

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 8th of December 2010. The meeting was called to order by Chairman Lepkowski at 7:30 PM and upon roll being called, the following were:

PRESENT:	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 & Development
	David Balcer	Town Planner
	William Perrine	C & S Engineers
	Gloria Wetmore	Planning Board Secretary

ABSENT: Scott Chatfield Planning Board Attorney

A motion was made by David Hess seconded by Allen Kovac to approve the minutes of the previous meeting.

Motion Passed 7-0

Public Hearings:

2010-10-4 Salvation Army (3), Zone Change Recommendation from LuC-1, Limited Use District for Gasoline Services & RC-1, Regional Commercial to HC-1, Highway Commercial – 3818 & 3906 Brewerton Road

Chairman Lepkowski opened the public hearing. John Caruso, architect and Kevin Choke were present. Mr. Caruso explained the plan; the applicant would like to open a donation center. They will use the existing building with modifications. The hours of operation will be 9am to 9pm Monday through Saturday. They will hire 20 - 27 new employees. They will reconfigure the parking lot add landscape, and lower the lighting in the parking lot. Mr. Caruso explained there is a huge curb cut on South Bay Road. They will change the curb cut; make it smaller to improve the flow of traffic in the parking lot.

Walter Lepkowski said it looks like this will be a less intense use, he said it sounds like this will be a good use for this site. The Chairnan asked if the parking lot would be changed. Mr. Caruso said they will redo the parking lot.

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James Sharpe said there are 2 curb cuts on Brewerton Rd. and asked if one will be closed. Mr. Caruso said they would not decrease the curb cuts on Brewerton Rd.

Karen Guinup said this is a donation center and retail, she asked where the items go that aren't going to be resold at this location. Mr. Choke said their main center is on Erie Blvd all the items go to that location, they are sorted and only the items that will be put out for sale would be returned to this location. Karen Guinup asked how the donation center fits into this zone. Mark Territo said this use is considered retail, and recycling/redemption is an allowable use when incorporated into a retail site.

Hal Henty asked about pick up and delivery trucks. Mr. Choke explained their trucks do house calls in this area currently. The same truck would make two to three trips to this site per day.

Allen Kovac commented that this is a very large operation.

Chairman Lepkowski closed the public hearing.

The Chairman explained that normally the Board doesn't make a decision on the same night as the Public Hearing, but it has been done.

Karen asked if the Town Board needed anything more from the applicant, and they do not.

Allen Kovac said the store on Erie Blvd is a very large operation, will this center be as large as the Erie Blvd operation or more like the Route 57 site. Mr Choke said this one would be like the store in Watertown.

Chairman Lepkowski asked Mark Territo if he could combine the two lots administratively, Mark said he could.

A motion was made by Russ Mitchell seconded by David Hess to make a Zone Change Recommendation for Case #2010-10-4 Salvation Army (3), Zone Change from LuC-1, Limited Use District for Gasoline Services & RC-1, Regional Commercial to HC-1, Highway Commercial – 3818 & 3906 Brewerton Road, using standard from #50, with the following recommendation:

The two lots should be combined into one.

Motion Passed 7-0

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2010-10-1 Michael & Cynthia Charles and Liverpool Central Schools (3) Preliminary Plat 1 Orangewood Drive

Chairman Lepkowski opened the Public Hearing. Hal Romans explained the plan, this is a lot line adjustment, it is approximately 6400 square feet. It is the steep portion of the slope near the creek.

Mr. Charles, applicant, approached the Liverpool School District to purchase this strip of land.

Hal Henty asked if the School Board can sell the property without voter approval. Hal Romans said he would have to ask the attorney. The Chairman asked if the applicant had a survey. Hal Romans said they have a map with the property lines.

Hal Henty said he doesn't have a problem with it as long as it is legal. The Chairman said the Board would have liked a survey. He said this is a simple thing, he said he's good with it, he also said the Board does not have to concern itself with the legalities.

David Hess asked how much property is involved Mr. Romans said .15 acres, he then said should the drainage easement be taken into consideration; Hal Romans stated that there is no drainage easement.

Chairman Lepkowski asked if anyone had any questions. Fred Miller a resident gave a lengthy history of the Bayberry pool. Mr. Miller said there is a lot of wetlands that are forever wild, and the banks of the stream were to remain undisturbed. Mr. Miller continued, stating that he received a letter from the Liverpool School Dist. Explaining that Mr. Charles would incur all costs for survey and legal fees and the School District would convey the land to Mr. Charles. In October Mr. Miller had a meeting with Dr. Johns, Superintendent; the plan was to go forward in selling the land to Mr. Charles with a covenant that this property would remain unchanged.

Mr. Miller wants the Planning Board to wait on approval so he and the home owner assoc. can meet with the school dist. again.

Chairman Lepkowski thanked Mr. Miller for his input; he added that Mr. Miller raised some legal questions that the Board has no impact on. The Chairman said if there is a covenant on this property Mr. Miller will have to ask the School Dist. if there is one in place.

David Balcer said it is very difficult to put a covenant on this type of parcel. Mr. Miller said it can be done.

The map shows the wetlands and the forever area, all of that property is owned by the Town, not the school district.

Hal Romans said that he doesn't recall any covenants on school property.

Chairman Lepkowski said the Board will look into this further, at the next meeting.

A motion was made by Hal Henty seconded by Russ Mitchell to adjourn the Public Hearing to January 12, 2011.

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Old Business: Adjourned Hearings

2010-8-1 COR VerPlank Road Company, LLC (3) Preliminary Plat - Westerly end of Dell Center Drive (Adjourned from 4 previous meetings)

2010-8-2 COR VerPlank Road Company, LLC (3) Site Plan – Westerly end of Dell Center Drive (Adjourned from 4 previous meetings)

2010-8-3 COR VerPlank Road Co., LLC (3) – Zone Change Recommendation, RA-100 & R-APT to R-15 at the westerly end of Dell Center Drive (Adjourned from 3 previous meetings)

Chairman Lepkowski opened all three Public Hearings. Kate Johnson, Attorney for COR presented the plan. Kate said they obtained some information on sewers. They will not do anything on the Zone Change; Mark Grainer of the NYS DOT doesn't know when he can review the studies.

The SEQR was done on this; they could do a negative declaration. Kate submitted the electromagnetic study; she said it wasn't as useful as the meeting with Mr. Gizzy from NYPERG. They submitted the engineering to C&S and received the comments back yesterday. They have not had time to go over them yet.

Alex Wisnewski presented the updated lighting plan; there will be 4 single poles for the entry, with 3 double mounted poles along the drive. The TCL fixture will be used through out the remainder of the site. The lighting levels are modest; there will be higher levels in the back for safety and security reasons.

David Hess asked if they would consider a light on the walkway, Mr. Wisnewski said he would look into that.

The Chairman said the lighting plan looks good. He said he took a look at the retention ponds. He also asked if they could put in a walkway over by Price Chopper. Kate said she would look into that.

The Chairman asked about the problems with engineering, there is a letter from Ron DeTota concerning the drainage and retention ponds.

Walter Lepkowski said it is all hinging on the legal and engineering.

A motion was made by Karen Guinup seconded by David Hess to adjourn these three Public Hearings to January 12, 2011.

Motion passed 7-0

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Old Business: Hearings Closed

NONE

New Business:

**2010-10-2 Michael & Cynthia Charles and Liverpool Central Schools (3) Final Plat
1 Orangewood Drive**

No action taken. Adjourned to January 12, 2011.

Signs

Dunn Tire – 3883 NYS Rte 31

Zoned RC-1, permit #42,519

Wall sign – Allowed 2/tenant, max s.f 8% of the wall area.

Allowable area is 151.2 s.f.

Proposed sign is 102.08 s.f. (relocated from rear wall to west side wall)

A motion was made by Karen Guinup seconded by James Sharpe to approve the sign as presented.

Motion Passed 7-0

appeThaizing –8417 Oswego Road (P&C/Kimbrook Plaza)

Zoned RC-1, permit #42,558

Wall sign – Allowed 2/tenant, max s.f 8% of the wall area.

Allowable area is 49.6 s.f.

Proposed sign is 43.12 s.f. ea.

A motion was made by Allen Kovac seconded by Karen Guinup to approve the sign as presented.

Motion Passed 7-0

Jo-li-me Fresh Garden Café-7265 Buckley Road (Hafners garden Center)

Zoned RC-1, permit #42,562

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Canopy sign – Allowed 2/Bldg., max s.f. 25% of the vertical face
Allowable area 30.0 s.f.
Proposed sign is 11.375 s.f.

A motion was made by Hal Henty seconded by Russ Mitchell to approve the sign as presented.

Motion Passed 7-0

Can-A-Lot : 8512 Oswego Road (north of Rte 31)

Zoned RC-1, permit #42,563

Awning sign – Allowed 2/bld., max 25% of vertical face
Allowable area 22.5 s.f.
Proposed sign is 22.075 s.f. ($A=\pi r^2/2$)

A motion was made by Allen Kovac seconded by James Sharpe to approve the sign as presented.

Motion Passed 7-0

Work Session

JoLu Development Company, Tocco Villagio, PDD Project Plan Discussion.

Item adjourned to January 12, 2011

A motion was made by David Hess seconded by Allen Kovac to adjourn the meeting at 9:20 PM.

Motion Passed 7-0

Respectfully Submitted,

Gloria Wetmore