

Regular Meeting  
Planning Board  
September 8, 2010

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 8<sup>th</sup> day of September 2010. The meeting was called to order by Chairman Lepkowski at 7:30 P.M., and upon roll being called, the following were:

<b>PRESENT:</b>	Walter Lepkowski	Chairman
	Karen Guinup	Deputy Chairperson
	Allen Kovac	Member
	Hal Henty	Member
	James Sharpe	Member
	Russ Mitchell	Member
	David Hess	Member
	David Balcer	Town Planner
	William Perrine	C & S Engineers
	Scott Chatfield	Planning Board Attorney
	Gloria Wetmore	Planning Board Secretary

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

**Motion Passed 6-1** Karen Guinup abstained, she was not present at the previous meeting.

Public Hearings:

**2010-6-9 Jennifer Richardson (Innovations Salon), Zone Change  
Recommendation NC-1 & RA-100 (GOV) to HC-1 at 3627 NYS Route 31**

Chairman Lepkowski opened the public hearing. Mark Weiss, of Weiss and Associates presented. Hal Henty asked about the rt. in rt. out only from Rt. 31. Karen Guinup said people are always trying to cross 3 lanes to turn in to the parking lot from the east bound lane, causing a dangerous situation.

The addition will expand from 4,400 square feet to 15,600 square feet. Karen Guinup asked Mr. Weiss if the increase from 33 to 78 new parking spaces will accommodate the increased building size. Ms. Guinup added that the business is doing very well and she does not want to discourage expansion. She is just concerned about the amount of parking spaces. Chairman Lepkowski pointed out the fact that the parking spaces in the Town Code are only a minimum. The Board could require more if needed. The Chairman asked the applicant why she was going for HC-1, and not NC-1, Mr. Weiss said that he met with the Planning Dept. David Balcer explained both zones and the applicant decided to go with the HC-1 zone. The addition is too large (over 15,000 square feet) for NC-1 zone.

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Hal Henty asked Ms. Richardson what she plans on using the addition for, Ms. Richardson said she would like to get all the services on the main floor. The office would go upstairs. There have been some incidents with customers falling on the stairs.

Chairman Lepkowski said that parking seem to be the issue now as well as in the past. The Chairman asked if there were any questions. David Arnold, a resident spoke. He said when this originally came before the Board he had concerns, however the applicant kept her word and used the building as she said she would. Mr. Arnold also stated that he has no problem if Ms. Richardson owns the building unless it was sold and the use changed. Chairman Lepkowski assured Mr. Arnold that if the property was sold and the new owner wanted to change the use they would have to come before this Board again.

James Sharpe asked if the applicant would try to make the new addition blend with the older architecture. Mr. Weiss said they would incorporate many older looking elements. Allen Kovac asked how they could add more parking spaces if 78 weren't enough. Mr. Weiss said the applicant would have to purchase more land.

Chairman Lepkowski closed the public hearing. The Board will make a recommendation to the Town Board at a later date.

**2010-8-2 COR VerPlank Road Company, LLC (3) Site Plan – Westerly end of Dell Center Drive**

**2010-8-1 COR VerPlank Road Company, LLC (3) Preliminary Plat - Westerly end of Dell Center Drive**

Chairman Lepkowski opened both public hearings. Kate Johnson of COR Development introduced the others here tonight also working on this project. Alex Wisnewski of LJR Engineering, Jim Fahy, of James Fahy Design, Amy Dake of SRF Associates, Kevin Morgan of Morgan Management Co., and Chris Boyea of Bohler Engineering.

There are wetlands involved. These are Army Corps wetlands not DEC wetlands.

Alex Wisnewski presented. The apartments will be built just north of the COR Shopping Center. All utilities are available. A swale follows the railroad tracks to Seneca River. There will be 16 apt. buildings, 9 one bedroom, 11 two bedroom, 6 three bedrooms and 10 garages for each building. There will be a clubhouse, pool, and workout room. There will be 1 private drive. The owner will maintain the road. They will have a crash gate in between the rear of Kohls and Home Depot for emergency access, and landscape with the intent to buffer the apartments from the commercial.

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There will be 45-50 parking spaces as well as the 10 garages per building for a total of 900 spaces, well over the requirements. The drainage will flow east to southwest towards the drive into a wet pond as per the stormwater permit. Dumpster enclosures will match the buildings. There will be a private pump station maintained by the owner. The water will be provided by OCWA.

Chairman Lepkowski adjourned the meeting at 8:30 P.M. for a 10-minute break and to move the meeting to the other side of the partition. The meeting reconvened at 8:40 P.M.

Amy Dake of SRF Associates explained the traffic study. Chairman Lepkowski asked Ms. Dake to forward the traffic study to Mark Territo via E-Mail. The traffic study was done in 2008 by the State DOT.

Ms. Dake explained the single-family homes will have two drives out onto VerPlank Rd. The apartments will connect to the COR retail so there will be no need to go out onto Rt. 31. There was more discussion on the traffic study, The Chairman asked for a comparison between the 2006 study and the updated one. Amy said she will get those numbers. The Chairman commented that the site plan doesn't show the connection between VerPlank and Route 31. Amy said the connection is possible but not definite yet. Chairman Lepkowski said it has always been a goal of the town to connect to VerPlank Rd.

Kate Johnson said the zone change is going before the Town Board; she would like The Planning Boards comments on the buildings and such to get the ball rolling. Scott Chatfield said if they put both public hearings together there may be a problem with lead agency.

Jim Fahy, of James Fahy Design described the buildings. 26 units in each of the 16 buildings; Wood frame on concrete slab; two stair wells and elevator service per building, 10 single garages 5 on each end of the building with a hallway access to the apartments. They are proposing 7 one BR 700-900 sq. ft., 13 two BR 975 to 1200 sq. ft., and 6 three BR 1255 to 1310 sq. ft. The apartments will have 9 ft ceilings, laundry rooms as well as individual heat and air.

Hal Henty asked if these were similar to the Timber Banks apartments, Mr. Fahy said they are a step up. There will also be a community center with an outdoor pool, a large covered area off the pool for shade, great room with a large screen TV, kitchen, conference room, fitness area with showers, and accessible 24 hours a day.

Chairman Lepkowski said he liked the look of the buildings and hopes they look like that completed.

Karen Guinup has concerns about the 20-foot crash gate. He said it is still in the planning stage. The Chairman asked if they will put a connecting road shopping plaza. Kate said the shopping Center restricts connection to the plaza.

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Karen Guinup said in a way it is a negative on their part, as a Board she would like to see the applicant go back to Target and Home Depot and try to get permission for a connection road. She also asked about the dumpster enclosures, would like them to match the buildings and landscaping around the enclosures.

David Hess asked for site lighting, Kate Johnson said she would like to see if the Board liked the Site Plan before submitting the lighting plan.

David Arnold explained to the Board how the previous owner did not want this zoned residential or apartment because of all the chemicals used on this land for farming. He is worried about children becoming ill from the soil. Chairman Lepkowski indicated that issue can be addressed in an EIS.

A motion was made by David Hess seconded by Allen Kovac to adjourn the public hearing to October 13, 2010.

**Motion Passed 7-0**

A motion was made by James Sharpe seconded by Allen Kovac authorizing the Secretary to send out notice to all involved agencies that the Planning Board desires to be the lead agency.

**Motion Passed 7-0**

Old Business: Adjourned Hearings

**2007-12-3 Group One Development, LLC (3) Site Plan– Corner of Route 31 & Henry Clay Blvd. (Adjourned from 34 previous meetings)**

Chairman Lepkowski opened the public hearing, Alex Wisnewski presented the plan. The verbiage has been changed on the plan concerning the easement for the Stevens property. The Chairman said the Board is still waiting for the letter from the State. Was this traffic study done based on full build out? There was a letter dated May 7, 2009 from Jim Napoleon restricting right in right out of the westerly drive as well as right in right out at Sherwood Dr.

The Board is still not clear on the traffic study. Was the study done considering full build out? Chairman Lepkowski said the Board wants clarification on the letters from Mr. Napoleon regarding the traffic study. Any approval would be made on 48,000 square feet. If they build over 48,000 sq. feet before State Route 31 is widened a new traffic study will have to be done.

Mr. Napoleon would also have to determine the impact on traffic if the uses change. Some uses will affect the traffic more than others.

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Chairman Lepkowski is going over the traffic study and said at the intersection of Sherwood Dr. going East, West and thru, got a rating of "F". East bound traffic making a left turn into the shopping plaza is also rated an "F" in Phase I. South bound traffic is fine at Henry Clay Blvd. and Route 31.

Allen Kovac asked if this could be mitigated, Scott Chatfield said it could be made a condition of the approval, to not allow full build out until the road improvements are made. The Chairman said he would like clarification in regards to the traffic study.

A motion was made by Allen Kovac seconded by James Sharpe to adjourn the public hearing to September 22, 2010.

**Motion Passed 7-0**

The Board took a short recess at 11:00 P.M.  
Karen Guinup excused herself from the board.  
The Meeting reconvened at 11:15 P.M.

**2010-6-11 Gary M. Graham (3) Site Plan – 3424 Route 31 (Adjourned from 1 previous meeting)**

Chairman Lepkowski opened the public hearing, Hal Romans of Ianuzi and Romans presented. Mr. Romans went over the list of things the Board wanted taken care of from the previous meeting.

1. added the variance to the plan
2. removed the lot line
3. relocated the dumpster
4. photo metric plan(sheet # 2)
5. drainage (sheet # 1) swale be built from Rt. 31 to the south pipeline, also limits of the pavement. Only addition one more swale and a culvert on the west side and connect it to the existing catch basin, as per C&S Engineers.
6. The fencing will be replaced
7. landscape added to the plan

A motion was made by Russ Mitchell seconded by David Hess to adopt a negative SEQR determination using standard form # 10, for case # 2010-6-11 Gary M. Graham located at 3424 Route 31, This project appears to have no environmental impact which cannot be mitigated and maintains the character of the neighborhood, swale on property regarded for proper drainage of ground water and does not involve any other permit granting agencies, including the Federal Government.

**Motion passed 6-0**

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A motion was made by Russ Mitchell seconded by Hal Henty to adopt a resolution using standard form #20 granting Site Plan approval for case # 2010-6-11 Gary M. Graham located at 3424 Route 31 based on a map by Ianuzi and Romans dated Feb. 13, 2003, revised Sept. 8, 2010. Subject to the following condition: A swale be put on the East side of the rear storage building and a culvert put in to direct water to the swale on the east side of the property.

**Motion Passed 6-0**

**2010-5-8 Joseph S. Janowski, (3) Site Plan – 7608 Oswego Road (Adjourned from 2 previous meetings)**

Chairman Lepkowski opened the public hearing, Joseph Janowski, applicant presented the plan. Mr. Janowski said the wording was changed from “existing previously approved future parking” to “previously approved future parking”. This is the area behind the buildings.

The Chairman asked if the Metro Mattress building will need dumpsters, Mr. Janowski said, no they would not. Is there lighting in the back parking lot? Yes, 4 light poles. Chairman Lepkowski stated there was a walk through some years ago, connecting the rear parking lot with the front of the plaza. Mr. Janowski said they closed it off due to graffiti and young people smoking in there and loitering. The Chairman asked if it became necessary could the pass through be reopened. Mr. Janowski said that it could, if the parking becomes an issue the employees could park in the back of the plaza.

The Chairman asked about all the trees that were cut down, will those be replaced? Mr. Janowski said they would plant 6 Bradford pear trees, they won't grow too tall. The Chairman asked about the brick walls along the entrance, he said the wrought iron insets were gone and would the applicant consider replacing them. Mr. Janowski offered to set flower boxes in place of the iron work; however the Bayberry Community Association didn't want that.

Bill Perrine of C&S said there are existing utilities and some easements where the new Metro Mattress building will go that need to be added to the Site Plan.

Chairman Lepkowski closed the public hearing.

A motion was made by Russ Mitchell seconded by James Sharpe to adopt a negative SEQR determination using standard form #10, for case #2010-5-8 Joseph S. Janowski, located at 7608 Oswego Road. This project appears to have no environmental impact which cannot be mitigated, contributes to growth and community character, and does not involve any other permit granting agencies, including the Federal Government.

**Motion Passed 6-0**

APPROVED

A motion was made by Russ Mitchell seconded by Hal Henty to adopt a resolution using standard form #20 granting Site Plan approval for case # 2010-5-8 Joseph Janowski located at 7608 Oswego Road based on a map by Chrissy Architectural Group Numbered G-1 dated August 31, 2010, revised September 8, 2010, subject to the following conditions:

- 1) Update easements and utilities through the parking lot.
- 2) Plant 6 Bradford pear trees on grass NE corner along Blackberry Road.
- 3) Snow will not occupy parking spaces.

**Motion Passed 6-0**

**New Business: Signs**

***Gotta Dance – Performing Arts Studio – 8075 Oswego Rd (Clay Commons)***

Zoned RC-1, permit #42,241

Wall signs – Allowed 2/tenant, max s.f 8% of the wall area. Allowable area is 36.8 sf.  
Proposed signs are: Gotta Dance 18.33 sf.  
Performing Arts Studio 15.0 sf., *33.33 sf is the total.*

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

**Motion Passed 6-0**

***Smokey Bones – 4000 NYS Rote 31***

Zoned RC-1, permit #42,068 & Area Variance case # 1379

Wall signs – Allowed 2/tenant max 8% of the wall area mounted on. Front max area = 161.6 sf.,  
left side max area = 168.8 sf and rear max area = 203.5 sf.  
Variance obtained – Allows three wall signs.in substantial compliance with Exhibits  
“A & B”.

Proposed Signs – Front 55.73 sf.  
East side 55.73 sf.  
Rear 55.73 sf.

Freestanding - proposed re-face of existing

A motion was made by Hal Henty seconded by James Sharpe to approve the sign as presented.

**Motion Passed 6-0**

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***Tops – 8417 Oswego Road (former P&C)***

Zoned RC-1, permit #42,321

Freestanding signs- proposed two re-facings

Wall signs – Allowed 2/tenant max 8% of the wall area mounted on.

Front area allowed 361.92 sf.

Proposed 115.96 sf.

Side allowed 219.52 sf.

Proposed 34.25 sf.

A motion was made by David Hess seconded by Allen Kovac to approve the sign as presented.

**Motion Passed 6-0**

***McDonalds – 7505 Oswego Road (in front of Wegman’s)***

Zoned RC-1, permit #42,374

Menu board signage (minor sign) – Allowed 4 sf and may be adjusted by P.B. for enhancing sign purpose.

Proposed two signs (one per drive-thru) at 43.66 sf. each.

A motion was made by David Hess seconded by Allen Kovac to approve the sign as presented.

**Motion Passed 6-0**

Old Business: Hearings Closed

Work Session

**JoLu Development Company, Tocco Villagio, PDD Concept Plan Discussion**

Chairman Lepkowski stated that the Town Board has agreed to give the Planning Board an extension to the middle of October to finish with the concept plan and submit their recommendations to the Town Board. Amy Franko gave a brief overview of the project. The Board discussed some elements of the traffic study that was done as well as a comparison of how the PDD regulations would differ from the traditional zoning regulations. Amy stated that she would update the book and bring the latest version to the next meeting. Chairman Lepkowski stated that the Board would see her back on September 22, 2010.

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**Woodside Developers, Inc., *Woodside Runne (Inverness Gardens)* – PDD Amended Project Plan Discussion**

A motion was made by Allen Kovac seconded by James Sharpe grant a Project Plan Amendment to Woodside Developers, Inc. case # 2009-11-3, using form # 40 with a map made by Ianuzi and Romans File # 1431.023, dated 8-2-2010, revised 8-12-2010. Subject to all legal and engineering.

**Motion Passed 6-0**

A motion was made by Hal Henty seconded by David Hess to adjourn the meeting at 1:15 A.M.

**Motion Passed 6-0**

Respectfully Submitted

Gloria Wetmore