

Regular Meeting
Planning Board
May 13, 2020

APPROVED

The Regular Meeting of the Planning Board of the Town of Clay, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 13th day of May 2020. The meeting was called to order by Chairman Mitchell at 7:30 PM and upon roll being called, the following were:

PRESENT:	Russ Mitchell	Chairman
	Karen Guinup	Deputy Chair
	Hal Henty	Member
	Michelle Borton	Member (Via Video Conference)
	James Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Ron DeTota	C&S Engineers (Via Video Conference)
	Kathleen Bennett	Planning Board Attorney (Via Video Conference)
	Judy Rios	Secretary
ABSENT:	Allen Kovac	Member

Russ Mitchell opened the meeting and read the following notice:

Please take notice that the Town of Clay, in response to the continuing emergency circumstances caused by the Covid-19 pandemic and consistent with the New York State Governor's Executive Orders, including but not limited to, Executive Order 202.1 shall conduct its Planning Board Meeting on May 13, 2020 commencing at 7:30 P.M. and to be held at Clay Town Hall, 4401 State Route 31, Clay, New York. The public will not be allowed to physically attend the meeting, however, may attend virtually through Webex. Further, the public is encouraged to offer its written comments in one of the three following ways: 1.) Email: planning@townofclay.org 2.) Fax: (315) 622-7259, 3) Mail: Town of Clay, Planning and Development, 4401 State Route 31, Clay, NY 13041. Please remit no later than May 8, 2020 at 10:00 A.M. All comments will be entered into the record and distributed to all the Board members. All meetings of the Town will be recorded and later transcribed. The transcriptions will be made available on line upon review.

Russ thanked Scott Chatfield (past Attorney) for his dedicated years of service to the Board, wishing him well at his new residence in Florida. He also welcomed Kathleen Bennett from Bond, Schoeneck & King as the new legal representative to the Board stating he looks forward to working with her. Russ pointed out that this is a first Webex meeting and the following participants were on video conference: Ron DeTota, Kathy Bennett, and Michelle Borton. Allen Kovac was the only Board Member not present.

A motion was made by Hal Henty seconded by Scott Soyster to approve the minutes from the February 26, 2020 meeting. Further, a motion was made by Scott Soyster seconded by Karen Guinup to approve the minutes from the March 11, 2020 meeting.

Motion Carried 5-0

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Public Hearings: None.

Old Business: None.

Closed Hearings – Board/Applicant discussions:

**Case #2019-032 – *Borrogo Solar Systems, Inc.* (3) – 8150 Morgan Road – Site Plan
(Adjourned from 6 previous meetings).

Russ Mitchell noted the applicant was not in attendance, rather by video conference. Russ stressed the physical appearance by the applicant is mandatory and adjourned the case to May 20, 2020. The applicant explained he misunderstood and apologized for the error; he plans to be in physical attendance at the May 20 meeting.

A motion was made by Karen Guinup seconded by Scott Soyster to adjourn this case to May 20, 2020.

Motion Carried 5-0

**Case #2020-004 – *Vari-Tech, LLC, Frank V. Carioti* (3) – 4545 Wetzels Road – Site Plan
(Adjourned from 2 previous meetings).

Tim Coyer of Ianuzi and Romans presented for the applicant. Tim stated nothing had changed from the previous plan and handed out a reduced version to the Board. Michelle Borton asked if the hand outs were the same as what she had on hand and Tim stated, yes. Tim pointed out the changes from the previous submission as follows: the asphalt drive (per NYS DOT) had been added, the building height was added, and entrances had been labeled on the existing building. Russ asked if the gravel area still had access and Tim confirmed that it did. A question was raised about the cross access agreement on the property and Tim apologized to the Board as he did not realize Scott Chatfield was retiring, thus still needing to get answers to this. Kathy Bennett weighed in stating a correct access easement makes sense and recommends this to the Board. Tim stated he would have their Attorney reach out to Kathy. Karen Guinup noted an area on the plan shows storage where there is supposed to be parking. She asked what will be stored? How high? How wide? And is this the 8-10 parking spots? Tim indicated the parking spaces is for the ability to have continuity to use the site as it is existing today. The area is gravel and will never be striped. Karen asked if Mark Territo would take photos. Mark stated he would and noted the area in question is what is referred to as a “*parking in reserve.*” Russ requested the applicant’s Attorney get ahold of Kathy, along with the photos and the two could convene.

Russ asked if there were any more comments or questions, hearing none he adjourned the case to May 27, 2020.

A motion was made by Karen Guinup seconded by Hal Henty to adjourn this case to May 27, 2020.

Motion Carried 5-0

****Case #2020-005 – *Chick-fil-A* (3) – 4000 (3974) NYS Route 31 – Site Plan.**

Tim Freitag of Bohler Engineering presented for the applicant. Tim indicated changes requested by the Board at a previous meeting were completed. NYS DOT accepted the project and had no further comments regarding traffic. Areas addressed included: railing placed around the outside patio and black pigment added to the pad. A submitted lease indicates the widened turning lane through the drive-thru area. The transformer has been relocated and won't be seen from Route 31. The previous plan provided a trash enclosure with metal gates, however, the applicant prefers the composite gates as they are more durable, easier to maintain and aesthetically pleasing. Hal Henty spoke and mentioned the metal enclosure is what the Town wants and recommends they stay with the Town's preference and that it is standard in the Town. Karen Guinup agreed with Hal's recommendation. Scott Soyster noted having no strong opinion either way. Russ Mitchell pointed out that the Board had specifically asked for metal gates and won't approve anything but the metal. Tim stated the applicant will comply with the metal gates as to not hold up the project. Karen asked regarding the NYS DOT approval and if it included approval for the lighting plan. Tim indicated the approval was for all. Karen also suggested the Attorney (Kathy Bennett) look over the lease. Kathy stated she would like to as she has not yet seen it. Mark Territo said he would send her a copy via email. Hal thanked Tim for the lighting fixture changes. Jim Palumbo spoke and thanked Tim for the changed pigment color in the concrete and also stated he would like to see the metal gates for the dumpsters used. Tim pointed out they would change the gates and work with a dark brown coloring, rather than silver or aluminum. Michelle Borton thanked Tim for the railing in the seating area and agrees with the Board on the metal gates. Russ stated two items remained: the review of the lease by the Attorney and new drawings for the dumpster enclosure gates. Tim asked if the Board would approve, this evening, the plan based upon condition of these two items. He stated they have been severely delayed and are ready to submit for the building permit. Russ commented he was very pleased with what has been accomplished but requests the applicant return on May 20, 2020. Mark asked Tim where he drives in from and he said, Albany. Russ allowed the applicant to appear via teleconference.

A motion was made by Karen Guinup seconded by Hal Henty to adjourn the case to May 20, 2020.

Motion Carried 5-0

New Business:

Russ Mitchell read the following: Amended Site Plan (establishing lead agency) – Case # 2020 - 009 T. C. Syracuse/ Proposed Distribution Facility Project, 7169, 7175, 7201, 7209, and 7211 Morgan Road. (Move the adoption of a resolution that the Planning Board of the Town of Clay declares that it shall be the lead agency for the environmental review for the T. C. Syracuse/ Proposed Distribution Facility Project, 7169, 7175, 7201, 7209, and 7211 Morgan Road.)

A motion was made by Scott Soyster seconded by Michelle Borton to approve as lead agency for environmental review for the T.C. Syracuse/Proposed Distribution Facility Project.

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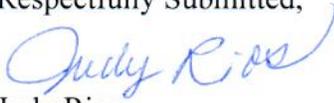
Motion Carried 5-0

Karen Guinup and the Board all welcomed Judy Rios as the new Planning Board Secretary. Judy thanked the Board for the opportunity and noted she is looking forward to her new role.

A motion was made by Karen Guinup seconded by Hal Henty to adjourn the meeting at 8:20 p.m. The next meeting is slated for May 20, 2020.

Motion Carried 5-0

Respectfully Submitted,



Judy Rios
Planning Board Secretary