

Regular Meeting  
Planning Board  
July 12, 2017

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 12<sup>th</sup> day of July 2017. The meeting was called to order by Chairwoman Guinup at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	Karen Guinup	Chairwoman
	Russ Mitchell	Deputy Chairman
	Hal Henty	Member
	Allen Kovac	Member
	Michelle Borton	Member
	James Palumbo	Member
	Brian Hall	Member
	Mark Territo	Commissioner of Planning & Development
	Ron DeTota	C&S Engineers
	Scott Chatfield	Planning Board Attorney
	Gloria Wetmore	Planning Board Secretary

Karen announced that the Minutes of the previous meeting would be voted on at the July 26, 2017 meeting.

Public Hearings

**New Business:**

\*7:30 P.M. Case #2017-021 – *Empower Federal Credit Union* (5) – Special Permit Referral – 7670 Morgan Road.

Robert Strong of Apgar Architects explained the plan, they will add 3 ATM machines 15 foot long covered by a canopy and an 860 square foot addition for office space. The addition will match the existing building.

County DOT received the proposed entrance and exit.

Karen referenced the County comments; the applicant will keep the existing entrance.

Add the internal traffic to the Plan. There will be no access back to the building from the ATM's.

Jim Palumbo said the ATM's are usually attached to the tellers. Why do they need all the ATM's. Judy Graham of Empower explained that they will alleviate the back up of cars, they are used all hours of the day and night. Ron DeTota said the Town Board asked for signage and striping.

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

A motion was made by Brian Hall seconded by Al Kovac using standard form #60, for a favorable referral for Case #2017-021 – *Empower Federal Credit Union*– Special Permit located at 7670 Morgan Road.

**Motion Carried 7-0**

\*7:35 P.M. Case #2017-022 – *Rerob, LLC (ExpressMart)* (5) – Zone Change Referral – SW corner NYS State Route 31 and Lawton Road.

\*7:40 P.M. Case #2017-023 – *Rerob, LLC (ExpressMart)* (5) – Special Permit Referral – SW corner NYS State Route 31 and Lawton Road.

Karen Guinup opened both cases together; Alex Wisnewski was present for the applicant. The applicant withdrew the previous zone change and special permit applications. Now they are reapplying with amendments.

The first change is they are applying for a zone change from HC-1 to NC-1 on the residual 2 acres. Secondly they have added new buffering.

Karen said the Planning Board has heard the plan in the previous meetings, there will be no change in size of the building or the layout. There will be a gas station, Express Mart tenant and car wash. What will the hours of operation be? The Express Mart will be opened 6 am to 10 pm. The automated carwash will be 24 hours.

Karen went to the County comments, the State DOT will need Traffic and Lighting plans. Alex said he was aware of that and will comply.

Karen read residents comments from the April 12<sup>th</sup>, 2017 meeting; she asked that the residents keep their comments to 3 minutes; they will be timed by the attorney Scott Chatfield. Karen opened it up to the residents.

Yvonne Arnold of 5568 Wyandra Drive the car wash will be located 300 feet from my master bedroom, why does it have to be built on this side of the site. She also asked if there would be sidewalks put in.

Alex Wisnewski explained that they tried to relocate the carwash but because of setbacks for the highway the carwash couldn't be moved.

Sara Villnave of 5556 Wyandra Drive asked if the applicant will check for contaminants in the soil. She also asked if the State DOT will allow RT in and RT out on to Route 31. Karen explained that there will be EIS completed by the applicant. As for the state DOT that is up to them.

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Ann Madely of 5503 Tobin Path did an unscientific survey; she will give a copy to the Commissioner of P and D to be attached to the minutes. This was never received therefore cannot be attached to the minutes.

Jeremy Rossman of 5515 Tobin Path said no one has mentioned the noise from the car wash and the dryers, his house is only 700 feet from the car wash.

Scott Arnold asked for a copy of the County comments, Hal Henty gave him his copy.

Karen asked if there were any more comments or questions hearing none she closed both public hearings.

A motion was made by Al Kovac seconded by Hal Henty to adjourn Case #2017-22 to the July 26, 2017 meeting.

**Motion Carried 7-0**

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn Case# 2017-23 to the July 26, 2017 meeting.

**Motion Carried 7-0**

**\*\*7:45 P.M. Case #2017-025 – *Ted Williams for Firekeepers, LLC (Metals Building Renovations)* (3) – Amended Site Plan – 7643 Edgecomb Drive.**

Karen opened the public hearing, Mark Davies of DG Facility Solutions, LLC explained the plan. They will turn the building into a warehouse for overstock of bottled water and soda.

They are proposing an 1100 square foot cooler addition, 3 loading docks. All truck traffic will enter from the south. The northern driveway will not be used.

The building was built in 1971; there was not much storm water management. The State requires 25% of the water be treated, we plan on treating 100% of certain areas.

They will add wall pack lighting, no spill over. Fire protection requires building 60 feet from any other building. A lengthy discussion ensued on the 60 ft. The property owner owns both parcels so this is a nonissue for site plan approval.

Russ Mitchell asked if they would spruce up the building. Mr. Davies said they will.

Michelle Borton asked if they will have public or private sewers. The Onondaga County sewer trunk is right there.

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Karen asked if there were any comments or questions hearing none she closed the public hearing.

A motion was made by Michelle Borton seconded by Al Kovac using standard form#10 SEQR for Case ##2017-025 – *Ted Williams for Firekeepers, LLC (Metals Building Renovations)* Amended Site Plan – 7643 Edgecomb Drive.

That the proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed action will not have a significant effect on the environment and the resolution will constitute a negative resolution for the following reason;

The proposed action is consistent with the existing community character, and will not negatively impact traffic noise or public health.

**Motion Carried 7-0**

A motion was made by Michelle Borton seconded by Al Kovac to approve the amended site plan using standard form # 20 for Case #2017-025 – *Ted Williams for Firekeepers, LLC (Metals Building Renovations)* located at 7643 Edgecomb Drive. Based on a map by DG Facility Solutions, LLC Dated 06/20/2017 and numbered CD1.1, CD2.1, CD2.2, CD3.1, CD3.2, CD3.3 and EO.1. This approval is conditioned on all legal and engineering.

**Motion Carried 7-0**

**Old Business:**

\*Case #2015-042 – *McDonald's USA, LLC* (5) – Special Permit Referral – 4979 W. Taft Road. (Adjourned from 3 previous meetings).

A motion was made by Russ Mitchell seconded by Brian Hall to adjourn this case to the January 10, 2018 meeting.

**Motion Carried 7-0**

\*\*Case #2016-056 – *Kimbrook Route 31 Development, LLC- Philip Simao(Rite Aid)* (3) – Site Plan – 3566 & 3578 NYS Route 31. (Adjourned from 3 previous meetings).

A motion was made by Al Kovac seconded by Hal Henty to adjourn this case to the August 9, 2017 meeting.

**Motion Carried**

\*\* Case #2017-011 – *John Valletta, North Central Church Assembly of God* (3) – Amended Site Plan – 7463 Buckley Road. (Adjourned from 3 previous meetings).

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Karen Guinup opened the public hearing, Andrew Ingram of Beardsley Architects and Engineers; explained the plan. They will build an 8100 square foot addition, for classrooms, kitchenette, and restrooms. They will modify parking, and the drive will be 15 to 20 ft wide, Added 2 dumpsters, Brick on concrete 6 ft high with solid metal gates. Labeled the two (2) fire hydrants on the plan.

Parking in reserve will be on the adjacent parcel, there were 190 spaces down to 167, 5 or 6 spaces for staff. The church wants to keep the adjacent parcel separate with a stipulation that if the lot is ever sold the reserve parking would have to stay.

Karen stated that the Easement will be filed with the County before any building permit could be issued. Karen asked if there were any comments or questions, hearing none she closed the public hearing.

A motion was made by Jim Palumbo seconded by Al Kovac using standard form # 10 SEQR for Case #2017-011 – *John Valletta, North Central Church Assembly of God* Amended Site Plan – 7463 Buckley Road. That the proposed action is an unlisted action and does not involve any other agency including any Federal agency. It is further determined that the proposed action will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons. The proposed site development will not have any adverse impacts to the surrounding area and community pertaining to lighting, noise, traffic, or air quality.

**Motion Carried 7-0**

A motion was made by Jim Palumbo seconded by Hal Henty to approve the amended site plan using standard form # 20 for Case 2017-011 – *John Valletta, North Central Church Assembly of God* located at 7463 Buckley Road based on a map by Beardsley Architects and Engineers dated 7/05/2017 (Planning Board submission) numbered C-001, C-101, C-102, C-103, C-104, C-105, C-106, C-107 and numbers A-1, A-2, A-3 dated 12/16/2016 revised 05/16/2017. This approval is conditioned on all legal and engineering, as well as the legal agreement regarding the separate parcel and future parking.

**Motion Carried 7-0**

**\*\*Case #2017-013 – *John Mezzalingua Associates, LLC- DBA JMA Wireless* (3) – Site Plan – 7641 & 7645 Henry Clay Blvd. (Adjourned from 4 previous meetings).**

Carolyn Bean of EDR spoke, the lots were combined, the fire department letter was received, The DOT study has been done, the ADA parking was adjusted, and they received the Department of health letter.

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Karen asked if anyone had any comments or questions, Hearing none she closed the public hearing.

A motion was made by Russ Mitchell seconded by Brian Hall using standard form #10 SEQR determination for Case #2017-013 ***John Mezzalingua Associates, LLC- DBA JMA Wireless located*** at 7641 & 7645 Henry Clay Blvd. That the proposed action is an unlisted action and does not involve any other agency including any Federal agency. It is further determined that the proposed action will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons. Adds to the neighboring character, and all potential impacts have been considered or mitigated.

**Motion Carried 7-0**

A motion was made by Russ Mitchell seconded by Brian Hall using standard form #20 Site Plan approval for Case #2017-013 ***John Mezzalingua Associates, LLC- DBA JMA Wireless located*** at 7641 & 7645 Henry Clay Blvd. Based on a map by EDR dated 06/06/2017 revised 07/12/2017 and numbered G-000 & G-001; C-100 & C-101; C-200 & C-201; C-300 & C-301; C-400 & C-401; C-500 & C-501; C-600 & C 601. Survey map FA-1 dated 6/20/16 by Fisher and associates. Conditioned on all legal and engineering.

**Motion Carried 7-0**

**Closed Hearings - Board/Applicant discussions:**

**\*\*Case #2016-003 – J. Alberici & Sons Inc., *Woodside Estates Apartments* (3). – Site Plan– Oswego Road adjacent to Shoveler Lane (Adjourned from 18 previous meetings).**

A motion was made by Brian Hall seconded by Al Kovac to adjourn this case to the September 13, 2017 meeting.

Motion Carried 7-0

**Motion Carried 7-0**

**\*\*Case #2017-007 – Tim Mahoney/Mahoney Design & Build, Inc., *Store America (FKA Spring Storage Park)* (3) Amended Site Plan– 7711 Henry Clay Boulevard (Adjourned from 3 previous meetings)**

Steven Calocerinos Engineer for the applicant explained the plan. The applicant went to the Town Board for a Special Permit to relocate the parking for U-Haul vehicle rentals.

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The Special Permit was granted, the DOT letter was received, and the address number was changed to 7711 Henry Clay Blvd.

Karen asked if any Board members had any comments or questions, hearing none she asked for a motion.

A motion was made by Russ Mitchell seconded by Hal Henty using standard form #10 SEQR for Case #2017-007 – **Tim Mahoney/Mahoney Design & Build, Inc., Store America (FKA Spring Storage Park)** Amended Site Plan– 7711 Henry Clay Boulevard That the proposed action is an unlisted action and does not involve any other agency including any Federal agency. It is further determined that the proposed action will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons. All potential impacts have been considered and mitigated.

**Motion Carried 7-0**

A motion was made by Russ Mitchell seconded by Al Kovac using standard form #20 Amended Site Plan approval for Case #2017-007 – **Tim Mahoney/Mahoney Design & Build, Inc., Store America (FKA Spring Storage Park)** located at 7711 Henry Clay Boulevard. Based on a map by CE Engineering, PLLC dated 04/13/2017 revised 06/20/2017 and numbered G-001; V-101; C-100 –C-103; C-501 & C502. Mahoney design showing office addition dated 10/07/2016 numbered SK-1. Land survey by Ianuzi and Romans file # 1052-057 dated 05/06/2016 updated 01/25/2017, approval is conditioned upon all legal and engineering.

**Motion Carried 7-0**

**\*\*Case #2017-008 – B&B Taft Road II, LLC, Simon’s Agency, Inc., (3) – Site Plan – Lot C-R2 on Wintersweet Dr. in the Inverness Gardens Development. (Adjourned from 3 previous meetings).**

A motion was made by Brian Hall seconded by Russ Mitchell to adjourn this case to the July 26, 2017 meeting.

**Motion Carried 7-0**

**New Business:**

Signs

**Bergmann Associates – Mavis Discount Tire – 7435 Oswego Rd. (Adjourned from previous meeting and revised)**

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Zoned LuC-1, Permit #48,181

2 – Wall signs – Two 100 square foot signs when two 131 square foot signs are allowed. The proposed signs will meet the code.

1 – Freestanding sign (Monument style)– a 31.5 square foot is proposed when 32 square feet are allowed. The proposed sign will meet the code.

A motion was made by Hal Henty seconded by Russ Mitchell to approve the sign as presented.

**Motion Carried 7-0**

**Kassis Superior Signs – *Dazzling Smiles* – 8195 Oswego Rd.**

Zoned HC-1, Permit #48,322

2 – Wall signs – Two wall signs ( 31.5 square feet and 62.5 square feet) when two signs of 52 square feet and 62.5 square feet are allowed. The proposed signs will meet the code.

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

**Motion Carried 7-0**

**Premier Sign Systems, LLC– *Chili's Restaurant* – 3954 NYS 31**

Zoned RC-1, Permit # 48,370

1 – Freestanding Sign Panel Change. Applicant is proposing a 48 square foot replacement faces on the existing pylon sign. The proposed will meet the code.

2 – Wall signs – Four wall signs (51.4 square feet, 11 square feet, 60.0 square foot, and 30.85 square feet) The proposed signs will meet the code, should the applicant obtain the Area Variances at the July 10 ZBA meeting.

Jamie Rowley said they will add LED strip neon lining the Chili Pepper, The lights on the signs will turn off a half hour after the restaurant closes.

A motion was made by Michelle Borton seconded by Russ Mitchell to approve the sign as presented.

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**Motion Carried 7-0**

**Premier Sign Systems, LLC – *The Summit Federal Credit Union* – 5201 W. Taft Rd.**

Zoned NC-1, Permit # 48,369

2 – Wall signs – Two wall signs proposed of 54 square feet, and 16 square feet, when two 24 square foot signs are allowed. The applicant received a variance from the ZBA on Monday July 10, 2017 for the additional square footage of the one sign.

1 – Freestanding sign – a 24 square foot is proposed when 24 square feet are allowed. The proposed sign will meet the code.

Russ asked how large the address numbers are.

Jim said they should position the numbers high enough so when the snow is plowed it will not cover the address numbers.

**Motion Carried 7-0**

**Benjamin Kaye/James Workman – *Superior Self Storage* – 4356 NYS Route 31**

Zoned HC-1, Permit #48,258

1 – Freestanding sign – a 32 square foot is proposed when 32 square feet are allowed. The proposed sign will meet the code.

A motion was made by Brian Hall seconded by Al Kovac to approve the sign as presented.

**Motion Carried 7-0**

**Westminister SHIP, LLC – *Westminister Place Apartments* – 7475 Morgan Rd.**

Zoned R-APT, Permit #48,381

1 – Freestanding sign – a 32 square foot is proposed when 24 square feet are allowed. The proposed sign will meet the code since the applicant received a variance from the ZBA on Monday July 10, 2017 for the additional square footage of the one sign as well as the setback from the required 25 feet to 21 feet.

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

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**Motion Carried 7-0**

A motion was made by Russ Mitchell seconded by Hal Henty to adjourn the meeting at 9:40 PM.

**Motion Carried 7-0**

Respectfully submitted

  
Gloria Wetmore