

A P P R O V E D

The organizational and regular meeting of the Planning Board of the Town of Clay, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 8th of January 2014. The meeting was called to order by Chairman Hess at 7:30 PM and upon roll being called, the following were:

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

A motion was made by **Russ Mitchell** seconded by **James Palumbo** to approve the minutes of the November 13, 2013 and December 11, 2013 Meetings.

Motion Passed 7-0

Organizational Items for 2014

A motion was made by **Allen Kovac** seconded by **James Palumbo** to appoint **C&S Engineers** as the Planning Board Engineer for the year 2014.

Motion Passed 7-0

A motion was made by **James Palumbo** seconded by **Karen Guinup** to appoint **Scott Chatfield** as the Planning Board Attorney for the year 2014.

Motion Passed 7-0

A motion was made by **Hal Henty** seconded by **Russ Mitchell** to appoint **Gloria Wetmore** as the Planning Board Secretary for the year 2014.

Motion Passed 7-0

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A motion was made by **Allen Kovac** seconded by **Hal Henty** to approve the Planning Board Meeting Calendar for the year 2014 as follows; the second and fourth Wednesdays of the month at 7:30 PM with only 1 meeting in June, August, November and December.

Motion Passed 7-0

A motion was made by **Hal Henty** seconded by **Russ Mitchell** to appoint **Karen Guinup** as the Deputy Chairperson to the Planning Board for the year 2014.

Motion Passed 7-0

Public Hearings:

***7:30 PM – Case #2013-041 – *Fastrac Markets* (3) – Special Permit referral – 8467 Oswego Road**

Chairman Hess opened the public hearing. Matt Napierala of Napierala Consulting was present on behalf of the applicant. Mr. Napierala stated that he had appeared before the Town Board on Monday January 6, 2014. There was concern on gap analysis Rt 57 and Rt 31. There was concern on stacking, the Town code states that there must be room for 5 vehicles, they are well within the code for stacking. Mr. Napierala showed a map of the site. He explained that he received traffic study letters from the County and State D.O.T. movement off route 57 will not have an adverse impact on traffic.

Chairman Hess explained that this was a Referral for Special Permit request. Jeff Szkolnik, manager explained that the building foot print would not change. The interior will change; they will move coolers to accommodate the Drive Through window.

He continued that the building is 3600 sq. ft. they will re configure the retail areas to swap out 500 sq. ft. for the drive through service.

Hal Henty asked where they could fit 8 cars. Mr. Napierala showed on the map where the cars would go.

James Palumbo asked if there are (5) five cars stacked, would they block the parked cars? Mr. Napierala said that those parking spaces are for employees, and they have (11) eleven extra parking spaces that could be removed if needed.

Hal Henty said sometimes there are trailers or large vehicles parked that take up to 3 spaces, he also stated that this configuration is very tight, and he doesn't see a very good traffic flow. He also has a problem with how fast the food will be prepared and served.

David Hess asked if they had considered a bail out lane. Mr. Napierala said there is 16 feet, they could use if there is a mountable curb. David Hess also asked if the applicant had considered moving the pick up window to the west. Mr. Szkolnik explained that all of the electrical and

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plumbing are located in that end of the building, that would be a complete remodel and not cost effective.

James Palumbo asked how the drive through over the tank pad would impact the delivery of fuel. Mr. Szkolnik stated that they have 60 feet; also they would not have fuel delivered at peak hours. The fuel deliveries are dispatched, we have our own fuel. There will be 1 delivery per day. James commented that he sees a conflict when trucks make their deliveries.

Michelle Borton referenced the cover letter, and asked if the easement was shown on the plan. The applicant stated that a legal description for the drive-thru was submitted with the application.

Russ Mitchell asked if this was the first drive through they had done. Mr. Szkolnik said that they have 2 other locations under remodel right now, as well as 2 new builds in the planning stages. Russ also asked how long it will take from ordering to pick up of the food. He also commented that there will be cars trying to make left turns onto Rt. 31. If the drive through is successful, it is too tight.

James asked if the referral for the Special Permit allows for changes in the vendors in the future. Scott Chatfield explained that the Town Board can make specific guide lines. That is up to the Town Board.

Dorothy Heller, Resident, stated that there is a lot of traffic for gas, she wanted to comment that it is too busy. She also asked if there would be a problem because they are next to the fire house. The manager said no.

David Hess asked if studies show the drive through alleviates walk in traffic. The applicant said he thought it would alleviate the foot traffic; however there is no formal study.

Frank Prue of Moyers Corners Fire Department asked if the garbage containers will be moved, if the drive through goes in, it impedes traffic site when the trash is being picked up.

A motion was made by Hal Henty and seconded by Allen Kovac to use this motion as set forth in the following opinions:

James Palumbo- in favor with changes. Would like to see the drive through moved, problem with fueling tanks, and Saturday morning traffic would be a problem. Trust that the applicant's design consultant could work through challenges.

Michelle Borton- Not in favor- north side configuration, too much activity on this site.

Allen Kovac – Not in favor- need traffic study.

Russ Mitchell- Not in favor- too busy, would like more definitive answers on the times ordering, cooking, and receiving orders.

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Hal Henty- Not in favor- to busy especially if it is successful, not a site plan, many things would have to change, move the drive through window to the west.

Karen Guinup- Not in favor- problem with traffic flow feels there will be conflicts, if the Town Board approves there will have to be a bail out lane.

David Hess- Not in favor- respects the idea, against the location of the drive thru window.

Motion made by James Palumbo, seconded by Karen Guinup to provide a negative recommendation with individual comments attached.

Motion Passed 6-1

Old Business: Adjourned Hearings:

*****2012-029 Wildflower/Dixon Farm – Preliminary Plat – 8946 Henry Clay Boulevard (adjourned from 10 previous meetings)***

The Chairman opened the public hearing. Dan Barnaba of Eldan Homes was present on behalf of the applicant. Mr. Barnaba stated that he was looking for Preliminary Plat approval for the Wildflower subdivision located between Henry Clay Blvd. and Verplank Rd. Mr. Barnaba explained that a traffic study was done And the comment from the County D O T was favorable. The County also approved the perk testing, and letters would be submitted.

He continued the plan will be done in 2 or 3 phases. David Hess asked what he planned on doing With the 3 lots on VerPlank. He would like a final plat approval. Scott Chatfield stated that there is a 10% requirement, and there hasn't been a full Preliminary Plat approval. Dan Barnaba said there has been some talk about separating the 3 lots on Ver Plank Road, and make a 4 lot subdivision. He would like a wavier, since there is no infrastructure, or sewer. Scott Chatfield said he has never seen any wavier on the 10% requirement, and the clustering provision is on the over all plan. Open space comes from the lower portion, if it is showing the sectionalization. The Board needs to see an updated map with lot sizes and meets all requirements to consider the Preliminary Plat. Mr. Barnaba will also have to show road profile and cross sections.

Chairman Hess asked if there were any questions, there were none. Mr. Barnaba stated he will bring updated maps to the next meeting.

A motion was made by Karen Guinup seconded by Allen Kovac to adjourn the Public Hearing to January 22, 2014.

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Motion Passed 7-0

****Case #2013-039 – *King's Subdivision* (3) – Preliminary Plat – 8700 Caughdenoy Road
(Adjourned from 1 previous meeting)**

The Chairman opened the public hearing. Hal Romans was present on behalf of the applicant. Mr. Romans stated that the previously requested changes were made. The Board liked the configuration of the new lot.

Hearing no further comments, the hearing was closed.

A motion was made by James Palumbo, seconded by Hal Henty, to adopt a resolution using standard form # 10, SEQR determination for Case # 2013-039 *King's Subdivision*, Preliminary Plat Approval, located at 8700 Caughdenoy Rd., be declared an unlisted action and a negative declaration as it appears to have no environmental impact which can not be mitigated and does not involve any other permit granting agencies, including the Federal Government. This project will contribute to growth and community character, and poses no excessive impact on traffic, environment and neighborhood.

Motion Passed 7-0

A motion was made by Allen Kovac, seconded by Russ Mitchell, to wave the Public Hearing and move to Final Plat approval.

Motion Passed 7-0

A motion was made by James Palumbo, seconded by Russ Mitchell, using form #40, granting Final Plat Approval to *King's Subdivision*, for property located in the I-2 zoning district, located at 8700 Caughdenoy Rd., Case # 2013-039 based on a map by Ianuzzi and Romans, being file # 11871.001 dated 1-2-2014. Approval is subject to all engineering and legal requirements.

Motion Passed 7-0

Old Business: Hearings Closed

NONE

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New Business:

SIGNS

Bayberry Association, - *Liberty Tax* – 183 Blackberry Road.

Zoned O-1, Permit #45,243

Wall Sign – Applicant is proposing a 16 square foot wall sign when 16 square feet is allowed, with internal illumination. The proposed sign will meet the existing code.

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

Motion Passed 7-0

Work Session:

OCIDA- Preliminary Site Plan approval.

Anthony Rivizzigno, attorney and James Trasher, of CHA were present for the applicant, He explained that this is a conceptual plan, The State requires approval from the Town, to continue the project and help make the site “shovel ready.”

David Hess asked if anything had changed, it had not.

Scott Chatfield has reviewed the plan and finds that the applicant has gone through the whole process.

A motion made by Michelle Borton seconded by Hal Henty that the Town of Clay Planning Board has looked at and reviewed the preferred development scenario for White Plains Park, and finds it suitable. The Board also acknowledges that this conceptual Site Plan has been through the SEQR process.

Motion Passed 7-0

5471 Bear Rd.- ZBA Special Permit referral.

Chairman Hess asked Mr. and Mrs. Rogers to explain their business.

Mr. Rogers said that they sell leather items on-line, occasionally people will come to their house to purchase items. He also said that they have approximately 5 cars per week. David Hess asked if they had received the letter from the county, and they had.

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Allen Kovac asked if they knew when people would be stopping by. Mrs. Rogers said yes, and they added a large area for parking.

Hal Henty asked how much of the business was done on the internet. They said 90%.

Russ Mitchell said that the house numbers should be larger to make it easier to identify the house. Mrs. Wheeler said that they have a large wooden carved bear, so when people are expected they tell them to look for the bear.

David Hess asked if they would adhere to the guidelines in the County Letter. They said they would.

It is the consensus of the Board if the applicant adheres to the County letter dated 12-17-2013, There is no impact on traffic, and no issues with parking.

A motion was made by Russ Mitchell seconded by James Palumbo to send above comments to the Zoning Board of Appeals.

Motion Passed 7-0

A motion was made by Allen Kovac, seconded by Hal Henty, to adjourn the meeting at 9:10 PM.

Motion Passed 7-0

Respectfully Submitted

Gloria Wetmore