

**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 25<sup>th</sup> day of October 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

A motion was made by Hal Henty seconded by Brian Hall to approve the minutes of the September 27, 2017 meeting.

**Motion Carried 7-0**

A motion was made by Jim Palumbo seconded by Michelle Borton to approve the minutes of the October 11, 2017 meeting.

**Motion Carried 7-0**

**Public Hearings:**

**New Business:**

**\*\*7:30 P.M. Case #2017-038 – Alan Goldsmith, *Lands of Brown, Phase II* (3) – Preliminary Plat – Burnet Road near NYS Route 31**

Karen opened the public hearing, Alan Goldsmith presented the plan. Mr. Goldsmith said they want to purchase eleven acres consisting of two lots, one is 5 acres and the second is 6 acres. Karen went over the County comments; the applicant will have to complete an EAF. The Plan also needs to reflect Preliminary Plat or Final Plat.

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Jim Palumbo said he has two sets of plans both have the same original date; one of the plans should have a revised date.

Ron DeTota explained that he will send an E-Mail to Mr. Goldsmiths architect to update them on what else is needed.

A motion was made by Hal Henty seconded by Al Kovac to adjourn this case to the November 15, 2017 meeting.

**Motion Carried 7-0**

**\*\*7:35 P.M. Case #2017-039 – Pat Hovey/Hovey-Buckley, LLC, Truax & Hovey Parking Area Expansion (3) – Amended Site Plan, 4483 Buckley Road**

Karen opened the public hearing; Joe Mastroianni of Mastroianni Engineering LLC presented the plan. The applicant is proposing to lease out one of the buildings and will add 28 parking spaces. They will pave the area next year.

Karen said the Board wants the Plan to show how the site is today, there is a chain link fence in one area and you cannot drive through, it is like someone subdivided the site, without doing a subdivision.

Russ Mitchell said there is parking on the site plan that doesn't exist. There is parking on the site that isn't on the site plan, Russ also talked about the fence, and if there was an emergency the trucks could not get through.

Jim Palumbo wants to see what the buildings are being used for and the parking provided for each building.

Ron DeTota said encroachment of gravel to the south- greater potential to shed water. You may want to take a better look at that.

Brian Hall asked if the applicant was aware that Empower FCU is adding 3 ATM's, Joe said they were aware of that and that that will improve drainage on their site.

A motion was made by Brian Hall seconded by Al Kovac to adjourn this case to the November 15, 2017 meeting.

**Motion Carried 7-0**

**Old Business:**

**\*\*Case #2016-009 – Nichols LD, LLC (Liverpool Sports Complex), (3) – Site Plan – 7286 Oswego Road (Adjourned from 9 previous meetings)**

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A motion was by Al Kovac seconded by Michelle Borton to adjourn this case to the January 24, 2018 meeting.

**Motion Carried 7-0**

**\*\*Case #2016-013 – *America Stores – It (3)* - Site Plan – Oswego Road across from Mendenhall Road intersection (Adjourned from 14 previous meetings)**

A motion was by Russ Mitchell seconded by Al Kovac to adjourn this case to November 15, 2017.

**Motion Carried 6-0** Hal Henty abstained.

**\*\*Case #2016-056 – *Kimbrook Route 31 Development, LLC- Philip Simao(Rite Aid)* (3) – Site Plan – 3566 & 3578 NYS Route 31 (Adjourned from 7 previous meetings).**

Karen opened the Hearing. Paul Curtain, Attorney for the applicant and Tim Coyer of Iannuzzi and Romans presented the plan. Mr. Curtain met with the Property owners and their attorneys. He referenced Mr. Fusillo's letter and said he has no issue with its content.

Mr. Curtain said he thinks the Planning Board needs to make a decision tonight, since the Board has no more to comment on and the problem is no concern of this Board.

Mr. Fucillo said he does not want the Board to get into the owners' negotiations. He continued, Mr. Curtains letter said this Board has no power to have input except for Health, Welfare and Safety. We ask that you require Mr. Curtains client to either straighten the road or leave it as is.

According to the approved site plan for Tractor Supply, the road was to be straightened. Scott Chatfield said looking at the approved site plan the road should have been straightened from the Tractor Supply all the way to Rt 57.

There was an application in 2007 from the Horn Co. (Mr. Hornstein) for an ATM in the parking lot. Karen asked who owned the plaza in 2007, they thought it was Mr. Simao. If that is the case, then Mr. Simao would have been responsible for straightening the ring road.

Scott said relocating the road is a good thing. He was under the impression it was an easement; however, it has a meets and bounds easement. Would Mr. Fucillo's Client consider releasing the easement. Mr. Fucillo said he doesn't see a problem with the ingress and egress.

Karen said this should have been done 10 years ago. This time we need to follow through.

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The Site Plan in and of itself is not the problem. The issue of the road getting done is that lots # 2, 3, 4 & 5 will need access to the new road.

Ron DeTota said as part of the approval, show the site plan as it should be.  
Hal Henty said this case should be adjourned out.  
Once again Mr. Curtain would like approval tonight.

Karen wants a revised Site Plan, she also said that the State wants sidewalks.

Russ Mitchell said that the Board members received a letter at 5 PM and did not like some of the statements that were made. This Board was not getting involved in the clients Business. We care about the residents.

Mr. Curtain apologized publicly and said he had no intention of being disrespectful.

Mr. Mitchell accepted his apology.

Scott Soyster of 7648 Wild Turkey asked who is responsible for making sure the Site Plan is completed. Mark Teritto said the Code Enforcement Officer.

A motion was made by Hal Henty seconded by Allen Kovac to adjourn this case to the November 15, 2017 meeting.

**Motion Carried 7-0**

**\*\*Case #2017-006 – Self Storage Morgan, LLC (Bruce Pollock), B&C Storage Morgan Rd (3) – Amended Site Plan – 7988 Morgan Road (Adjourned from 6 previous meetings).**

A motion was Al Kovac seconded by Russ Mitchell to adjourn this case to the January 10, 2017 meeting.

**Motion Carried 7-0**

**\*\*Case #2017-026 – Cosimo Zavaglia, Store America Morgan Road (3) – Site Plan – East side Morgan Road, 900± feet south of Wetzel Road (Adjourned from 4 previous meetings)**

Karen Opened the public hearing, Steve Calocerinos presented the plan, the site consists of 17.5 acres of vacant land, and they will not subdivide the property. Steve met with Frank Mazzye, Water Superintendent. He will check the water main. Storm water, will have to have a lane closure during construction.

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Steve showed photos of the proposed office building. There will be 2 climate controlled buildings. Pie shaped storm water basin on the north side. Bio retention area- swale (dry) required by the DEC. The traffic study was done; they looked at 3 peak hours. Speed limit on Morgan Road is 45 mph the average speed is 57 mph. Office hours 9 am to 6 pm Monday – Friday. Key pad controlled access available to renters 6am- 9pm.

They are waiting for the SHIPPO letter, endangered species. Karen Guinup said the Board is waiting for septic approval, fire department letter, and water. The dumpster enclosure shows bollards on the inside, Steve said they may not need dumpsters; this type of business doesn't generate very much refuse.

A motion was made by Brian Hall seconded by Hal Henty to adjourn this case to the November 15, 2017 meeting.

**Motion Carried 7-0**

**\*\*Case #2017-031 – *Widewaters Commons* (3) – Site Plan – NYS Route 31 (Adjourned from 2 previous meetings)**

Karen opened the hearing, Marco Marzocchi presented, Karen went over the County comments.

1. Access requirements
2. SWPPP, has it been sent to NYS? Yes
3. Sidewalks, Working with the State DOT . The applicant does not want to construct sidewalks.
4. Lighting Plan, has it gone to the State? No
5. Sidewalks and bike racks are not on the plan.
6. Dedicated pull off for busses? No
7. Modify the Site Plan for connectivity? No. Scott said the stub road isn't on the plan.
8. Access from Key Bank? No

OCWA comments, Need a letter from Army Corp. 60-day permit process  
Refining the impacts.  
WE also need a letter from the DEC.

Karen said has the applicant combined the 2 lots, Mr. Marzocchi said no, Karen said the Site Plan is showing this as one site but it is still 2 lots.

Ron DeTota met with the Town Board, Marco, Donovan and Fox. TDK geo tech reports; they plan on meeting again and going over the numbers.

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Out parcel # 2 some of the buildings are encroaching on the easements, Marco said they will apply for a variance.

Scott said the drive thru will have to go before the Town Board for Special Permit approval.

They will add a dumpster enclosure to the large site on the plan.

Doing a photo metrics plan. Karen said they will need a cut sheet to see the light fixtures. And the light poles at 20 ft max.

Hal said you should keep the lights low because you're on a State highway and the glare is dangerous.

Michelle would like a complete set of drawings.

Hal Henty said the cover sheet shows the required parking as per our code, without knowing what will go in each building, the Parking requirements may change.

There are 4 sites will they be leased or sold, Mr. Marzocchi said they may be leased or sold. The entire property will have a reciprocal easement.

Karen asked about the shaded area on out parcel #3. Marco said they may put in a patio. Karen said they will have to have Bollards if they do a patio.

You are anticipating 2 drive thru's, Marco said yes  
Can you add a sign "no access to Route 31" he said they would.

There are 4 stop signs; you might want to decrease the amount to 3. You don't want to restrict access to the site.

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

A motion was made by Russ Mitchell seconded by Brian Hall to adjourn this case to the December 13, 2017 meeting.

**Motion Carried 7-0**

**New Business:**

**Sign**

**KTC Design Group, Inc. – ASUKA Grill & Sushi Bar – 8417 Oswego Road**

**Zoned RC-1, Permit #48,628**

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1 – Wall sign – One 36.4 square foot wall sign is proposed, when a 49.6 square foot sign is allowed. The proposed sign will meet the code.

1 – Freestanding Sign panel change – panel size 22.4 square feet

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

**Motion Carried 7-0**

A motion was made by Brian Hall seconded by Hal Henty to adjourn the meeting at 10:40 PM.

**Motion Carried 7-0**

Respectfully submitted

A handwritten signature in black ink that reads "Gloria Wetmore". The signature is written in a cursive style with a large, sweeping flourish at the end.

Gloria Wetmore