

**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 26<sup>th</sup> day of April 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                                 |
|                 | 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               |
| <b>ABSENT:</b>  | Allen Kovac     | Member                                 |

Karen said that the minutes of the previous meeting would not be approved until the next meeting.

**Public Hearings:**

**New Business:**

**\*\*7:30 P.M. Case #2016-056 – *Kimbrook Route 31 Development, LLC- Philip Simao(Rite Aid)* (3) – Site Plan – 3566 & 3578 NYS Route 31.**

A motion was made by Michelle Borton seconded by Brian Hall to adjourn this case to the May 10, 2017 Meeting.

**Motion Carried 6-0**

**\*\*7:35 P.M. Case #2017-013 – *John Mezzalingua Associates, LLC- DBA JMA Wireless* (3) – Site Plan – 7641 & 7645 Henry Clay Blvd.**

A motion was made by Brian Hall seconded by Russ Mitchell to adjourn this case to the May 10, 2017 Meeting.

**Motion Carried 6-0**

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**Old Business:**

**\*\*Case #2016-009 – Nichols LD, LLC (*Liverpool Sports Complex*), (3) – Site Plan – 7286 Oswego Rd. (Adjourned from 6 previous meetings).**

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn this case to the June 14, 2017 Meeting.

**Motion Carried 6-0**

**\*\*Case #2016-013 – *America Stores – It* (3) - Site Plan- Oswego Road across from Mendenhall Road intersection (Adjourned from 9 previous meetings)**

A motion was made by Russ Mitchell seconded by Michelle Borton to adjourn this case to the June 14, 2017 Meeting.

**Motion Carried 5-0** Hal Henty abstained.

**\*\*Case #2016-035- *Goddard Development Partners IV, LLC (Mavis Discount Tire)* (3) – 7435 Oswego Rd., – Site Plan (Adjourned from 3 previous meetings).**

Karen Guinup opened the hearing; Brian Burri of Bergman Associates presented the plan. The project is located on the corner of Long Branch Road and Route 57. They are proposing a 6400 square foot building 8 bays. 4 bays facing Route 57 and the other 4 facing John Glen Boulevard. There is a Buckeye Pipeline along the side of this site. The dumpster will be located in the back of the building. Split face block to match the building, and the board recommends metal gates for the enclosure.

Karen said the Planning Board will need a letter from Buckeye Pipeline. She turned to County comments, there are some modifications, and the applicant must contact the County for traffic study and SWPPP.

The parking spaces have to be increased to 9.5x20 feet, there are only 13 spaces now when they are widened there will only be 11 spaces. Karen asked if one of the parking spaces that are removed could be the one right in front of the building.

Karen asked if there will be a drop box, if so where will the employees park. The drive should be no wider than 30 feet. Add the dimensions of the building to the plan.

The light posts are at 23 feet; Karen said they should be 20 feet, and 1 foot candle along the property line.

Karen opened it up to the Board.

Russ Mitchell asked if the Buckeye flags will go out not to dig? Mr. Burri said yes and Buckeye will have their people on site during the construction.

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Jim Palumbo asked if they could screen the dumpster area with ornamental grass to disguise it. Snow removal; where will you plow the snow to? Mr. Burri said to the west of the site, if there is too much accumulation they will truck it off the site. The plantings will need to be more durable. Jim asked if the wall mounted lights could be shielded to soften the look. Right now they look like security lighting.

Ron DeTota touched on the sensitivity of the Buckeye pipeline. He asked for the location roof drain to be added to the plan. Ron asked if the applicant had gone to the County to ask if they could connect to the sewer line along John Glen Blvd, so as not to disturb the pipeline. Mr. Burri said they did ask the County and they said no.

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

A motion was made by Brian Hall seconded by Hal Henty to adjourn this case to the May 24<sup>th</sup>, 2017 meeting.

**Motion Carried 6-0**

\*\* Case #2017-002 – *Treeline Manor, LLC* (3) –Site Plan, 36-unit apartment building– southeast corner Bear and Buckley Roads, Lot 2 of Stewart’s Tract. (Adjourned from 3 previous meetings).

Brian Bouchard of CHA presented the plan. Added stop signs, changed some plantings, changed some plantings and updated the SWPPP.

Received comments from the Fire Department and OCWA.

Karen asked for the SHPO letter, Brian said he would get that to The Board. All the driveways were approved by the County.

Michelle Borton pointed out the stop sign on the plan seems to be blocked by a tree. Can the tree be moved? Brian said he would move it back.

Jim Palumbo asked if the stand of evergreen trees will be planted into the existing vegetation along the property edge or is the existing vegetation going to make room for the mass planting of evergreens?. It appears from the grading that the disturbance along the existing border vegetation is going to minimal? Brian said that the grading is not intended to disturb the existing border vegetation there, and the trees will be planted outside the existing hedge row.

Brian Hall asked if there would lights at the entrance to Buckley Road, Mr. Bouchard Said yes 15 foot acorn style lamps.

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

A motion was made by Jim Palumbo seconded by Michelle Borton for SEQR determination using standard form #10 for Case #2017-002 – **Treeline Manor, LLC** Site Plan, 36-unit apartment building– southeast corner Bear and Buckley Roads, Lot 2 of Stewart’s Tract. 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 Town or the immediate surrounding area regarding, noise, air or visual “pollution”. The site is an acceptable transition between existing residential and commercial.

**Motion Carried 6-0**

A motion was made by Jim Palumbo seconded by Russ Mitchell for Site Plan approval using standard form #20 for Case #2017-002 – **Treeline Manor, LLC** 36-unit apartment building– southeast corner Bear and Buckley Roads, Lot 2 of Stewart’s Tract. Based on a map by CHA dated 01/09/2017 revised 04/25/17 numbered T-01 & C-00 thru C-13, architectural drawings A-200, A-201, A-202 and A-110 dated 8/25/14 revised for permit 9/15/16. Approval is subject to all legal and engineering.

**Motion Carried 6-0**

**\*\*Case #2017-007 – Tim Mahoney/Mahoney Design & Build, Inc., Store America (FKA Spring Storage Park) (3) Amended Site Plan– 7707-7739 Henry Clay Boulevard. (Adjourned from 1 previous meeting).**

Steve Calserino explained the plan, phase III was eliminated from the plan, the applicant received a variance from the ZBA for the buffer. 25x25sq.ft building addition for the office as well as a bathroom. The proposed change to the storm sewer, the new easement will be granted.

Karen said they will have to designate the parking spaces on the plan for the U-Haul vehicles. And the outdoor storage will disappear when phase III is complete.

Michelle asked for detail on the new section of fencing as well as the gate. She asked for septic system to be located on the plan, as well as the 2 existing leach fields.

Mr. Calserino said he has a letter out to the County for septic approval.

Karen said the applicant will have to get a special permit from the Town Board for the U-Haul parking.

Karen asked Scott Chatfield if there should be a note on the plan regarding the outdoor storage?

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Scott said if there are any limitations as per the outdoor storage it should be noted on the plan.

Mr. Mahoney wanted to clarify that the more buildings that go up the less outdoor storage there will be.

Ron DeTota as for relocating the storm sewer, the Town must approve the abandonment of the easement and approve the new easement.

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

A motion was made by Hal Henty seconded by Michelle Borton to adjourn this Case to the June 14<sup>th</sup>, 2017 meeting.

**Motion Carried 6-0**

**Closed Hearings:**

**\*\*Case #2016-003 – J. Alberici & Sons Inc., *Woodside Estates Apartments* (3). – Site Plan– Oswego Road adjacent to Shoveler Lane (Adjourned from 16 previous meetings).**

A motion was made by Brian Hall seconded by Russ Mitchell to adjourn this case to the May 24<sup>th</sup>, 2017 meeting.

**Motion Carried 6-0**

**\*Case #2017-010 – *Rerob, LLC (Express Mart)* (5) – Zone Change Referral – Corner of NYS Route 31 and Lawton Road. (Adjourned from 1 previous meeting).**

Karen explained that this hearing was closed, so there would be no questions or comments from the residents. She also stated that this Board is only submitting their comments to the Town Board for referral. The Town Board makes the final decision on the zone change. Karen asked the Board Members for their input.

Russell Mitchell

I feel the property can support a mini-mart with gas facility. The intent of an LUC-1 zone is to support the surrounding neighborhood. I do oppose having a drive thru and the car wash.

Drive thru - it is easy to say the intent but what can go in at a later time could be very intense. A mini-mart where people have to park and walk in is sufficient. We have many

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examples of those kinds of properties in the town and around the county - Stewarts, Nicen easy etc.

Car wash - this just takes up more space and congests the flow on the property.

Without the drive -thru and the car wash, the building on the property can be re-configured and made neighbor friendly and have less traffic.

Traffic in the area being directed to Lawton Road is a concern and when all the development that is approved in the area is completed, there could be major problems. There is commercial approved across the street in the PDD.

Hal Henty

One of the major complaints has been the amount of gas stations in the immediate vicinity, this is not a reason that we can consider as a deterrent for a zoning change. I feel that this zone change will not have an effect on traffic, a gas station is not a destination it is usually used by the normal every day traffic flow that exists. I am concerned that the site build out as presented with a car wash open 24 hours a day could be a problem. In my opinion the site is far enough away from the homeowners abutting it, that with proper buffering should not be a problem.

Brian Hall

I am not against the change if a few conditions were met. No car wash. Need improvements to Lawton road to be able to handle additional traffic.

Karen Guinup

If this goes forward it should be without the car wash. Also the Town Board may like to consider rezoning the remaining HC-1 on the parcel to a less intense zone like NC-1. I think just the Express Mart without the car wash would be less of a traffic generator than the entire parcel being developed as a HC-1. HC-1 does have the potential for being a high traffic generator with multiple buildings being allowed.

Michelle Borton

I'm opposed to the proposed zone change. Development in the surrounding area is very recent/ongoing, and I think it's best to stick with the zoning that is currently planned for that intersection. I also believe that Luc-1 is not the most appropriate zone to be located immediately adjacent to a high-density single family residential zone (especially with the houses aligned like they are), given the 24-hr noise, activity, and traffic that a gas station could generate. While some of the allowable HC-1 uses are also relatively intensive, there are several others that would be more compatible, in my opinion.

Jim Palumbo

I see no reason to disallow the proposed zone change, for permitting the use of a gas station and convenience mart with other associated elements on the parcel. The uses permitted by the proposed zoning will actually support the surrounding community. Both the Rte. 31 corridor and the adjacent residential neighborhoods will benefit from the use

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proposed. I also point out how the actual portion of the existing parcel, which is being requested for the zone change, is limited to just what the applicant needs to facilitate their request. The remaining portions of the existing site, not being requested for change in use, will help provide a reasonable transition to the adjacent residential area.

A motion was made by Hal Henty seconded by Jim Palumbo to enter these remarks to the Town Board for the zone change referral.

**Motion Carried 6-0**

A motion was made by Russ Mitchell seconded by Michelle Borton to adjourn the Meeting at 9:10 P.M.

**Motion Carried 6-0**

Respectfully submitted,



Gloria Wetmore