

**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 28<sup>th</sup> of May 2014. The meeting was called to order by Chairman Hess at 7:30 PM and upon roll being called, the following were:

|                 |                 |  |
|-----------------|-----------------|--|
| <b>PRESENT:</b> | David Hess      | Chairman                               |
|                 | Karen Guinup    | Deputy Chairperson                     |
|                 | Hal Henty       | Member                                 |
|                 | Allen Kovac     | Member                                 |
|                 | Russ Mitchell   | Member                                 |
|                 | James Palumbo   | Member                                 |
|                 | Michelle Borton | Member                                 |
|                 | Mark Territo    | Commissioner of Planning & Development |
|                 | Scott Chatfield | Planning Board Attorney                |
|                 | Ron DeTota      | C & S Engineers                        |

**ABSENT:** Gloria Wetmore Planning Board Secretary

A motion was made by Russ Mitchell seconded by Al Kovac to approve the minutes of the previous meeting.

**Motion Passed 7-0**

**Public Hearings:**

**\*7:30 PM – Case #2014-015 – *McFarland Development, LLC* (3) – Zone Change referral – 7386 Oswego Road**

Alex Wisniewski presented the zone change proposal that is before the Town Board. The site is south of Belmont Dr., borders Midas, and near Rite Aid, there are also apartments and a storage unit behind this site. It is a 1 acre parcel, and currently 2 separate parcels comprise the property with the most recent use being Kirbys Restaurant. Mr. Wisniewski stated that the 2 parcels will be combined. Since the proposed building is over 5,000 square feet, a Special Permit will need to be obtained from the Town Board. The applicant feels that this request is reasonable considering the surrounding land uses, and the hours of operation will be 7:30AM to 9PM Monday through Saturday, and 9AM to 7PM on Sunday.

Chairman Hess asked about the County-requested gap analysis study, Alex stated that its new to him as he has not yet looked over the County comments. Since the Town Board is the one that is the reviewing Board that needs all the information, they can address it with them. Mr. Hess feels this is a good fit for the parcel and the 2 existing parcels should definitely be combined.

**A P P R O V E D**

Al Kovac also feels this is a compatible use for the property and would work better than a restaurant, combining the lots is also a good idea.

Jim Palumbo, Michelle Borton, Hal Henty, Karen Guinup, and Russ Mitchell also agree that it's a good idea for this parcel.

Hearing no further comments the hearing was closed.

A motion was made by Russ Mitchell, seconded by Hal Henty to make a recommendation to the Town Board using standard form # 50 for case #2014-015 *McFarland Development, LLC*, Zone Change from LuC-2 & HC-1 to NC-1, located at 7386 Oswego Road to grant the Zone Change. We feel it is compatible, will have no significant impact on traffic, no environmental impact and requires no other permit-granting agency including the Federal Government, for referral to Town Board. The additional plantings/nicer landscaping will be a bonus to the site.

**Motion Passed 7-0**

**\*\*7:35 PM – Case #2014-019 – John Russo, *Country Meadow (Remaining Sections) (3) – Preliminary Plat – located adjacent to Country Meadow Subdivision, west of Justin Dr., south of Fuchsia Path.***

Chairman Hess opened the public hearing. Alex Wisniewski presented the subdivision proposal on behalf of John Russo. Mr. Wisniewski stated this project consists of approximately 35 acres and is the remaining section of the Country Meadow development. It is currently zoned R-10, and they are proposing 60 lots that will have 2 connections that will go out to Caughdenoy Rd. This was originally part of the Pickard Farm. One of the proposed connections is to the west, and adjacent to the Maple Park subdivision. There will be 2 stormwater management facilities that will follow the natural drainage pattern of the land. They did not show a road connection to the south because the Southerden land owners state that they are not going to develop, but rather will continue to farm the land. The County referral asked for a traffic study, they have completed one and met with Terry Morgan of the County DOT to discuss, and he agrees with the conclusions of the study since it is not a significant traffic generator. The applicant also made sure that easements are in place from the surrounding parcels to facilitate this development. This development would also be exempt from the Oak Orchard moratorium.

Chairman Hess agrees that a coordinated review with the County should take place due to this development, as well as Farmstead and Maple Park. He also feels that there should be a road connection to the south since land can easily change ownership even if the current family feels they will continue to keep the land for agricultural uses. The Chairman also asked about the conservation easement that is shown on the map, he stated that it has no dimensions, and it is also hard to enforce this type of thing. Possibly if it is part of a HomeOwners Association it could be more workable. Alex stated that the conservation easement helps meet SPEDES requirements and he will look into if there is another way to meet this; they may be able to approach it from a different angle.

**A P P R O V E D**

The Chairman asked how many sections this will be, Alex stated about 3 or 4. Also if the future road will be paved to the property line, and the applicant said that it would be. He also said we should start looking at where the stop signs will go for this development.

Jim Palumbo asked if an easement can run in 2 different directions, Alex stated that they would use a culvert and the roadway would convey the easement. There was further discussion about the potential for an additional stub street and if it is really necessary.

Karen Guinup asked about the conservation easement. She agrees that it should be left forever wild, and what would be the best way to accomplish this. She feels that deed restrictions don't work, sheds and other assorted structures get placed in easements no matter what a deed might say, so we should find a way to prevent that from happening beforehand.

Ron DeTota stated that the sections should be shown on the map as well as lot dimensions and depths, and road radii. The stormwater basin looks good but we would like a gravel path show on the map that leads to the spillway for repair and maintenance. He also mentioned that it becomes problematic to calculate side yard setbacks on the lots that have the stormwater pond as part of their responsibility. A possible solution to this might be to put a note on proposed lots 1,32 and 6 that would state the required distance between the drainage easement and the corresponding lot line.

Hearing no further comments from the Board or the Public the Chairman asked for a motion.

A motion was made by Russ Mitchell seconded by James Palumbo to adjourn the public hearing to June 11, 2014.

**Motion Passed 7-0**

**\*\*7:40 PM – Case #2014-020 – 3910 Brewerton Rd., LP, 3910 Brewerton Plaza (3) – Site Plan – 3910 Brewerton Road.**

Chairman Hess opened the public hearing.

No one was present on behalf of the applicant

A motion was made by Karen Guinup seconded by Hal Henty to adjourn the public hearing to July 9, 2014.

**Motion Passed 7-0**

**Old Business: Adjourned Hearings:**

**A P P R O V E D**

**\*\*Case #2014-002 – Sikh Foundation – (3) Site Plan, 4632 Wetzel Road (Adjourned from 1 previous meeting)**

Chairman Hess opened the public hearing. Chris Haberer of CADD Systems was present on behalf of the applicant. Mr. Haberer stated that they have addressed the Board's concerns with engineering and sewers, and County drainage issues. There will not be any changes to the ingress/egress or landscaping. The applicant stated that this building will only be occupied on Sundays. They have added the case numbers to the site plan, as well as the flow rate and location of hydrants. The proposed sewer line is also shown on the plan. They have requested Town approval for work to commence in the easement, and this will be before the Town Board next week. They are also working on obtaining a variance from the State regarding the sprinkler system requirement.

Chairman Hess discussed the location of the proposed trash enclosure, and stated that it can't be located in the side yard setback as presently shown. He suggested that it be located in the back and that it would look more pleasing.

Hal Henty thought that there was going to be classes held at this location during the week and is concerned the planting will be let go if no one is at the property during the week. He thought that the basis of the Zoning Board Interpretation was that this is an educational/instruction facility.

Michelle Borton was not clear if there are 6 or 7 parking spaces shown on the plan. Chris stated that there are 7.

Jim Palumbo has a concern with the rear parking layout. He agrees with relocating the dumpster, but is not sure how those parked in the rear would be able to maneuver around this. Chris stated that they are still required to have 50 parking spaces, but the site may not function well at this number. Mr. Palumbo also stated that the existing sign may be blocked when the parking lot is full. Chris had a hard time to get the parking to lay out correctly. Ron DeTota stated that they could add 1 more spot in front, get rid of 2 in the back and still meet the 50 that are required. Jim Palumbo still feel that this site is very cramped. Chris will look at this in more detail. Jim would like to see a reduction in pavement and more landscaping where possible.

Karen Guinup stated that the dumpster enclosure shows treated wood. We would like to see the same material as the building, a vinyl enclosure. The gates can be wood but must be sturdy to stand up to the elements.

Chris stated that they will look at moving the dumpster and reconfiguring the parking. The only sight lighting is on the building and no new lighting is proposed. Ron DeTota stated that an 8" sewer line is proposed, but he suggests a smaller diameter be utilized as this single use won't have the volume to make this work properly. The applicant should work with the County on this.

Hearing no further comments, the Chairman closed the public hearing.

**A P P R O V E D**

A motion was made by Hal Henty seconded by James Palumbo to adjourn this matter to June 11, 2014.

**Motion Passed 7-0**

**\*\*Case #2014-011 – *Stewart's Shops Corp.* – (3) Site Plan, 7669 Morgan Road (Adjourned from 1 previous meeting)**

Chairman Hess opened the public hearing. Chuck Marshall and Angelo Costantini were present on behalf of the applicant. Mr. Marshall stated that they have now obtained the correct variances for this site plan. They have added fencing, a storage shed, and protective bollards along the table area as requested. They have also decreased lighting in certain areas, and fenced in the tire storage area as per comments. The new building will be a hardy board material and Mr. Costantini's building will be re-faced to match. The applicant has also contacted OCRRA to find out about their recycling requirements. They will require #4 plastic and #10 tin containers. Both parties on this site can share the same container. They will back haul cardboard and store it in the back room. Sheet S-5, Landscaping Plan, has brought in more landscaping. The traffic request made from the County of a right in-right-out, they agree with this and will make the change to the entry point and the access further north on Morgan will remain full access.

The fencing that is shown on the plan must be 20 feet from the property line, it is hard to tell from the current drawing if this meets that requirement.

Chairman Hess stated that NOVA won't be installing sidewalks, so this project won't either since they wouldn't connect to anything.

Hal Henty stated that he is having a problem understating how truck movements will work. It appears they will have to go over a curb to access the site

Karen Guinup stated that the chain link with slats on the dumpster enclosure won't work. They need something more substantial with a nicer look. She also stated that signage is a separate application/review process. The applicant thought that this had already been taken care of. Ms. Guinup also asked about the scroll sign as shown on the plan. The applicant stated that it is a number on a face that can flip to another number. It will not be LED, flashing, scrolling, etc.

Jim Palumbo appreciates the work they have done especially with the plantings. He is not clear on where handicap accessibility will be. The use of bollards will allow the sidewalk to be flush. He also is concerned with the doors in the back. The applicant stated that these lead to the electrical panel, but also used for emergency egress. It will be looked at in more detail during code review. He also asked if the curbed island is mountable for the right-in right-out portion of the plan, and not painted as shown. If painted, it should be a contrasting color.

**A P P R O V E D**

Ron DeTota stated that the curbing should be granite since this material will hold up better. The plan looks good, the photometric diagram is still in violation in certain areas, over 1 footcandle at the property line, and this will have to be fixed. The applicant stated that the lighting designer will be at the next meeting to address the Board.

Hearing no further comments the Chairman closed the hearing.

A motion was made by Karen Guinup seconded by Al Kovac to adjourn the public hearing to June 11, 2014.

**Motion Passed 7-0**

**Old Business: Hearings Closed**

NONE

**New Business:**

Public Meeting to review the 2013-2014 Annual Report for the Town of Clay Stormwater Management Program (SWMP) as part of the Phase II. Stormwater Regulations as promulgated by the New York State Department of Environmental Conservation.

Ron DeTota of C&S Engineers presented the report, explaining that the reporting period runs from March 10, 2013 to March 9, 2014 and incorporates the following minimum control measures:

1. Public Education and Outreach, we do this through Board meetings, Earth Day events, and other events throughout the year.
2. Clean up events
3. Illicit Discharge identified and satisfactorily addressed through the building permit process and OCWEP contract to look at outfalls.
4. Construction sight –store sediment and treat before transported. We looked at a retention basin case tonight at this meeting.
5. Post Construction –All of the facilities we see, the Town has an interest to see they function as designed. Most of the work this year has been on this control measure.
6. Storm water management operations- this is the ‘good housekeeping’ portion where we sweep roads, minimize use of salt, and monitor stormwater systems.

Mr. DeTota explained that the Town is under contract with the Central New York Regional Planning Board, and the services they provide to the Town with regard to reporting and education are well worth the amount that the Town pays.

**A P P R O V E D**

Hal Henty asked about the number of 1200 catch basins and Mr. DeTota stated that this is the number we cleaned last year, not the total number in the Town. We also swept 173 miles of roads.

The Chairman thanked Ron for his dedication to the Town.

**Case #2014-025 – *The Farmstead, Section No. 2 (5)* – Final Plat - 4834 Grange Road**

A motion was made Hal Henty seconded by Russ Mitchell to add this item to the agenda.

**Motion Passed 7-0**

Hal Romans was present on behalf of the applicant. Mr. Romans presented the plan for Section 2 of the Farmstead development.

Chairman Hess asked about adding the stop signs now to the plan rather than later. The Board discussed the placement of these with the applicant. The Board would like to see 6 stop signs added to the map and to have the dates changed to today's date.

A motion was made by Michelle Borton seconded by Russ Mitchell using form #40, granting Final Plat Approval to *The Farmstead, Section No. 2*, for property located in the R-15 zoning district, located at 4834 Maple Rd., Case # 2014-025 based on a map by Ianuzzi and Romans, being file #1431.037 dated June 27, 2013 last revised May 28, 2014. Approval is subject to all engineering and legal requirements, and will include 6 stop signs as discussed by the Board.

**Motion Passed 7-0**

**SIGNS**

**Sign and Lighting Services – *Allstate (Ciotti & Sikora Agency)* – 7496 Oswego Road**

Zoned O-1, Permit #45,477

1 Wall Sign, replace and refurbish existing sign, 16 square feet when 16 square feet is allowed

1 freestanding sign 3 feet 4 inches by 5 feet, a total of 16.5 square feet, when 24 square feet is allowed, Internal Florescent Illumination (existing)

The proposed signs will meet the code. The Board had no issues with this sign.

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

**Motion Passed 7-0**

Regular Meeting  
Planning Board  
May 28, 2014

**A P P R O V E D**

**Signorama – *Artistic Designs Dance Company* – 7575 Buckley Road**

Zoned RC-1, Permit #45,492

1 Wall Sign face change, 2 feet by 12 feet, a total of 24 square feet, when 24 square feet is allowed

The proposed sign will meet the code. The Board commented that all of the signage at Sugarwood Plaza used to have a uniform look, and it is too bad that the current owner has gotten away from this.

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

**Motion Passed 7-0**

**Signorama – *Dublins* – 7990 Oswego Road**

Zoned RC-1, Permit #45,493

1 Wall sign face change, 3 feet by 32 feet, a total of 96 square feet when 102 square feet is allowed

1 Freestanding Sign face change, 60 inches by 85 inches, a total of 35.41 square feet, when 64 square feet is allowed. The proposed signs will meet the code.

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

**Motion Passed 7-0**

**Work Session:**

NONE

A motion was made by Al Kovac, seconded by Michelle Borton to adjourn the meeting at 9:47 PM.

**Motion Passed 7-0**

Respectfully Submitted

Mark Territo