. County comment was that the applicant should meet OCDOT specifications for setback of access driveways. The OCPB also recommended a substantial buffer be placed between each respective office building and residential zoned lots 39 and 42 to the north of each site.

C & S engineers had no concerns that cannot be mitigated.

Chairman Kovac asked if there were any questions from the public.

Residents had the following concerns:

They asked why have commercial development at the end of a residential development. The applicant responded that this R-6 zoning was approved at the same time the R-1 zoning was approved.

They are concerned with traffic cutting through their development from persons using the professional office buildings.

They were concerned about the safety of their children with additional traffic in the area.

They were very concerned with the landscaping around the buildings and what would be planted to provide a good buffer between them and the proposed new buildings.

Gary Philips, resident, asked why the entrance would be from Lazybrook Circle and not Taft Road for these two proposed office buildings. Chairman Kovac commented that County DOT would not approve of a curb cut onto Taft Road for safety reasons.

The residents in attendance would like to see signs placed at the driveways of the buildings, indicating all traffic exits back in the direction of Taft Road. This would help to alleviate additional traffic in their neighborhoods. Attorney Chatfield explained that these signs would not be enforceable by the police. The residents understood this but still asked that they be placed.

Landscaping was discussed in detail. The applicant commented that they have been building in the Town of Clay for many years and that they are proud of their developments and how they look.

Mr. Ianuzi explained that the landscaping plan was not clear, due to the fact that they are uncertain of how many existing trees can be saved. This will not be determined until they can grade the area. He did state that they would save as many trees as possible. Additional plantings will evolve as the plan progresses.

The applicant stated that the area would be much more aesthetically pleasing than it is now.

Signs for the buildings were discussed. One sign for each building will be permitted and that sign can be no more than 24 square feet.

Karen Guinup commented that she felt that the landscaping plan was weak and needed more clarification.

Walter Lepkowski asked that the applicant present a plan that shows the possible wooded area and what the alternatives will be if some of those trees need to be taken down. The plan should show what the applicant intends to plant in place of those trees.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by Walter Lepkowski, seconded by James Keefe, to adopt a resolution using Standard Form # 10, that for SEQR purposes the site plan for Alberici General Contractors, Inc. be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion Passed.

Chairman Kovac stated that the planning board could not give final approval on this plan unless they came to some agreement with the developer for the landscaping plan. Along the Taft Road area, the developer could not be certain as to how many trees could be saved based on the drainage flow.

The developer is committed to saving as many trees as possible as it relates to drainage. They will plant trees that are a minimum of three feet tall, with 6 - 8 trees planted on each side of the building.

Motion was made by Karen Guinup, seconded by James Sharpe, to adopt a resolution using Standard Form # 40, granting site plan approval to Alberici General Contractors, Inc Case # 01-5-4, based on a map by Alfred Ianuzi, dated 4/17/2000, revised 6/13/2001, showing file # 1932.003, subject to

the following conditions: that the wattage on the poles be reduced to 75 watts, lighting on the buildings be reduced to 60 watt, no right turn, no left turn signs will be placed at the driveways as indicated on the plan, that the final landscaping plan will be submitted no later than 9/1/2001, and that the planning board reserves the right to review that landscaping plan and subject to legal and engineering requirements. Motion Passed. Bruce Johnson abstained from the vote.

01-5-5 JB Partnership Site Plan – 7843 Goguen Drive

The applicant appeared before the board to present the site plan for JB Partnership for property located at 7843 Goguen Drive.

The proposed plan is to construct a 24,000 square foot addition to the existing 13,000 square foot building. The addition will be mostly warehouse space with a small furnished area for offices. The new addition will be 20 ½ feet high. The siding will be the same as existing building. The building will have a full sprinkler system.

C & S letter was addressed and all items can be mitigated.

Onondaga County Planning Agency left the decision to the referring board.

Hearing no questions, Chairman Kovac closed the public hearing.

Motion was made by Bruce Johnson, seconded by James Sharpe, to adopt a resolution using Standard Form # 10, that for SEQR purposes the site plan for J.B. Partnership be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion Passed.

Motion was made by James Sharpe, seconded by Bruce Johnson, to adopt a resolution using Standard Form # 20, granting site plan approval to JB Partnership, based on a map by Alestalo & Etzel Architects, dated 5/9/2001, no revision, showing sheet # L100-200 subject to legal and engineering requirements. Motion Passed.

01-5-6 Hafner Developers Preliminary Plat- off Dolshire Drive, south of West Taft Road and east of Clay Town Park South

William Morse, representing the applicant, presented the preliminary plat for property located off Dolshire Drive, south of West Taft Road and east of Clay Town Park.

The proposed plan is to construct 15 single-family homes on a cul-de-sac in an R-1 zone. The plan was presented to the Highway Superintendent and he is adamantly against the cul-de-sac. The cul-de-sac proposed is 660 feet long. The planning board stated that cul-de-sac's should not exceed 400 feet and never be any longer than 500 feet.

The planning board informed Mr. Morse that the preliminary plat needs to be prepared by a licensed land surveyor. The property is zoned for this type of development. Mr. Morse explained that the road layout was done to alleviate a straight through traffic pattern from Dolshire Drive to Taft Road.

Chairman Kovac asked if there were any questions from the public and the residents had the following concerns or statements:

A resident stated that he felt that the entrance and exit on Dolshire Drive was unacceptable and suggested that the entrance be moved to Taft Road.

Another resident asked if it were possible to bring the road to Taft.

Residents asked if the cul-de-sac could be flipped with the cul-de-sac off Taft Road.

Traffic was a concern of the residents.

The residents asked that the cul-de-sac be eliminated and the road be made a straight road.

Rear yard setbacks were discussed due to the concern that the proposed homes will be too close to the existing homes.

Engineering needs to be addressed. The proposed cul-de-sac needs to be addressed and Onondaga County Planning Agency needs to be informed that access to a County Highway is being considered.

The planning department will notify OCPB that an access to Taft Road is being considered. All lots need to be identified in regards to size.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to adjourn the public hearing to July 11, 2001. Motion Passed.

Old Business: Adjourned Hearings

00-12-1 COR Route 31 Company, LLC Site Plan

00-12-5 COR Route 31 Company Preliminary Plat- Accept F.E.I.S.

Joseph Gerardi, COR Route 31, Vice President and legal counsel, Peter Giovenco, civil engineer, Richard DiCesare, traffic engineer and Edward Beeler, project manager for McDonald's were present to continue discussions on the site plan and preliminary plat for COR Route 31 Company.

Mr. Gerardi commented that tonight the planning board received a full size set of plans for the project. The applicant is asking that the Planning board accept the FEIS as presented, would ask that the Planning Board hold a special meeting in June and he stated that they would provide the planning board with any additional information needed for the proposed sign.

The proposed identification sign was 42 feet high, but now has been modified to 33 feet high.

Peter Giovenco, civil engineer, explained the phasing of the project. Lot # 1 and Lot # 3 will be constructed upon approval of the site plan. Lot # 2 will be readied for construction, but no buildings will be constructed until a tenant is secured. Lot # 4 has no final tenant. The applicant will reserve the construction of the parking in that area until a tenant is secured. McDonald's will be constructed upon approval of the plan. There was no photometric design for McDonald's but this will be submitted. The trash corral for McDonald's will be landscaped and will be shown on the final plan. The monument sign will be on the west side of the entrance drive.

Richard DiCesare, traffic engineer, addressed the board on traffic issues. He stated that the initial traffic study was submitted months ago, that the addendum was submitted and that the State DOT required more clarification and detailed information. He explained the configuration of Dell Center Drive and Route 31 traffic patterns as it relates to this project.

State DOT's letter of June 8, 2001 detailed mitigation for traffic issues.

The FEIS does include the letter from State DOT dated June 8, 2001.

A lengthy discussion ensued as to the access for the adjoining out parcels to the COR site. Mr. Gerardi stated that at the request of the Syracuse Onondaga Planning Agency, they attended a meeting on June 5th. At that meeting, the applicant reviewed all that they have discussed at these meetings. Mr. Gerardi stated that they are 99% consistent with the intent of the Corridor Management Plan in providing a common access to 75 acres, 9 separately sub-divided lots.

The applicant stated, that after meeting with all involved agencies, they would be willing to convey the 30 foot sliver in the rear of the parcel to provide an alternative access to KFC on the condition that the access to Route 31 be eliminated. Mr. Gerardi indicated that they have represented to their tenants that they will not provide separate curb cuts from Route 31.

State DOT's concern was that they cannot ask private property owners to give up Route 31 access. Mr. Gerardi stated that if KFC stays here, they will keep the commitment open and will convey this 30-foot strip at a very nominal square foot price. If the parcel changes tenants, COR would have to be certain that it was not offensive to the center or violated the terms of the contract.

COR Route 31 stated that to the extent that KFC goes forward, to the extent that the Town takes dedication of the road, COR Route 31 would be willing to convey, **without charge** or to convey the access for \$1.00.

Attorney Chatfield stated that although internal access is desirable for many reasons, legally the Town, short of eminent domain, does not have the power to compel the applicant to provide the access to their development.

Attorney Chatfield stated that however, due to the fact that the applicant did state that they are willing to convey that 30 foot strip and to dedicate a portion of the ring road from Dell Center Drive to connect to that strip, it puts the Town in a position, where in terms of the approval of the site plan for KFC, the Town can provide alternative access, including limiting access to Route 31 for KFC.

COR Route 31 stated that they had no problem giving access to the COR development to KFC, provided they give up their access to Route 31.

The planning board addressed the FEIS report. C & S engineers stated that they had no questions on the FEIS.

Chairman Kovac asked if there were any questions from the public.

Paul Reagan, attorney representing the southwest corner property owners commented that they have the three following statements to make in regards to the FEIS and will submit them in writing:

- Comments raised by them have not been addressed
- How will this project affect the residential persons living on the site has not been addressed.
- Access to the southwest has not been commented on.

Joseph Gerry, attorney, stated the following in regards to the FEIS:

- The FEIS has not addressed what the elimination of the Route 31 access will do to KFC.
- It is the position of KFC, that there are strings attached to the offer to convey. The strings attached are that they pay some amount of money, even if it is \$1.00. There is no mention about improving the rear access that goes to their parcel. KFC is prepared to improve the

road up to their property line. They are not prepared to improve the property that Mr. Gerardi is referring to.

The State DOT letter of June 8th, states that the developer of the COR center should provide an internal connection. The KFC takes this to mean - not sell them a piece of land that will provide alternative connection.

Furthermore, KFC would like to cooperate.

To the extent that there are no strings attached -

Access will be conveyed but the applicant will have to pay for it, improve it and Route 31 will be cut off.

Mr. Gerry stated that if Route 31 is cut off- it is a defacto taking.

Hearing no more questions, Chairman Kovac closed the public hearings.

Motion was made by James Keefe, seconded by Ferdinand Lepinske, to pass a resolution accepting the FEIS as being complete and subject to beginning the 10-day comment period as of June 15, 2001. Motion Passed.

Motion was made by Walter Lepkowski, seconded by Karen Guinup, to schedule a special meeting on June 27, 2001. Motion Passed. Chairman Kovac commented that the special meeting would be for the COR Route 31 Preliminary Plat and Site Plan.

Old Business: Hearings Closed

NONE

Signs

Dollar Tree- Marketfair North

Can be handled administratively

COR- Home Depot

Tricon Global Restaurants- KFC/A & W

Both signs were tabled for this meeting.

Adjournment

Motion was made by James Sharpe, seconded by Bruce Johnson, to adjourn the meeting. The meeting was adjourned at 1:10 AM. Motion Passed.

Respectfully submitted,



Mary Ellen Sims
Planning Board Secretary

APPROVED

May 23, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 23rd day of May 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	James Keefe	Member
	Karen Guinup	Member
	Walter Lepkowski	Member
	James Sharpe	Member
	Ferdinand Lepinske	Member
	Bruce Johnson	Member
	Scott Chatfield	Attorney - Planning Board
	Ron Detota	C & S Engineer
	David Tessier	Commissioner of Planning & Development
	Cindy Heid	Codes Enforcement Officer
	Vivian I. Mason	Acting Planning Board Secretary
ABSENT	James Keefe	Member

Approval of Minutes:

Motion was made by Mr. Lepkowski, seconded by Mr. Lepinske, to approve the minutes of May 9th, 2001. Motion Passed.

Public Hearings:

01-4-1 Andrew Augustinos - Zone Change Recommendation, R-1 to C-1, 4976 West Taft Road.

Mr. Augustinos explained that a Special Permit had been issued to him for a home occupation, a hair salon, but only for himself. Since breaking his hand, he can no longer work at that profession, so he would like to change the parcel to a C-1. He would like to conduct another business, or perhaps rent or sell the structure. Uses Mr. Augustinos gave as examples were an insurance office or a real estate office.

Chairman Kovac asked Mr. Augustinos what the size of the lot was and he said that it was 159 feet by 103 feet. Mr. Augustinos added that there are a lot of businesses neighboring his parcel. Chairman Kovac stated that Onondaga County Planning says the lot is 159 feet by 64 feet, the widening of Taft Road took some of the frontage of his lot. There is residential property on both sides of Mr. Augustinos' parcel and the County feels that because the lot is so small, that in the future, should the structure be torn down, the C-1 use could not be accomplished without variances. The County recommends disapproval of Mr. Augustinos' request.

Karen Guinup commented that the C-1 classification is aggressive and the size of the lot is incompatible. She recommended an R-6 instead.

Attorney Scott Chatfield confirmed that there is a difference in intensity between an R-6 and a C-1, the C-1 being a more intense use.

**Town of Clay
Planning Board Meeting**

May 23, 2001

Chairman Kovac asked if the use of a hair salon fell under the uses of an R-6 and Attorney Chatfield said that it would. Chairman Kovac noted that a dentist office or a real estate office could also operate under an R-6. The C-1 has drawbacks; its potential is greater than the size of the lot. (The planning board clarified this by saying that an R-6 would be an appropriate zone, but may not be able to be used as a hair salon. They stated that the applicant needs to be advised of this)

Mr. Augustinos said he would consider the R-6.

Chairman asked if there were any further comments or questions from the Board or the audience and there were none. Chairman Kovac closed the hearing.

Chairman Kovac conferred with Attorney Chatfield as to what Mr. Augustinos could do if he wanted to seek the R-6 instead. Attorney Chatfield explained that there were two ways to proceed the shortest route would be to withdraw his application for a change of zone to the C-1 district which is coming up before the Town Board June 4th, and reapply for the R-6.

Motion was made by James Sharpe and seconded by Water Lepkowski to recommend that the Town Board deny without prejudice, the application made by Andrew Augustinos for a change of zone to a C-1 on property located at 4976 West Taft Road, as the C-1 uses are too intense for the size of the parcel. This recommendation is also in agreement with the County's recommendation. As an alternative it is the Planning Board's recommendation that the parcel be zoned an R-6 as a transitional use.

01-4-2 Johnson Liverpool, L.P. (Tactair) Site Plan - 4806 West Taft Road

David Rebhahn of Schopfer Architects, representing the applicant, explained that in 1998 they got a permit to build an addition, but did not go ahead with it. The business is growing and they would like to proceed with their plans.

Jerald Dwyer of Young & Franklin, Inc. added that the addition is 100 feet by 160 feet. Thirty-six new jobs will be created. They do not feel there will be a change in traffic. The business will be similar to what they are doing now.

Chairman Kovac asked for any comment from the Town Engineer. Ron Detota said he would like to amend the site plan with regard to drainage, but feels it can be mitigated. All else appears to be addressed. Attorney Chatfield added that it may be modified within the contingency.

Chairman Kovac commented that the Commissioner of Planning and Development determined that this did not have to go to the County Planning Board for a recommendation because it is just a modification to an existing site plan.

Moyers Corners Fireman Robert Michelson stated that he was concerned about access to the addition for the fire trucks and that getting to the rear parcel was almost impossible. Mr. Rebhahn voiced concern for the landscaping and felt it was overkill to put in a road. Walter Lepkowski suggested gravel covered with grass and Mr. Michelson said it would be suitable if it could accommodate a 26 ton fire truck. Chairman Kovac asked if the applicant would work with the fire department concerning this and Mr. Rebhahn said yes.

**Town of Clay
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Attorney Chatfield said that the Commissioner of Planning could make adjustments to insure this after approval.

Chairman Kovac asked if there were any further comments or questions from the Board or the Audience and there were none. Chairman Kovac closed the hearing.

Motion was made by Walter Lepkowski and seconded by James Sharpe to adopt a resolution using Standard Form #10 that for SEQR purposes, the site plan as proposed by Johnson Liverpool, L.P. be declared an unlisted action. There is no impact on traffic or drainage that cannot be mitigated. This action does not involve any other agencies, including the Federal Government. Motion carried.

Motion was made by Karen Guinup and seconded by Walter Lepkowski, to adopt a resolution using Standard Form #20, granting the site plan approval to Johnson Liverpool, L.P., case #01-4-2, based on map by Alfred N. Ianuzi, Jr. Licensed Land Surveyor, dated November 20, 1997, revised 5/22/2001, Project #9767, File #1966.007, conditioned on compliance with the May 23, 2001 letter from the Town Engineers, C & S Engineers redesign of the retention basin, addition of a gravel drive for fire equipment access to the rear, and including all other legal and engineering requirements. Motion carried.

A brief recess was taken at 8:38 P.M. Meeting was called back to order by Chairman Kovac at 8:42 P.M.

01-4-3 Northside Baptist Church Site Plan - 7965 Oswego Road:

Richard A. Wicks, Jr. the Architect representing the applicant, located the project by architectural drawing. The Church is between Seneca Mall and Getman Road, bordered on the south by McDonalds Restaurant. They propose constructing an addition of 14,600 square feet to provide classrooms, new lavatory facilities and a gym. They received the variance they needed from the Zoning Board. They have an agreement with Seneca mall to use their parking lot. People attending the church may enter or exit at the traffic light north of their church but only exit to the south at McDonalds.

The drainage will be to the rear. No new paving will be done. They will add some plants to their present landscaping. Mr. Wicks, Jr. addressed elevation and that they plan on re-roofing the church. They would like to go with white or gray vinyl siding for the addition, which will be less maintenance and make the church more visible.

Chairman Kovac commented that the Town Engineer, Ron Detota feels the site plan is in substantial compliance and that the County Planning Board recommended approval, stating that there will be no significant adverse effects. They are leaving it to the Town Planning Board to take appropriate action.

Robert Michelson, from Moyers Corners Fire Department, said he thought the site plan was fine, but he highly recommended that the church install a sprinkler system.

Chairman Kovac asked if there were any further comments or questions and there were none. He asked for those in favor and there were 10 and for those opposed and there were none. Chairman Kovac closed the hearing.

**Town of Clay
Planning Board Meeting**

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Motion was made by Bruce Johnson and seconded by James Sharpe to adopt a resolution using Standard Form #10 that for SEQR purposes, the site plan as proposed by Northside Baptist Church be declared an unlisted action. There will be no significant increase in traffic nor any impact on drainage that cannot be mitigated. This action does not involve any other agencies, including the Federal Government. Motion carried.

Motion was made by Walter Lepkowski and seconded by Karen Guinup, to adopt a resolution using Standard Form #20, granting the site plan approval to Northside Baptist Church, case #01-4-3, based on map by Associated Architects of Syracuse, dated April 18, 2001, revised May 18, 2001 subject to legal and engineering requirements. Motion carried.

00-9-5 Carlton Lahah Preliminary Plat - south side of Route 31, Pompadour Hair Salon and the Metropolitan Water Board:

The variance needed has not been obtained yet and the applicant has requested that this case be adjourned to the second Wednesday in July.

Motion was made by Ferdinand Lepinski and seconded by Bruce Johnson that the preliminary plat for the Pompadour Hair Salon and the Metropolitan Water Board, Case #00-9-5 be adjourned to July 11, 2001.

01-3-9 Henry L. Cook Site Plan - 5338 West Taft Road:

Attorney Mark Grobosky, who is representing Mr. Cook stated the parcels have been joined into one. They have gone before the Zoning Board of Appeals and their variance requests were approved. There was a question about drainage and they propose to add an additional catch basin. The Zoning Board conditioned buffering, trees and a six foot fence along the south boundary.

Karen Guinup said she would like to see fence from the midway point on the east property line to graduate in height to the back line, then remain the six foot height from the south east corner to south west corner, then the height to graduate downward to the midway point on the west side, so it didn't look like a fort.

The maintenance of the fence would be the responsibility of the owner.

Attorney Grobosky said the neighbors were invited to get together with the architects to discuss fencing and landscaping.

Walter Lepkowski suggested that the fence type be the ventilated stockade kind that looked the same on both sides, like the fence at the new AmeriCU Credit Union on Oswego Road at Laurel Lane.

With regard to drainage, the Town Engineer, Ron Detota said he would like to see topographic and contour information on the plan. He would like the water contained on site and Mr. Crissy said they would do that. Engineer Detota said he felt the dry well was the only option. Mr. Crissy said they already have two existing dry wells on the site.

Commissioner Tessier commented that the County Planning Board recommended removal of the residence, and said he would go on record that he did not feel there was any point in doing that. He feels it is a perfectly good residence. Commissioner Tessier advised the board that because of the County Board's recommendation if the Board voted to approve the site plan the

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vote would have to be a majority plus one. Also he noted that the Zoning Board had granted the variances with conditions that the applicant complete the construction in substantial compliance with technical plans presented that the offending trailer, telephone lines and junk piles be removed, and further that processed waste be stored inside the building, and further that landscaping and fencing and trees be installed pursuant to direction from the Planning Board (to form sound and visual barrier to rear of property), and further that all venting to be to the side of the building if architecturally and mechanically possible and not out the rear of the building. All items should be taken care of with these plans except for the landscaping which was left up to the planning board. The Commissioner advised that the trees be six to eight feet, not four feet to six feet as proposed, so that they are taller than the fencing, and that there be seven trees.

Attorney Grobosky said they would agree to that.

Ferdinand Lepinske said he would like them to be evergreens. Attorney Grobosky said that was what he had in mind.

Chairman Kovac asked if there were any further comments or questions and there were none. He asked for those in favor and there were none and for those opposed and there were none. Chairman Kovac closed the hearing.

Motion was made by Karen Guinup and seconded by Walter Lepkowski in connection with Case #01-3-4 for Henry L. Cook to adopt a resolution using Standard Form #10 for SEQR purposes, that the site plan be declared a negative declaration, as there appears to be no environmental impacts that cannot be mitigated. This action does not involve any other agencies, including the Federal Government. Also using Standard Form #20, that the site plan be approved, based on a map by The Crissy Architectural Group, dated February 5, 2001, revised March 15, 2001, revised April 11, job #00252 conditioned upon construction of a wood fence not to exceed six feet, starting at approximately the north east corner of the existing structure, running along the easterly line in a southerly direction to the south line, along the south line with a vented stockade fence, continuing around the west perimeter of the property to the south west corner of the existing residence building. The Planning Board is acting contrary to the County Board's recommendation with respect to the removal of the house on the north west corner of the property. Approval is also subject to legal and engineering. Motion carried.

01-3-9 SBA Properties, Inc. - Special Use Permit for a Public Utility (Cellular Tower) recommendation, 5181 Route 31, north side of Route 31, between Caughdenoy and Burnet Roads.

Frank Harrigan, the Attorney representing the applicant, presented three letters to the Board. One was from the United States Department of the Interior, dated March 22, 2001, stating in part no Federally listed endangered species under their jurisdiction are known to exist in the project impact area, the second from the New York State Department of Environmental Conservation dated April 3, 2001, stating in part that they have no record of rare or state listed animals, plants, significant natural communities, or other significant habitats, on or near the site, and the third from the New York State Office of Parks, Recreation and Historic Preservation dated February 27, 2001, stating in part that there is no effect upon cultural resources.

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As far as a gate goes, Attorney Harrigan said they would agree with the Board's recommendation.

Attorney Harrigan noted that the tower is not tall enough to require lights, but because of its proximity to Michael Airfield, the FAA has been notified. When the Town Board makes their decision, and if they approve of the Special Permit the FAA will go forward and notify the nearby airfields, but that is contingent on the Town Board's approval.

Ferdinand Lepinske said he wanted the gate and wanted it locked. The Fire Department has bolt cutters if needed. The gate discourages people from driving in.

Raymond Florzyk expressed concern for the tower being in proximity of his airfield.

Commissioner Tessier said the concerns of the Town Board were that a removal bond be supplied by the applicant in the event that the tower had to be removed in the future, and that there should also be a fall zone easement.

Attorney Chatfield stated that a condition should be added that the applicant agree to co-location and at a market price.

Attorney Harrigan said that they would agree, that the tower can have up to five carriers.

Commissioner Tessier said he would like the gate on the property line.

Ferdinand Lepinske expressed concerns for ultra lights if the tower is unlighted. Attorney Harrigan said whether it is lighted or not is up to the FAA. Charlie Branagh said he wanted to be on record that para planes and ultra lights could be a problem, that an unlit tower might not be seen.

Attorney Chatfield pointed out that if people were flying under 200 feet they better be aware of what they are doing.

Charlie Hart, a pilot that runs the Cicero Airport said the tower is right in the line of his runway and with inexperienced student pilots, he feels the site is in a bad spot.

Chairman Kovac asked if there were any further comments or questions and there were none. He asked for those in favor and there were none and for those opposed and there were none. Chairman Kovac closed the hearing.

Motion was made by Bruce Johnson and seconded by James Sharpe to move the adoption of a resolution of recommendation to the Town Board to approve the Special Permit for a public utility tower, for case #01-3-9 SBA Properties, Inc. with the following conditions: FAA approval, a removal bond, and allowance for co-location. Also, using Standard Form 20, the site plan by Erdman Anthony, dated 3/2/01, drawings Z-1, Z-2, and Z-3, is approved, contingent on the modification of the construction of the gate on the property line, and further contingent on approval of the special permit by the Town Board. Motion carried, Ferdinand Lepinske voting no, because of what he heard at the Town Board meeting, he is not satisfied that the flight path safety concerns that were expressed have been mitigated. Motion carried.

00-12-1 COR Route 31, west of Dell Center Drive

00-12-5 COR Route 31 Company, LLC Preliminary Plat - north side of Route 31, west of Dell Center Drive:

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With regard to Case # 00-12-1, Attorney Joseph Gerardi could not address this tonight as the addendum to the environmental impact statement has not yet been delivered to the County DOT. The County had asked for an extension. Attorney Gerardi stated that the Zoning Board had approved their variance requests for this project.

With regard to Case # 00-12-5, Ed Beeler, Project Manager for McDonalds Corporation gave a brief overview of the site plan and landscaping. The restaurant is to be constructed on an out parcel, and will be 3900 square feet in size with a seating capacity of 80-90 people. There will be 56 parking stalls and the rear of the restaurant will face State Route 31. Mr. Beeler reviewed the building elevation and added that they planned on erecting two 50 square feet signs, one on the front of the building and one on the back of the building..

Chairman Kovac asked about trash pick-up and Mr. Beeler said they would have it hauled away as needed. Walter Lepkowski said he would like to see shrubbery around the trash corral and Mr. Beeler said they could screen the brick wall.

Walter Lepkowski asked to see their lighting plan, then asked what their hours would be. Mr. Beeler said 6:30 A.M. to 11:00 P.M. Sunday through Thursday and Friday and Saturday 6:30 A.M. to midnight.

Commissioner Tessier suggested that regarding the issue of free standing signs the following be added to the subdivision and/or the site plan: "all parcels constitute one shopping center, with entrance signage limited to one sign at the entrance from State Route 31 and one sign at the entrance from Dell Center Drive". This wording should be added to the plans. This is in reference to the large identification signs.

Motion was made by Walter Lepkowski and seconded by Karen Guinup to adjourn Case #00-12-1 and Case # 00-12-5 for COR Route 31 Company, LLC to the next meeting, June 13, 2001. Motion carried.

Adjournment:

Motion was made by Bruce Johnson, seconded by Ferdinand Lepinski, to adjourn the meeting. The meeting was adjourned at 11:30 PM. Motion Passed.

Respectfully submitted,



Vivian I. Mason
Acting Planning Board Secretary

APPROVED

May 9, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 9th day of May 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	James Keefe	Member
	Karen Guinup	Member
	Walter Lepkowski	Member
	James Sharpe	Member
	Ferdinand Lepinske	Member
	Bruce Johnson	Member
	Robert Ventre	Acting Attorney Planning Board
	Ron Detota	C & S Engineer
	David Tessier	Commissioner of Planning & Development
	Cindy Heid	Codes Enforcement Officer
	Mary Ellen Sims	Planning Board Secretary
ABSENT	Scott Chatfield	Planning Board Attorney

Approval of Minutes

Motion was made by James Sharpe, seconded by Ferdinand Lepinske, to approve the minutes of April 25, 2001 with the following corrections: Page 4, third paragraph from the bottom, change Town Board to *Planning* Board and page 2, third paragraph "Commissioner Tessier did *not*... .. Motion Passed.

Public Hearings:

7:30 P.M. 01-3-9 SBA Properties, Inc. - Special Use Permit for a Public Utility (Cellular Tower), 5181 Route 31, north side of Route 31, between Caughdenoy and Burnet Roads. Frank Harrigan, attorney with the firm of Grossman, Kinney, Dwyer & Harrigan, was present to represent SBA Properties for a special use permit for a Cellular Tower at 5181 Route 31. The property is located on the north side of Route 31, between Caughdenoy and Burnet Roads. The property is zoned A-1.

Cingular Wireless is a co-applicant with SBA properties for the construction of a 150-foot cellular tower. Geraldine French Trust owns the property for the proposed location of this tower. Cingular Wireless and SBA properties have a "Build to Suit Agreement" in New York State, whereby SBA has been commissioned to construct wireless telecommunications towers in select locations at Cingular's request to meet Cingular's network build out needs.

This location was selected to service wireless users in an area that currently "drops" calls. No other suitable locations were found. The site, if the pole were constructed, would eliminate gaps in communication coverage.

The proposal is to construct a 150-foot monopole, on property that is approximately 100 X 100 feet. There will be a 20 x 11 equipment room located on the site. A 6-foot fence, topped with 12" of barbed wire, will surround the area. The proposed site meets all zoning requirements. The "fall zone"

exists in every direction. The site meets all the ice and wind standards. Emissions are far below federal standards. The tower is designed to collapse within itself.

The applicant stated that any landscaping design would be adhered to. The discussion of a gate at the entry road was discussed. The applicant will comply with the planning board on this issue and install a gate, if necessary.

Additional letters from the NYS Fish and Wildlife and NYS Historic Preservation Association still need to be submitted by the applicant. The re-subdivision of this parcel has not been filed, as of this date.

Chairman Kovac asked if there were any questions from the Board.

Walter Lepkowski stated that it appeared that there is a 4 square mile coverage area per tower and asked the applicant if they had any additional plans for more towers in the Town of Clay or Town of Cicero. The applicant responded that they did not have any additional tower plans, at this time.

Ferdinand Lepinske commented that he felt that a gate at the entrance would be needed.

The planning board could request of the Town Board, that the site plan be sent back to the planning board for the issue of the gate and fencing/ or the Planning Board could list the items they would like to see on the site plan and submit this list to the Town Board.

Motion was made by Karen Guinup, seconded by James Keefe, to adjourn this public hearing to May 23, 2001. Motion Passed.

Old Business: Adjourned Hearings

00-7-7 Amy B. Benson & Douglas M. Jarvis (3) Preliminary Plat - 8252 Oswego Road

Don Doerr was present to brief the board on the preliminary plat for Amy Benson and Douglas Jarvis for property located at 8252 Oswego Road. The parcel is currently zoned R-6.

Mr. Doerr commented that the gravel area has been paved, as of today. The trees that were to be planted in the back of the parcel have not been planted due to the weather and soft condition on the land. He commented that the area is now solid enough to plant the trees in the rear of the parcel. The sign that was placed on the roof was removed and will be placed in the approved location, per the sign approval that was obtained by the applicant.

Chairman Kovac asked who owned the chain link fence located to the rear of the parcel. The fence belongs to the neighbor in the back of the parcel.

Karen Guinup reminded the applicant that roof signs are not permitted in the Town of Clay.

Ron DeTota, engineer, commented that the following items needed to be shown on the final plan:

- Title with a better description of the parcel
- Sanitary Sewer to the North West needs to be shown
- Easement associated with the sanitary sewer needs to be shown
- Adjacent zoning needs to be shown on the map.

Hearing no more questions or comments, Chairman Kovac closed the public hearing.

Motion was made by James Sharpe, seconded by Walter Lepkowski, to adopt a resolution using Standard Form # 10, that for SEQR purposes, the preliminary plat for case # 00-7-7 be declared a negative declaration. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion Passed.

Motion was made by James Sharpe, seconded by Walter Lepkowski, to adopt a resolution using Standard Form # 40, that final plat approval be granted to Amy B. Benson & Douglas M. Jarvis for property located at 8252 Oswego Road, based on a map by Lehr Land Surveyors, showing file # 01-04-2*R*, dated 5/3/2001, no revisions, subject to legal and engineering requirements and specifically that the items noted by the engineer: Title, sanitary sewer to the northwest, easement associated with the sewer and adjacent zoning be shown on the map. Motion Passed.

00-12-1 COR Route 31 Company, LLC (2) Site Plan - north side of Route 31, west of Dell Center Drive

00-12-5 COR Route 31 Company, LLC (3) Preliminary Plat - north side of Route 31, west of Dell Center Drive

Joseph Gerardi, Vice President and legal counsel for COR Route 31 Company, Peter Giovenco, civil engineer, Richard DiCesare, traffic engineer, Neil Madden, partner in the law firm of Harter, Secrest & Emery, and James Williams, sign consultant were present to brief the board on any new developments to the site plan and to review any changes that have been made.

Neil Madden commented that the Planning Board did receive the FEIS on the Sunday before this meeting and the additional information regarding traffic just before the meeting. He asked that the board accept the FEIS and that this document be sent on so that the process can move forward. He commented that accepting the FEIS does not bind the board but does permit the process to move forward.

Mr. Madden had the following comments in regards to the DEIS and the Corridor Management Plan:

- The Corridor Study is not a legal document
- The plan presented complies with the important criteria of the study
- It is not appropriate, under SEQR, to require this applicant to mitigate other properties.
- The private applicants need to seek alternatives.

He commented that the FEIS meets criteria, it contains the DEIS and comments.

Peter Giovenco, civil engineer, commented on the site plan changes and reviewed other aspects of the plan. The entry drive was relocated and has been aligned with the drive that continues to the front of the plaza. All other entrances have remained the same. The applicant has re-designed the drive in the rear of the parcel to comply with the fire departments request. Landscaping plans are presented in the package and have not changed. The alignment of the sanitary sewers have changed and the drainage ponds are slightly larger. The plans are almost complete, with some minor fine-tuning of the ponds.

Site plan approval will include the McDonalds location. The planning board requested that the applicant provide more information on this proposed construction. A representative will be present at the meeting on May 23, 2001 to discuss the plans for McDonald's.

Planning Board reminded the applicant that they are permitted one freestanding shopping center sign.

Richard DiCesare, traffic engineer, touched briefly on the traffic report and the addendum that was submitted to the board for their review. The addendum is a result of additional questions State DOT had on traffic and the request from State Dot for finer detail on some issues. The planning board has not had adequate time to review these documents.

The applicant offered additional mitigation to the traffic concerns that were presented. East bound lane configuration, at the location of the new traffic signal, was changed to have less impact on Route 31. At the Dell Center Drive location, two lanes will be fully dedicated to left turn only lanes. The Carling Road area will permit left hand turns to turn at the same time. Optimizing signalization along the Route 31 corridor between this project and through the Route 31 and Morgan Road area will be addressed. Route 481 and Soule Road intersection was discussed and it appears that the need for a traffic signal exists today.

Chairman Kovac asked if the State DOT had received the FEIS and addendum. The applicant responded that they would deliver the documents the day after this meeting.

The applicant is applying for variances on this parcel and will appear before the ZBA on May 14, 2001. The applicant requested the ZBA to give an advisory opinion on the variances requested by May 14, 2001, if possible.

Chairman Kovac stated that the planning board cannot comply with the applicant's request to accept the FEIS. The documents that have been submitted need comment from the State DOT. The documents will be submitted to the State DOT for their comment within a 30-day period. The planning board will request that the State DOT submit their comments, in writing, by June 8, 2001. The public hearings will be adjourned to May 23, 2001

James Williams, sign consultant, presented a sign request for the shopping plaza for comment from the planning board. The proposed sign is shown as 41.97 feet high and will have two major tenants on the sign, with a plaza identification sign on the top. The planning board requested that the sign be no more than 25 feet high, with a width proportionate to that.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to adjourn the public hearings for case # 00-12-1 and 00-12-5 to May 23, 2001. Motion Passed.

Old Business: Hearings Closed

NONE

Adjournment

Motion was made by Karen Guinup, seconded by Walter Lepkowski, to adjourn the meeting. The meeting was adjourned at 10:50 PM. Motion Passed.

Respectfully submitted,



Mary Ellen Sims
Planning Board Secretary

APPROVED

April 25, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 25th day of April 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	James Keefe	Member
	Ferdinand Lepinske	Member
	Bruce Johnson	Member
	Scott Chatfield	Planning Board Attorney
	Ron Detota	C & S Engineer
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary

LATE:	James Sharpe	Member
	Walter Lepkowski	Member

ABSENT	Karen Guinup	Member
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Approval of Minutes

Motion was made by Bruce Johnson, seconded by James Keefe, to approve the minutes of April 11, 2001 as presented. Motion Passed.

Public Hearings: None

Old Business Adjourned Hearings

01-3-2 Henry L. Cook (3) Preliminary Plat - 5338 West Taft Road

01-3-3 Henry L. Cook - Final Plat

Mark Grobosky attorney with the firm of Grobosky & McCarthy, presented the preliminary and final plan to the Board for their review. The property is located at 5338 West Taft Road and is currently the Village Cleaners.

The applicant is requesting approval of preliminary and final subdivision to combine three existing lots into one parcel, that is zoned C-2. At the present time, the Village Cleaners is located on lot # 22, an existing home is located on lot # 23, and the other parcel is vacant.

The applicant is proposing to expand the existing dry cleaning business from 1,970 square feet to 5,470 square feet. The addition is necessary for the additional service of the wet cleaning process that the applicant will be offering. The applicant is applying to the zoning board for variances on this parcel for side yard setback, rear yard setback and perimeter strip setbacks. They will appear before the zoning board on May 14, 2001.

(James Sharpe took his place on the board)

Onondaga County Planning Board recommendation commented in their review of the project that they were concerned the existing residence on the northern part of Lot # 23 will be an inappropriate and conflicting land use on the intensely used commercial lot that will be created and the Board suggests that removal of this house will allow additional landscaping and buffering for adjacent residential parcels. Therefore they recommended approval with the following condition:

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That the residence on the northern part of lot 23 be removed and the area be used to reconfigure the site plan to provide more landscaping and buffering of the property.

Mark Grabosky addressed these comments and stated that the removal of the existing residence would not benefit the community, the removal is not necessary to make the project work and that the removal of this residence would be a burden to his client

Commissioner Tessier commented that he did not see any benefit from the removal of the house.

Ron DeTota, C & S engineer, commented that all issues could be mitigated. He would like to have a topographic survey and the existing facilities shown on the plan.

Chairman Kovac asked if there were any comments and Commissioner Tessier stated that he felt that this was a good subdivision for the Town, as it combines three parcels into one with the same zoning classification.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by James Keefe, seconded by Bruce Johnson, to adopt a resolution using Standard Form # 10, that for SEQR purposes, the preliminary and final plat for case # 01-3-2 and 01-3-3 be declared a negative declaration. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion Passed.

Motion was made by Bruce Johnson, seconded by James Sharpe, to adopt a resolution using Standard Form # 40, that final plat approval be granted to Henry L. Cook, case # 01-3-3 based on a map by Ianuzi & Romans, P.C., dated 2/15/2001, no revisions, showing file # 2793.001 subject to legal and engineering and acknowledging OCPB recommendation as to the removal of the residence on lot 23. Motion passed unanimously with 6 aye votes, no nays.

01-3-4 Henry L. Cook (3) Site Plan - 5338 West Taft Road

Motion was made by Ferdinand Lepinske, seconded by James Keefe, to adjourn the site plan for Henry L. Cook to May 23, 2001. Motion Passed.

(Walter Lepkowski took his place on the board)

00-12-1 COR Route 31 Company, LLC (2) Site Plan - north side of Route 31, west of Dell Center Drive
00-12-5 COR Route 31 Company, LLC (3) Preliminary Plat - north side of Route 31, west of Dell Center Drive

Joseph Gerardi, Vice President and Legal Counsel for COR Route 31 Company, James Lampkin, architect for Home Depot and Andy Hart of Bergman Associates, were present to brief the board on the recent changes to the site plan and preliminary plan for COR Route 31 Company.

Mr. Gerardi stated that he had hoped to have the Final DEIS to the board for their review but that traffic issues have held that report up.

Mr. Gerardi handed out a proposed schedule for the project, including target dates for the final DEIS, SEQR findings etc.

He stated that, in regards to the preliminary plan, subdivision lines have changed slightly, due to the relocation of the entry drive.

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Chairman Kovac asked if the reconfiguration of the entry drive had any effect on the parcels across the street. Mr. Gerardi stated that the relocation of the entry drive was a better configuration for the parcels across the street. Mr. Gerardi stated that the next plan would show the parcels across the street.

Bruce Johnson commented that, with the reconfiguration of the entry drive, persons accessing the site would have a straight drive to the buildings. Mr. Gerardi commented that the drive would have stop signs to alleviate that traffic issue.

Chairman Kovac commented that the connection of Carling and Dell Center Drive would be a condition of the site plan approval.

The board inquired as to the exterior of the Home Depot building. At the last meeting, two options were discussed.

Mr. Lampkin, Home Depot Architect, stated that he would offer to the board the suggestion that the front of the building could be split face block, with the remainder of the building precast panels. He stated that brick is not feasible, at this time. The colors on the building are beige, brown and orange.

Walter Lepkowski asked if Home Depot could tone down the orange color. The applicant stated that it is their standard color.

The board agreed that the exterior of the building would be:

Split face block on the front of the building

The remainder of the building would be finished with smooth precast panels.

Mr. Michelson, Moyers Corners Fire Department, was still concerned about the proposed drive in the rear of the parcel in regards to fire truck access. The applicant stated that they would continue to work with the fire department on this issue.

Hearing no more questions, Chairman Kovac asked for an adjournment on these public hearings.

Motion was made by James Sharpe, seconded by Ferdinand Lepinske, to adjourn both public hearings to May 9, 2001. Motion Passed.

Old Business: Hearings Closed

00-11-6 Barbet Development Corp., Zone Change Recommendation, A-1 to R-1, west of Morgan Road, south of Route 481, and north of Fairway East

00-11-7 Barbet Development Corp., Zone Change Recommendation, A-1 to R-5, west of Morgan Road, and east of Streamwood Drive

Ivan Zdrahal, representing the applicant, appeared before the board for the zone change for Barbet Development Corporation from A-1 to R-1 on the property located west of Morgan Road, south of Route 481 and north of Fairway East and for the zone change from A-1 to R-5 for property located west of Morgan Road and east of Streamwood Drive.

Mr. Zdrahal noted that the Town Board accepted the DEIS as complete for public comment. He commented that, at present, the land is vacant land and that the proposed zone changes are a good use of the land and are fully compatible with the surrounding area.

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Chairman Kovac stated that the traffic on Soule Road at Streamwood would be an issue at site plan. He asked the applicant if a traffic light were necessary in that area, if the developer would be willing to pay for it. Mr. Zdrahal stated that he could not answer that question at this time.

Walter Lepkowski commented that traffic is an issue and that he takes the traffic issue into consideration at the time of zone change recommendation.

Chairman Kovac stated that the board received a letter from the Goodridge family, 4211 Streamwood Drive, and that at site plan review, the issues in the letter will be discussed.

Motion was made by Bruce Johnson, seconded by James Sharpe, to adopt a resolution using Standard Form # 50, recommending to the Town Board the granting of the zone change request from Barbet Development Corp. from A-1 to R-1 for property located west of Morgan Road, south of Route 481 and north of Fairway East for the following reasons:

The requested zone change is in conformance with the surrounding land uses
There are no problems that cannot be mitigated.

Motion Passed.

Motion was made by James Sharpe, seconded by James Keefe, to adopt a resolution using Standard Form # 50, recommending to the Town Board the granting of the zone change request from Barbet Development Corp. from A-1 to R-5 for property located west of Morgan Road, and east of Streamwood Drive for the following reasons:

It fits into surrounding area
It is in conformance with the Town Master Plan

Motion Passed.

00-4-1 Amerada Hess Corporation, Zone Change Recommendation (amended application) - R-4 to C-4 & C-2, south east corner Bear and Buckley Roads

Paul Curtin, representing the applicant, appeared before the board for the zone change recommendation for Amerada Hess Corporation for a parcel on the southeast corner of Bear and Buckley Road from R-4 to C-4 and C-2.

He stated that the Town Board has asked the applicant for a draft environmental impact statement (DEIS) and that it will be submitted to the Town Board at their next meeting. He felt that the issues were not significant and asked that the board consider a zone change recommendation at tonight's meeting.

Walter Lepkowski did not want to vote on this zone change recommendation until the DEIS was received and reviewed by the Planning Board .

Motion was made by James Keefe, seconded by Bruce Johnson, to adopt a resolution using Standard Form # 50, recommending to the Town Board approval of the zone change recommendation for Amerada Hess Corporation from R-4 to C-4 & C-2 for the following reasons:

The two zone changes are appropriate for the neighborhood.
C-2 is a less intense zone for the area than C-5
Subject to the Town Board finding the environmental impact study acceptable and the approval of the findings of the EIS.

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Motion Passed with all ayes, one no vote.

Walter Lepkowski voted no for the following reasons:

A 24-hour gas station is not compatible with the area.

The two zone changes are too intense

C-1 or R-6 is more appropriate for that area

Final DEIS has not been reviewed.

01-2-5 Frances R. Essig by Madelyn Gewinner & Richard P. Emmons (1) Preliminary Plat - 8111 & 8117 Lawton Road

01-2-6 Frances R. Essig by Madelyn Gewinner & Richard P. Emmons-Final Plat

Chairman Kovac commented that the Onondaga County Planning Board has no jurisdiction over this case and therefore the Planning Board could make a decision on this case without OCPB's recommendation.

Motion was made by James Keefe, seconded by Walter Lepkowski, to adopt a resolution using Standard Form # 40, granting final plat approval to Frances R. Essig by Madelyn Gewinner & Richard Emmons for property located at 8111 and 8117 Lawton Road, based on a map by Ianuzi & Romans, P.C., dated 1/24/2001, no revisions, showing file # 386.191 and subject to the granting of deviation in lot # 1 under authority of Section 278 of Town Law . Reason for asking for relief under Section 278 is that the status of the lots is necessary to allow for consideration of the existing buildings on lot # 1 and lot # 2. Motion Passed.

01-3-1 J. Alberici & Sons, Inc. Zone Change Recommendation R-2 to R-4 - 4165 Elmcrest Road

Chairman Kovac stated that the applicant has withdrawn his application for zone change from R-2 to R-4 for property located at 4165 Elmcrest Road. The board will take no further action on this zone change request.

01-3-6 Raymours Furniture Co., Inc. d/b/a Raymour Flanigan Furniture (1) Preliminary Plat - south west corner of Route 31 and Soule Road

01-3-7 Raymours Furniture Co., Inc. d/b/a Raymour Flanigan Furniture - Final Plat

01-3-8 Raymours Furniture Co., Inc. d/b/a Raymour Flanigan Furniture - Site Plan-south west corner of Route 31 and Soule Road

Neil Goldberg, President and CEO of Raymour and Flanigan, representatives from Sear Brown Group and representatives from Raymour and Flanigan were present to brief the board on the changes that have been made to the site plan and final plat.

The applicant has incorporated all comments from the last meeting into their new plan. Parking spaces were eliminated close to Route 31, for added green space. These parking spots could be turned back into paved area as the need arises or by direction of the Planning Board. Parking spaces close to the future proposed town houses to the west were eliminated and trees will be planted to add more screening in that area. A 20-foot sanitary sewer easement adjacent to Route 31 for parcels to the east was provided.

Onondaga County Planning Board recommendation was received and the following was recommended: That the requested application be approved with the following condition:

That the site plan be amended to provide the ability to interconnect with the parcels immediately to the west of this site and the two parcels in the northeast corner of this site.

The applicant will supply a comprehensive lighting plan.

Ron DeTota, C & S engineer, stated that the applicant has addressed all items.

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Chairman Kovac stated that a letter was received from Mr. Messenger. The public hearings were noticed and that the public hearing was closed.

The existing hydrant will be removed and relocated between the two retail spaces.

Mr. Goldberg responded to the OCPB's recommendation. He commented that he has tried to negotiate a fair and agreeable contract for the parcels to the northeast and that he has not been successful in that endeavor.

Planning Board did state that, at this time, the ability to interconnect with the parcels does exist.

Motion was made by Walter Lepkowski, seconded by Bruce Johnson, to adopt a resolution using Standard Form # 40, granting final plat approval to Raymours Furniture Co., Inc. d/b/a Raymour Flanigan Furniture, based on a map by Sear Brown Group, dated 3/8/2001, revised 4/24/2001, with the following condition:

The filing of the 30 foot sewer easement on the westerly boundary and subject to legal and engineering requirements, and acknowledging OCPB's condition and not following same. Motion Passed with 6 ayes, no nays.

Motion was made by Bruce Johnson, seconded by James Sharpe, to adopt a resolution using Standard Form # 20, granting site plan approval to Raymours Furniture Co., Inc. d/b/a Raymour Flanigan Furniture, based on a map by Sear Brown Group, dated 3/8/2001, revised 4/25/2001 subject to legal and engineering requirements and acknowledging OCPB's condition and not following same and subject to the fire hydrant on the northeast be relocated on the water line to the southwest. Motion Passed with 6 ayes and no nays.

SIGNS

LA Weight Loss- Marketfair Mall

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to approve the sign as presented in permit # 33447 for LA Weight Loss. Motion Passed.

Cingular- Sugarwood Plaza

Motion was made by James Keefe, seconded by James Sharpe, to approve the two wall signs as presented in permit # 33428 for Cingular. Motion Passed.

Adjournment

Motion was made by James Keefe, seconded by James Sharpe, to adjourn the meeting. The meeting was adjourned at 11:00 PM. Motion Passed.

Respectfully submitted,



Mary Ellen Sims
Planning Board Secretary

APPROVED

April 11, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 11th day of April 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Karen Guinup	Member
	Ferdinand Lepinske	Member
	Bruce Johnson	Member
	James Sharpe	Member
	Scott Chatfield	Planning Board Attorney
	Doug Wickman	C & S Engineering
	David Tessier	Commissioner of Planning & Development
	Cindy Heid	Codes Enforcement Officer
	Mary Ellen Sims	Planning Board Secretary

ABSENT:	Ron Detota	C & S Engineering
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Approval of Minutes

Motion was made by Walter Lepkowski, seconded by James Sharpe, to approve the minutes of March 28, 2001 as presented. Motion Passed.

Public Hearings:

00-4-1 Amerada Hess Corporation - Zone Change Recommendation (amended application) R-4 to C-4 & C-2, southeast corner of Bear and Buckley Road.

Paul Curtin, Jr, attorney, Dennis Kenelly, FRA Engineering, and William Wolfrom a representatives from Hess, were present to brief the board on the proposed plans for Amerada Hess Corporation. The applicant is requesting a change of zone from R-4 to C-4 and C-2 for a parcel that is located on the south east corner of Bear and Buckley Road.

Mr. Curtin explained that the applicant amended their original application for the back portion of the parcel, from a request for C-5 to C-2.

The request is to rezone a 10.7 acre parcel from Multi-Family (R-4) district to Gasoline Services Facilities (C-4) District (1.8 acres) and Office and retail Store (C-2) District (8.9 acres).

Onondaga County Planning Board had the following comments:

“The Onondaga County Department of Transportation has requested that the site plan for this proposal show one access on Buckley Road opposite Coffee Tree Lane and one on Bear Road.

The County board notes that the site plan for this development will need to meet Onondaga County Department of Transportation access requirements. The area to be zoned C-4 may need to be increased if the Town wishes the driveways for the gasoline station to be zoned the same as the station itself. The applicant should consult with Jim Stelter of OCDOT in regard to access permits, design and location of the driveways.”

County Planning determined that this project will not have a significant adverse inter-community or countywide implications and may be acted on solely by the referring board.

The applicant is proposing a 3,500 square foot convenience store and 16 bay filling station.

Mr. Curtin stated that, at this time, they have no definite plans for the C-2 portion of the site. They envision professional office type facilities with a 9:00 AM to 5:00 PM type operation.

Mr. Curtin presented a preliminary plan for the development of this site. The applicant is showing 3 access points for this parcel on this plan. The possibility of eliminating one of those access points was discussed.

Chairman Kovac asked if there were any questions from the board.

Walter Lepkowski asked how much traffic the proposed Hess station would generate. The applicant responded that they conducted a comparison study and found that trips generated are between 161-200 per day- depending on the day and time of the week.

The applicant stated that the Hess operation would be a 24-hour facility, if code permits. The proposed lighting plan was discussed and the applicant will use a toned down lighting plan, due to the fact that this parcel will abut residential property.

A resident on Meadow Wood Drive stated that the lighting from the strip mall is pretty bright and inquired as to the type of lighting that would be used on this site. He also asked about the trees that are shown on the plan.

Mr. Curtin responded that the applicant would use a toned down lighting plan and that the applicant intends to infill the border of the property with 10-12 foot evergreen trees. These will produce a visual and sound barrier for the residents.

Mr. VanGelder asked if this applicant knew that he found some monitoring wells on his property. The applicant was not aware of this.

Tom Greenwood, owner of the strip mall on the corner of Bear and Buckley, asked if the same principals that he was asked to comply with would apply to this applicant. He stated that when his parcel was developed, he was required to provide a cedar fence along the parcel that abuts residential, had to finish the buildings in cedar siding and the roof needed to be a gabled roof. He felt that there is a residential demand for this parcel and that he would like to recommend to the board that they not approve this zone change to C-2.

Chairman Kovac felt that the surrounding commercial has been developed in keeping within the residential nature of the area.

Hess stated that they are willing to work with the neighbors concerning the architecture of the site.

Mr. Edick, resident, stated that Hess stores are conducive to the area. He stated that the plan should not have an entrance so close to the intersection. He asked if the applicant would consider building a berm. He asked that the hours of operation be carefully considered and stated that the setbacks will be critical.

Lou Colangelo, resident, asked if the landscaping would be done when the Hess parcel is developed or would it have to wait until the rest of the parcel is developed. The applicant responded that it would be done when the Hess parcel is developed.

David Kelly, asked what a C-2 zoning permits. Karen Guinup read the code for permissible uses in a C-2 zone.

Tom Greenwood asked the planning board why they would change a zone that is already an R-4 zoning classification.

Chairman Kovac, hearing no more questions or comments, asked for those in favor and those against this proposal.

A resident stated that this proposal seems to be the lesser of two evils.

Hearing no more comments, Chairman Kovac closed the public hearing. A recommendation will be made at a future meeting.

01-2-5 Frances R. Essig by Madelyn Gewinner & Richard P. Emmons Preliminary Plat, 8111 & 8117 Lawton Road

New Business:

01-2-6 Frances R. Essig by Madelyn Gewinner & Richard P. Emmons- Final Plat

Alfred Ianuzi, representing the applicant, briefed the board on the preliminary plat for 8111 & 8117 Lawton Road.

The applicant proposes to subdivide the existing three parcels into two parcels under Section 278.

No action could be taken on the preliminary plat pending the receipt of comments from Onondaga County Planning Agency.

Hearing no questions, Chairman Kovac closed the public hearing for case # 01-2-5 and 01-2-6.

Motion was made by Karen Guinup, seconded by James Keefe, to adopt a resolution using Standard Form # 10, that for SEQR purposes the preliminary plat for Frances R. Essig by Madelyn Gewinner & Richard P. Emmons, 8111 & 8117 Lawton Road be declared an unlisted action. This action does not involve any other agencies, including the Federal Government. This action will not have any adverse effects on drainage, traffic or the environment that cannot be mitigated. Motion Passed.

01-3-1 J. Alberici & Sons, Inc. -Zone Change Recommendation R-2 to R-4, 4165 Elmcrest Road

Alfred Ianuzi, representing the applicant, presented the zone change recommendation for property located at 4165 Elmcrest Road from R-2 to R-4.

The proposed plan is to construct two apartment buildings with a total of 72 units on this parcel. Mr. Alberici has similar apartment buildings in the area. The construction and design will be similar to those located on Route 31, in the Willowstream area. The buildings will be 3 story buildings. 2 ½ stories out of the ground and ½ story in the ground. The first floor would be masonry and the remainder floors would be wood frame construction.

Mr. Ianuzi commented that the current zoning would permit the construction of 41 single-family homes.

This parcel is surrounded by two commercial sites and one parcel that is zoned residential but is being used commercially.

Traffic was a concern of many persons in attendance. Approximately 100 residents were at this meeting.

Chairman Kovac asked Mr. Ianuzi if Elmcrest Road could handle the additional traffic and if improvements would need to be made to the road to handle additional traffic. Traffic that would be generated from 72 apartment units, with 2 cars per unit, would be similar to traffic generated from 41 single-family homes with 2 -3 cars per home.

Chairman Kovac asked if there were any questions and the following persons stated their concerns and questions:

Tony Visiglio, resident of Lynelle Meadows, stated that he was against this proposed zone change for the following reasons:

- Elmcrest Road cannot handle the additional traffic
- Land in question is a beautiful wooded area- the limit in this area has been hit.
- Additional homes means more police protection

June Baycurra, Bayberry resident, stated that there were discrepancies in the total number of homes that could be built on this parcel. Her information stated that only 28 homes could be built.

Other concerns that were presented were:

- Elmcrest Road is dimly lit and not safe
- Elmcrest Road could not handle traffic
- Elmcrest Road has no shoulders and is very hazardous
- Concern that the sewage plant could not handle an additional 72 units
- Drainage in that area is not good at this time.
- School overcrowding
- Additional crime
- Noise
- Quality of life may suffer
- There is no need for additional apartments in this area.
- Safety of children

Patrick DiDomenico, supervisor for the Town of Clay, stated that he was present at this meeting to gather information about the proposal. He commented that the parcel is surrounded by two commercial properties and one parcel that is a non-conforming use that is grandfathered. He asked the applicant to describe the buildings and the height of the buildings. He asked the applicant if the apartments would be dedicated to any special needs, such as seniors, subsidized, etc. The applicant responded that they would not be dedicated to any special needs. He asked how the applicant could fit 41 single-family homes on this parcel. Mr. Ianuzi explained the process used for plotting 41 homes.

Mark Squares, Elmcrest Road, had many of the above concerns and stated that when they bought their home, this parcel was zoned R-2 and wanted it to stay R-2.

Tony Visiglio stated that the residents in the area do not want any more housing projects in this area.

Jim Kenyon, Elmcrest Road, asked the planning board to check the zoning on the Mauro property. He thought that this parcel reverted back to R-2.

Commissioner Tessier confirmed that this parcel is R-2.

Janet Marcell, Elmcrest Road, commented that whatever they build on the parcel, it would be too crowded.

Fred Elkins, representing 115, 117, 119 and 121 Elmcrest Road, stated that they were violently opposed to this project.

Residents asked how they could be informed on plans and public hearings in the future. Planning Board explained that notices are posted in the designated official papers for the Town of Clay.

Chairman Kovac asked for those in favor of the project and there were none. Chairman Kovac asked for those against the project, and approximately 100 persons were opposed to the plan.

A petition against the zone change with 60 signatures was presented to the board. A letter, opposing the zone change, from Cyril Weller, dated April 8, 2001 was presented to the board. Residents were encouraged to send letters to the Town stating their concerns or comments.

Hearing no more questions, Chairman Kovac closed the public hearing. A recommendation will be made at a future meeting.

01-3-2 Henry L. Cook - Preliminary Plat, 5338 West Taft Road

01-3-4 Henry L. Cook - Site Plan, 5338 West Taft Road

Mark Grobosky, attorney, representing the applicant requested that the hearings be adjourned to a later date due to the fact that the applicant has several variance requests pending.

Motion was made by James Keefe, seconded by Karen Guinup, to adjourn the public hearings for case # -1-3-2 and -1-3-4 for Henry L. Cook to April 25, 2001. Motion Passed.

01-3-6 Raymours Furniture Co., Inc. d/b/a Raymour Flanigan Furniture Preliminary Plat, south west corner of Route 31 and Soule Road

Neil Goldberg President and CEO of Raymours and Flanigan, representatives from Sear Brown Group and representatives from Raymours and Flanigan were present to present the preliminary plat for Raymours Furniture Company for property located on the south west corner of Route 31 and Soule Road.

The subdivision request is to divide the parcel into two lots. The lot closest to Route 31 is approximately 13 acres and the second lot, is approximately 17 acres. The 17-acre lot will be transferred to the Town of Clay. The 13 acre parcel will be developed commercially.

Onondaga County Planning Board response has not been received by the Town as of this date.

Chairman Kovac read the letter from C & S engineers, dated 4/10/2001. Doug Wickman, C & S engineers stated that there was one comment missing from the letter. He stated that the recommendation from C & S engineers would be that the applicant provides a 20-foot sanitary sewer easement adjacent to Route 31 for parcels to the east.

Mr. Goldberg was not in favor of this recommendation. If it is a requirement, he will include it.

No action can be taken on the preliminary plat, due to Onondaga County Planning Board comments not being received by the Town.

Chairman Kovac closed the public hearing on case # 01-3-6.

01-3-8 Raymours Furniture Co., Inc. d/b/a Raymour Flanigan Furniture Site Plan, southwest corner of Route 31 and Soule Road

Neil Goldberg, President and CEO, Tom Hornstein, and Neil Rube of Raymour and Flanigan, and Dave Rice, Cindy McCormick, and Tom Piasik, representatives from Sear Brown Group were present to present the site plan for Raymours Furniture Company for property located on the south west corner of Route 31 and Soule Road.

Mr. Goldberg stated that the site plan complies with all zoning requirements. The applicant proposes to construct a 112,000 square foot building. Raymour Flanigan Furniture will occupy 75,000 square feet of the building. The applicant stated that the intent is to contract with 1,2 or 3 tenants for the remainder of the site.

The exterior of the building will have multi color brick and glass. Air conditioning units will be on the top of the building and will be screened. The height of the building will be less than 35 feet.

There will be an eight-foot berm, with 6-foot trees planted, along the back of the parcel for screening purposes.

The applicant is proposing 595 parking spaces for this site. Required parking spaces are 563. The planning board felt that the area of black top would be excessive. They suggested that they could require or allow for some parking spaces not to be constructed at the onset of the project. Green space could be designated for the future paving of parking spaces, if so needed.

The planning board asked if the applicant would have large trailers parked in the rear of the parcel. Mr. Goldberg stated that they would not.

The property to the west of the site was discussed. At the present time, this parcel is zoned multi-family residential.

A letter from the Mufale Family Limited Partnership was read into the record. This letter stated, in part, that the Mufale Family had the opportunity to review the plans for Raymour and Flanigan. The Mufale Family requested that the parking spaces on the west side of the building be eliminated or reconfigured to face the building. They also requested that the deciduous trees be eliminated and in their place a berm with evergreens be constructed to diminish the impact of noise, lighting and traffic on future residences adjacent to the Raymour parcel.

The applicant responded that the line of existing trees would provide a better screening than a berm with evergreens. The elimination of the parking spaces on the west side would not be a problem.

The parcel to the east of this parcel was discussed. This parcel is owned by the Fava & Bassett Families. Chairman Kovac felt that it would be beneficial if the owners of the parcel to the east and the owners of the Raymour parcel could work something out regarding internal vehicular access.

Lighting was discussed. A photometric lighting plan needs to be shown. Lighting will be 30-foot poles with a three-foot base. Lighting will be downward and, on the back of the parcel, shields will be added to the lights.

Bob Michelson, Moyers Corners Fire Department, asked the applicant to consider placing a hydrant within 50 feet of the sprinkler connections. There are two sprinkler connections shown.

Mr. Michelson read a personal statement letter to the board. He commented, in his letter that increases in construction means increases in calls for the fire department. He implored developers to balance their business plan with a safety plan.

No decision could be made on this case, pending receipt of Onondaga County Planning Board comments. Chairman Kovac closed the public hearing on case # 01-3-8.

Motion was made by Walter Lepkowski, seconded by James Keefe, to adopt the following resolution:

WHEREAS, the SEQR statute requires that the Planning Board make its own findings as an involved agency;

WHEREAS, the Town board as lead agency, has previously issued a negative declaration and in connection here with has issued findings in support thereof, now therefore be it;

RESOLVED, that pursuant to 6NYCRR PT.617.11(0) the planning board hereby adopts the findings issued by the Town Board as its own.

Motion Passed.

Old Business: Adjourned Hearings

00-12-1 COR Route 31 Company, LLC- Site Plan, north side of Route 31, west of Dell Center Drive

00-12-5 COR Route 31 Company, LLC - Preliminary Plat, north side of Route 31, west of Dell Center Drive

Joseph Gerardi, Vice President/Legal Counsel, COR Route 31 Company, Peter Giovenco, Civil Engineer, Amy Dake, Traffic Engineer and James Lampkin, Architect for Home Depot, were present for this continued public hearing for property located on the north side of Route 31, west of Dell Center Drive.

The plans are continuing to develop. The applicant has relocated the entry drive, by shifting it to the east to accommodate some wetlands that were found on the parcel.

The configuration of the McDonald's access is being reviewed and may be reconfigured.

The out parcels on Route 31 were discussed. The State DOT has made a recommendation that the COR Route 31 Company consider access for these out parcels.

The traffic information is being reviewed per the State DOT's comments and concerns. State DOT is requesting more detail in the level of service. They have requested an accident review and a review of the signals in this area.

James Lampkin, architect with Home Depot, presented two different exterior finishes for the building. A split face block in sandstone finish was presented to the board. Also, a pre-cast panel was presented. The board wanted to think about the proposals for the exterior and would address this issue at a future meeting.

Work is progressing on these plans.

Motion was made by James Keefe, seconded by Karen Guinup, to adjourn the public hearings for 00-12-1 and 00-12-5. Motion Passed.

Old Business: Hearings Closed

01-2-4 Frances R. Essig by Madelyn Gewinner and Richard P. Emmons-Zone Change Recommendation A-1 to R-1B, 8111 & 8117 Lawton Road

Motion was made by James Keefe, seconded by Karen Guinup, to adopt a resolution using Standard Form # 50 recommending to the Town board approval of the zone change request of Frances R. Essig by Madelyn Gewinner and Richard P. Emmons from A-1 to R-1B for property at 8111 and 8117 Lawton Road for the following reasons:

- It is a positive improvement for the Town
- Fits into the surrounding area

Motion Passed.

01-3-3 Henry L. Cook - Final Plat

Mark Grobosky, Atty., representing the applicant requested that the hearings be adjourned to a later date due to the fact that the applicant has several variance requests pending.

Motion was made by James Keefe, seconded by Karen Guinup, to adjourn the agenda item for case # -1-3-3 for Henry L. Cook to April 25, 2001. Motion Passed.

01-3-7 Raymours Furniture Co., Inc. d/b/a Raymour Flanigan Furniture - Final Plat

No decision could be made on this case pending receipt of Onondaga County Planning Board comments. This item is adjourned to the April 25, 2001 agenda.

Adjournment

Motion was made by James Keefe, seconded by Bruce Johnson, to adjourn the meeting. The meeting was adjourned at 1:08 AM.

Respectfully submitted,

A handwritten signature in blue ink that reads "Mary Ellen Sims" with a stylized flourish and the initials "TG" written below it.

Mary Ellen Sims
Planning Board Secretary

APPROVED

March 28, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 28th day of March 2001.

Chairman Kovac called the meeting to order at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	James Keefe	Member
	Walter Lepkowski	Member
	Ferdinand Lepinske	Member
	Karen Guinup	Member
	Ron Detota	C & S Engineer
	Scott Chatfield	Attorney
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary
EXCUSED:	James Sharpe	Member
	Bruce Johnson	Member

Approval of Minutes

Motion was made by Ferdinand Lepinske, seconded by James Keefe, to approve the minutes of March 14, 2001 with the following corrections:

Page 3 –third paragraph- fourth line- change the sentence: If the anticipated traffic exceeds the actual traffic, at which point does the system break down to If the *actual* traffic exceeds the *anticipated* traffic, at which point does the system break down and same page, 7th paragraph change proximal to proximate. Motion Passed.

Public Hearings:

01-2-1 JGB Properties Site Plan – East end of Executive Drive

01-2-2 JGB Properties Revised Preliminary Plat- East end of Executive Drive

Alfred Ianuzi, representing the applicant, appeared before the board to present the plans for JGB Properties for property on the east end of Executive Drive.

The parcel is approximately 12.6 acres and zoned Industrial I-1. The applicant proposes to divide the parcel into two lots, lot # 3 and lot # 4. The proposal is to build two warehouse buildings of 30,000 square feet each, with office space within each building. The proposal is for both warehouse buildings to be constructed on lot # 4.

Chairman Kovac read the comments from Onondaga County Planning Board. They are concerned with the ability of trucks using the site to maneuver through lot # 4 as proposed, especially questioning the adequacy of the turn around. County Planning was also concerned about truck traffic being in close proximity to residential areas to the south and east. County Planning suggested that adjustments could be made to the site plan moving truck roadways and truck movements to the north side of the site.

The submitted landscaping plan indicated some landscaping along the eastern edge of the property but less along the south side, which also abuts townhouses.

Onondaga County Planning Agency recommended the approval of the application with the following conditions:

That the applicant produce a traffic impact study for the intersections of Executive Drive/Henry Clay Boulevard and Henry Clay Boulevard/Vine Street and provide all mitigation identified in the traffic impact study.

That the landscaping be incorporated in the final site plan to include additional screening on the southerly property line of Lot # 4.

The applicant responded that the traffic study had been submitted to the County approximately 10 days prior to this meeting.

Walter Lepkowski asked if site distance was adequate. Mr. Ianuzi responded that this site had been proposed for this use 20 years ago.

Chairman Kovac inquired about access to lot # 4. The applicant responded that they would construct a turn around at the end of Executive drive. Traffic will access lot # 4 through the turn around to a private driveway.

Commissioner Tessier commented that the site plan was referred to the Town Highway Department and the Town of Salina for comment.

Hearing no more questions, Chairman Kovac closed the public hearing on the preliminary plat for JGB Properties, case # 01-2-2.

Motion was made by Walter Lepkowski, seconded by Karen Guinup, to adopt a resolution using Standard Form # 10, that for SEQR purposes preliminary plat for JGB Properties, case # 01-2-2 be declared an unlisted action that does not have any adverse effect on drainage, traffic or the environment. This action does not involve any other agencies, including the Federal Government. Motion Passed.

01-2-3 JGB Properties - Final Plat

Motion was made by Walter Lepkowski, seconded by Karen Guinup, to adopt a resolution using Standard Form # 40, granting final plat approval to JGB Properties case # 01-2-3, known as Executive Park Section # 2, based on a map by Ianuzi & Romans, dated 2/2/01, revised 3/26/01 showing file # 873.009 subject to legal and engineering requirements. Motion Passed.

The planning board discussed the site plan for JGB Properties at this time.

Two buildings, each 30,000 square feet will be constructed on lot # 4. Each proposed warehouse is divided into three areas with 24,000 square feet of warehouse and 6,000 square feet of office space. Each area will have a combined drive-in/loading dock area. There will be 60 parking spaces and loading areas between the buildings.

Due to the swale, the contractor had to remove the existing trees and brush. The applicant intends to plant 17 Austrian Pine trees and smaller shrubs to form a buffer for the residential area. The Austrian Pines will be 6 feet tall when planted. The applicant intends to construct the building to the west of

the site first, allowing the vegetation to grow and form a barrier. The planning board felt that there should be double the number of proposed Austrian Pine trees to provide more of a barrier. The applicant agreed to replace any trees that die within the first five years.

The exterior of the buildings will be masonry block, similar to the architecture of the existing buildings owned by JGB on Executive Park Drive.

Lighting plan was shown on the plan. There will be no spill off lighting onto the residential areas. Lighting that abuts the residential areas will be shut off at 9:00 PM.

Joe Mufale commented that perhaps JGB would consider building the easterly building first due to the fact that the office area frontage will be more aesthetically pleasing for the residents that abut the area.

There will not be a sprinkler system for the buildings. Moyer's Corners Fire Department representative commented that a fire truck could maneuver on the proposed roadways.

Truck deliveries will be between the hours of 9 AM and 4PM for these warehouses.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by Karen Guinup, seconded by James Keefe, to adopt a resolution using Standard Form # 10, that for SEQR purposes, the site plan for Executive Park Section # 2, case # 01-2-1 be declared an unlisted action that does not have any adverse effect on drainage, traffic or the environment. This action does not involve any other agencies, including the Federal Government. Motion Passed.

Motion was made by Karen Guinup, seconded by James Keefe, to adopt a resolution using Standard Form # 20, granting site plan approval to JGB Properties, Executive Park Section # 2, based on a map by Ianuzi & Romans, P.C., dated 1/10/2001, revised 3/26/2001 showing file # 873.009 subject to the following conditions: 17 additional Austrian Pines 6 feet high be planted, bringing the total number of Austrian Pine Trees to 34, lights will be shielded from the residential area to the east, the buildings will be equivalent in architecture and design to the JGB building on Metropolitan Drive, and subject to legal and engineering requirements. Motion Passed.

It is the preference of the Planning Board that the applicant considers constructing the easterly building first.

01-2-4 Francis R. Essig by Madelyn Gewinner and Richard P. Emmons Zone Change Recommendation A-1 to R-1B - 8111 and 8117 Lawton Road

Alfred Ianuzi, representing the applicant, presented the proposed zone change for Francis Essig by Madelyn Gewinner and Richard Emmons for a zone change from A-1 to R-1B for property located at 8111 and 8117 Lawton Road. The applicant proposes to move the line between the properties to the south west approximately 40-50 feet.

Commissioner Tessier commented that this is a good positive change.

Chairman Kovac asked if there were any questions, and hearing none, he closed the public hearing.

A recommendation will be made at the next meeting.

01-2-7 William F. Arnold Preliminary Plat/- west side of Oswego Road, (Route 57), just north of Linda Lane

Mr. Arnold presented the proposed plans for his property on the west side of Oswego Road, just north of Linda Lane.

Mr. Arnold proposes to divide approximately 19 acres into 3 lots currently zoned A-1 and R-1. Lot # 1 would have 2.3 acres and is being proposed for single-family development, lot # 2 has 7.7 acres and is labeled "not for development" and has frontage on Route 57 under a NYSPA power line right of way and lot # 3 has Mr. Arnold's existing residence and barn with access either to Gaskin Road or via a driveway over Karen Street (a paper street) to Linda Lane.

The Onondaga County Planning Agency recommended that the application be disapproved for the following reason:

The Board believes this subdivision should be reshaped to provide internal access from Linda Lane for both Lots 2 and 3 and that the Town should insure that Lot 1 is suitable for a building lot before this lot is created.

Ron DeTota's letter regarding issues that could be mitigated was discussed. One comment was that the applicant provide a storm water easement. This needs to be shown on the plan and approved by the Town.

Lot # 1 has reported ponding and the applicant was asked if a home could be built on that lot without the need for substantial fill. The applicant responded that a home could be built on that parcel without substantial fill.

Scott Chatfield, Planning Board attorney, commented that in 1985 there was a highway construction agreement between the Town and Mr. Arnold for the construction of Karen Street and that this street would be a public highway. Karen Street should be conveyed back to Mr. Arnold.

The following items need to be part of the approval of the final plat when the applicant appears before the board:

1. Change title to Final Plat
2. Add Drainage Channel
3. Drainage Easement shown 20 feet on either side of the drainage channel
4. Show access from lot # 2 to Linda Lane
5. Town should abandon interest in Karen Street and re-convey back to Mr. Arnold
6. Lot # 2 should be labeled with County Health "not for development" note.

The conditions of the letter of March 28, 2001 from C & S engineers need to be addressed and mitigated.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to adopt a resolution using Standard Form # 10 that for SEQR purposes, the preliminary plat for William F. Arnold, case # 01-2-7 be declared an unlisted action that does not have any adverse effect on drainage, traffic or the environment. This action does not involve any other agencies, including the Federal Government. Motion Passed.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to adopt a resolution using Standard Form # 30, that the preliminary plat for William F. Arnold, case # 01-2-7 be approved based on a map by A. Scott Whittaker, dated 12/14/2000, revised 2/2/01, showing file # 0012-261-CL subject to the conditions listed above and subject to legal and engineering requirements. Motion Passed.

01-2-9 Onondaga County Industrial Development Agency, Preliminary plat (French Subdivision) – north side of Route 31, east of Caughdenoy Road

Alfred Ianuzi, representing the applicant, presented the plans for the Onondaga County Industrial Development Agency for a preliminary plat for property located on the north side of Route 31, east of Caughdenoy Road.

The owners are proposing to combine the lots into one parcel for the future construction of a computer chip factory. The French's are retaining a portion and subdividing the homestead area for a residence.

Onondaga County Planning Agency recommends approval.

C & S had no concerns that could not be mitigated.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by James Keefe, seconded by Walter Lepkowski, to adopt a resolution using Standard Form # 10 that for SEQR purposes, the final plat for French Subdivision, case # 01-2-9 be declared an unlisted action that does not have any adverse effect on drainage, traffic or the environment. This action does not involve any other agencies, including the Federal Government. Motion Passed.

New Business:

01-2-10 Onondaga County Industrial Development Agency – Final Plat

Motion was made by James Keefe, seconded by Walter Lepkowski, to adopt a resolution using Standard Form # 40, granting final plat approval to French Subdivision based on a map by Ianuzi & Romans, P.C., dated 2/12/2001, revised 3/28/2001, showing file # 2686.001 subject to legal and engineering requirements. Motion Passed.

Old Business: Adjourned Hearings

00-9-5 Carlton Lahah Preliminary Plat, south side of Route 31, Pompadour Hair Salon and the Metropolitan Water Board

Motion was made by Ferdinand Lepinske, seconded by Karen Guinup, to adjourn the public hearing to May 23, 2001 so that the applicant has time to prepare and apply for a variance. Motion Passed.

00-7-7 Amy B. Benson & Douglas M. Jarvis Preliminary Plat 8252 Oswego Road

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske, to adjourn the public hearing on case # 00-7-7 to May 9, 2001 at the request of the applicant. Motion Passed.

00-12-1 COR Route 31 Company, LLC Site Plan – north side of Route 31, west of Dell Center Drive

00-12-5 COR Route 31 Company, LLC Preliminary Plat – north side of Route 31, west of Dell Center Drive

Joseph Gerardi, Vice President/Legal Counsel and Peter Giovenco, Civil Engineer were present to present the ongoing development of the site on the north side of Route 31, west of Dell Center Drive.

Joe Gerardi commented that COR Route 31 is reviewing the comments made by State DOT regarding traffic and will be setting up a meeting with that agency soon.

SEQR comment period expired on 5/23/2001. COR route 31 will address those comments received as part of site plan.

Mr. Gerardi commented that the site plan continues to progress. They presented a conceptual plan on the entry drive. The configuration of this entry drive, at this time, is 3 lanes exiting the site and 2 lanes entering the site. The applicant has created 5 foot landscaped islands in the parking area. The entranceway to the proposed McDonald's restaurant has been shifted east approximately 15 feet.

The applicant stated that they still need to address the rear drive as requested by the Moyers Corners Fire Department representative.

Planning Board requested that the applicant look very closely at the out parcels accessing Route 31.

Onondaga County Planning Agency made comment in December about the possible connection of this project to VerPlank Road. Mr. Gerardi stated that he would have the traffic engineer look at this suggestion.

Mr. Gerardi stated that they took out the small triangular piece of property at the north east corner.

Walter Lepkowski asked the applicant if the traffic engineer will be commenting on the State DOT traffic questions and the applicant responded that the traffic engineer would be addressing those comments.

Chairman Kovac asked if the applicant intends to provide pedestrian access.

COR Route 31 commented on the fact that each parcel will be self-sustained for parking. Some parcels will be leased and some will be sold; however there will be the same conditions for maintenance on each parcel.

Commissioner Tessier commented that Home Depot could improve upon their standard warehouse structure architecture. Home Depot is a warehouse facility and the basic design for these facilities is a tip-up panel. He was concerned that it may look like a warehouse.

Joseph Gerardi commented that he would ask a representative from Home Depot to be present at the next meeting in April to respond to the architectural concerns.

The planning board asked the applicant to stake the area where the proposed intersection to this project will be located.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to adjourn these public hearings to April 11, 2001. Motion Passed.

Old Business: Hearings Closed

NONE

Sign

H & M Great Northern Mall

Motion was made by James Keefe, seconded by Walter Lepkowski, to approve the sign as presented in application # 33369 for H & M store at the Great Northern Mall location. The sign will be 4 x 6 square feet. Motion Passed.

Adjournment

Motion was made by Karen Guinup, seconded by James Keefe, to adjourn the meeting. The meeting was adjourned at 11:30 PM. Motion Passed.

Respectfully submitted,

A handwritten signature in blue ink that reads "Mary Ellen Sims" followed by a stylized initial "TG".

Mary Ellen Sims
Planning Board Secretary

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 14th day of March 2001.

Chairman Kovac called the meeting to order at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	James Keefe	Member
	Walter Lepkowski	Member
	Ferdinand Lepinske	Member
	Karen Guinup	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Ron Detota	C & S Engineer
	Scott Chatfield	Attorney
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary

Approval of Minutes

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske, to approve the minutes of February 28, 2001 with the following corrections:

- Page 2- Change Streamwood Drive to Pine Hollow Drive
- Page 3 -first sentence change to: Consider relocating the building and

Motion Passed.

Public Hearings:

None

Old Business: Adjourned Hearings

00-7-7 Amy B. Benson & Douglas M. Jarvis Preliminary Plat 8252 Oswego Road

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske, to adjourn the public hearing on case # 00-7-7 to March 28, 2001 at the request of the applicant. Motion Passed.

99-12-5 Christopher Community, Inc - Site Plan Byrne Manor Apartments-south side of Pine Hollow Drive

Fred Zolna and Matt Broderick, Project Architect appeared before the board to present the revised site plan for Byrne Manor Apartments, located on the south side of Pine Hollow Drive.

At the meeting of February 28, 2001, the applicant was asked to consider the several following items: Listed below are the requests and the action taken by the applicant.

Relocate dumpster and shed to the other side of the lot. Enclose dumpster with the same siding as the building and side the shed with the same material. This was shown on the revised site plan presented tonight.

Consider relocating the building and parking area by shifting more towards Route 57. Drainage area will be considered with the possible shifting of the building and equal sensitivity to the neighbor close to Route 57 will be considered in the shift. The applicant shifted the building and parking area 30 feet closer to Route 57. This shift left a minimum buffer for the property closest to Route 57 and moved the entrances to the parcel further from the curve on Pine Hollow Drive.

The applicant will show the driveway entrances to the adjacent parcel on the revised site plan. This was shown on the revised plan.

Exterior lighting was shown on the plan. The applicant proposes to have three (3) 20-foot poles and 4 lighting fixtures on the front of the building. The poles will use 250 W bulbs and the fixtures on the building will use 175 W bulbs.

Ron DeTota, Town engineer, stated that he was confident that any engineering issues could be mitigated

Bob Michelson, Moyers Corners Fire Department, stated that he was confident any fire department concerns would be addressed by the applicant.

Chairman Kovac asked if there were any questions or comments from the public.

Don Jordan, Steppingstone Lane, wanted to thank the applicant for their efforts in resolving any issues. He thanked Matt Broderick for meeting and walking the site with him. He asked if the natural buffer would stay intact during construction and the applicant responded that it would.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by Karen Guinup, seconded by James Sharpe, to adopt a resolution using Standard Form # 30, granting Site Plan approval to Christopher Community, case # 99-12-5, based on a map by Maxian + Horst, Landscape Architects + Land Planners, dated 2/1/01, revised 3/14/01, showing project # 2003, drawing no L-1, subject to legal and engineering requirements. Motion Passed.

00-12-1 COR Route 31 Company, LLC Site Plan – north side of Route 31, west of Dell Center Drive

Joseph Gerardi, Vice President/Legal Counsel, Peter Giovenco, Civil Engineer, Richard LaMont, Architect for Home Depot and Greg Stevens, Project Manager for McDonalds, were present to present the ongoing development of the site on the north side of Route 31, west of Dell Center Drive.

Peter Giovenco, Civil Engineer, commented that the building layout has stayed the same. The circulation for the parking lot has remained the same. The applicant has added curbed islands with trees along the access drive, in an effort to be visually pleasing and to create a safer traffic flow. The applicant has proposed curbing for many of the islands in the front of the buildings.

Utility plans are the same as previous. Mr. Giovenco commented that the intent for the drainage is to not discharge any more water than is currently being discharged. The applicant will be creating a loop system, dedicated to OCWA, for water.

Chairman Kovac asked if the applicant felt that the retention basin to the west of the parcel was the best location. Mr. Giovenco responded that it was the best location for that basin.

Chairman Kovac inquired about the small triangle piece of property on the northeast corner of the plan. He commented that there appeared to be a right of way that was not on their property. The existing road ends at this parcel. He would like to see some assurance that the road could go further west in the future.

Walter Lepkowski asked where the applicant intended to push snow. He asked if the parking area had catch basins for melting snow or excess water on the parcel. The applicant responded that there were catch basins built into the inside parts of the islands.

Walter Lepkowski had some questions on traffic. The traffic engineer was not present at tonight's meeting but the applicant responded that they would make a note of any questions or concerns. His concern was that the traffic study is based on expected and anticipated traffic in the area. If the actual traffic exceeds the anticipated, at which point does the system break down. If the level of service goes from Level E to Level F at one intersection, does it then cause a domino effect for all the remaining intersections. He would be interested in the applicant creating a "what if" scenario to determine how much leeway there is in the study.

Joe Gerardi commented that generally the approach for a traffic study is a very conservative approach and fairly realistic. He stated that he would present the question to the traffic engineering.

Paul Reagan, attorney representing the owners to the south west of this development, asked how much distance there is between the southern end of the retention pond and the property line. The applicant responded approximately 20-25 feet. Mr. Reagan asked if the applicant had to bring a backhoe in to do some work, how would they get there. The applicant responded that there would be room to work and that they would be sure that all the grading was done on the site and that there is a flat area for future maintenance.

Mr. Reagan asked about the location of the access drive and how that relates to the properties, both to the southwest and properties to the south of Route 31. The applicant responded that this site plan is one that is still under constant development. The applicant is aware of the fact that the board members have questions as to combining access and what they can do. The applicant stated that they are taking a very careful look at the tax parcels and that there will not be the ability to tie into all the parcels.

Bob Michelson, Moyers Corners Fire Department, asked about the width of the perimeter road. Applicant responded that it was 30 feet. Mr. Michelson stated that the fire department had requested that the access in the rear be at least one and one half times the height of the proximate walls. He also commented that the applicant did not address the removal of the island in the rear portion of the parcel. The applicant responded that they would work with the fire department to address their concerns.

Motion was made by Walter Lepkowski, seconded by James Sharpe, to adjourn the public hearing to March 28, 2001. Motion Passed.

00-12-5 COR Route 31 Company, LLC Preliminary Plat – north side of Route 31, west of Dell Center Drive

Joe Gerardi, Vice President/Legal Counsel COR Route 31, stated the preliminary plat was a work in progress. The parcel is approximately 216 acres, with 70 acres being developed for this project. The plan will be labeled Dell Center Drive 3, at the request of Mr. Tessier.

Lot # 1 will be the Home Depot store, lot # 2 will be general retail, lot # 3, on the eastern-most side will be the two large stores, lot # 4 will be 3.75 acres, the next lot is the McDonalds parcel, approximately 2.03 acres, next lot will be 3.0 acres and the final lot is 3.69 acres. Lot # 8 will be owned by Dell.

Onondaga County Planning Agency has requested an extension of time pending response of State transportation on traffic issues.

Chairman Kovac commented that he would like to see traffic considered with and without the Carling Road Extension.

Motion was made by Walter Lepkowski, seconded by Karen Guinup, to adjourn the public hearing to March 28, 2001. Motion Passed.

Old Business: Hearings Closed

NONE

New Business:

NONE

Adjournment

Motion was made by Ferdinand Lepinske, seconded by Karen Guinup, to adjourn the meeting. The meeting was adjourned at 9:00 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims /TC

Mary Ellen Sims
Planning Board Secretary

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 28th day of February 2001.

Acting Chairman Lepkowski called the meeting to order at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Walter Lepkowski	Acting Chairman
	Ferdinand Lepinske	Member
	Karen Guinup	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Ron Detota	C & S Engineer
	Scott Chatfield	Attorney
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary
EXCUSED:	Allen Kovac	Chairman
	James Keefe	Member

Approval of Minutes

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske, to approve the minutes of February 14, 2001 as presented. Motion Passed

Public Hearings:

99-12-5 Christopher Community, Inc – Site Plan Byrne Manor Apartments-south side of Pine Hollow Drive

Fred Zolna, Peter White of Christopher Community and Matt Broderick, Project Architect appeared before the board to present the revised site plan for Byrne Manor Apartments, located on the south side of Pine Hollow Drive.

The parcel is approximately 4.86 acres with R-4 Apartment zoning. The applicant appeared before this board in January 2000 with a plan that was higher in density. The variance for density was denied by the Zoning Board of Appeals, however a variance for parking was granted. The applicant received a variance to allow one parking space per apartment unit. The applicant will provide 43 parking spaces for the possible addition of handicap parking spaces.

The applicant proposes one two-story building with 35 apartment units. There will be 34 one-bedroom units and one two-bedroom unit that will be occupied by maintenance. The apartment units will be available to senior citizens, age 62 or older, with a maximum income of \$16,500 for one person and/or a maximum income of \$18,500 for two-persons.

The building will be a two-story wood framed building with vinyl siding, pitched shingle roof and will have a full sprinkler system. Parking will be in the front of the building and there will be a covered walkway at the entrance to the building. Vehicle access will be from Pine Hollow Drive.

Matt Broderick, project architect, explained that the applicant would be leaving as much existing vegetation as possible. They will be adding landscaping around the building. The drainage plan has been reviewed by Ron DeTota, Town Engineer. The applicant is addressing all the concerns and comments from C & S engineers. Lighting will be minimal but will be designed for safety. The

applicant is proposing two, possibly three 15-20 foot light poles for the parking area. Building entranceways will be lit for safety purposes.

Onondaga County Planning Agency reviewed the site plan and determined that the plan would have no significant impact and could be acted upon solely by the planning board. They had the following comment concerning the plan:

That the parking area be re-designed for bus or van drop-offs without hindering the flow of traffic.

The applicant commented that the parking area should be able to handle the drop off vans or small call-a buses that drop off residents without hindering the flow of traffic.

Ron DeTota reviewed his letter to the applicant and all items are being addressed and will be mitigated.

Acting Chairman Lepkowski asked if there were any questions and the following residents asked to speak:

David Gentile asked about waste disposal on the site and if there was a road behind the building for fire access.

John Rushinko asked how many exits there were for the building. The applicant responded there would be five.

Margaret Rushinko asked where the building would be placed in relation to Pine Hollow.

Patty Matthewson asked why there were two entrances proposed, how big the shed was and why it was located in the front of the building. She asked why there are more parking spaces than the original 35 that were granted by variance. She commented on the need for a sidewalk to the crosswalk on Route 57 and the need for better drainage in that area.

Tom Matthewson asked if the entire building and parking lot could be shifted more towards Route 57. He felt that the curve in Streamwood would present a safety hazard and that the shifting of the building would alleviate this and also allow more of a distance to the rear parcels.

Don Jordan, agreed with the concept of the possible shifting of the building closer to Route 57. He also asked if the poles could be lower than 20 feet.

Bob Michelson, Moyers Corners Fire Department, commented that a hydrant within 50 feet of the building would be the preference of the fire department.

Hearing the above comments, the applicant agreed to revise the proposed site plan with the following:

Relocate dumpster and shed to the other side of the lot. Enclose dumpster with the same siding as the building and they will side the shed with the same material.

Consider relocating the building and parking area by shifting more towards Route 57. Drainage area will be considered with the possible shifting of the building and equal sensitivity to the neighbor close to Route 57 will be considered in the shift.

The applicant will talk to the Town of Clay officials and Community Development for the possible use of Community Development funds for a sidewalk to the crosswalk.

The applicant will show the driveway entrances to the adjacent parcel on the revised site plan.

Motion was made by James Sharpe, seconded by Karen Guinup, to adopt a resolution using Standard Form # 10, that for SEQR purposes the site plan for Christopher Community, case # 99-12-5 be declared a negative declaration, as there appears to be no major environmental impacts that cannot be mitigated. This action does not involve any other agencies including the Federal Government. Motion Passed.

Motion was made by Bruce Johnson, seconded by Ferdinand Lepinske, to adjourn the public hearing to March 14, 2001. Motion Passed.

Old Business: Adjourned Hearings

NONE

Old Business: Hearings Closed

NONE

New Business:

NONE

Adjournment

Motion was made by Bruce Johnson, seconded by Karen Guinup, to adjourn the meeting. The meeting was adjourned at 8:40 PM. Motion Passed.

Respectfully submitted,

Handwritten signature of Mary Ellen Sims in blue ink, with the initials 'TE' at the end.

Mary Ellen Sims
Planning Board Secretary

APPROVED

February 14, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 14th day of February 2001.

Acting Chairman Lepkowski called the meeting to order at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Walter Lepkowski	Acting Chairman
	James Keefe	Member
	Ferdinand Lepinske	Member
	Karen Guinup	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Ron Detota	C & S Engineer
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary

EXCUSED:

Note: Scott Chatfield, At

Approval of Minutes

Motion was made by Fer
January 24, 2001 as present

Public Hearings:

00-12-5 COR Route 31 C

Preliminary Plat - north

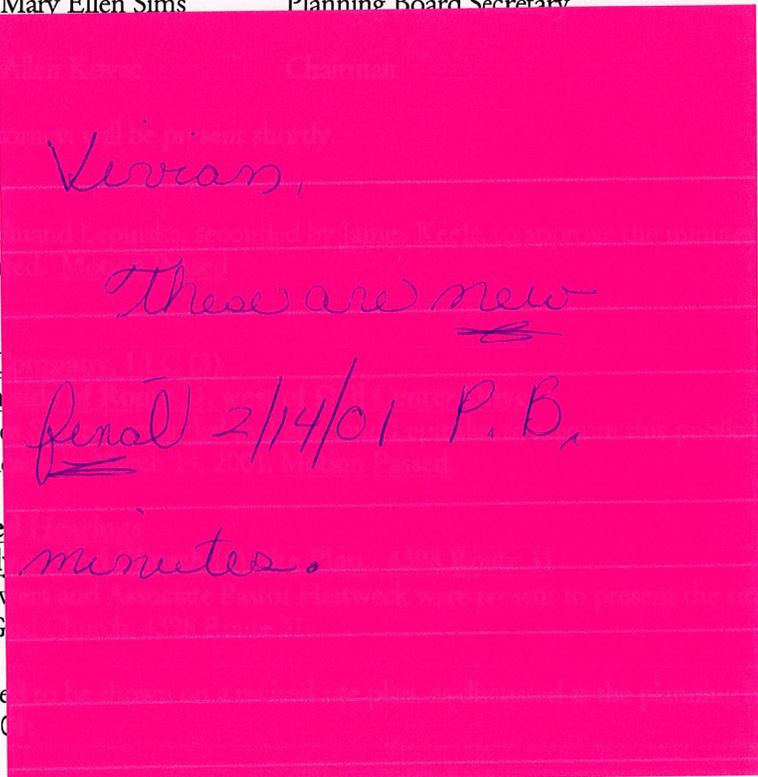
Motion was made by Jam
at the request of the appli

Old Business: Adjourned

00-12-2 Trinity Assembl

Rand Anderson, John Bov
for Trinity Assembly of G

The following items neede
meeting of January 10, 200



- Dimensions of the building should be shown on the site plan
- Dimension showing where the building is located needs to be shown
- Distance between the two buildings needs to be shown on site plan
- The swale needs to be constructed with 3 on 1 side slopes, a minimum depth of 2 feet, and a minimum slope of .005 ft/foot. Once the construction of the swale is complete topographic as-builts of the swale will need to be provided to the Town for review and acceptance. All disturbed areas within the Town drainage easement will need to be topsoiled and seeded, and have a vigorous grass growth established.
- Names and zoning of adjacent parcels and location plan needs to be shown
- Area lighting
- Capacity of persons for the new building needs to be addressed
- Parking plan and internal circulation needs to be shown.

All of these items were addressed. Lighting will be the same as what is being used presently. Capacity of the two buildings is 550 persons. The applicant has added parking for a total of 106 parking spaces.

Scott Chatfield took his place on the board at this time.

The hydrant on Route 31 was discussed. At present, the hydrant is located on the north side of Route 31. The building is approximately 500 feet from the road. The Clay Fire Department has requested that a hydrant be located on the south side of the road due to the fact that the road will be a five lane highway in the future. The planning board decided to make this a condition of the approval of the site plan.

Mr. Anderson stated that they would have to seek legal counsel on this matter and could not yet agree to the placement of the hydrant. He stated that he would need to speak to the pastor.

Acting Chairman Lepkowski closed the public hearing.

Motion was made by Bruce Johnson, seconded by Ferdinand Lepinske, to adopt a resolution using Standard Form # 20, granting Site Plan Approval to Trinity Assembly of God Church, 4398 Route 31, case # 00-12-2, based on a map by CWD Engineering, dated 8/18/2000, revised 1/17/2001 subject to legal and engineering requirements and with the necessary approvals of the Town Board to locate a hydrant on the south side of Route 31. Motion Passed.

00-07-7 Amy B. Benson & Douglas M. Jarvis (3) Preliminary Plat -8252 Oswego Rd.

Motion was made by James Keefe, seconded by Karen Guinup, to adjourn this public hearing to March 14, 2001 as requested by the applicant. Motion Passed.

00-7-8 Amy B. Benson & Douglas M. Jarvis (3) Site Plan - 8252 Oswego Rd.

Ed Keplinger was present to brief the board on the site plan for Amy Benson and Douglas Jarvis for property located at 8252 Oswego Road.

The applicant has added an access off Redwing Drive and an ADA compliant ramp to the existing house. The existing house will be used as a travel store. The applicant presented a new landscaping plan and 7 new parking spaces were added for employees.

Hours of operation will be from 8:30 AM to 7:00 PM.

Acting Chairman Lepkowski asked if there were any questions.

Joe Hayes, Condor Circle, was concerned about the potential lack of privacy for his property, which is behind this parcel. He stated that he would feel more comfortable if a privacy fence and hedge were placed so that no one could see into his yard.

The applicant explained that there is an existing chain link fence and additional shrubbery will be planted to screen the property.

Planning Board explained that the ordinance does not require a fence for this case.

The existing paved driveway at the northern end of the property on Route 57 was discussed. The

applicant explained that the access from Route 57 would be for the owner and employees only.

Onondaga County Planning approved of the site plan conditioned upon all access to the site be from Redwing Drive and that the paved area at the northern end of the property be removed.

Hearing no more questions, Acting Chairman Lepkowski closed the public hearing.

Motion was made by James Keefe, seconded by James Sharpe, to adopt a resolution using Standard Form # 10, that for SEQR purposes, the site plan as proposed by Amy B. Benson and Douglas M. Jarvis be declared a negative declaration, as there appears to be no major environmental impacts that cannot be mitigated. This action does not involve any other agencies, including the Federal Government Motion Passed.

Motion was made by James Keefe, seconded by James Sharpe, to adopt a resolution using Standard Form # 20, granting site plan approval to Amy B. Benson and Douglas M. Jarvis, case # 00-7-8, based on a map by Keplinger Freeman Associates, dated 7/20/2000, revised 2/14/2001 showing file # 20136 subject to the paved area at the north west corner of the parcel be posted limiting parking to employees and the owner and be strictly enforced and conditioned upon the preliminary plat being approved and subject to legal and engineering requirements. Motion Passed.

**00-12-1 COR Route 31 Company, LLC (3) Site Plan - north side of Route 31,
west of Dell Center Drive**

Joseph Gerardi, Vice President and legal counsel for COR Development Company, Peter Giovenco, Bergman Engineering and Richard DiCesare, of SRF & Associates, were present to present the site plan for COR Route 31 Company LLC.

The project is located on the north side of Route 31, west of Dell Center Drive. The entire project is approximately 500,000 square feet of retail space.

A Draft Environmental Impact Statement was delivered to the Planning Board a week before the meeting. Revisions were made regarding adding definitions and the language was made more user friendly. The scope was not changed.

Attorney Chatfield noted that the 30-day period for lead agency status has expired and there was no objection to the Clay Planning Board declaring themselves lead agency.

He suggested that the planning board declare this a positive declaration based on the impact that it will have on drainage, traffic and air quality.

Motion was made by James Sharpe, seconded by Bruce Johnson, confirming the Clay Planning Board as Lead Agency for the COR Route 31 Company for property located on the north side of Route 31, west of Dell Center Drive, due to the fact that no objections have been received and that the 30 day notice period has expired. Motion Passed.

The following resolution was made by James Keefe, and seconded by Karen Guinup:

That as a result of the review of the DEIS, this project is a Type I action that may have a significant environmental impact on the traffic, drainage and air quality, and further determining that this project be given a Positive Declaration. Motion Passed.

Ron Detota, engineer and Scott Chatfield, attorney, did review the DEIS as prepared by the applicant and feel that the DEIS is adequate in form and content for public review and comment and that it does address traffic, drainage and air quality.

The following resolution was made by Bruce Johnson and seconded by James Sharpe:

That the DEIS as prepared by COR Route 31 Company for property located on the north side of Route 31, west of Dell Center Drive is acceptable and deemed adequate in form and content for public review and comment based on the review of the attorney and engineer and that this DEIS addresses traffic, drainage and air quality and that public comments be received by the Town of Clay Commissioner of Planning and Development, up to and including, March 23, 2001 and that these comments be compiled and brought to the March 28, 2001 meeting and that the Commissioner of Planning and Development be authorized to mail appropriate notices. Motion Passed.

Acting Chairman Lepkowski asked if there were any questions.

Bruce Johnson commented on the parcels that are adjacent to this property and limiting access to Route 31. He suggested incorporating an internal road network so that the smaller parcels could have access through this property. All small parcels should have access to Dell Center Drive.

Ferdinand Lepinske commented on a few small changes that needed to be made to the DEIS regarding the sanitary sewers and that the fire company should be Moyers Corners.

Walter Lepkowski questioned the applicant on the traffic analysis and asked the applicant about the pass by rate. He also asked the applicant to draw a picture of what the traffic will look like with a full build out of this parcel and others.

Bob Michel son, Moyers Corners Fire Department, commented that they would like to request that the peninsula in the rear access area be removed and that the paved area in the rear of the parcel be twice the height of the area it abuts.

Motion was made by Ferdinand Lepinske, seconded by James Sharpe, to adjourn this public hearing to March 14, 2001. Motion Passed.

Old Business: Hearings Closed

NONE

New Business:

Sign - Moyers Corners Ambulance (NOVA)

Matthew Irish, representing NOVA, presented the board with the proposed sign for the building that is located on Buckley Road.

The applicant is proposing an 18 square foot sign. The applicant stated that they were granted a variance on the sign to allow up to 10 % of the size of the building. The granting of the variance allowed for a much larger sign than what is being presented.

Motion was made by James Sharpe, seconded by Bruce Johnson, to approve the sign as presented in application 33-327 for the Northern Onondaga Volunteer Ambulance. Motion Passed.

Informal Discussion - Ianno Property-zone change request, south side of Route 31, east of Route 57

Jan Kublik, representing the applicant, asked to appear before the board informally to present a proposed zone change request for a 5-acre parcel on Route 31, just east of the Mobil parcel on the corner of Route 57 and Route 31.

This 5-acre parcel is part of a 27-acre parcel. The applicant is seeking to request a zone change to C-2 to permit small retail and office. There will be 2 lots divided by a common drive onto Route 31.

Walter Lepkowski commented that the Route 31 corridor study suggested that this area be heavy residential.

James Keefe commented that he could not foresee anything but commercial on the west end of this parcel.

Planning Board discussed that a possible zone change for this parcel could be C-2 on the western end of the parcel and possibly C-1 or R-6 on the parcel closest to the residential area, with the remaining acreage residential.

Mr. Kublik thanked the board for their input and review of this proposed zone change.

Adjournment

Motion was made by Bruce Johnson, seconded by James Sharpe, to adjourn the meeting. The meeting was adjourned at 10:05 PM. Motion Passed.

Respectfully submitted,

A handwritten signature in blue ink that reads "Mary Ellen Sims" followed by a stylized monogram "MGS".

Mary Ellen Sims
Planning Board Secretary

APPROVED

January 24, 2001

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 24th day of January 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

PRESENT:	Allen Kovac	Chairman
	Walter Lepkowski	Deputy Chairman
	James Keefe	Member
	Ferdinand Lepinske	Member
	Karen Guinup	Member
	James Sharpe	Member
	Bruce Johnson	Member
	Ron Detota	C & S Engineer
	Scott Chatfield	Planning Board Attorney
	David Tessier	Commissioner of Planning & Development
	Mary Ellen Sims	Planning Board Secretary

Approval of Minutes

Motion was made by Bruce Johnson, seconded by James Sharpe, to approve the minutes of January 10, 2001 as presented. Motion Passed

Public Hearings:

00-7-7 Amy B. Benson & Douglas M. Jarvis Preliminary Plat- 8252 Oswego Road

00-7-8 Amy B. Benson & Douglas M. Jarvis Site Plan – 8252 Oswego Road

The applicant has requested an adjournment on this public hearing to February 14, 2001.

Motion was made by James Keefe, seconded by Karen Guinup, to adjourn this public hearing to February 14, 2001. Motion Passed.

00-12-3 Michael Mastriano – Site Plan- 4845 West Taft Road (Laurel Springs Assistive Living)

Michael Mastriano, presented the site plan, for property located at 4845 West Taft Road. He stated that he met with the town engineer concerning items of concern as presented in Ron DeTota's letter.

The Laurel Springs Assistive Living center will be constructed at 4845 West Taft Road. There will be 72 one-bedroom apartments, with a common dining room, a kitchen area, medication rooms and recreational areas. There will be a community room upstairs that will be open to the community. The center will be very similar to Buckley Landing, with the exception of the fact that the Buckley Landing units are efficiency apartments and are 50 % subsidized by the government. These units will be one-bedroom apartments and will be self-pay.

There will be a long access road from West Taft Road. Laurel Springs has an arrangement being negotiated with Birchwood to provide some management services. Laurel Springs will become a feeder system to the Birchwood Nursing Facility and, in turn, Laurel Springs will accept rehab persons from Birchwood into their center.

The building will be residential in nature, with clapboard siding. The building will be a two-story building that is approximately 60,000 square feet and will be approximately 30-35 feet high. There will be a screened in porch on the second floor of the building. A full sprinkler system will be used for the building.

Ron DeTota's letter pointed out the following concerns that need to be mitigated:

- Plan needs to be on one sheet of paper with a location plan shown
- Building set backs should be identified with dimensions shown from building property lines
- Adjacent parcel zoning needs to be shown
- Type of light fixtures and wattage should be shown on the plan. If required, a photometric diagram of the proposed light plan should be provided to the town for review and comment.
- Sign needs to be applied for by separate permit.
- Property is not in a drainage district. Applicant will need to agree to join the consolidated drainage district.
- Applicant needs to obtain the necessary sewer easements.
- Size and design of the two detention basins needs to be shown

Chairman Kovac asked if there were any questions:

James Keefe asked about the house that exists on the parcel. Mr. Mastriano commented that the house would probably come down after the project is complete.

Walter Lepkowski asked if the dumpster will be of sufficient size to accommodate the units. He asked if it will be enclosed and how much space there was within the area. Mr. Mastriano stated that the dumpster will probably be enclosed with a vinyl fence.

Karen Guinup suggested that the dumpster enclosure be in the same type of finish as the building. Mr. Mastriano stated that the dumpster will be visible from the patio and that it will not be obtrusive.

O.C.P.B. stated that no significant implications with this application but had the following comment:

O.C.P.B. suggested that the planning board explore the internal connection between Birchwood and their project for resident and vehicular traffic.

Mr. Mastriano stated that he could show a future drive as a connection between the two facilities. He thought that ideally, it would be a good idea. At this time, the two facilities are two separate entities but if arrangements work out between Birchwood and Laurel Springs, it would be in the best interest of both to have this connection.

Bob Michelson, Moyer's Corners Fire Department, asked how long the structure will be. Mr. Mastriano stated approximately 460 feet. Bob Michelson said that the fire department would prefer a hydrant within 50 feet of the sprinkler connection. Mr. Michelson asked how wide the entry road is and will inquire of the fire department if it needs to be wider for the turning radius of the fire trucks.

Chairman Kovac asked the town engineer if he felt comfortable if the planning board approved the plan based on legal and engineering requirements. Ron DeTota responded that he saw no problem with the applicant mitigating the concerns as presented in his letter

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by Karen Guinup, seconded by James Keefe, to adopt a resolution using Standard Form # 10, case # 00-12-3 that for SEQR purposes the site plan as proposed by Laurel Springs Assistive Living be declared a negative declaration as there appears to be no major environmental impacts that cannot be mitigated. This action does not involve any other agencies, including the Federal Government Motion Passed.

Motion was made by Karen Guinup, seconded by James Sharpe, to adopt a resolution using Standard Form # 20, granting site plan approval to Michael Mastro (Laurel Springs Assistive Living) 4845 West Taft Road be approved based on a map by Alfred Ianuzi, showing file # 1751.010, dated 11/15/2000, revised 1/24/2001 based on legal and engineering requirements. Motion Passed.

00-12-4 John E. Davis DVM Preliminary Plat- south west corner of Route 31 and Stearns Road.

Douglas Lehr, representing the applicant, appeared before the board to present the preliminary plat for John E. Davis for property located on the southwest corner of Route 31 and Stearns Road. This is a revised subdivision for this parcel.

The parcel will be subdivided into two lots. Lot 1A, of approximately 20 acres, will be developed by Dr. Davis for the construction of an animal hospital. Topographical information was presented.

Mr. Lehr explained that the lot lines were changed. The applicant explained that they took the initial southerly lot line and moved it down to the south line of Mr. Alt's property, who is selling to Mr. Davis. This accommodates the drainage on the parcel.

Chairman Kovac asked for comment from the town engineer. Ron DeTota commented that, due to the fact that this preliminary plat was received late today, he had not had the chance to write the comment letter. After looking at the plan, Ron DeTota commented that the big concern was the drainage pattern on the land. The concern was that if it did drain towards Stearns Road, this would be the time for the Town to request that easement. Once it was determined that the drainage did go towards Stearns Road, it was suggested that the Town request the easement. The applicant is offering the easement to the Town. Any other items, if was felt could be mitigated.

Lot 1A has been surveyed. It was determined that there was inadequate information for the entire parcel. The applicant will send Scott Chatfield copies of the deed, adjacent deeds and plat maps for the remainder of the parcel.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to adopt a resolution using Standard Form # 10 that for SEQR purposes, case # 00-12-4 and 00-11-1, preliminary plat and site plan be declared a negative declaration. There appears to be no adverse environmental impact. This action does not involve any other agencies, including the Federal Government. Motion Passed.

Motion was made by Walter Lepkowski, seconded by James Keefe, to adopt a resolution using Standard Form # 40, granting final plat approval to John E. Davis, based on a map by Lehr Land Surveyors, dated 9/26/2000, revised 1/23/2001, showing file # 00-09-101R, subject to legal and engineering requirements. Motion Passed.

Old Business: Adjourned Hearings

00-11-1 John E. Davis, DVM- Site Plan

south side of Route 31, approximately 400 feet west of Stearns Road

Peter Crissey, Architect and Bill Cotter, head of the project, were present to present the site plan for John E. Davis, DVM. The property is located on the south side of Route 31, approximately 400 feet west of Stearns Road.

The following items were concerns from the previous public hearing and have been shown on the plan:

The applicant stated that all setbacks have been shown. There is one entrance to the parcel from Route 31 and a gravel drive onto Stearns Road. The plan shows extensive plantings on the parcel and the location of the paddock has been shown on the plan. The applicant has a drainage plan for the parcel. There were

concerns of how the water drained to and from the site. The applicant will be creating a drainage swale, with the water going to a detention basin.

The building will have clapboard siding with white split face block. The dog kennels will be fully contained, with no outdoor runs. There will be green shingles on the roof and green shutters on the windows.

Lighting will be shown on the plan. There will be two light poles in the parking area with shoebox type light fixtures.

Clay Fire Department was satisfied with the plan.

Hearing no more questions, Chairman Kovac closed the public hearing.

Motion was made by James Keefe, seconded by James Sharpe, to adopt a resolution using Standard Form # 20, granting site plan approval to John E. Davis, case # 00-11-1 based on a map by Crissey Architectural Group, dated 11/17/2000, revised 1/24/2001, showing file # 00200- G1, G2, G3, A2 and A5, subject to legal and engineering requirements. Motion Passed.

Old Business: Adjourned Hearings

00-12-1 COR Route 31 Company, LLC Site Plan – north side of Route 31, west of Dell Center Drive
Joseph Gerardi, Vice President and legal counsel for COR Development Company and Peter Giovenco, Bergman Engineering were present to present the site plan for Route 31 Company.

The project is located on the north side of Route 31, west of Dell Center Drive. The entire project is approximately 500,000 square feet of retail space. This project will be a strip center with some out parcels. Most of the parking will be in the front of the building

Scott Chatfield had suggested to the applicant that they review the Onondaga County Environmental Management Council maps with concerns in regards to the project to any issues that may or may not be there. They have done that, from the environmental prospective, and determined that since it is commercially zoned, it should be relatively straightforward from a SEQR point. Since it is a large project, the applicant has offered to prepare an environmental impact statement to take a thorough and complete look at the impact of this project. The applicant did request a special meeting be held on January 31, 2001 to accept the DEIS as complete and to circulate for the 30 day comment period.

The applicant has created an internal road to alleviate congestion on Route 31. They have aligned an access on Dell Drive with Sam's entrance. The main entrance will be from Route 31 with a 2 lane ingress and two lane egress configuration with an anticipated traffic signal on Route 31, west of Dell Drive.

Islands in the parking area were suggested for several reasons. Better traffic control in the parking area and a more aesthetically pleasing area were the main reasons for the suggestion.

The buildings will be staggered and landscaping will be added for a more aesthetically pleasing look. This will break up the long straight look of a strip center.

The applicant plans on eliminating truck traffic from the front of the store by having segregated truck access.

The applicant stated that they are working on utilities, have located the hydrants within 500 feet, and are fine-tuning the details of the plan.

The applicant stated that they would mitigate the flow of water with the use of detention ponds on the parcel. Gas and electric are available to the site presently.

Chairman Kovac asked if there were any questions.

Walter Lepkowski asked the applicant to justify why the proposed entrance is the best design for the site. The applicant stated that they are trying to slow down the traffic, it will create a thoroughfare, will filter more traffic and will avoid more congestion on Route 31.

Karen Guinup asked how the size of this project compares to other areas. The applicant best stated it by comparing it to the Wegmans Plaza to the east of the parcel.

Ferdinand Lepinske asked what sewage treatment plant would serve this project. It was determined that it was the Wetzel Road plant that would serve this area.

Chairman Kovac felt that in regards to the special meeting that the applicant requested, that the planning board could not provide that special meeting. He stated that if the planning board had the DEIS now, the planning board could review it for form and content.

Motion was made by Karen Guinup, seconded by Ferdinand Lepinske, to adjourn the public hearing to February 14, 2001. Motion Passed.

Old Business: Hearings Closed

NONE

New Business: Informal Discussion

COR Route 31 Company, LLC – Preliminary Plat

This informal discussion was held during the discussion on the site plan.

Adjournment

Motion was made by Karen Guinup, seconded by Walter Lepkowski, to adjourn the meeting. The meeting was adjourned at 10:20 PM. Motion Passed.

Respectfully submitted,

A handwritten signature in blue ink that reads "Mary Ellen Sims" followed by a small mark that looks like "TC".

Mary Ellen Sims
Planning Board Secretary

APPROVED

January 10, 2001

The organizational and regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall, located at 4483 Route 31, Clay, New York on the 10th day of January 2001.

The meeting was called to order by Chairman Kovac at 7:30 PM and upon the roll being called, the following were:

- | | | |
|-------------|--------------------|--|
| PRESENT: | Allen Kovac | Chairman |
| | Walter Lepkowski | Deputy Chairman |
| | James Keefe | Member |
| | Ferdinand Lepinske | Member |
| | Karen Guinup | Member |
| | James Sharpe | Member |
| | Bruce Johnson | Member |
| | Ron Detota | C & S Engineer |
| | Scott Chatfield | Planning Board Attorney |
| | Cindy Heid | Code Enforcement Officer |
| | Mary Ellen Sims | Planning Board Secretary |
|
ABSENT: |
David Tessier |
Commissioner of Planning & Development |

Approval of Minutes

Motion was made by Ferdinand Lepinske, seconded by Karen Guinup, to approve the minutes of December 27th, 2000 with the following corrections: page 3, 5th paragraph from the bottom, second sentence should read: COR is proposing another traffic light on Route 31, west of Dell Drive. Motion Passed

Annual Organizational Meeting

Deputy Chairman Appointment

Motion was made by Chairman Kovac, seconded by James Keefe, to appoint Walter Lepkowski as Deputy Chairman of the Clay Planning Board for the Year 2001, to act as Chairman in the absence of the Planning Board Chairman. Motion Passed.

Attorney, Engineer, Secretary Designation

Motion was made by Karen Guinup, seconded by Walter Lepkowski, to designate the following positions for the year 2001 for the Clay Planning Board:

- | | |
|--------------------------|-----------------|
| Planning Board Attorney | Scott Chatfield |
| Planning Board Engineer | C & S Engineers |
| Planning Board Secretary | Mary Ellen Sims |

Motion Passed.

Designation of Planning Board Meetings for year 2001

Motion was made by James Keefe, seconded by James Sharpe, to designate the 2nd and 4th Wednesday of each month for Planning Board Meetings to begin with a work session at 7:00 PM and meetings to start at 7:30 PM. Motion Passed.

Adoption of 2001 Planning Board Calendar

Motion was made by James Keefe, seconded by Walter Lepkowski, to adopt the Town of Clay Planning Board 2001 Calendar as prepared by Commissioner Tessier for the year 2001. Motion Passed.

Public Hearings:

00-12-2 Trinity Assembly of God Church Site Plan 4398 Route 31

Tom Hertweck, pastor of Trinity Assembly of God Church and Rand Anderson were present to present the site plan for Trinity Assembly of God Church, 4398 Route 31.

The proposed site plan is for the addition of a 7,680 square foot recreation building. The recreation building will be located on the existing 6-acre parcel that is zoned A-1.

C & S letter dated January 8, 2001 stated the following concerns:

The names and zoning of adjacent parcels and a location plan should be shown on the drawing.

When the applicant appeared in October of 1994, they were requested to construct a drainage swale within the 20-foot permanent easement to allow for the conveyence of upstream areas storm water across the property. This work was never done.

The applicant needs to comply with the above request before any further build out on this parcel is approved.

O.C.P.B. stated that there will be no adverse impact and can be acted upon solely by the Planning Board.

The following items need to be shown on a revised site plan:

- Dimensions of the building should be shown on the site plan
- Dimension showing where the building is located needs to be shown
- Distance between the two buildings needs to be shown on site plan
- The swale needs to be constructed with 3 on 1 side slopes, a minimum depth of 2 feet, and a minimum slope of .005 ft/foot. Once the construction of the swale is complete topographic as-builts of the swale will need to be provided to the Town for review and acceptance. All disturbed areas within the Town drainage easement will need to be topsoiled and seeded, and have a vigorous grass growth established.
- Names and zoning of adjacent parcels and location plan needs to be shown
- Area lighting
- Capacity of persons for the new building needs to be addressed
- Parking plan and internal circulation needs to be shown.

The hydrant on Route 31 was discussed. At present, the hydrant is located on the north side of Route 31. The building is approximately 500 feet from the road. A hydrant on the south side of Route 31 may have to be added or relocated.

Planning Board decided that this case was a Type II action.

Hearing no more questions or concerns, Chairman Kovac closed the public hearing.

Old Business: Adjourned Hearings

00-9-5 Carlton Lahah- Preliminary Plat

south side of Route 31, Pompadour Hair Salon and the Metropolitan Water Board

Joe Jerry, attorney representing the applicant, requested an adjournment on this case pending approval of an area variance.

Motion was made by Walter Lepkowski, seconded by Ferdinand Lepinske, to adjourn this public hearing to March 28, 2001. Motion Passed.

00-11-1 John E. Davis, DVM- Site Plan

south side of Route 31, approximately 400 feet west of Stearns Road

Mr. Davis called and requested an adjournment to January 24, 2001.

Motion was made by Bruce Johnson, seconded by James Sharpe, to adjourn the public hearing to January 24, 2001. Motion Passed.

Old Business: Hearings Closed

00-11-6 Barbet Development Corp. – Zone Change recommendation A-1 to R-1, west of Morgan Road, south of Route 481, and north of Fairway East

00-11-7 Barbet Development Corp. – Zone Change Recommendation A-1 to R-5, west of Morgan Road, south of Route 481, and east of Streamwood Drive.

The Town Board has requested a DEIS be submitted by March 5, 2001.

The zone change recommendation will be postponed until the DEIS is received and reviewed. This case will be tabled until then.

New Business: None

Adjournment

Motion was made by Bruce Johnson, seconded by Walter Lepkowski, to adjourn the meeting. The meeting was adjourned at 8:50 PM. Motion Passed.

Respectfully submitted,

Handwritten signature of Mary Ellen Sims in blue ink, with the initials "MS" written at the end.

Mary Ellen Sims
Planning Board Secretary