

Regular Meeting
Planning Board
April 25, 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 25th of April 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
	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: Allen Kovac

A motion was made by James Palumbo, seconded by Russ Mitchell to approve the minutes of the previous meeting.

Motion Passed 6-0

Special Public Hearing at 6:00 pm with 2011-31 Sam's Real Estate Business Trust/Walmart Real Estate Business Trust. 3 Site Plan – 3895 State Route 31 WalMart SuperCenter.

Chairman David Hess opened the public hearing.

Glenn Harvey of Bergman Associates was present to explain the issues involved with the proposal.

Mr. Keith Mortimer of Fisher and Associates explained what is recommended as a result of his review of the traffic study. He thinks new traffic alignment is a plausible approach. He addressed concerns that have been pointed out previously. He makes a recommendation being in front of existing building to Carling Drive; and the possibility of putting flyers in store recommending alternative road approaches was discussed.

Betsey Parmely from New York State DOT is encouraged by what she sees. Direct connection from Carling to front of new building behind the existing Walmart was suggested.

NYS DOT representative Shamin Zubair states Dell Center Drive is overwhelmed and they are trying to keep it from failing. He recommends promoting ring road as direct connection in parking lot from Dell Center Drive. He states at some point in future DOT may be forced to

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restrict movement into Dell Center Dr. There would be stop signs in east/west direction. There would be no stop signs in north/south direction. Study needs to evaluate for left turn movements. They will do studies based on how it operates today. Compromise is needed to keep roads open. David Hess would like to see NYS talk with county to open up a connection to Ver Plank Road.

Public Hearing will remain open.

A Motion was made by Hal Henty, seconded by Russ Mitchell to adjourn the public hearing to April 25, 2012 at 7:30

Motion passed 6-0

Public Hearings:

***2012-006 Seneca Dialysis (SJLS, LLC) – Special Permit referral (Town Board case #1036) – 8302 Provo Drive**

Hal Romans was present on behalf of the applicant. Mr. Romans described the project and that the applicant seeks a Town Board medical special permit. The only exterior changes being requested are the restriping of the parking lot, walkway improvement, adding parking, dumpster enclosure and a generator with enclosure. Everything else remains the same. The Town Board has closed their public hearing. Medical waste will remain inside of building. Dumpster is for office waste only. Natural gas generators (proposed) are usually quiet and used as a backup only.

Public hearing is now closed.

A motion was made by Russ Mitchell, seconded by Hal Henty, making a recommendation for the application of a Special Permit to the Town Board using standard form # 60; case #2012-006 *Seneca Dialysis (SJLS, LLC)*, located at 8302 Provo Drive, to grant the Special Permit, (Town Board Case # 1036). We feel it is compatible, will have no significant impact on traffic, no environmental impact and requires no other permit granting agency including the Federal Government. This is a positive for residents in the Town of Clay.

Motion Passed 6-0

***2012-012 Morelandigans LLC (Sharkey's) Special Permit referral (Town Board case #1037) – 7260 Oswego Road**

Hal Romans was present on behalf of the applicant. Mr. Romans described the project. Town Board has closed their public hearing. Onondaga County Planning Board recommends shared driveways between the commercial parcels. The Zoning Code has been changed to allow for outdoor recreational use. Beach Volley Ball courts are being proposed. The applicant currently leases the land adjacent to their restaurant for long term parking area and a proposed volleyball

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area. Parking is provided for 219 parking spaces. No outside changes are proposed other than a patio and deck.

Bob Ventre is the Attorney for Town of Salina states that Town of Salina is OK with this proposal.

Public Hearing is closed.

A motion was made by Russ Mitchell, seconded by Karen Guinup making a recommendation to the Town Board using standard form #60 for case #2012-012 *Morelandigans LLC (Sharkey's)* Special Permit application, for premises located at 7260 Oswego Rd., to grant the Special Permit, (Town Board Case # 1037). We feel it is compatible, will have no significant impact on traffic, no environmental impact and requires no other permit-granting agency including the Federal Government.

Motion Passed 6-0

2012-001 *Farone and Son Funeral Home - Zone Change recommendation – Buckley Road near Waxwood Circle/Rita Drive (adjourned from 1 previous meeting)

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

Mr. Romans began by stating the request for change of zoning to Neighborhood Commercial (NC-1) is convenient for funeral home on this parcel. Additional parking for up to 108 vehicles is now shown on the plan.

The applicant is going to offer a covenant for this parcel that would restrict the use to a funeral home or an office building and restricts the height to a 1 story, residential style building. This would be used as funeral home only or possibly office, no other use.

The applicant stated that they will be doing a more in-depth traffic study as requested by the Town Board, and they hope to have this completed by next meeting. Modifications of traffic light will be discussed with County DOT from corner of Bear and Buckley.

Denise Murry voiced concerns on traffic issues and parking issues.

Michael Cosmic discussed environment impact issues, chemical issues, toxic waste, drainage and storm water drainage.

Joyce Cerrito asked that look closely at this use not only for current use but use in future.

Lidia Stala comments that this is not a good fit in her opinion especially issues on Buckley Rd.

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Diane Mantooth states there are much better sites for a funeral home.

Marie Tropoline is concerned over multiple funeral home sites. She wanted to know why changes in zoning are made without informing residents

Public Hearing to remain open and the Board hopes to have the traffic study for review by the next meeting.

A motion was made by Hal Henty, seconded by James Palumbo to adjourn the Public Hearing to May 9, 2012.

Motion Passed 6-0

*Chairman David Hess stepped out of meeting for a few moments at 9:15.
Deputy Chairperson Karen Guinup took over the meeting.*

***2012-003 Kristin Purcell (Michael Graham) – Zone Change recommendation – 7897 Oswego Road (adjourned from 1 previous meeting)**

Deputy Chairman Guinup opened the public hearing.

Hal Romans was present to explain the proposal and began by discussing the County referral. The land to the north is zoned RC-1 as well as the land to the south. This RA- 100 lot, if changed to office (O-1), would be for the use of the owner and secretary only, and not as a storage facility. If allowed, possible pole barn in rear for up to 8 trucks parked inside barn only and no storage facility. The applicant feels that an office use only is the least intrusive. It was also stated that the lot is non-conforming and they will be appearing before the Zoning Board of Appeals to correct some of the non-conforming and setback issues.

A Site plan is needed showing construction.

The Public Hearing was closed

A motion was made by Russ Mitchell, seconded by Hal Henty, making a recommendation to the Town Board, using standard form # 50 for case #2012-003 *Kristin Purcell (Michael Graham)*, Zone Change from RA-100 to O-1, located at 7897 Oswego Road, to grant the Zone Change. We feel it is compatible, will have no significant impact on traffic, no environmental impact and requires no other permit-granting agency including the Federal Government. The applicant will need to obtain applicable variance from ZBA.

Motion Passed 5-0

****2012-010 Brian's Towing Auto Recovery (Brian Antonelli) – Special Permit – 7707 Henry Clay Boulevard (adjourned from 1 previous meeting)**

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Deputy Chairman Guinup explained that the applicant has requested an adjournment.

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

Motion Passed 5-0

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

Deputy Chairman Guinup explained that the applicant has requested an adjournment.

A motion was made by Hal Henty, seconded by Walt Lepkowski to adjourn the Public Hearing to May 9, 2012.

Motion Passed 5-0

Chairman David Hess returned at 9:35 pm.

****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 14 previous meetings)**

Chairman Hess opened the public hearing. Glenn Harvey of Bergman Associates was present to explain the proposal along with Kelly Prontie. There were also representatives from the NYS DOT and Fisher Engineers present.

Mr. Shamim Zubair of the State DOT stated that he wants to make it clear that the preferred option from the DOT’s perspective would be the direct connection that runs behind the existing Walmart and would end up at the front of the proposed Walmart building. They feel that this would get some of the traffic off Dell Center Dr. and redirect it to Carling Rd. The number 2 option would be mitigation on Dell Center Drive.

Chairman Hess wants it to go on record that he wishes the State DOT would work with the County to open a Ver Plank connection.

Lydia Pierce, Clay resident spoke about the traffic issues that surround the retail area of Routes 31 and 481 along Soule Rd.

A motion was made by Hal Henty, seconded by Russ Mitchell to adjourn the Public Hearing to May 9, 2012.

Motion Passed 6-0

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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
- 2 Freestanding sign, (1) 21 square feet, 7' by 3', 10 feet high, when 32 square feet is allowed. Sign meets the code.

The applicant will need to place street number on sign. Variance application has been submitted. One sign needs site plan. All signs must be in conformance with new zoning.

A motion was made by Karen Guinup, seconded by Hal Henty to adjourn this sign application to May 9, 2012 as the applicant needs to present a survey showing the location of the proposed sign on the parcel.

Motion Passed 6-0

2011-44 Hyland Gardens (Red Barn Country LLC)

Hal Romans was present to explain that this previously approved preliminary plat, now must make a revision due to the fact that the Town of Salina will not allow the proposed road from this subdivision to connect into their roadway. The Salina Town Supervisor wants the division to be treated the same as Mann Drive, therefore the applicant will build the road to the property line. A turnaround would be put on Clay side as per code requirements. If a guide rail is necessary, the Town of Salina needs to be responsible. Temporary turnaround on lots 5 and 6. Grant amended and Plat approved. There needs to be assurance that guide rail is to be placed by Town of Salina, and not on Clay property.

Chairperson David Hess stated that this is poor planning.

A motion was made by Karen Guinup and seconded by Hal Henty using form #30 granting adoption of approval of amended plan to Hyland Gardens (Red Barn Country LLC) for property located in the R-10 zoning district located at 7162 Buckley Road, Case # 2011-44 based on a map by Ianuzi and Romans, being file # 3411.003 dated September 28, 2011 and last revised

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April 24, 2012. Approval is conditioned on the following: Subject to all engineering and legal requirements.

A motion was made by Karen Guinup, seconded by Hal Henty to adjourn the meeting at 10:00 PM.

Motion Passed 6-0

Respectfully Submitted

Linda Simmons