

APPROVED

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 23rd of July 2014. 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
	Allen Kovac	Member
	Hal Henty	Member
	Russ Mitchell	Member
	James Palumbo	Member
	Michelle Borton	Member
	Gloria Wetmore	Planning Board Secretary
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Mike Frateschi	C & S Engineers

A motion was made by James Palumbo seconded by Allen Kovac to approve the Minutes of Previous Meeting

Motion Passed 6-0 (Karen Guinup abstained / she was absent for the previous meeting)

Public Hearings:

*7:30 PM - Case #2014-026 – *Andrew Augustinos* – (5) Zone Change referral – 4976 W. Taft Road

Chairman Hess opened the public hearing. Hal Romans was present for the applicant. Hal explained this zone change was referred to this Board by the Town Board for recommendation. The property is zoned R-10 (nonconforming) residential, the applicant is going for O-1 Office. Hal said the applicant has tried to rent this property for residential use, to no avail. The applicant would like to rent this for a professional office, a law or accounting office. The parking is asphalt with parking for 4 to 6 cars. The applicant would rent the 1st floor for office and use the 2nd floor for storage. Hal Romans said that if the zone change doesn't go through, they will go to the Zoning Board for a use variance.

Allen Kovac asked if the applicant if he saw the County's comment about adding this site to the PDD, Mr. Romans said that the property doesn't fit into the PDD.

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Scott Chatfield said that some variances may be needed if the Zone Change goes through. David Hess said that if the Zone Change is granted the County may insist on Rt in Rt out Only.

Mark Territo asked Hal Romans if this is septic or sewer, Hal said it is on septic. The Board would like to see where the septic is on the plan, as well as the parking lot. Chairman Hess asked for a roll call vote for referral:

Russ Mitchell: No would like to see the property.

Hal Henty: No

Karen Guinup: No

Allen Kovac: No

Michelle Borton: No

James Palumbo: Leaning toward referral, would like to look at the site.

Chairman Hess: No, doesn't think it is suitable for residential or commercial, but since it is currently zoned residential the property should attempt to be used as such; or the applicant should seek a use variance through the Zoning Board of Appeals.

A motion was made by Allen Kovac seconded by Karen Guinup to adjourn this Public Hearing to August 13, 2014.

Motion Passed 7-0

**7:35 PM – Case #2014-029 – *McDonalds Corporation* – (3) Site Plan – 3869 NYS Route 31

Chairman Hess opened the Public Hearing. Chris Boyea of Bohler Engineering was present for the applicant, explained the plan. The applicant will renovate the exterior and interior of the existing building. The exterior parking lot will be changed so people won't have to cross in front of the drive thru lane traffic to enter the restaurant. The parking and walkways will be updated. The interior will have new bathrooms and new décor; all will be ADA compliant.

They are proposing two drive thru lanes for ordering and merge down to one lane for pick-up. Mr. Boyea stated that the Special Permit has all been approved including the signs. Karen Guinup informed Mr. Boyea that there is a separate application for approval of signs and he will have to go through the planning department to start that process. Chairman Hess likes the traffic shift so people don't have to cross oncoming traffic. He asked if the applicant looked into moving the entrance. He would also like to make the entrance Rt in Rt out only.

Hal Henty asked if the applicant had gone back to COR, owners of the plaza to discuss moving the entrance, after the last meeting. Mr Boyea said he did not, the legal Department for McDonalds handles these matters, and said COR doesn't want to change the entrance.

Mr Boyea said that if the applicant was forced to move the entrance they would withdraw and drop everything.

Karen Guinup said right now would be a good time to implement the Rt in Rt out, to alleviate traffic.

Hal Henty is very disappointed that McDonalds didn't make any effort to talk to COR again about moving the entrance.

Russ Mitchell explained how the discussion went at the last meeting, and the Board requested the entrance be moved.

David Hess said he will go out to the site so he can evaluate how the entrance and exit is working currently, he also requested the applicant to contact the local police agency and find out how many accidents have occurred at this location.

Michelle Borton , the ideal situation would be to connect to the Radio Shack entrance.

Allen Kovac, in favor of Right in Right out only.

Russ Mitchell, in favor of Right out only but two ways in.

Karen Guinup, in favor of moving the entrance to the East.

Hal Henty, in favor of moving the entrance.

James Palumbo, not in favor of the Right in Right out only.

James asked if the parking spaces could be switched to 90°, Mr. Boyea explained that this would not work because there isn't enough room. Jim also asked for a landscape plan. He would also like to see a better curb cut for the entrance.

Chairman Hess asked if there were any more comments or questions, there were none.

A motion was made by Allen Kovac seconded by Jim Palumbo to adjourn the hearing to August 13, 2014.

Motion Passed 7-0

Old Business: Adjourned Hearings:

** Case #2014-030 – *B&B Taft Rd., LLC (Simon Agency)* (3) - Site Plan,
4938 W. Taft Rd. (Adjourned from 1 previous meeting)

Hal Romans was present for the applicant. Hal explained all the issues brought up by Ron DeTotas E-Mail. The storm water issues, the trees will be moved to the east because they were in the swale. These issues were addressed on page 5 of the plan.

Detail on the ADA sidewalk detail and handi-cap sign are on page 2 of the plan.

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Canopy light will be on a timer on at 9pm off at 6am.

David Hess said the applicant is limiting the future of the building you may want to change the wording to No later than midnight.

The landscape as per the commercial plan when the PDD was approved.

Ornamental pears at the entrance, and blue spruce for the buffer.

Chairman Hess asked if there were any comments or questions, there were none.

A motion was made by Michelle Borton seconded by Hal Henty to close the public hearing.

Motion Passed 7-0

A motion was made by Russ Mitchell seconded by Jim Palumbo to adopt a Resolution using standard form # 10 SEQR determination for P B Case # 2014-030, B&B Taft Road LLC., located at 4938 West Taft Road, Site Plan. That the proposed 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 the resolution shall constitute a negative declaration. (For the following reasons)

1. All potential impacts have been considered.

Motion Passed 7-0

A motion was made by Russ Mitchell seconded by Hal Henty to adopt a Resolution using standard form # 20 Site Plan Approval PB Case # 2014-030 B&B Taft Road LLC located at 4938 West Taft Road. Based on a map by Ianuzzi and Romans # 1, 2, 3, 5, and 6 dated July 17, 2014, #4 revised July 23, 2014. Daniel Manning, Architect, dated May 12, 2014 numbered A-1, A-2, A-3. Williams Outdoor Lighting prepared by Jo Lawrence dated July 15, 2014 and numbered 1, 2, 3, 4.

Motion Passed 7-0

New Business:

2014-037 – *Woodside Commercial* (5) (Inverness Gardens Commercial Phase I) - Amended Final Plat – 4938 West Taft Road

Hal Romans was present for the applicant; he showed the 2 lots on the plan, the ingress and egress. The 911 address will be Wintersweet Drive, considering there is no entrance or exit on to W.Taft Road. Mark Territo asked if the plan reflected the front set back line, and Mr. Romans said it did.

A motion was made by Russ Mitchell seconded by Hal Henty to close the public hearing.

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Motion Passed 7-0

A motion was made by Michelle Borton seconded by Russ Mitchell to adopt a resolution using standard form # 40 Final Plat (amended) approval for case # 2014-037 Woodside commercial located at 4938 West Taft Road. Based on a map by Ianuzzi and Romans file # 1431.023.

Sheet # 1 and dated July 18, 2014.

The approval is conditioned upon the developer complying with all the legal and engineering requirements as specified in the Town of Clay regulations.

Motion Passed 7-0

Signs:

Raymour & Flanigan-Burlington Coat Factory. – 4000 NYS Route 31

Zoned RC-1. Permit #45,660

Wall Sign – Applicant is proposing a 262 (corrected on the sign permit application) square foot wall sign, when 265 square feet is allowed. The sign will be internal lighting. The proposed sign will meet the existing code.

A motion was made by James Palumbo seconded by Russ Mitchell to approve the sign as presented.

Motion Passed 7-0

Raymour & Flanigan-Burlington Coat Factory. – 4000 NYS Route 31

Zoned RC-1. Permit #45,661

Wall Sign – Applicant is proposing a 329.84 (corrected on the sign permit application) square foot wall sign, when 463 square feet is allowed. The sign will be internal lighting. The proposed sign will meet the existing code.

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

Motion Passed 7-0

Ray Nasoni/ Signarama- Salvation Army Office Building. – 7453 Morgan Rd.

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Zoned O-2. Permit #45,689

Freestanding Sign – Applicant is proposing a 32 square foot monument sign, 4 feet high when a 32 square foot sign is allowed. The sign will have external lighting, lit from below. The proposed sign will meet the existing code.

A motion was made by Hal Henty seconded by Michelle Borton to approve the sign as presented.

Motion Passed 7-0

Charles Signs- *Ronald D'Amico Podiatric – 7593 Morgan Rd.*

Zoned O-1. Permit #45,736

Freestanding Sign – Applicant is proposing a 12.8 square foot freestanding sign, 6.2 feet high when a 24 square foot sign is allowed. The sign will be non illuminated. The proposed sign will meet the existing code.

A motion was made by Allen Kovac seconded by Russ Mitchell to approve the sign as presented.

Motion Passed 7-0

John Michael Sills-*Allstate Agency. – 8406 Oswego Rd.*

Zoned
HC-1. Permit #45,751

Wall Signs – Applicant is proposing a 19.1 square foot wall sign, when 28 square feet is allowed and a 3.1 square foot wall sign when 28 square feet is allowed. The proposed signs will meet the existing code. With NO FREE STANDING Signs.

A motion was made by Michelle Borton seconded by Karen Guinup to approve the sign as presented.

Motion Passed 7-0

Gupta Radheshyam- *Family Dentistry – 7597 Morgan Rd.*

Zoned O-1. Permit #45,753

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Freestanding Sign – Applicant is proposing a 14 square foot freestanding sign, 6 feet high when a 24 square foot sign is allowed. The sign will be non illuminated. The proposed sign will meet the existing code.

A motion was made by Allen Kovac seconded by Russ Mitchell to approve the sign as presented.

Motion Passed 7-0

Matthew Rahalski-*Big Mike's Service Center.* – 7459 Morgan Rd.

Zoned
LuC-1. Permit #45,755

Wall Signs – Applicant is proposing a 41.5 square foot wall sign, when 78 square feet is allowed and a 48.2 square foot wall sign when 70.8 square feet is allowed. The proposed signs will meet the existing code.

Karen Guinup stated that the applicant has removed some plantings and is now in violation of site plan. The owner should contact the Commissioner of Planning and Development to remedy this situation.

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

Motion Passed 7-0

A motion was made by Allen Kovac seconded by Hal Henty to adjourn the meeting at 9:50 PM.

Motion Passed 7-0

Respectfully Submitted



Gloria Wetmore