

APPROVED

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga held at the Town Hall located at 4401 State Route 31, Clay, New York on September 11, 2019. Deputy Chair Karen Guinup called the meeting to order at 7:30 PM. Upon roll call, the following were:

PRESENT:	Karen Guinup	Deputy Chairperson
	Michelle Borton	Member
	Hal Henty	Member
	Allen Kovac	Member
	James Palumbo	Member
	Scott Soyster	Member
	Mark Territo	Commissioner of Planning & Development
	Ron DeTota	C & S Engineers
	Scott Chatfield	Planning Board Attorney
	Gloria Wetmore	Planning Board Secretary
ABSENT:	Russ Mitchell	Chairman

Karen Guinup asked everyone to observe a moment of silence, in remembrance of those lost in the 9/11 attacks.

A motion was made by Jim Palumbo seconded by Al Kovac to approve the minutes of the August 14, 2019 meeting.

Motion Carried 5-0 *Scott Soyster abstained due to his absence from that meeting.*

Public Hearings:

New Business:

*7:30 P.M Case #2019-022 – *Wetzel Road Zone Change* (5) – Zone Change Referral – 4521-4577 Wetzel Road

Karen Guinup opened the public hearing; Mark Territo gave a brief overview of the zone change. The area right now is nonconforming the Town is asking for a Zone Change from Industrial District to R-40 Residential District.

Karen Guinup said if the Town Board does approve this Zone Change the 2 parcels across from Veritech should not be included, she added that the Town Board should take a good look at the Code and the definition of non-conforming, perhaps rework the Code. All of the Board members agreed, Karen asked if there were any more comments or questions, hearing none she closed the hearing and asked for a motion.

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A motion was made by Scott Soyster seconded by Hal Henty to refer this case back to the Town Board and recommend a change of definition of Non-Conformity, and not approve the Zone Change.

Motion Carried 6-0

****7:40 P.M. Case #2019-025 – *Side Track Enterprises, entryway* (3) – 4975 NYS Route 31 – Amended Site Plan**

Karen Guinup opened the public hearing, Lou Sotherden presented; the entry was on the narrative but not on the site plan. Karen Guinup said none of the Board Members had anything on the entryway, and there is nothing in the file regarding the “freight car” entrance.

All the Board has is a picture of the freight car.

Lou said it is a brand new container with new doors on either end of the container. The interior is painted white and it is well lit.

Karen Guinup asked if the NYS Dept of Alcohol, Tobacco and Fire Arms inspect the establishment before or after opening, the applicant said no one comes to inspect.

Hal Henty asked for plans of the container, there must be specifications, there is a roof ,what is the snow load?

Al Kovac asked if the container meets the Town Code, it is probably the most structurally sound entry in the Town.

Jim Palumbo said the container has been altered; the specs would only pertain to an unaltered container. He then asked how the entry was lit. The applicant said there are strung LED lights on night and day.

Michelle Borton asked how the building inspector evaluated the container, she also pointed out that the signage is different and there is a deck on the side that was not on the Site Plan.

Mark Territo said the Site has to be brought up to date.

Jim Palumbo said when the State DOT makes a change to an approved Site Plan; shouldn't they notify the Planning Board? The Board had an approval from the State DOT.

The applicant said they were dealing with one person and someone else took over and made some changes.

Jim Palumbo said the sidewalk was done well it looks great.

Lou Sotherdon asked if the Board would accept an engineer's report on the container.

Karen Guinup said they would. After comments from The Commissioner of Planning, the Attorney and the Engineer she said this would have to be handled “as built” due to all the discrepancies on the Site Plan that was approved.

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Karen Guinup asked if there were any additional comments or questions, hearing none she asked for a motion.

A motion was made by Michelle Borton seconded by Scott Soyster to adjourn this case to the September 25, 2019 meeting.

Motion Carried 6-0

Old Business:

****Case #2018-055 – David Stoutenger/Cornerstone Church (3) – 8137 Morgan Road – Site Plan (Adjourned from 6 previous meetings)**

A motion was made by Hal Henty seconded by Michelle Borton to adjourn this hearing to the September 25, 2019 meeting.

Motion Carried 6-0

****Case #2019-001 – *Georgian Court Expansion* (3) – Site Plan – Georgian Court (just north of Candlelight Circle) (Adjourned from 7 previous meetings)**

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn this hearing to the October 23, 2019 meeting.

Motion Carried 6-0

****Case #2019-020 – *Chenega IH, LLC- IHOP* (3) – NYS Route 31, Great Northern Mall Outparcel –Site Plan (Adjourned from 1 previous meeting)**

Karen Guinup opened the public hearing, Neal Zinsmeyer of Naparella Consulting Presented the plan. Mr. Zinmeyer gave the Board members a summary letter and an E-Mail see attached.

Karen Guinup said the signs will not be included in the Site Plan approval; all signs go through a separate permit. Additional signage may have to go through the ZBA.

Karen asked if there were any more comments or questions, hearing none she closed the public hearing and asked for a motion.

A motion was made by Michelle Borton seconded by Hal Henty to move the adoption of a resolution using standard form # 10 SEQR for case #2019-020 – ***Chenega IH, LLC- IHOP*** located at **NYS Route 31, Great Northern Mall Outparcel**. The proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed will not have a significant effect on the environment and the resolution shall constitute a negative

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resolution for the following reasons. The proposed action is consistent with surrounding land uses, and will not significantly impact traffic, storm water or community character.

Motion Carried 6-0

A motion was made by Michelle Borton seconded by Jim Palumbo to approve a resolution using standard form # 20 Site Plan. For **Case #2019-020 – Chenega IH, LLC- IHOP located at NYS Route 31, Great Northern Mall Outparcel**. Based on a map by Napierela Consulting dated 7/15/2019 revised 9/04/2019 and numbered C-1, C-2, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14 and C-15.

Floor Plan dated 09/04/2018 and numbered A1-0
Exterior Elevations dated 09/04/2018 revised 09/11/2019 and numbered A2.0 reflecting 126.5 building height.
Exterior Elevations dated 09/04/2018 revised 09/11/2019 and numbered A2-1 reflecting 26.5 elevation also 119 and 4-1/2.
With the comment that all signs go through a separate permitting process.

Conditioned upon all legal and engineering

Motion Carried 6-0

****Case #2019-021 – Brian Burri, Bergmann Architects, Engineers, Planners- Walgreens (3) – 3588 NYS Route 31 – Amended Site Plan (Adjourned from 1 previous meeting)**

Karen Guinup opened the public hearing, Brian Burri, Bergmann Architects, Engineers presented the plan, they removed the fence from both sides. Added landscaping to the new detail sheet. The light poles are 20 ft including base.

Jim asked about the plantings in front, using ornamental grasses that can survive our harsh winters was good. They also added a note on the plan about maintaining the existing landscape.

Scott Chatfield explained that the road has never been built as it should have been when the Site Plan was approved. Scott will work with the Owners Attorney to write up an agreement, to include a commitment from all owners when and if the properties are lined up. At that time all owners will split the cost of straightening the road.

Karen Guniup asked if there were any more comments or questions, hearing none she closed the public hearing and asked for a motion.

A motion was made by Jim Palumbo seconded by Al Kovac to move the adoption of a resolution using standard form # 10 SEQR for **Case #2019-021 - Walgreens –located at 3588 NYS Route 31**. The proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons.

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The Site Plan as submitted is similar and cohesive with surrounding parcels.

Motion Carried 6-0

A motion was made by Jim Palumbo seconded by Al Kovac to approve a resolution using standard form # 20 Site Plan Approval. For **Case #2019-021 - Walgreens –located at 3588 NYS Route 31**. Based on a map by Bergmann Associates dated 07/01/2019 revised 08/09/2019 and numbered C-100 and C-140 and revised 08/22/2019 numbered C-130 and C-500. Conditioned upon all legal and engineering.

Motion Carried 6-0

Closed Hearings

****Case #2016-013 – America Stores – It – (3) Site Plan – Oswego Road (Adjourned from 33 previous meetings)**

Hal Henty left the board at 8:50 P.M.

Karen Guniup asked for an update, Joe Mastroianni updated the Board. There was a letter from The Army Corp dated 7/12/2019, there was a lengthy discussion on Ducks Unlimited. Michelle Borton asked for detail on the front sliding gate added to D-5. Karen Guinup asked about the fence, it will all be black. Karen asked if the applicant had combined the lots. The Applicant said not yet. Karen explained that the Board could not approve this case until the lots are combined. She recommended they talk to the Town Assessor to do this administratively. Michelle Borton recommended the applicant work closely with the Assessor and or the County to be sure the lots are combined ASAP.

A motion was made by Michelle Borton seconded by Jim Palumbo to adjourn this case to the October 23, 2019

Motion Carried 5-0

Hal Henty returned to the Board at 9:15 PM

Signs

Ray Sign – Five Guys – 3810 NYS Route 31

Zoned RC-1, Permit #50,346

2 – Wall signs - The applicant wants to construct two LED wall signs, each wall sign 44.2 square feet. The proposed signs will meet the code.

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A motion was made by Al Kovac seconded by Michelle Borton to approve the sign as presented.

Motion Carried 6-0

Charles Signs – *irby* – 4583 Buckley Road

Zoned I-1, Permit #50,352

1 – Wall sign – The applicant wants to construct a wall sign, 19.18 square feet.

1 – Freestanding sign - The applicant wants to install an 18 square foot sign on an existing pole, company name only.

Add the street number on the free standing sign.

The proposed signs will meet the code.

A motion was made by Scott Soyster seconded by Jim Palumbo to approve the sign as presented.

Motion Carried 6-0

Skylight Signs, Inc. – *Bryant & Stratton College* – 7805 Oswego Road

Zoned RC-1, Permit #50,362

1 – Wall sign – The applicant wants to construct an LED wall sign, 70 square feet. The proposed sign will meet the code.

A motion was made by Al Kovac seconded by Scott Soyster to approve the sign as presented.

Motion Carried 6-0

Signage Systems – *Messiah's Church* – 8181 Stearns Road

Zoned RA-100, Permit #50,370

1 – Freestanding sign - The applicant wants to install a 23.4 square foot freestanding sign.

The proposed sign will meet the code.

No action the Board needs more information.

Bergmann Architects – *Walgreens (Kimbrook)* – 3588 NYS Route 31

Zoned RC-1, Permit #50,378

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1 – Wall sign – The applicant wants to construct an LED wall sign, 32.01 square foot.

1 – Roof sign - The applicant wants to construct an LED roof sign, 32 square foot.

The proposed signs will meet the code.

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

Motion Carried 6-0

Everbrite – Dunkin’ – 3800 Brewerton Road

Zoned RC-1, Permit #50,403

2 – Wall signs – The applicant wants two LED wall signs, one 22.67 square feet and one 12 square feet. The proposed signs will meet the code.

A motion was made by Hal Henty seconded by Scott Soyster to approve the sign as presented.

Motion Carried 6-0

Victory Sign – America’sBest contacts and eyeglasses – 3820 NYS Route 31

Zoned RC-1, Permit #50,404

2 – Wall signs – The applicant wants one LED wall sign, 53.03 square feet and one wall sign 52.7 square feet. The proposed signs will meet the code.

A motion was made by Jim Palumbo seconded by Al Kovac to approve the sign as presented.

Motion Carried 6-0

A motion was made by Michelle Borton seconded by Al Kovac to adjourn the meeting at 9:30 PM.

Motion Carried 6-0

Respectfully Submitted



Gloria Wetmore

Neal Zinsmeyer

From: naturalheritage@nynhp.org
Sent: Thursday, August 15, 2019 10:18 AM
To: Neal Zinsmeyer
Subject: Confirmation of your submitted request to New York Natural Heritage

Submission ID: 3583
Submitted on Thursday, August 15, 2019 - 10:18 Submitted values are:

Company, Organization, or Agency: Napierala Consulting **Requestor Name:** Neal Zinsmeyer **Requestor Address (Street/PO Box):** 110 Fayette Street **Requestor City:** Manlius **Requestor State:** New York **Requestor Zip Code:** 13104 **Requestor Telephone #:** 3156825580 **Requestor Email:** nzinsmeyer@napcon.com **Project Type:** commercial development **Project Name:** Proposed IHOP Restaurant **Project Applicant:**

Project County: Onondaga
Town (Onondaga County): Clay

Project Summary: New construction of a 4,600 square foot restaurant on an existing 1.1 acre vacant parcel on an outparcel of the Great Northern Mall. The lot is mainly grass with a few ornamental trees. Additional information has been requested by the Town of Clay Planning Board (lead agency) in order to grant site plan approval. Although this project is in a highly commercialized corridor which has been extensively disturbed/cleared/developed in the past we need to know whether the proposed project would likely impact any ecologically significant areas or rare species of plants or animal.

Current Land Use: vacant commercial
Tax parcel number: 28.-01-45.1If you are submitting a map, this field is optional.
Latitude: 43.186
Longitude: -76.222
Street Address of Project:
Project Notes:

September 4, 2019

Mr. Russ Mitchell
Planning Board Chairman
Town of Clay
4401 Route 31
Clay, NY 13041

RECEIVED

SEP - 4 2019

**PLANNING AND
DEVELOPMENT**

Re: IHOP Restaurant
Outparcel at the great Northern Mall

Mr. Mitchell;

Enclosed for review is a set of revised site plans and related information based on previous comments and recent project developments as outlined below.

Project Narrative Comments

- We have revised the plans, project narrative and traffic generation calculations with the correct seat number of 182 as per the architectural drawings.

Site Plans Comments

- Zoning Board of Appeals action - We have included the zoning board of appeals case # 1758 and date for the parking variance on the layout plan, C-4
- Access easement- We have included the partial deed that was available from the current owner in this resubmittal. We also sent this via email to Mark Territo on 08/30/2019.
- Light fixture mounting height – We have revised the pole base heights to 20' instead of 24' on C-9 and Detail 1/C-11.
- Light pole base heights – We have clarified the heights of the exposed bases of each light pole base on C-9 and Detail 1/C-11.
- NYSDOT review- We have included emails from NYSDOT representatives that the lighting plan is acceptable and waiting for an update on the SWPPP status.
- State Historic and Preservation (SHPO) – This letter has been included and concluded there is no impact
- NYS Dept. of Environmental Conservation – Species request submitted to Natural Heritage on 08/15/2019 and waiting for their response.
- Dumpster doors – Detail 6/C-12 has been revised to include power coated metal doors.
- Bioretention basin species/quantities – The landscaping chart on Detail 1/C-13 has been clarified to indicate the total quantity of all the bioretention basins
- Landscaping trees/screening – We added trees on the north side of the dumpster pad to increase the screening of the dumpster wall on the landscaping plan, C-9

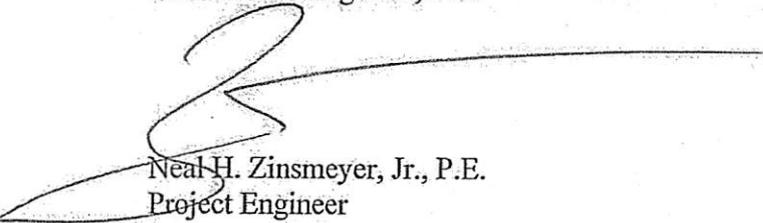
Town Engineer Comments

1. Add a note on the utility plan that the contractor to notify the town 72 hours in advance of making the sewer connection
 - a. This note has been added to C-7.



2. Consider revising the outlet to the storm system to the detention basin.
 - a. The detention basin is off this property and there is no opportunity to obtain an easement across the adjacent property to outlet directly to the basin.
3. Investigate the potential for backflow into the underground system so if the existing pipe system backs up it does not affect our system
 - a. We have revised the system to connect to a higher elevation of the existing 36" storm pipe as well have included a check valve to prevent back flow.
4. Add a note on the plan that the stormwater system needs to be inspected/certified that it was installed as per plans prior to the town issuing a Certificate of Occupancy
 - a. This note has been added to the utility plan, sheet C-7.

Respectfully submitted,
NAPIERALA CONSULTING
Professional Engineer, P.C.



Neal H. Zinsmeyer, Jr., P.E.
Project Engineer

Project Narrative - IHOP:

Location: State Route 31 (outparcel to the Great Northern Mall)
Clay, NY 13041
Tax Map ID 028.-01-45.1
Parcel Size 1.18 acres

Applicant: Chenega IH, LLC
12150 Tech Road
Silver Springs, MD 20904
Contact: Mike Vesely, 240-750-7372

Contacts: Project Site Engineer
Napierala Consulting, (315) 682-5580
Project Architect
ID Studio 4, (972) 870-1288
Mechanical Engineer
Fortune Engineering Group, (315) 472-4800

Project Narrative:

Chenega IH, LLC is proposing a 4,600 square foot IHOP restaurant on an existing vacant, previously subdivided outparcel of the Great Northern Mall. The proposed layout of the site complies with the Town of Clay's RC-1 (Regional Commercial) zoning guidelines for all building and landscaping setbacks along with building area and height requirements. The applicant has received Zoning Board of Appeals approval for the reduction of parking spaces from the town code requirement of 115 spaces to the tenant required 66 spaces. This approval was granted at the 07/08/2019 Zoning Board of Appeals meeting.

The services provided by this project includes a full service, family dining style restaurant. There are 182 seats in the restaurant which caters a full menu from breakfast to dinner. Regular operation of the restaurant will include 75 full and part time employees. Hours of operation will be seven days a week from 6:00am to 10:00pm. The front of the building will face Route 31 for maximum visibility and building recognition and will have an attractive view from Route 31.

Access to the property will be from a single driveway along the existing ring road of the Great Northern Mall. The perimeter of the site includes greenspace/landscaped areas to accent the site and building along with a 5' wide sidewalk around the building for patron access. Site lighting will provide enough light to illuminate the parking areas for safety.

Stormwater management is designed to meet the current standards set forth by NYSDEC. The runoff reduction requirement will be met by utilizing bioretention areas and peak flow will be attenuated in an underground detention system. Stormwater will be released from the detention system from a control structure that outlets to an existing storm pipe(s) running through the property.



The stormwater Pollution Prevention Plan/Drainage Report will be subject to review and approval from the town.

Public utilities available at the street include water, natural gas and electric. Water connection will be subject to approval from OCWA and gas/electric will be coordinated with National grid. Sanitary sewer service is provided via an existing Town of Clay owned sewer main that runs through the property in a utility easement.

New vehicle trips generated during typical morning (7am to 9am) and evening (4pm to 6pm) that coincide with commuter traffic is based on the ITE Trip Generation Manual, Land Use Code 93. With a seat count of 182, 86 vehicle trips in the morning (45 in and 41 out) and 75 vehicle trips in the evening (43 in and 32 out) can be expected. Calculations are attached to this summary. Our office contacted NYSDOT in May 2019 regarding traffic and trip generation. They indicated via email that a traffic study will not likely be warranted given that the traffic generated by the mall has decreased significantly over the years with the loss of tenants in the mall, including restaurant space.

See the attached document "IHOP Restaurant Project Schedule" for an estimated project schedule.

NAPIERALA CONSULTING
Professional Engineer, P.C.

Neal H. Zinsmeyer, Jr., P.E.
Project Engineer

Preliminary Project Schedule

ID	Task Name	Duration	Start	Finish
1	Town Approvals	60 days	06/2019	09/2019
2	Construction Documents	60 days	06/2019	09/2019
3	Bid/Contract Award	20 days	09/2019	09/2019
4	Mobilization	1 day	10/2019	10/2019
5	Site Work/SWPPP	30 days	10/2019	11/2019
6	Foundation/Utilities	30 days	10/2019	11/2019
7	Bldg Shell/Exterior Finishes	30 days	11/2019	02/2020
8	Fine Grading/Paving	5 days	11/2019	11/2019
9	Landscaping/Site Amenities	5 days	11/2019	11/2019
10	Substantial Completion	1 day	02/2020	02/2020
11	Certificate of Occupany/Inspection	1 day	02/2020	02/2020
12	Final Completion	1 day	02/2020	02/2020