

Regular Meeting
Planning Board
July 10, 2013

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 10th of July 2013. The meeting was called to order by Chairman Hess at 7:30 PM and upon roll being called, the following were:

PRESENT:	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
	Ron DeTota	C & S Engineers
	Linda Simmons	Planning Board Secretary

ABSENT:

A motion was made by James Palumbo seconded by Allen Kovac to approve the minutes of the previous meeting of June 10, 2013.

Motion Passed 6-0

A motion was made by James Palumbo seconded by Allen Kovac to approve the minute of the meeting of May 22, 2013.

Motion Passed 6-0

Public Hearings:

****7:30 PM – Case #2013-020 – *David G. and Linda J. Martin*- Site Plan – 7527 Buckley Road**

Tim Coyer from Ianuzzi and Romans presented. This parcel is zoned O-1 neighborhood office. They will use existing drainage and utilities. A 25' by 43' addition is proposed. This needs an additional 10 parking spaces.

County referral comments:

1. use existing services
2. applied for driveway permit

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Existing lighting will be used. No change in residential lighting. They will modify the ramp area/loading zone. Reserve parking will be graded. No comments have been received for handicap access by fire department. This is needed. There will be no impact to existing trees. There is room for trees and shrubs. The maximum lot coverage is 60%, Hal Romans believes they will meet this.

Better landscaping plans are needed. Removal of parking spaces/pavement on the left side of the building is required. Reserve parking in rear can be provided.

A motion was made by Hal Henty and seconded by James Palumbo to adjourn the Public Hearing to July 22, 2013.

Motion Passed 6-0

****7:35 PM – Case #2013-021 – *Avicollis Pizzeria And Restaurant Addition- Site Plan - 7839* Oswego Road**

Mark Weiss from Mark Weiss Associates presented. Mr. Weiss stated that they will be placing a seven foot vinyl fence around the perimeter of the property as this was a requirement of the ZBA variances. There will be a dumpster enclosure matching the outside of main building, the proposed addition will be in 2 phases.

There will be a façade renovation. Additional parking will be addressed in phase one. Illuminated curb cut will be on Wetzel Road with removal of some of the curb cut to allow ingress only on Wetzel Road. There will be a change to the curb cut on Rt 57, there will no longer be full access onto Rt 57. Storm water management needs to be addressed. Drainage/Wetland issues need to be worked out with DEC.

Proposed lighting will be pole lighting with LED lighting and illuminated roof lighting. All lighting will be facing inward.

The high pressure gas line issue was discussed next. The code states that 33 feet with no excavation within 50 feet and this must meet ASA standards. 230-19. We will need verification of this from pipe line owner.

All signs will stay unless illuminated, variances for parking on north and west will be addressed. This will be one story building with high ceilings in banquet area. Grease traps must be properly sized and approved by health department. Signage shown is for demonstration purposes only. They will need signs facing inward. Reduction in width of ingress and shape of ingress must be shown. There will be no spillage of lighting onto residential neighbors. Letter is needed from gas company regarding the pipeline. Trees should be placed on corners. They can deal with Ron DeTota regarding wetlands. Landscaping plans must show easements.

The Chairman asked if anyone from the public had any comments about the proposal.

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David George spoke about lighting spilling onto his property.

John Kennedy spoke about 100's of gallons of sewage that overflows from grease traps. He questioned littering and late night noise. Drinking on property. He was advised that littering, and noise control was not a planning board issue and he should contact the police department about these issues. Health department should be contacted about grease overflows and washing of mats. Dumpster emptying at 6:00 am on Sundays should be addressed with the owner.

Issues of traffic study should be addressed by county DOT. Snow removal needs to be addressed.

A motion was made by Russ Mitchell and seconded by Allen Kovac to adjourn the Public Hearing to August 14, 2013.

Motion Passed 6-0

****7:40 PM – Case #2013-024 – *Clay Community Church – 7652 Morgan Road – Site Plan***

Rudy Zona Engineer presented. He is looking for a 4,800 square foot building. They will have 48 parking spaces and will bank up to 81 parking spaces. The congregation will plan for additional parking spaces. There will be Stormwater retention with no public sewers reaching this site. Septic System approval has been requested. This has been submitted to county for approval.

Minimal landscaping with preservation of current trees out front and additional vegetation to be placed on exits. Lighting of parking area needs to be shown. The dumpster may need to be relocated when expansion of parking area, this must be shown on plans. Height of building needs to be shown. Copy of OCWA form letter is needed. Architectural drawings and forms must be included. Fire Department letter is needed. Gates will be wooden slats. Building and dumpster enclosure will be of same material. Handicap ramp will be corrected. Discussion with Ron DeTota about water is recommended.

Peter Auyer from Clay Community Church states they will be celebrating the 5th anniversary of this new church.

A motion was made by Hal Henty and seconded by Russ Mitchell to adjourn the Public Hearing to July 24, 2013.

Motion Passed 6-0.

Old Business: Adjourned Hearings:

****2013-011 *Gary Greer, Lands of Francis Greer (3)- Preliminary Plat, 4787 Grange Rd.* (adjourned from 3 previous meetings)**

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A motion was made by Hal Henty and seconded by James Palumbo to adjourn the Public Meeting to July 24, 2013.

Motion Passed 6-0

****2013-013 Robert Trybulski, Moe's Restaurant (3)- Site Plan, 7560 Oswego Rd. (Adjourned from 2 previous meetings)**

Chairman Hess opened the public hearing. Robert Trybulski was present on behalf of the applicant. Mr. Trybulski stated that lighting plans show all new poles. LED light heads, and recessed lights. Dumpster exterior will be masonry units. Coating of material to match color but not material. Shown on 7-3-2013 plans. Need to indicate the base of light poles on plans. 4200 K with shielding on lights. OK per Ron DeTota engineer.

Access cross easement is in the process. Copy of memorandum from the Baldwin Attorney has been submitted. This issue will be addressed by Scott Chatfield. Attorney Baldwin needs to submit and file a survey on Klink property with a legal description, in place and recorded.

Added variety in shrubs and landscaping in back and along front. Mr. Wilson said he would be unable to make further changes to the building.

Joyce Cerrito offered her opinion on building exterior. She would like to keep the neighborhood feel in the architectural style of the building.

Traffic study addressed by Rudy Zona, this has been submitted to county on June 26, 2013. They have not yet gotten back to them. He does not feel much of an adjustment is needed. MOU is sufficient to move forward. GML 239 recommendation support

Russ Mitchell stated he did not like the design of the building being proposed. He felt the design did not fit the corridor and a current building that did fit the corridor was being removed and taken out. He suggested two things he felt would make the building more residential friendly...the tower should be lower to the the roofline and a façade similar to Avicoli's and other buildings in the immediate area would be a better fit, this building will be out of place in the corridor. He had checked the building styles in other cities and the freestanding Moe's Restaurants were built to complement the areas. He stated previously when developers have built in the Town of Clay they have changed their designs when we have suggested better fits in the corridors where they were building with the recent example of the Super Walmart on Route 11 when it took almost six months to finalized the design. He did not want another albatross in the route 57 corridor like the CVS building at Wetzel and Route 57. He also made it a point to read the NC-1 description acknowledging that development shall be enhanced by encouraging adequate provisions for landscaped open space, attractive architecture and other amenities.

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Public Hearing is closed.

A motion was made by Karen Guinup seconded by James Palumbo to adopt a resolution using standard form # 10, SEQR determination for Case # 2013-013 Robert Trybulski, Moe's Restaurant, located at 7560 Oswego Rd., be declared an unlisted action and a negative declaration as it appears to have no potential environmental impact to land, water and air, no potential impacts to noise, odor and public health which can not be mitigated and does not involve any other permit granting agencies, including the Federal Government.

Motion Passed 5-0

A motion was made by Karen Guinup and seconded by Allen Kovac using standard form #20 granting Site Plan Approval to Moe's Restaurant on property located at 7560 Oswego Road, for case # 2013-013 based on a map by RZ engineering PLLC being file number A2O dated April 12, 2013 and last revised July 10, 2013 including sheets C1, C2, C3, C4 subject to all engineering and legal requirements.

Motion passed 5-1.

James Palumbo, Allen Kovac, Hal Henty, Karen Guinup, David Hess in favor
Russ Mitchell against.

Russ Mitchell stated he voted against the site plan as he felt the access cross easement to the Klink property needed to be signed off with the t's crossed and the I's dotted before the plan is approved. He further stated that the Town of Clay needed to have some architectural standard language in our codes so a developer can not come into our Town and build whatever he wants without regard for how it fits in with our residences and commercial corridor.

The lighting will be with Valtime 4000 K with direct shield per cut sheet dated 6-19-2013.

Subject to following conditions:

MOA from John Dowd letter to Robert Trybulski
2-10-2013 enclosing agreement written agreement.

June 10, 2013 parties eventual excusion to ingress and egress easement. No permits will be issued without easement draft.

****2013-019 Clay Apartments LLC - *Rivers Pointe Apartments – Phase II* (3)- Site Plan, West of Laser Drive and Dell Center Drive (Adjourned from 1 previous meeting)**

Mark Costich of Costich Engineering presented. He was accompanied by Todd and Kevin Morgan.

Added summary of changes.

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1. Building K and J rotated to face north
2. moving of dumpster enclosure to white vinyl with white vinyl gate
3. added curb for first 100 feet into site
4. revise parking and added more parking spaces to total of 983 spaces

Suggestion to move pavilion to higher ground.

Possible trellis and retaining wall

Set back cleaned up

Same lighting

476 trees

The Chairman closed Public Hearing.

A motion was made by Russ Mitchell seconded by Allen Kovac to adopt a resolution using standard form #20, Site Plan Approval for Case # 2013-019 located at west end of Laser Drive and Dell Center Drive, based on a map by Costich Engineering being filed for Case 2013-019 dated June 26, 2013, last revised July 10, 2013 including sheets CA 100, CA110, CA120, CA130, CA1400 subject to all engineering and legal requirements.

Motion Passed 6-0

****2012-029 Wildflower/Dixon Farm – Preliminary Plat – 8946 Henry Clay Boulevard
(adjourned from 7 previous meetings)**

Mr. Barnaba is considering withdrawing his application, and will let the Planning Department know his intentions.

A motion was made by James Palumbo, seconded by Hal Henty to adjourn the Public Hearing to September 25, 2013.

Motion Passed 6-0

Old Business: Hearings Closed

NONE

New Business:

SIGNS

Sign-A-Rama/Joseph Janowski– Bayberry Plaza – 7608 Oswego Road

Zoned RC-1, Permit #44,823

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Seventeen new façade signs, channel letters. Must stay within codes. Approved as presented. Any changes to the post office sign, or any other signage must reappear before the Board.

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

Motion Passed 6-0

Sign-A-Rama/JMA connecting wireless – 7645 Henry Clay Boulevard

Zoned I-1, Permit #44,851

1 - freestanding sign 4 feet by 8 feet, a total of 32 square feet, internal illumination Led, when 32 square feet is allowed.

Face change only. Size and lighting are the same. Directional signs off roadway at least 75 feet back do not need approval as long as they are interior property signage.

Window sign. Address will be on building. 12 inch numbers.

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

Motion Passed 6-0

Work Session:

NONE

A motion was made by James Palumbo, seconded by Hal Henty to adjourn the meeting at 12:05 AM.

Motion Passed 6-0

Respectfully Submitted

Linda Simmons