

**APPROVED**

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at Town Hall located at 4401 State Route 31, Clay, New York on the 9<sup>th</sup> day of June 2010. The meeting was called to order by Chairman Lepkowski at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	Walter Lepkowski	Chairman
	Karen Guinup	Deputy Chairperson
	Allen Kovac	Member
	Hal Henty	Member
	James Sharpe	Member
	Russ Mitchell	Member
	David Hess	Member
	Mark Territo	Commissioner of Planning & Developement
	David Balcer	Town Planner
	Bill Perrine	C & S Engineers
	Scott Chatfield	Planning Board Attorney
	Gloria Wetmore	Planning Board Secretary

A motion was made by Karen Guinup seconded by James Sharpe to approve the minutes of the previous meeting.

Motion Passed 7-0

**Public Hearings:**

**2010-5-3 Gary Spring, Special Permit Advisory Referral  
7733 Henry Clay Blvd.**

Mark Rupprecht presented the plan. He explained there are 15 trucks or trailers that will fit in the existing lot.

They will have 1 or 2 rentals per day. There will be no mechanical work performed on the premises. Chairman Lepkowski asked if the rentals will be done in the existing office. Mark Rupprecht said it would.

Karen Guinup asked what the zoning is for this lot, it is zoned I-1, Industrial.

Russ Mitchell asked what Gary Springs responsibility is, he also wants to know if there are retail sales going on. Russ also said he doesn't want to see hitches, or packaging materials sold in conjunction with the rentals.

Mark Rupprecht said there are no retail sales going on.

Russ Mitchell said Mr. Spring has not been a very good neighbor, and he would like to get in writing exactly what this operation entails.

The Planning Board discussed the case with particular interest in what additional items would be sold from this site (hitches, packing boxes, bubble wrap etc.) The Planning Board recommended that the Special Permit be granted with the following conditions:

The proposed use is to be in a very restricted area as depicted on the map and it is for the rental of U-Haul vehicles, and any accessory use would be determined by the Planning Department.

The Special Permit should be subject to a yearly review.

If the Town Board grants the Special Permit they should require an updated Site Plan that does not still show "Outdoor Storage Area" on it and that limits the U-Haul area.

A motion was made by Karen Guinup seconded by Hal Henty to make a recommendation to the Town Board.

Motion Passed 6-1 Russ Mitchell voting no.

**2010-5-4 Niagara Mohawk Power Corp. d/b/a National Grid, National Grid as 8811 Caughdenoy Rd., Public Utility Special Permit Advisory Referral – VerPlank Road**

**2010-5-5 Niagara Mohawk Power Corp. d/b/a National Grid (3) Site Plan, VerPlank Road (a/k/a by National Grid as 8811 Caughdenoy Road)**

Chairman Lepkowski opened both public hearings. David Hess excused himself, because he is employed by National Grid.

Ron Sealy landscape architect presented the plan. This parcel has been in operation since the 1950's, they plan to expand the building. Part of the 30 ft buffer will have to be removed for the expansion; the existing drainage will go up around the new construction. This project will begin in November of 2010 and the completion date will be November 2013.

Hal Henty said there is an airport in the area; will the new poles or towers interfere with the airport. Harvey Kaywood said the poles will not interfere with airport.

Walter Lepkowski asked about the diesel generator. Mr. Kaywood said it is in case of power failure,

This is a backup. There are also batteries for backup. The Chairman asked about increased noise from the new generator. Mr. Kaywood said they have a diesel generator on the site now, and the sound level will not increase.

Chairman Lepkowski said the County had no problem with the project.

There are wetlands involved. Mark Territo said an appointment with the DEC for mitigation could take months. The Engineers took a look at the disturbance and said this will have to go through the SPEDES process.

Chairman Lepkowski closed the Special Permit Hearing, leaving the Public Hearing open for the Site Plan.

A motion was made by Hal Henty seconded by Russ Mitchell to adjourn the Site Plan Public Hearing to July 14, 2010.

Motion Passed 6-0

A motion was made by Russ Mitchell seconded by Allen Kovac to make a favorable Special Permit Recommendation to the Town Board for case # 2010-5-4 using form # 60; as the addition will have no added impact to what is currently on the site.

Motion Passed 6-0

David Hess returned to the Board.

**2010-5-10 Town of Clay, Zone Change Recommendation, RA-100, R-10 & I-2 to PDD, Three Rivers area**

Chairman Lepkowski opened the public hearing. Mark Territo presented. After examining issues of traffic, drainage, and general character of the area, the Planning Board made a recommendation to approve the Zone Change, stating that this would be a benefit to accommodate 3-Rivers Development.

A motion was made by Hal Henty seconded by Russ Mitchell to recommend this Zone Change to the Town Board.

Motion Passed 7-0

Old Business: Adjourned Hearings

**2007-12-3 Group One Development, LLC (3) Site Plan– Corner of Route 31 & Henry Clay Blvd.  
(Adjourned from 30 previous meetings)**

Chairman Lepkowski opened the public hearing. Alex Wisniewski of LJR Engineering presented the plan. Mr. Wisniewski explained they addressed the engineering issues, and revised the plan. He presented the lighting plan, and they went over the access easement with the Stevens property.

Chairman Lepkowski said they need an updated plan, the latest plan the Board has is dated 2-10-10. The biggest issue with the Site Plan is the access to Henry Clay Blvd from the Stevens property.

John Russo, Developer, referenced a letter he submitted to Mark Territo in May 2010, stating that he tried to work with the Stevens' Family.

Scott Chatfield said if the Developer of Henry Clay Commons turns over the easement to provide an access drive to the Stevens property, the Buyer would then be responsible for any future repairs. John Russo's council, Jim Messenger stated the Stevens should pay for part of the construction of the access road. Scott disagreed; the Stevens Family should not have to pay for any construction costs. The Chairman explained to Mr. Messenger that the Board is giving you the opportunity to give access to the Stevens property.

Mrs. Stevens spoke. She said that she would be willing to sell her property for the right price. Chairman Lepkowski said he will keep the public hearing open, and give the applicant and his Council time to get with Mrs. Stevens .

A motion was made by Karen Guinup seconded by Hal Henty to adjourn the Public Hearing to July 14, 2010.

Motion Passed 7-0

**2010-4-1 Harley Snow (3) Bonstead Road, just west of 481 – Preliminary Plat  
(Adjourned from 1 previous meeting)**

Chairman Lepkowski opened the public hearing, Hal Romans presented the plan. The applicant received a recommendation from the Town Board at the last meeting.

Lots 1B-4B are not building lots, that will be put on the deeds. Scott Chatfield stated the second paragraph should be cleared up as to the lots. These are not lots yet. The wording should be changed.

The Chairman closed the Public Hearing.

A motion was made by Russ Mitchell, seconded by James Sharpe to adopt a negative SEQR determination using standard form # 10, for Case # 2010-4-1 Harley Snow located on Bonstead Road just west of 481. This project appears to have no environmental impact which can not be mitigated and does not involve any other permit granting agencies, including the Federal Government.

Motion Passed 7-0

A motion was made by Karen Guinup seconded by David Hess to adopt a resolution using standard form #40 granting Final Plat approval for case # 2010-4-1, Harley Snow located on Bonstead Rd. just west of 481. Drawings are by Iannuzi & Romans File # 11506.110 dated 1-19-2010 Final revision date 6-9-10. Subject to the following conditions:

Clarify on the Plan 1B-4B “these are not building lots”.  
All legal and engineering

Motion Passed 7-0

Old Business: Hearings Closed

**2010-3-1 Red Barn Country, LLC, Zone Change Recommendation R-10, One Family Residential, to O-2, Office District – Buckley Road (south of Waxwood Circle on the west side of Buckley Road)**

Chairman Lepkowski explained that the Planning Board is an advisory board. The Planning Board will make a recommendation to the Town Board, and they will make the final decision. The Chairman explained that office zones are transitional, it is a very limiting zone.

If the Zone Change is approved, the Site Plan would then come back to the Planning Board for Site Plan review.

Karen Guinup stated that she agreed with the Onondaga County Planning Board and will require a traffic study, if the Zone Change is approved.

Chairman Lepkowski added the fact that there is a lot of vacant property in the area, is out of our hands. Russ Mitchell said that he wants to see O-1 zoning not O-2.

A motion was made by Karen Guinup seconded by Hal Henty to make a recommendation to the Town Board, for O-1 or O-2 zoning. The Planning Board agrees with the County Planning Board relative to requiring a traffic study.

Motion Passed 6-1 Russ Mitchell voting no.

## **Work Session**

### **JoLu Development Company, Tocco Villagio, PDD Concept Plan Discussion**

Amy Franko of Clough Harbor Associates Presented, She reviewed what went on at the last meeting. Chairman Lepkowski said the Planning Board will do two things.

Make a recommendation to the Town Board.

Make a written statement with the Boards comments within 90 days.

The Chairman explained they need to work on a narrative, because when they submit it to the Town Board we will either agree to it or add to it.

It will be 90 days from May 26, 2010, which would be the first meeting in August. The Chairman would also like any information from the Cicero Town Board, and Planning Board meetings that may impact this project. The next phase will be the project plan.

A motion was made by Allen Kovac seconded by Russ Mitchell to adjourn the meeting at 10:15 PM.

Motion passed 7-0

Respectfully Submitted

Gloria Wetmore

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