

Regular Meeting  
Planning Board  
February 8, 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 8<sup>th</sup> of February 2012. The meeting was called to order by Chairman Hess at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	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 Russ Mitchell seconded by Allen Kovac to approve the minutes of the previous meeting.

**Motion Passed 6-0**

**Public Hearings:**

NONE

**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 10 previous meetings)**

Chairman Hess stated that the applicant has asked for an adjournment to March 14, 2012.

A motion was made by Allen Kovac, seconded by James Palumbo to adjourn the Public Hearing to March 14, 2012.

**Motion Passed 6-0**

**7:30 P.M. 2011-41 7176 Buckley Road LLC, Site Plan – 7176 Buckley Road (adjourned from 3 previous meetings)**

**A P P R O V E D**

Chairman Hess stated that the applicant has requested an adjournment.

A motion was made by Russ Mitchell, seconded by Allen Kovac to adjourn Public Hearing to February 22, 2012.

**Motion Passed 6-0**

**7:30 P.M. 2011-43 *Morgan Square (Affordable Senior Housing Opportunities 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 they have not yet applied for variance, and they are still trying to resolve the parking issue. They will add 36 spaces to east. They have discussed drainage with Ellen Hahn of the DEC. Mr. Trevisani stated that they can add 36 parking spaces with retaining wall. They are proposing to increase the number of banked parking spaces to 72 for possible future parking. They will be near building line set back both in front of and beyond. David Hess suggested rough cutting road. Then parking can be constructed if needed. Jim Palumbo wants to see if emergency vehicles can get around the building as part of grading for initial construction, and emergency access. The desire is for complete accessibility around the site, the Board does not want anything to be inhibited by grading and drainage swales. The applicant stated that they would agree to grade for 24 feet from the back of the patio to flat grading using grass instead of pavement.

Mr. Trevisani stated that they intend to be on the March Zoning Board meeting agenda.

Photometric plan is ready but was not brought to this meeting with lighting shown.

Attorney Scott Chatfield said he would like to clarify a few issues. The subdivision, as presented, would create 3 lots from 2, and this can not be done administratively. Mr. Chatfield also stated that the Planning Board does not have authority to reduce number of parking spaces required. They need to know if parking spaces can be banked. They must go to Zoning Board of appeals for height variance and parking variance if they can not work out a banked solution. Banked parking must be shown on plans, dotted and marked as banked for further parking needs. ZBA for variance on parking and for height needs to be done before plans can be approved.

The Board stated that access around building must be drivable and graded with grass. All revised plans need to show everything discussed on it. Mr. Hess stated that not all vehicles can drive on grass. The issue of complete access around the building or the use of extended sidewalks was next discussed. The Board agreed that in lieu of having full access around the building with a paved road, the sidewalks could be extended so that full access could be gained around the entire building. This could be in the form of a 'stub' connection extended from the patio. This sidewalk must also be maintained in the winter months and kept in good repair.

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A motion was made by Russ Mitchell, seconded by Hal Henty to adjourn the Public Hearing to March 14, 2012.

**Motion Passed 6-0**

**7:30 P.M. 2011-44 *Hyland Gardens* (Red Barn Country LLC) – (3) preliminary Plat – 7162 Buckley Road (adjourned from 1 previous meeting)**

Chairman Hess opened the public hearing. Hal Romans was present to explain the proposal. Mr. Romans stated this is 7.8-acre parcel on east side of Buckley Road. Several Town of Salina residents were in attendance. There was a review of the plans. Traffic study has been done showing full development; completed in August 2011. There was also a coordinated review with the towns of Clay and Salina and the county. A drainage study has been completed, and Ellen Hahn of the DEC has reviewed it.

A letter was received from one resident, stating a concern of interconnect to Carlton Lane. Basically they were against the development. There was a phone call from another resident questioning if the value of his property would increase based on value of intended building?

The applicant has met with the Town of Salina Board. Fire hydrants are going to be moved. Lot 2C and 7176 Buckley Road connectivity will be shown on site plans. As a positive spin there will complete access of emergency vehicles to current residents.

Martha Powers resident expressed her concern of the south east corner. Melanie Knapp vocalized concerns over the traffic patterns.

Drainage and sewers are being reviewed by Town of Salina, Town of Clay and County DEC. Storm water regulations are to be met.

Salina Board member Colleen Gunnip spoke to residents and board.

Public Hearing was closed by David Hess Chairman.

A motion was made by Hal Henty, seconded by Allen Kovac to appear on agenda for February 22, 2012 meeting.

**Motion Passed 6-0**

**7:35 P.M. 2011-45 *Ticada Realty* (Heritage Commons) – (3) Site Plan - 5496 East Taft Road (adjourned from 2 previous meetings)**

Chairman Hess opened the public hearing. Al Maxium was present to explain the proposal. Paul Huysman was also present.

**A P P R O V E D**

Kim Patterson recommends not approving until the Town Engineer's comments have been issued and reviewed.

The applicant stated the following:

1. Seals on all drawings are now uniform and complete. One set is totally complete.
2. Second fire hydrant has been added to the plans. Email from Paul Linnitz confirms this.
3. Status of SWPPP issues and Engineering comments will be in the mail February 9, 2012 from Kim Patterson.

Kim would like to meet with Al Maxium and Ellen Hahn to go over plans. There is concern over storm water, in that may deteriorate parking to accommodate for green space. Planter additions could be utilized to decrease amount of runoff. None of new water is going to the bay savers. They would like to see analysis and this should be shown on plans. They do have a little play in parking spaces.

Roof unit pictures are shown. They are not obvious from the ground.

The Board asked that all revision dates be shown on plans.

The applicant stated that they would like to be in ground as soon as possible.

Public Hearing to remain open.

A motion was made by Allen Kovac, seconded by Karen Guinup to adjourn this to February 22, 2012 meeting.

**Motion Passed 6-0**

**Old Business: Hearings Closed**

NONE

**New Business:**

**INFORMATIONAL HEARING:** Text Amendment Recommendation – *Local Law 1 of 2012*.

The purpose of the Local Law is to add a new definition known as 'Motor Vehicle Sales Limited'

Chairman Hess opened the informational hearing. The Chairman explained that the Zoning code be amended to add a new definition that would allow for the indoor sales of motor vehicles, with a Special Permit from the Town Board.

Commissioner Territo explained the background of the Local Law to the Board and some of the issues of concern from the Town Board.

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A motion made by Russ Mitchell and seconded by Hal Henty to make a favorable recommendation to the Town Board for Local Law Number 1.

**Motion Passed 6-0**

**SIGNS**

**Kimbrook Route 31 Development LLC, *Cam's Pizza* – 3610 State Route 31.**

**Zoned RC-1, permit # 43,536**

(2)Wall Signs - 2 per building allowed, 8% of wall max. Applicant is proposing two boxed in 35.5 square foot sign; and a 35.5 and 41.25 square feet sign are allowed. These signs will be internally illuminated with LED lighting. The proposed signs will meet the code.

(2)Free Standing Signs – Applicant is proposing a face change to the existing pylon signs.

A motion was made by Allen Kovac, seconded by James Palumbo to approve the signs as presented.

**Motion Passed 6-0**

**Work Session:**

*Maple Park*- Preliminary Plat Change.

They want to add 1 lot to previously approved plans. They want to know the process, and the Board stated that they will be on agenda for the next meeting.

*Blockbuster* - Tree removal request. Route 57. Mark Rupprecht was there to present.

Mr. Rupprecht explained that there is a 'soft foundation' of plantings at the south side of the building and also a row of arborvitae. The owner would like to eliminate big burning bush on Route 57 and the row of arborvitae and then add one abbreviate to the end.

The Board asked that Mark Rupprecht to get an up to date Site Plan and return to the next meeting.

A motion was made by Russ Mitchell, seconded by Hal Henty to adjourn the meeting at 10:15 PM.

**Motion Passed 7-0**

Respectfully Submitted

Linda Simmons