

A P P R O V E D

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 19th of March 2014 (*Rescheduled from March 12, 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
	Russ Mitchell	Member
	James Palumbo	Member
	Michelle Borton	Member
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineers
ABSENT:	Allen Kovac	Member
	Gloria Wetmore	Planning Board Secretary

A motion was made by Michelle Borton seconded by James Palumbo to approve the minutes of the previous meeting.

Motion Passed 6-0

The Chairman announced that the *Plus Real Estate, LLC* zone change referral case has been decided by the Town Board, and opinions of the Planning Board were emailed to the Town Board, so this case would be removed from the agenda tonight.

The Chairman announced that the applicant for the Sunoco case has asked for an adjournment.

****Case #2014-007 – Sunoco, Inc. (R&M) (3) – Site Plan, 8450 Oswego Road**

A motion was made by Russ Mitchell seconded by James Palumbo to adjourn the Public Hearing to April 9, 2014.

Motion Passed 6-0

Public Hearings:

***7:30 PM - Case #2014-003 – 3910 Brewerton Road, LP (3)- Zone change referral, 3910 Brewerton Road**

Chairman Hess opened the public hearing. Mr. Rob Rotundo was present and explained that he is a partner in the ownership of this property. This item was referred to the Planning Board by the Town Board. The applicant stated that the building has had a retail use in it for as long as he could remember, and most of the Board agreed. Currently, there is a pending building permit that was denied for a ‘Bath Fitters’

Regular Meeting
Planning Board
March 19, 2014

establishment. This permit has been denied since the use is not allowed in the current LuC-1 gas station zoning. Bath Fitters would like to put in a showroom with associated warehousing. They are requesting a zone change to retail since this fits in better with the surrounding area.

The parking for this area is congested, due to the neighboring restaurants that don't have enough parking on their sites. Bath Fitters would be a low volume customer usage, so this would work better for this site, and potentially help the parking problem in the area.

Chairman Hess asked when the gas station left the parcel. The applicant explained the history, and the actual gas station was located on the adjacent parcel to the south. As far as he knew there wasn't an actual gas station on this parcel.

There was a discussion about the County comments and at what point would the applicant have to address the driveway delineation and the trip generation (traffic study). The Commissioner advised the Board that should the applicant get the zone change, they won't necessarily need a site plan, since the site has been previously used as retail. The Town Board could, however, require as a condition of approval that the applicant obtain updated site plan approval.

Chairman Hess feels that the applicant should obtain site plan approval.

Karen Guinup stated that she would like to know that if the applicant has shared parking agreements or easements with the surrounding properties, that this parcel will be able to meet its own parking requirements before any parking is shared with other sites. The applicant agreed.

Hal Henty agreed with the Chairman that site plan approval should be obtained.

Hearing no further comments, the Chairman closed the public hearing.

A motion was made by Russ Mitchell, seconded by Hal Henty to make a recommendation to the Town Board using standard form # 50 for case #2014-003, 3910 Brewerton Road, LP, Zone Change from LuC-1 to NC-1, located at 3910 Brewerton Road to grant the Zone Change. The Planning Board feels it is a cleaner, more appropriate zone for the property location. The applicant should make every effort to improve the aesthetic quality of the property, as described in 'Item 4' of the Onondaga County Planning Board resolution of February 19, 2014. The Planning Board also makes a recommendation to the Town Board that a site plan application be submitted to, and approved by, the Planning Board.

Motion Passed 6-0

****7:35 PM – Case #2014-005 – Carl Jaquint (Montessori CNY) (3) – Special Permit, 7900 Davis Road North**

Regular Meeting
Planning Board
March 19, 2014

Carl Jaquint was present to talk about the proposal that is before the Board. Mr. Jaquint stated that they wish to educate 3-6 year old children in the former Time Warner building. In order to do this, they need a Certificate of Occupancy and to obtain that, they need a Special Permit.

Chairman Hess mentioned that there are currently several 'No Parking' signs around the property that he assumes are to prevent people from parking on this property and walking over to the Town Park. Chairman Hess stated he's reviewed the County comments and they state that this proposal should have 'No Countywide Implications.'

The applicant stated that they will lease a portion of the existing building and it is currently not known who will be in the remaining portion of this building. The school currently exists part-time, and with the approval of this Special Permit, they would like to operate full-time. The applicant mentioned that because they are a 'for-profit' operation, this property will stay on the tax roll. They currently have 3,000 square feet, and would like to continue to grow.

There is no site lighting, and no changes are proposed to the site. Their hours end at 5:30 pm. There isn't any night time activity, and if the applicant needs to hold a function at night, they would utilize an off-site space. They currently have 9 students and they would like to go to 24. They would also like to make use of the adjacent Town Park. There is no change proposed for the parking lot, and they would like to extend their hours to 7:30 am to 5:30 pm once they have their Certificate of Occupancy.

Karen Guinup asked if Davis Rd. has lighting and the Chairman said it does, along with 2 lights in the park.

Hearing no further comments, the Chairman closed the public hearing.

Russ Mitchell stated that he has done research on the Montessori education system, and he feels that it is an excellent concept.

A motion was made by Russ Mitchell seconded by Karen Guinup to adopt a resolution using standard form # 10, SEQR determination for Case # 2014-005 *Carl Jaquint (Montessori CNY)*, Special Permit for a School, located at 7900 Davis Rd. North, be declared 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.

Motion Passed 6-0

A motion was made by Russ Mitchell seconded by Karen Guinup, using form # 70, granting Special Permit Approval to *Carl Jaquint (Montessori CNY)* for a School occupying Suite 200 at 7900 Davis Road North, in the O-2 zoning district, Case # 2014-005. Based on a map by CADD Systems Drafting and Design, being file #T, A1.0, S1.0 dated 1/9/2014. Subject to all engineering and legal requirements.

Motion Passed 6-0

****7:45 PM – Case #2014-008 – *Unique Dental (3)* – Site Plan, 8195 Oswego Road**

Jim Hagen, Architect for the applicant, along with Dr. Arora, and Mr. Crisalli were present to explain the proposal. Mr. Hagen stated that Dr. Arora has contracted to purchase this property. He described the history of the property and that it has been used for restaurants, laundromats, convenience stores. Dr. Arora wants to purchase it and establish his dental practice here. It is a 0.9 acre site with 200 feet of road frontage onto Oswego Road and a 2,955 square foot building. They are proposing no changes to the size of the building.

Currently 2 entrances exist into the property, one from Oswego Road, and a second entrance from Calder Court. Currently 18 parking spaces exist, and the code requires 15 for this use. A substantial lawn area exists along with an existing tree line. They are proposing a 6-foot vinyl fence along the back property line. Site lighting will remain as it exists without any changes.

The applicant is proposing a face lift to the building which would include a color scheme that is more appropriate to a dental office. More finishing details will also be added to the building, and the brick on the side of the building will remain.

The Chairman asked about the fencing around the dumpster because the existing one is in disrepair. Mr. Hagen feels that it can be repaired and painted. The Chairman also asked if the fence will cross the easement in the back of the property, and Mr. Hagen said it will not.

There will be one sign on the building and the freestanding sign will be re-faced. The Board let the applicant know that this is a separate application and review. The applicant expressed concern about his closing date but they would try to get the sign application in for the next meeting.

The Chairman stated that this is a very nice proposal and will be an asset to the area.

Michelle Borton asked what kind of maintenance will be done on the paving. Mr. Hagen stated that they will cut, patch and re-stripe. Once the snow finally melts they will have a better idea of the level of work needed.

Karen Guinup stated that they are doing so many improvements to this building that she would really like to see the existing fencing around the dumpster removed and replaced with at least a more durable block material. Mr. Hagen stated that the dentist will generate far less garbage than the previous restaurant so this isn't economically feasible. Ms. Guinup disagreed stating that cedar fencing generally doesn't work in our climate and quickly goes into disrepair. It was also stated that any medical waste is stored inside the building and then picked up for disposal. The applicant is going to look into the cost for upgrading the dumpster/fence enclosure area.

Regular Meeting
Planning Board
March 19, 2014

James Palumbo agrees that this is a great improvement to the site. He questioned the handicap parking and that the plan must identify it. He also stated that the handicap parking is captured during the building permit process, but Mr. Palumbo would still like it identified on the site plan. There was further discussion about the placement of the handicap signage and the possibility of locating it around the soffit or on the columns. He also stated that this site has great opportunity for plantings. The applicant agreed that they would put an Oak tree on each side of the building, making sure that it is clear of any underground utilities.

The Town Engineer asked what is 'unique' about Unique Dental, the applicant stated that it is painless and they take many different kinds of insurance.

Hearing no further comment the Chairman closed the public hearing.

A motion was made by Hal Henty seconded by Russ Mitchell to adjourn the Public Hearing to March 26, 2014.

Motion Passed 6-0

The Board adjourned for a break and reconvened at 9:00 pm.

Old Business: Hearings Closed:

****Case #2013-032 – Fastrac – Amended Site Plan, 8467 Oswego Road (Adjourned from 2 previous hearings)**

Jim Naperella and Jim Emerick were present on behalf of the applicant. Mr. Emerick discussed the revisions that were made, and that the Board's previous comments were addressed. He stated that a sign variance will be sought, and that they have now obtained a survey of the property. There was a question about the strip of property that was acquired from the fire station, and it is now one tax map number and part of this parcel.

Site lighting and photometrics were discussed. The Board stated that this has not been completed as they want to see a full photometric plan for this site. Ron DeTota asked what lighting would be replaced and would like to see a cut-sheet of the proposed fixtures.

The Board stated that the dumpster enclosure material should match the building and be shown on sheet C-7. Handicap parking and signs should also be shown; the applicant stated that they would like to mount them on the windows.

There was discussion about the dual-lane approach and the potential for 2 order boards. The applicant stated that it was discussed with Fastrac, and so far they haven't done a dual order board. It is a more complicated and costly system. They would like to offer a passive signage approach for now, and if it is determined by the Town or Fastrac that it isn't working they would change it to a dual order board system. The Board is receptive

Regular Meeting
Planning Board
March 19, 2014

to this idea with the thought that they place conduits in the ground now to avoid having to remove pavement at a later time. This should be shown on the plan as 'for future'.

The applicant is not yet sure what will be done with the Red Box and ice machines.

The line between the parcel and acquired strip of land shall be removed on the site plan. Jim Palumbo stated the importance of an updated survey.

There was a discussion about landscaping. Mr. Palumbo feels that the daylilies are a good specimen, but the mongo pines won't stand up to the harsh conditions as well. The far parking area will crush any planting in the vicinity, especially with plowing. Jim went over some various planting options that would work better on this site. White pines aren't a good choice but white spruce would be better. The Barberry plantings could also be problematic. Jim asked the applicant if the canopy will be flat or pitched as there is concern of falling ice. The applicant stated that it will be flat with internal drains.

Chairman Hess wanted to cover some additional site plan issues. There is a required 20-foot perimeter landscape strip, and this is not met where the dumpster is located and the new proposed parking. They will need to obtain variances before this plan could be approved. It also appears that the highway overlay from Route 57 will not be met. He would also like to see a 'future' order board placed on the site plan.

The canopy in front of the building will also have drainage for the melting ice.

Hearing no further comments the Chairman accepted a motion to adjourn the hearing,

A motion was made by Hal Henty seconded by Russ Mitchell to adjourn the Hearing to April 23, 2014.

Motion Passed 6-0

New Business:

Case #2013-42 – *Red Barn Country LLC* (5) Final Plat, 7165 & 7175 Buckley Road

Hal Romans was present on behalf of the applicant. Mr. Romans stated that this is a 16.8 acre site with 35 residential lots proposed for final plat approval. It looks exactly like the preliminary plan. Hal stated that the applicant is working on removing the unsightly structures that surround the property, and that the high cost of asbestos removal has slowed down the progress. Both the Town Board and this Board would like to see more work on the Red Barn site, as it is a deterrent. There was further discussion about how builders choose lots within a new subdivision and Hal stated that they usually will purchase a lot with options to buy others. It was also stated that the sanitary sewer issues with the Town of Salina have been taken care of by the developer through a legal agreement.

Regular Meeting
Planning Board
March 19, 2014

Karen Guinup asked if the 'future street' will be paved, and Mr. Romans stated that it will be as was discussed during preliminary planning.

The Commissioner mentioned that this housing development does not have property that extends to Buckley Rd., so they should be fully aware that a development sign is not allowed there, as was the same case across the street in the Hyland Gardens development. When a commercial user moves in at a future date, they will not be allowed a sign until the Hyland Gardens sign is removed.

A motion was made by Michelle Borton seconded by Russ Mitchell, using form #40, granting Final Plat Approval to *Red Barn Country, LLC*, for property located in the R-10 zoning district, located at 7165 & 7175 Buckley Rd., Case # 2013-042 based on a map by Ianuzzi and Romans, being file # 3411.002 dated January 25, 2013, last revised March 19, 2014. Approval is subject to all engineering and legal requirements, and the following condition:

A note shall be added to the map that the Neighborhood Identification Sign must be added to either Lot 1 or Lot 35.

Motion Passed 6-0

Signs

Marketfair, - *Yogurt City* – 4160 State Route 31

Zoned RC-1, Permit #45,273

Wall Sign – Applicant is proposing a 48 square foot wall sign, when 48.9 square feet is allowed, with internal Led illumination. The proposed sign will meet the existing code.

There were discrepancies at the last meeting that have since been corrected.

The Chairman stated that he appreciates the owner of the plaza reducing the size of the sign the applicant submitted. The property owners of the proposed signs should initial the rendering of what is submitted to the Town, so they are aware of what will be going on their buildings.

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

Motion Passed 6-0

Prudential, *Berkshire Hathaway & CNY Realty* – 7575 Buckley Road

Zoned RC-1. Permit #45,285

Regular Meeting
Planning Board
March 19, 2014

Wall Sign – Applicant is proposing a 24 square foot wall sign (face change), when 25.6 square feet is allowed. The proposed sign will meet the existing code.

Freestanding Sign – The applicant is proposing a face change to a freestanding sign, Berkshire Hathaway and CNY Realty to be placed on it. The proposed sign will meet the existing code.

The Board has no issues with this sign, but mentioned the current owner of Sugarwood Plaza does not require signage to be uniform in color as the previous owner did. The Board would like to see the property address added to the freestanding sign.

A motion was made by Hal Henty, seconded by James Palumbo to approve the signage as presented.

Motion Passed 6-0

Marketfair, Clothes Mentor – 4160 State Route 31
Zoned RC-1. Permit #45,294

Wall Sign – Applicant is proposing a 29.4 square foot wall sign (face change), when 68 square feet is allowed, internal LED illumination. The proposed sign will meet the existing code.

Freestanding Sign – The applicant is proposing a face change to a freestanding sign, ‘Clothes Mentor’ to be placed on it. The proposed sign will meet the existing code.

A motion was made by James Palumbo, seconded by Russ Mitchell to approve the signage as presented.

Motion Passed 6-0

Work Session: NONE

A motion was made by Russ Mitchell, seconded by Karen Guinup to adjourn the meeting at 10:15 PM.

Motion Passed 6-0

Respectfully Submitted

Mark Territo