

Regular Meeting
Planning Board
March 14, 2012

A P P R O V E D

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 14th of March 2012. The meeting was called to order by Chairman David Hess at 7:30 PM and upon roll being called, the following were:

PRESENT:	David Hess	Chairman
	Karen Guinup	Deputy Chairperson
	Walter Lepkowski	Member
	Hal Henty	Member
	Allen Kovac	Member
	Russ Mitchell	Member
	James Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Kim Patterson	C & S Engineers
	Linda Simmons	Planning Board Secretary

ABSENT:

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

Motion Passed 6-1 Abstain (Allen Kovac abstained)

Public Hearings:

***2012-047 *Eaglewood Associates, Inc.* (3) Zone Change Recommendation – 4834 Grange Road and Maple Road**

Chairman Hess opened the public hearing. Hal Romans was present to explain the proposal. Mr. Romans explained that Mike Bragman was here this evening to introduce the project.

Mr. Bragman began by explaining that this property is located on the Lepinske farm. The project is cosponsored by the Bragmans' and David Lepinske. The proposal will also include a request to allow clustering. In addition, the applicant is proposing significant green space which will allow for less road and sewer infrastructure.

Mr. Bragman continued by stating that they are proposing no access from Grange Rd. and that there will be a buffer of green space along Grange. Rd. The Lepinske homestead will remain

A P P R O V E D

and there will be additional green space. The Town will determine where the 'clustering' will be located.

The traffic study is complete and is being reviewed by the County Department of Transportation. Mr. Romans provided a density sketch that is based on 266 lots at R-15 zoning. The applicant is proposing 225 homes and is estimating that it will take 6-8 years for completion of the project. Mr. Romans stated that the homes will be on sanitary sewers.

Ms. Guinup asked if the traffic study submitted represented all of the as clustered vs. non-clustered, as well as if the study included some of the other recent housing developments. Mr. Romans stated that they have.

Mr. Lepkowski asked if they've considered a zone change to R-40 and clustering from this zone rather than R-15 to maintain the rural character that exists in this area. The applicant stated that they have not considered this as the cost of development requires a greater number of lots to make the numbers work.

Since the County comments have not been received at this time the Board stated that this matter must be adjourned as they can not form their recommendation at this time.

A motion was made by Hal Henty and seconded by Karen Guinip to adjourn to March 28, 2012.

Motion Passed 7-0

****2012-004 Affordable Senior Housing Subdivision, (3) Preliminary Plat – Morgan Road, south of Route 31**

Chairman Hess opened the public hearing. Hal Romans and Chris Trevisani of Affordable Senior Housing were present to explain the proposal. Mr. Romans stated that the applicant is requesting for 2 tax parcels be split into 3. The County referral has been received and OCWA has been contacted. There is sanitary sewer service in this area.

Scott Chatfield stated that 'Lot 1' does not meet the HC-1 minimum lot size requirement, and the plan would need to be revised before this Board can approve it. Mr. Romans stated that they will work on moving the line to reflect the minimum lot size required.

Kim Patterson stated that a note needs to be put on the plan about the variances obtained and the easements.

Mr. Chatfield stated that the site plan approval can be granted but in order for the subdivision to be approved, the items discussed need to be made.

A motion made by Allen Kovac and seconded by Hal Henty to adjourn the Preliminary Plat hearing to March 28 meeting.

A P P R O V E D

Motion Passed 7-0

A motion made by Karen Guinup and seconded by Hal Henty to adjourn Final Plat hearing (Case # 2012-005) to March 28 meeting.

Motion Passed 7-0

Old Business: Adjourned Hearings:

2011-31 Sam's Real Estate Business Trust/Wal*Mart Real Estate Business Trust. (3) Site Plan – 3895 State Route 31- Wal*Mart SuperCenter (adjourned from 11 previous meetings)

Chairman Hess opened the public hearing. Glenn Harvey of Bergman Associates was present to explain the proposal. Eric Haulbauer from Harter, Secrest and Emery LLP was present also.

Mr. Harvey stated that a new address of 8770 Dell Center Drive was given to this property by County 911/addressing, this is due to the fact that the parcel does not have frontage on NYS Route 31.

Mr. Harvey stated that hopefully the comments on traffic study will be ready by next meeting, and the comments from C&S still need to be addressed. The service road from Dell Center drive to Carling needs to be addressed. They are looking for input from Fisher Associates.

The Board discussed the possibility of straightening road needs to be addressed and they are unsure if this can be modified as from banks to the existing road is currently in place and new agreements/easements would have to be worked out. Chairman Hess stated that he would like to see more information on this by the next meeting.

A motion was made by Russ Mitchell, seconded by James Palumbo to adjourn the Public Hearing to March 28, 2012.

Motion Passed 7-0

7:30 P.M. 2011-41 7176 Buckley Road LLC, Site Plan – 7176 Buckley Road (adjourned from 5 previous meetings)

Chairman Hess opened the public hearing. Hal Romans was present to explain the proposal. Mr. Romans discussed the proposal, specifically the lighting. The applicant is proposing three-pack luminaries in the rear of the building that will be motion sensitive.

The construction area is less than 1 acre, so it has been determined that a full SWPPP is not required. Kim Patterson of C&S is preparing a comment letter.

A P P R O V E D

Scott Chatfield discussed the access between the parcels to the south, and stated that there is a need of enforceable mutual agreement between 2 parties. Language needs to be approved by attorneys for both parties. Engineering issues need to be resolved. Mr. Chatfield stated that he could recommend approval tonight, provided that the language as worded is removed, ingress-egress agreement is needed and an enforceable mutual agreement between the 2 parties.

Kim Patterson summarized her comments; specifically 'Sheet 5' needs to represent the sheet where the electrical comes into the property, and the infiltration basin shall not be installed until a vigorous, grassy growth has happened. A timeline for disturbing the stabilized area needs to be established.

Walter Lepkowski spoke on landscaping pine trees will be removed. There will be a couple of trees on Buckley Road. Landscaping on side around building. Dolshire will be an open grassy area.

Hearing no further questions or comments, the Public Hearing is closed.

A motion was made by Russ Mitchell, seconded by Allen Kovac to adopt a resolution using standard form # 10, SEQR determination for Case # 2011-041, *7176 Buckley Road LLC*, Site Plan Approval, located at 7176 Buckley 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. There is no adverse impact on land, water or air.

Motion Passed 7-0

A motion was made by Russ Mitchell, seconded by Allen Kovac, using form # 20, granting Site Plan Approval to *7176 Buckley Road LLC*, on property located in the NC-1 zoning district, located at 7176 Buckley Rd., for Case # 2011-41, based on a map by Ianuzi and Romans, being file # 11655.001, dated Oct 5, 2011, last revised March 14, 2012, sheets 1-4 and W-M Engineer Job # B132, sheets 5-6, and design drawing (Marked 'Exhibit A') by Zausmer-Frisch & Scruton & Aggarwal Dated June 10, 2011, last revised June 29, 2011 Sheets A-1 and SCH C. Subject to all engineering and legal requirements, specifically the condition is satisfied of the connection between this property and property south will be paved to the property line for future connection.

Motion Passed 7-0

7:30 P.M. 2011-43 *Morgan Square (Affordable Senior Housing of New York, Inc.)* –(3) Site Plan - 8565 Morgan Road (adjourned from 2 previous meetings)

Chairman Hess opened the public hearing. Chris Trevisani was present to explain the proposal. Mr. Trevisani stated that Variances for building height and parking were granted by the Zoning Board of Appeals on March 12, 2012. Mr. Trevisani then described some of the updates to the

A P P R O V E D

Site Plan that were made. A6-foot wide concrete sidewalk was added to the plan that is to be maintained year round. The hammerheads for the road termination and photometrics were addressed. The easements still need to be shown on the plan.

The ingress and egress points were discussed next. Lot 3 has the burden to provide ingress and egress to lots 2 and 1. This must be shown on the map. The applicant is aware that the subdivision plat map must be re-designed to reflect the minimum lot size requirement for the HC-1 lot.

Kim Patterson is confident in documents presented that the Board could grant approval if they are comfortable.

Walter Lepkowski asked if Architectural renderings have been shown, and the applicant stated that they have been. James Palumbo has concerns about the plantings on the north side of building and if they are shade tolerant, given the height of the building. Additionally he asked if they will be maintained or replaced by the builder/owner should the plantings die. The applicant stated that they would be replaced should the plantings not make it.

Hearing no further questions or comments, the Public Hearing is closed.

A motion was made by Karen Guinup and seconded by Hal Henty to adopt a resolution using standard form # 10, SEQR determination for Case # 2011-43 Morgan Square (Affordable Senior Housing of New York Inc.) located at 8565 Morgan Road, 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 and other permit granting agencies, including the Federal Government. This project will contribute to growth and community character and poses no excessive impact on traffic.

Motion Passed 7-0

A motion was made by Karen Guinup and seconded by Hal Henty using form #20 granting Site Plan approval to Affordable Senior Housing of New York, Inc., on property located at 8565 Morgan Road based on a map by LJR Engineering PC dated November 15, 2011.

Sheet 1 AC file: 921001C18 Dated November 15, 2011 revised 3-7-2012

Sheet 2 AC file: 921001C18 Dated November 15, 2011 revised 3-7-2012

Sheet 3 AC file: 921001C18 Dated November 15, 2011c revised 3-14-2012

Sheet 4 AC file: 921001C18 Dated November 15, 2011 revised 3-14-2012

Sheet 5 AC file: 921001C18 Dated November 15, 2011 revised 3-14-2012

Sheet 6 AC file: 921001d6 Dated November 15, 2011 revised 3-7-2012

Sheet 7 AC file: 921001d6 Dated November 15, 2011 revised 3-7-2012

Sheet 8 AC file: 921001d6 Dated November 15, 2011 revised 3-14-2012

Photometrics exhibit, dated 3-14-2012

A P P R O V E D

All legal and engineering and the following conditions must be met:

Lot #3 is burdened with ingress, egress easements from lots 1 and 2. A Driveway is shown on site plan of which belongs to lot 3. Burden with obligation to provide access to lots 1 & 2 of subdivision of which this site plan is a part of, must be shown on lot 3.

Russ Mitchell stated that since this is the first senior development approved under the new zoning code, he was disappointed the only way residents will leave the site is by vehicle and we were not able to provide walkway access to local commercial buildings and he also felt there should have been total emergency roadway access around the building. These two items, however were not enough to vote against the plan.

Motion passed 7-0

7:35 P.M. 2011-45 *Ticada Realty (Heritage Commons)* – (3) Site Plan - 5496 East Taft Road (adjourned from 4 previous meetings)

Chairman Hess opened the public hearing. Paul Huysman was present to explain the proposal. Mr. Huysman stated that they have met with C & S and resolved the engineering issues and photometrics were reviewed.

Kim Patterson stated that they have reviewed the revision documents, and she is comfortable to recommend approval if the Board is ready.

Jim Palumbo stated that he wanted to clarify that the official engineering stamp must appear on all final plans, as the engineering stamp size varies on several of the drawings.

Hearing no further questions or comments, the public hearing was closed.

A motion was made by Russ Mitchell, seconded by Karen Guinup to adopt a resolution using standard form # 10, SEQR determination for Case # 2011-45 7176 *Ticada Realty* (Heritage Commons), Site Plan Approval, located at 5496 E. Taft 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, water or air quality.

Motion Passed 7-0

A motion was made by Russ Mitchell, seconded by Allen Kovac, using form # 20, granting Site Plan Approval to *Ticada Realty* (Heritage Commons), on property located in the HC-1 zoning district, located at 5496 E. Taft Rd., for Case # 2011-45, based on map made by Bennetts and Huysman Architects, file number 11015, dated December 12, 2011, last revised March 7, 2012 numbered L1, L2, L3, L4, L5 and L6, and Exterior Elevation Plan dated February 8, 2012, sheet

Regular Meeting
Planning Board
March 14, 2012

A P P R O V E D

SK3, and Rudd Lighting photometric plan, dated January 16, 2012, Marked 'Exhibit A'. Subject to all engineering and legal requirements.

Motion Passed 7-0

Old Business: Hearings Closed

7:30 P.M. 2011-44 *Hyland Gardens* (Red Barn Country LLC) – (3) preliminary Plat – 7162 Buckley Road (adjourned from 3 previous meetings)

Chairman Hess opened the public hearing. Hal Romans was present to explain the proposal. Mr. Romans stated that water hydrant relocation on Hyland and Buckley Road was the only change that needed to be made. Mr. Romans stated that he talked to the Salina Town Supervisor about the status of the road connection, and they may allow it to connect but they are going to have one additional informational hearing. Hal stated that if the connection is not made, worst case scenario, the applicant would have to come back to this Board to revise/amend their preliminary plat.

Scott Chatfield discussed the 'unencumbered lot depth' issue with Hal and the Board. Mr. Chatfield stated that Hal must request this waiver from the Town Board, and that Lots 1,2,3 can't exist in the form shown until waiver is granted by Town Board. This will need to be obtained before final approval. Mr. Romans stated that they have sent a request to the Town Board and are awaiting a response. The applicant will follow normal procedure of constructing the infrastructure then move to final plat approval.

A motion was made by Russ Mitchell seconded by James Palumbo to adopt a resolution using standard form # 10, SEQR determination for Case # 2011-44 *Hyland Gardens* (Red Barn Country LLC), Preliminary Plat, located at 7162 Buckley 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. No potential impacts that can not be mitigated. The proposal will blend with character of the neighborhood.

Motion Passed 7-0

A motion was made by Russ Mitchell seconded by Hal Henty using form # 30, granting Preliminary Plat Approval to *Hyland Gardens* (Red Barn Country LLC), for property located in the R-10 zoning district, located at 7162 Buckley Rd., Case # 2011-44 based on a map by Ianuzi and Romans, being file # 3411.003 dated September 28, 2011, last revised February 13, 2012. Approval is conditioned on the following: Subject to all engineering and legal requirements.

Motion Passed 7-0

New Business:

A P P R O V E D

SIGNS

Orkin Properties, *Zoom Tan* – 7567 Oswego Road.

Zoned RC-1, permit # 43,568

(2)Wall Signs - 2 per building allowed, 8% of wall max. Applicant is proposing one 17.45 square foot sign and 19.2 square feet are allowed; which will be internally illuminated with LED lighting. The proposed sign will meet the code.

Applicant is also proposing a face change to the existing free standing sign.

A motion was made by Hal Henty, seconded by Al Kovac to approve the signs as presented.

Motion Passed 7-0

****2012-009 *Riverwalk, Section No. 1, Final Plat* – Guy Young Road**

Hal Romans and Mike Bragman Jr. were present to explain the proposal. Mr. Romans updated the Board on the progress of the Riverwalk project. Mr. Bragman stated that this site has been chosen for the Parade of Homes 2012. The preliminary plat was granted in 2006, and consists of 178 residential lots. A brief description of the project was given, and the applicant stated that the infrastructure and roads are in place, with the exception of asphalt to service this first sections approval.

A motion was made by Russ Mitchell seconded by Hal Henty, using form # 40, granting Final Plat Approval to Riverwalk Associates, Inc., for property located in the R-10 zoning district, located at Guy Young Rd. west of the Cicero Town Border, Case # 2012-009, *Riverwalk, Section No. 1*, based on a map by Ianuzi and Romans, being file #1431.01 dated Dec 1, 2011, last revised Feb 17, 2012. Subject to all engineering and legal requirements.

Motion Passed 7-0

Blockbuster - Tree removal

Mark Rupprecht was present on behalf of the applicant.

A motion was made by Russ Mitchell seconded by Allen Kovac, to grant permission to remove the plantings as shown on a map of to be placed in the Site Plan file for property located at 7466 Oswego Rd along with a statement of intent letter. This information shall be placed in case file #1987-10-4, Michael J. Associates Site Plan.

Regular Meeting
Planning Board
March 14, 2012

A P P R O V E D

Motion Passed 7-0

Work Session:

NONE

A motion was made by Karen Guinup, seconded by Hal Henty to adjourn the meeting at 10:45PM.

Motion Passed 7-0

Respectfully Submitted

Linda Simmons