

Regular Meeting  
Planning Board  
May 9, 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 9th of May 2012. The meeting was called to order by Chairman David Hess at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	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
	Bill Perrine	C & S Engineers
	Linda Simmons	Planning Board Secretary

**ABSENT:**

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

Allen Kovac abstained.

**Motion Passed 6-0-1(abstain)**

**Public Hearings:**

**\*\*7:30 P.M. 2012-017 Rivers Pointe Apartments (3) – Amended Site Plan- 3804 Rivers Pointe Way (Dell Center Drive)**

Chairman Hess opened the public hearing. Steven Mearon of L.J.R. Engineering, P.C. was present to explain the proposal.

Mr. Mearon along with Mr. Kevin Morgan, Developer began by explaining they were looking for an amended site plan approval. They would like to move dumpster enclosures into freestanding garage area, one bay area. The garage area would have overhead doors, there would be 16 parking spaces garaged which is still above the town code requirements. There would now be 144 parking spaces.

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They are also looking to amend their lighting plan. They are proposing a reduced number of lights with more effective lighting system. The first of 208 apartments are now underway, and the expected first occupancy is scheduled for June 2012.

The additional sign and location is moved from original plan placement.

The Public Hearing is closed, approval will be done administratively.

**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 15 previous meetings)***

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

Mr. Harvey began by explaining the current traffic status. The vacant Sam's Club Traffic potential has been included. To date they have spent approximately \$60,000 on traffic studies. First comment letter was done April 25, 2012. Performing traffic counts at the Walmart site will be done at 19 points as shown on the overhead presentation. They plan to mitigate along Dell Center Drive when possible.

Mr. Harvey stated that they are planning a Fall 2014 opening. A permanent easement would not be filed, so that road would be held in escrow, and not filed unless the improvement work needs to be done. If the road is private, then it is not needed. Carling Drive would be striped for left turn lane.

Planning Board is requesting:

1. Realigned access road on Super Center site.
2. Reduce the number of parking spaces with realignment.
3. Add green space to the Site Plan.

The applicant is asking for return of money in escrow 3 months after Super Center opening; if the road is not needed.

Seasonal outdoor sales area has been added to the plan. Planning Board is unsure of what DOT will do with this information. Walmart wants to be in Clay; but this must be financially feasible to do so.

Internal traffic counts are needed and will be done weekend of May 17, 18, and 19. They are not opposed to doing count.

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A motion was made by Hal Henty, seconded by Russ Mitchell to adjourn the Public Hearing to May 23, 2012.

**Motion Passed 7-0**

**\*2012-001 *Farone and Son Funeral Home* - Zone Change recommendation – Buckley Road near Waxwood Circle/Rita Drive (adjourned from 2 previous meeting)**

Chairman Hess opened the public hearing. Hal Romans was present to explain the proposal along with Gordon Stansbury.

Mr. Romans began by explaining what has been updated on the proposal to date, with the main issue being the addendum to the traffic study. Mr. Romans called upon Mr. Stansbury to explain the addendum in detail.

Mr. Stansbury began by explaining his method of counting traffic and found there to be sufficient gaps in traffic on Buckley Road to allow for turning movements. There were periods of time in the afternoon where long groups of traffic would create extra wait time, this was most likely attributed to a business or workplace end-of-day employees that would be on their way home. He noted that this group of traffic would generally subside after 15 minutes. Mr. Stansbury next explained that he observed traffic at two other wakes in North Syracuse (*Sears-Middleton* and *New Comer*), and from this information he concluded that the traffic they had estimated in the previous study may have been low, but the number of parking spaces needed was accurate.

Russ Mitchell stated that he is very concerned about peak hour traffic and if the applicant can control the time of the wakes to avoid peak hour traffic, this would go a long way to help the situation. Representatives from Farone stated that they can not control the times of wakes, as this is up to the family as to when they want it to be held. Mr. Mitchell stated that since this is the case, he doesn't think a funeral home will work in this spot.

Hal Romans stated that he believes the Town Board will ask the County DOT to look at the Bear/Buckley signal. The County stated they can not look at a signal's timing until an official request comes from a municipality.

Walt Lepkowski asked how this study compares to the traffic study that was done when this site was requesting O-2 zoning. Mr. Romans stated that the applicant only did a traffic analysis, and then pulled the application before it went any further.

Denise Murry of Waxwood Circle asked who currently owns the land, and if it has been purchased by Farone. Mr. Romans stated that is it currently under a contingent purchase contract. Ms. Murry also stated that due to the lack of connection of the surrounding neighborhood streets, anyone who ventures down these streets in error will end up back on

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Buckley, and they will create increased wait times for those residents waiting to turn out of their development.

Mr. Davenport of Briarledge Rd. addressed the Board with concerns of drainage and stormwater ponds. Mr. Chatfield interjected and stated that the issues Mr. Davenport are discussing are Site Plan issues and that this board is going to make a recommendation on the zoning for this property. He stated that should this project progress; there will be more public hearings for the Site Plan.

Ms. Tricario of Chesapeake Drive presented the Board with pictures of a funeral at the Pirro Funeral Home in Salina. Mr. Hess asked Ms. Tricario if she is employed by Pirro, and she stated that she is but only part-time. Ms. Tricario then explained the pictures, and the fact that when there is a large funeral, there will be overflow and this will be a problem at this location because there are no near-by streets or empty parking lots to utilize. "Karen Guinup agrees that this parcel is not suitable as residential but she hears the residents and their concerns, however, she feels this parcel should be NC1 or office."

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

*At this time each Board member is going to give an individual recommendation/opinion of the zone change request; rather than a single motion recommending approval/denial to the Town Board.*

Walt Lepkowski stated that the traffic study presented is just a snapshot of the conditions found on Buckley Road. Mr. Lepkowski feels that there should be available somewhere, data that can show how many funerals a year are of size 'x' and how many are size 'y'. He envisions that this information would be portrayed in a graph that may look like a 'bell curve' or it may not. If the Board had this type of information, they could get a better feel of how many funerals a month may exceed 100 cars and how many may only be 30 cars. Mr. Lepkowski feels that this site is not suitable as residential, but he also believes NC-1 is not the appropriate zone for this parcel. He also feels that any covenants the applicant is offering today, can easily be removed by a Town Board in the future if they feel it is not important.

Russ Mitchell feels that the best land use for this property is residential or office, not commercial.

David Hess was in favor of the original office proposal. He agrees that the traffic created from this use would hit Buckley Road at the wrong time of day, making traffic even worse. He is not in favor of this zone change request but feels the parcel would be appropriate at O-1.

Karen Guinup agrees that this parcel is not suitable as residential but she hears the residents and their concerns and an office use may work better at this location.

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Hal Henty feels that this is not a good spot for residential either, but a funeral home would be a bad use for this property even though he agrees enforcement power could keep people from parking on Buckley Road during funeral times.

Al Kovac feels property located on Buckley Road is not conducive to residential; it's more suited to an office use.

James Palumbo also stated that this parcel is not appropriate for residential, he appreciates the covenants the applicant is offering and questioned how they can get removed. Scott Chatfield stated that, generally, nothing is permanent and a future Town Board could remove the covenants. Because of this Jim thinks that the site may not be appropriate for NC-1 and office zoning would be more appropriate.

A motion to make a recommendation is as set forth in the above listed comments by Hal Henty, seconded by Karen Guinup.

**Motion Passed 7-0**

**\*\*2012-011 *Orange Commons Subdivision* – Preliminary Plat – 4414 State Rt. 31(adjoined from 1 previous meeting)**

Chairman Hess opened the public hearing. Julian Clark, of Plumley Engineering was present to explain the proposal. Mr. Clark began by reviewing what was accomplished since the last meeting. Mr. Clark stated that the State DOT is going to look at traffic study and hopefully make comments soon.

Mr. Clark addressed the Boards concerns that the width of all lots will be 70 feet at the building line, as code requires. Storm water drainage will meet regulations as set forth by the DEC; past permit is still in effect according to Mr. Clark. On McNamara Drive, there is currently a 'right in only' configuration, the Board hopes that this will be a 'right in and right out' as this could be a safety issue. The State DOT has the final say, with a strong recommendation from Planning Board.

According to the applicant, there are no issues with Niagara Mohawk gas line. An actual work agreement needs to be signed and the Planning Department needs to be informed as to the progress of this. Mr. Clark stated that they won't be running pipes over or through the gas lines, and there is a work agreement that will be signed. The Planning Board asked that we get a copy of this for our file as there are still concerns for safety adjacent to this high pressure gas line.

They should set aside land for recreation and meetings for possible swing set and basketball court. The Board asked the applicant if he has plans for the open space and Mr. DeVito stated that they are going to pay the parkland fee in lieu of creating a park. The Board stated that it would be nice if the applicant could still provide some basic amenities such as swings/basketball court to help create a community atmosphere. Mr. DeVito stated that he would look into this.

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There are no engineering issues. Planning Board would need revised package when this moves forward. They will reach out to NYS for 2 ingress and 2 egress locations. They would hope to do a SEQR determination at the next meeting.

A motion was made by Russ Mitchell, seconded by James Palumbo to adjourn the Public Hearing to May 23, 2012.

**Motion Passed 7-0**

**Old Business: Hearings Closed**

NONE

**New Business:**

**SIGNS**

**Kassis Superior Signs – *The Salvation Army* – 3906 Brewerton Road**

Zoned HC-1, permit # 43,651

- 1 Wall Sign- Allowed 8% max of wall face. Applicant is proposing a building sign 40 square feet in size, 10' 10" by 3' 8", where 291.72 square feet is allowed. (Adjourned from previous meeting; the applicant just wants the Board to consider the wall signs. They will present the freestanding sign once the variance is granted.)

Planning Board wants the street number on the sign,

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

**Motion Passed 7-0**

**Riverwalk Associates, Inc. – Guy Young Road**

Zoned R-10, permit # 43,773 by Mike Bragman Jr.

- 1 Monument Sign- Allowed one 24 square foot sign per entry. Applicant is proposing a 23.8 square foot sign with no illumination. The proposed sign will meet the code.

Mike Bragman Jr. was present to present the sign to the Board. Mr. Bragman stated that this is a monument sign to identify the Riverwalk community. He stated that there will be concrete block behind the sign.

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The Board asked how the applicant will handle parking during the *Parade of Homes* event. Mr. Bragman stated that there will be a road between 2 of the houses that will lead to a parking lot on a future section of land. The Board asked if this would be located in the wetlands and Mr. Bragman stated that it would not be. The Board asked that Mr. Bragman submit a plan for the parking to the Planning Office.

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

**Motion Passed 7-0**

**Work Session:**

NONE

A motion was made by Hal Henty, seconded by Allen Kovac to adjourn the meeting at 10:30PM.

**Motion Passed 7-0**

Respectfully Submitted

Linda Simmons