

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 13th of June 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
	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: Walter Lepkowski

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

Motion Passed 6-0

Public Hearings:

****7:30 P.M. 2012-019 *Seymour Subdivision (3) - Preliminary Plat– 3569 Maider Rd.***

Chairman Hess opened the public hearing. Ms. Christine Seymour was present to explain the proposal. Ms. Seymour began by sharing a copy of survey. She is looking to subdivide by sectioning off a piece to make a separate lot.

The Board reviewed the County Comments and stated that they are requesting site distance.

There are minor things that need to be done:

1. Zoning of the 3 lots must be labeled on plan
2. The plan needs to show road right-of-way
3. Topography of property needs to be shown
4. The driveway needs to be labeled
5. There must be a note that states no need for additional driveway or address this issue
6. Notation on lot 3 showing no access on Maider Road
7. We can presume that lot 2 may be applying for a driveway in the future.

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A motion was made by Allen Kovac and seconded by Hal Henty to adjourn the Public Hearing to July 11, 2012.

Motion Passed 6-0

****7:30 P.M. 2012-021 Robert Aluzzo (Zoo Health Club) (3) – Amended Site Plan- 3567 State Route 31.**

Chairman Hess opened the public hearing. Joe Mastriani was present to explain the proposal. Mr. Mastriani began by stating that John Francis has received a special permit from the Town Board to allow for a health club.

The applicant stated 2,500 square feet will be used by patrons and that parking needs are adequate once the improvements to the parking lot are complete. They would like to bank additional parking if needed, rather than construct the new area in the beginning. They will be operating 24 hours a day, seven days a week. This is a small franchise. They will use the front and back existing lighting. The Board stated that the lighting needs to be shown on site plan. Perk test needs to be done on the soils that will be disturbed. They will revisit at the next meeting for the revised design. Total rate volume is needed for the engineers report.

The board does not like idea of banking additional parking spots. State approval is needed to for drainage and access. Drainage volumes are needed, the applicant will consult with the Town Engineer to discuss these issues.

A motion was made by Allen Kovac and seconded by James Palumbo to adjourn the Public Hearing to July 11, 2012.

Motion Passed 6-0

Old Business: Adjourned Hearings:

****2012-011 Orange Commons Subdivision – Preliminary Plat – 4414 State Rt. 31(adjourned from 4 previous meetings)**

A motion was made by Hal Henty and seconded by Russ Mitchell to adjourn the Public Hearing to July 11, 2012.

Motion Passed 6-0

2012-016 JoLu Development Company (Tocco Villaggio) (3) Preliminary Plat – State Route 31 near the Cicero border. (Adjourned from 1 previous meeting)

Chairman Hess opened both public hearings. Amy Franco of CHA was present to explain the proposal. Ms. Franco began by addressing previous comments. The entrance boulevard has

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been widened to 15 feet. The front portions will have curbs. Hal Romans stated that site maps 1, 3, and 24 have been revised. They are looking to start site work of first phase in the near future. The phasing maps are complete and broken up to 4 phases. Commercial development lot will get preference. Construction will start with road and infrastructure. The community center will follow and 3-story apartment building will be after that.

A motion to close the Public Hearing for Case 2012-016 was made by Hal Henty and seconded by Allen Kovac.

Motion Passed 6-0.

A motion was made by Russ Mitchell, seconded by Hal Henty, using form #30 Granting Preliminary Plat Approval for *JoLu Development Company* (Tocco Villaggio), located on State Route 31, near the Cicero border, Case # 2012-016, based on a map by Ianuzi & Romans, being file # 488.022 dated 2/13/2012, last revised 6/11/2012, which includes two sheets. Approval is conditioned upon the following: Legal and Engineering.

Motion Passed 6-0

2012-015 *JoLu Development Company* (Tocco Villaggio) (3) – Site Plan- State Route 31 near the Cicero border. (Adjourned from 1 previous meeting)

Amy Franco stated they are still working through the Engineers comments; it appears that drainage issues are the biggest concern at this time. There is also a Town of Cicero meeting Friday June 15, 2012 to discuss the cross-connection of Town Roads and the traffic light at State Route 31 issue.

A motion was made by Karen Guinup and seconded by Allen Kovac to adjourn the Public Hearing to July 11, 2012.

Motion Passed 6-0

2012-018 *COR Ver. Plank Road Company, LLC* (Harked Farms), (3) Preliminary Plat – South of Ver. Plank Road, west of NYS 481, and north of the COR Center. (adjourned from 1 previous meeting)

Chairman Hess opened the public hearing. Hal Romans was present to explain the proposal, along with Catherine Johnson of COR Companies. Mr. Romans began by explaining that the green spaces, open spaces and common areas will be maintained by the HOA. The home builders will plant 1 tree for every 3rd building lot. The board likes the way the tree plantings look. They will be staggered, approximately 5 feet back.

Regarding drainage, David Hess commented on the March 24, 2011 Army Corp of Engineers letter. He also commented on Mary Hall Fisk letters of March 30, 2012, June 8, 2012, and June 16, 2012 letters, and that of Hallston Manor dated April 30, 2012.

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Kim Patterson from C & S Engineering commented on drainage. She stated that Ellen Hahn, Ron DeTota and herself have reviewed notes and if the direct water flow to the wetlands is redirected, it will have the effect of starving the wetlands. There are no further concerns at this time. Army Corp of Engineers and the DEC do not foresee any problems.

Matt Biondolillo spoke on behalf of Mary Hall Fisk. He spoke of concerns with natural drainage to the north, watering of horses and drinking water source.

A motion was made to close the Public Hearing by Hal Henty and seconded by Jim Palumbo.

Motion passed 6-0

SEQR resolution was completed during the zone change phase of this project on July 27, 2011.

A motion was made by Russ Mitchell, seconded by Allen Kovac, using form #30 Granting Preliminary Plat Approval for *COR Ver Plank Road Company, LLC* (Harke Farms), located South of Ver Plank Road, west of NYS 481, and north of the COR Center, Case # 2012-018, based on a map by Ianuzi & Romans, being file # 3424.001 dated 4/19/2012, last revised 6/11/2012, which includes clustering density sketch plan and road profiles from LJR Engineering. Approval is conditioned upon the following: Street trees shall be staggered on opposite sides of the road and all Legal and Engineering.

Motion Passed 6-0

****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 17 previous meetings)**

Chairman Hess opened the public hearing. Glenn Harvey of Bergman Associates was present to explain the proposal along with Kelly Prontie and Mark Petrowski.

Mr. Bergman began by explaining they are looking for approval of the plans at this point.. Mr. Bergman stated that all housekeeping issues have been addressed by the Town Engineer. The letter from DOT has also been addressed. It was also stated that the use of Carling Road for all construction equipment must be adhered to, rather than Dell Center Drive.

Mark Petrowski stated that there is an escrow account of \$150,000 that has been agreed to. Additional traffic studies will be completed as stipulated by the Town. They will perform another traffic study 3 months after opening, referring to site plan approval. Direct connection to the most northern property line towards the direction of Laser Drive will also be considered. Applicant will include construction vehicle clause in their contract that will suggest no access to the site from 4:00 pm to 6:00 pm Monday through Friday and 11:00 am to 1:00 pm on Saturdays, as practicable.

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The Commissioner that he met with representatives from Bergman this morning and had minor issues with propane storage, grease trap location being shown on the Site Plan, and the extent of how far out the garden center will extend into the parking lot. The applicant stated that these are listed on the Site Plan, and any deficiencies will be noted on new set of plans with date of June 13, 2012. The applicant stated that all final revisions will be made and submitted to C & S Engineering and the Town by end of week.

Public Hearing is closed.

A motion was made by Russ Mitchell seconded by Allen Kovac to approve the Site Plan request for case number 2011-31 as supported by the following attached documents:

- *Reasons Supporting SEQRA Negative Declaration for Construction of Wall*Mart Supercenter.*
- *State Environmental Quality Review NEGATIVE DECLARATION Notice of Determination of Non-Significance.*
- *The ENB SEQRA Notice Publication Form*
- *Resolution of the Town of Clay Planning Board Proposed Walmart Project, SEQRA Negative Declaration.*
- *Resolution of the Town of Clay Planning Board Proposed Walmart Project, Site Plan Approval.*

Motion Passed 6-0

Old Business: Hearings Closed

NONE

New Business:

SIGNS

Tim Hortons USA, Inc. – *Tim Hortons* – 3610 State Route 31

Zoned RC-1

- 1 Wall Sign- Allowed 8% max of wall face. Applicant is proposing a third wall sign 30.4 square feet in size, 7.6' by 4', internal LED illumination, where 2 wall signs are allowed.

(applicant received variance on June 11, 2012 to allow for a third wall sign) The proposed sign, therefore, will meet the code as per variances granted. The sign is identical to the existing sign on the front of the building.

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

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Motion Passed 6-0

Lan's Flower Farm- Mark Weiss

Mark Weiss presented lighting request to the Planning Board. He stated that the sign was installed and lights with 50 watt bulbs were placed around the sign. This is favorable to the board. Permanent shrubs are requested, rather than the plants with potted flowers that are moved in and out each day. Plans are to be administratively approved.

A motion was med by Hal Henty and seconded by Allen Kovac to approve sign as presented.

Motion passed 5-1 (Karen Guinup abstained.)

Work Session:

NONE

A motion was made by Russ Mitchell, seconded by Allen Kovac to adjourn the meeting at 10:57 PM.

Motion Passed 6-0

Respectfully Submitted

Linda Simmons