

**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 27<sup>th</sup> of July 2011. The meeting was called to order by Chairman Lepkowski at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	Walter Lepkowski	Chairman
	Karen Guinup	Deputy Chairperson
	Allen Kovac	Member
	Hal Henty	Member
	David Hess	Member
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineers
	Kim Patterson	C & S Engineers
	Linda Simmons	Planning Board Secretary
<b>ABSENT:</b>	Russ Mitchell	Member
	James Sharpe	Member

A motion was made by David Hess, seconded by Allen Kovac to approve the minutes of the previous meeting.

**Motion Passed 5-0**

**Public Hearings:**

**2011-18 *Red Barn Country, LLC* (3) Preliminary Plat – 7165 and 7175 Buckley Road**

**2011-23 *Red Barn Country, LLC* (3) Zone Change recommendation – 7165 Buckley Road**

**2011-24 *Red Barn Country, LLC* (3) Zone Change recommendation – 7165 and 7191 Buckley Road**

Chairman Lepkowski opened the three public hearings. Hal Romans, surveyor, was present to explain the proposal.

Preliminary Plat: Hal Romans started with the subdivision, explaining the road connection to the north and south, and the storm water and sanitary sewer capacity.

This proposal is in conjunction with the zone change request where the existing HC-1 and R-7.5 which has a house on it and it is surrounded by HC-1. The western portion of the property is for 35 residential lots that will conform to the R-10 zoning.

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County DOT study – There is nothing outstanding with traffic study.

There is no one interested in Commercial portion of this project at this time.

The Storm water management will continue to be addressed.

Pedestrian and vehicle traffic will connect to commercial portion of the property.

Linda Trombley's property is not landlocked now that a connection is shown.

Ron DeTota from C & S Engineers asked for comments from the Town of Salina regarding drainage issues. Drainage for this property, and all surrounding properties which may be effected will be addressed.

Bruce Johnson, had a question on the stub road and if it will continue to be blocked. This has not been addressed as yet. At this time, if the existing guard-rail will be used, it will have to be located on the Town of Salina property.

Casey Daugard from the North Syracuse Fire Department states this must be reviewed for fire safety issues. They will be addressed at the next meeting on August 24, 2011.

Bob Scalione of 3 Mann Drive, Liverpool, is concerned about the zoning issue. He would like aesthetics of the project addressed. What is to be expected in next 5-10 years? The property has not been maintained. Conditions must be set and maintained. Hal Romans states the Town has discussed this issue with Bill Capalino to clean up this area. He will address, discuss and present time frames, which will be presented at the next town meeting.

Jon Law of 5 Mann Drive, Liverpool has concerns on drainage. All water drains to the southwest. Why would they send water southwest instead of south. Ron DeTota, of C & S Engineers addressed this by saying if this zone change is granted, they would like drainage to be directed southwest. This will be reviewed.

Public Hearing will remain open.

Zone Changes:

The small R-7.5 portion is residential.

The HC-1 was left out of zoning changes

A 40' x 200' lot that is zoned R-7.5 is part of the HC-1 proposal.

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HC-1 (highway commercial) to NC to neighborhood commercial is also proposed for a portion of the property.

Lot 3C from is proposed to be changed from a portion of the R-10 to HC-1, would become part of HC-1 to keep zoning the same.

The Traffic Study has been done and is being reviewed by DOT with new zoning and future development included.

The ability to provide connectivity to North Med has been addressed. Pedestrian traffic crossing would be looked into.

Public Hearing has been left open.

Motion made by Allen Kovac, seconded by David Hess to adjourn the Public Hearing to August 24, 2011.

**Motion passed 5-0.**

***2011-27 Tops Markets, LLC/Tops Fuel Facility (3) Site Plan (gas pumps) – 3803 Brewerton Road-Airport Plaza***

Chairman Lepkowski opened the public hearing.

James Trasher of Clough Harbor was present to explain the proposal.

Site plans presented.

The gas station on US RT 11, would be located in front of store. This location was previously zoned for a gas station so is therefore properly zoned. A Kiosk with 4 pumps is requested. There is potential to add sidewalks for pedestrian access.

Trip generation letter was presented.

A Landscape plan will be submitted.

State DOT recommendation needed.

Lighting Plan.

Needs parking spaces for RC-1 on Tops property. Parking spaces in LuC-1.

Architect plan must include lighting, landscaping, signage.

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Photo metrics for proposed site.

Picture of present site was presented. A 10' X 20' kiosk with 8 fueling stations.

Meeting was opened to audience.

The turning radius for fire equipment needs to be addressed.

A parking lot survey at peak times will be done.

Louis Ferragnoli of Tops Corporate Development was present for questions.

Ron DeTota of C & S Engineers made some suggestions.

Public hearing will remain open.

A motion was made by Allen Kovac, seconded by David Hess to adjourn the Public Hearing to August 24, 2011.

**Motion Passed 5-0**

**2011-28 Sunoco, Inc. (3) Site Plan – 7653 Morgan Road**

Chairman Lepowski opened the public hearing.

Brian Burri of Bergmann Associates was present to explain the proposal. This is a building addition project, a 180 square foot addition for storage only. This would take the place of a temporary storage space pod currently located on the property. This addition would have the same exterior as the existing building and be painted the same. The existing wall signage would be relocated to the new portion. The sign on the east elevation will be new. The canopy will be an addition also. There will be no change to architecture.

The Board stated that any new signage would need new approvals.

The County Planning Board had no position on the proposal.

Audience has no comments.

A motion was made by Karen Guinip, seconded by Hal Henty to adopt a resolution using standard form # 10, SEQR determination for Case # 2011-28 Sunoco, Inc., Site Plan Approval, located at 7653 Morgan Rd., be declared an unlisted action and a negative declaration as it appears to have no environmental impact which can not be mitigated and does not involve any other permit granting agencies, including the Federal Government. This project will contribute to growth and community character, and poses no excessive impact on traffic.

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**Motion Passed 5-0**

A motion was made by David Hess seconded by Hal Henty, using form # 20, granting Site Plan Approval to the Sunoco Inc. on property located in the LuC-1 zoning district, located at 7653 Morgan Rd., for Case # 2011-28, based on a map by Bergmann Associates, being file #0363-9051, last revised 6-11-2011. Subject to all engineering and legal requirements.

**Motion Passed 5-0**

***2011-31 Sam's Real Estate Business Trust/Wal\*Mart Real Estate Business Trust. (3) Site Plan – 3895 State Route 31- Wal\*Mart SuperCenter***

Chairman Lepkowski opened the public hearing. Glenn Harvey of Bergmann Assoc was present to explain the proposal.

The project would begin with the demolition of former Sam's Club site, and would be replaced with a proposed 24-hour Walmart Supercenter.

The sale or lease of current Walmart site would occur with the occupant unknown at this time.

The DOT has not responded to this proposal.

John Perkins of the Moyers Corners Fire Department stated that he had no issues with the proposed site.

The Board asked to try to move driveway as far away from the building.

LED light poles - There are 20 existing light poles on site. 27 new light poles. Only need 25% of previous power due to the LED technology.

Gary McCamy, Senior Architect for Bergman and Associates stated that a positive customer experience is the goal of this store. The approach is to utilize earth tone color scheme. They will also be adding a grocery line.

Glenn requested comments from Ron DeTota. Time to review and respond to proposal.

Ron Detota stated that this is the first public hearing, and changes are anticipated, therefore comments will be forthcoming in the future.

Walt Lepowski discussed the DOT reconfiguration of traffic sequence on State Route 31 which could lead to a degradation of level of service.

The Board expressed its intent to be the lead agency. Letter needs to be sent to all involved and interested agencies. The Commissioner will send this letter.

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A motion was made by Hal Henty, seconded by Karen Guinip to adjourn the Public Hearing to August 24, 2011.

**Motion Passed 5-0**

**Old Business: Adjourned Hearings**

**2010-8-3 COR VerPlank Road Co., LLC (3) – Zone Change Recommendation, RA-100 & R-APT to R-15 at the westerly end of Dell Center Drive (Adjourned from 12 previous meetings)**

Chairman Lepkowski opened the public hearing.

Hal Romans and Catherine Johnson were present to explain the proposal.

The SEQR Long Form was submitted and reviewed. The Sewer Study has been reviewed. Traffic Study reviewed.

DOT has not put anything specific in writing, we do know that Mark Grainer will do timing changes on Route 31, and it is anticipated this will to be done by the end of November.

Study must be done before school opens.

Under SEQR zone changes identify traffic from residential study. Also study without connection to Ver Plank.

Zone Changes to R-15

COR will take care of green space.

Hearing no further questions or comments, the hearing was closed.

A motion was made by David Hess, seconded by Allen Kovac to adopt a resolution using standard form #10 Type 1 SEQR determination that the proposed action is an unlisted action and does not involve any Federal agency. It is further determined that the proposed action will not have a significant effect on the environment and that this resolution shall constitute a negative declaration: traffic study performed and mitigated, drainage assessed, sewer flow analysis, neighborhood character maintained.

**Motion Passed 5-0**

A motion was made by Karen Guinup seconded by Allen Kovac to make a recommendation to the Town Board using standard form # 50 for case #2010-8-3 *COR VerPlank Road Co., LLC*,

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Zone Change from RA-100 & R-APT to R-15, located at the westerly end of Dell Center Drive, 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, and it provides a transition between the heavy commercial and apartments to the south and the rural to the north.

**Motion Passed 5-0**

**2011-21 *Mario Mirra* (3) Special Permit Recommendation – 7190-7192 Buckley Road (Adjourned from 1 previous meeting)**

Chairman Lepkowski opened the public hearing. Kendra Jones was present to explain the proposal.

Some parking spaces for used auto sales previously proposed were located in the highway overlay. 16 spaces are now proposed, 8 in front of lot and 8 in rear.

Repairs will not be done on site. Car repairs would require RC-1 zoning with a Special Permit.

RC-1 is current zoning. Renting/storage is ok in RC-1 zone,

4 operating bays are currently used for self service car washing, and 2 bays currently used for storage.

David Hess is pleased with the elimination of double row of parked cars in front of lot.

No stripes currently on pavement. This should be considered. The Board requested that the applicant block in the area with paint, for parking where car sales are to occur.

A motion was made by David Hess seconded by Allen Kovac make a recommendation to the Town Board using standard form # 60 for case #2011-21 *Mario Mirra* Special Permit Recommendation, located at 7190-7192 Buckley Road, to grant the Special Permit. 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 Board requests the condition of limiting car sales to 16, and to mark the area where car sales are to occur.

**Motion Passed 5-0**

**Old Business: Hearings Closed**

NONE

**New Business:**

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**SIGNS**

***Kassis Superior Signs, 4100 State Route 31, Mod Squad Fashion***

Zoned RC-1, permit # 43,145

Wall Sign- 2 per building allowed, 8% of wall max. Applicant is proposing one 21 square foot sign and 36 square feet is allowed. The sign will be internally illuminated with LED lighting.

The proposed sign will meet the code.

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

**Motion Passed 5-0**

***Allied Sign Company, 7575 Buckley Road, Veterinary Clinic (Sugarwood Plaza)***

Zoned RC-1, Permit # 43,147

Wall sign, - 2 per building allowed, 8% of wall max. Applicant is proposing wall sign 24 square feet and 24 square feet is allowed. The sign will be internally illuminated with fluorescent lighting.

Freestanding sign – applicant is proposing a face change to the existing freestanding sign.

The proposed signs will meet the code.

A motion was made by Karen Guinip, seconded by David Hess to approve the sign as presented.

**Motion Passed 5-0**

***Rose Allan, 8217 Oswego Road, Creative Florist/Quick Return Bottle & Can Return***

Zoned HC-1, Permit # 43,154

Wall sign, - 2 per building allowed, 8% of wall max. Applicant is proposing wall sign replacement, 15 square feet and 16 square feet is allowed.

Freestanding sign – applicant is proposing a face change, 32 square feet, to the existing freestanding sign. The sign will be internally illuminated with fluorescent lighting.

The proposed signs will meet the code.

The Board stated that the applicant shall put the address on the sign.

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Commissoner is going to check on existing signage

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

**Motion Passed 5-0**

**Work Session**

**NONE**

A motion was made by Hal Henty, seconded by David Hess to adjourn the meeting at 1:40 AM.

**Motion Passed 5-0**

Respectfully Submitted

Linda Simmons