

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 27th day of September 2017. The meeting was called to order by Chairwoman Guinup at 7:30 PM and upon roll being called, the following were:

PRESENT:	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 Board would not make a motion on the September 13th 2017 Meeting Minutes.

Public Hearings:

New Business:

*7:30 P.M.- Case #2017-036 – *Clay Development (5)*– Zone Change referral, 3820-3848 NYS Route 31. (AKA) *Laker Development*.

Karen opened the hearing, Ed Keplinger of Keplinger, Freeman and Associates and Aileen Schmidt property owner presented the plan. They are proposing a zone change from Residential/Agricultural to commercial for the purpose of building a shopping center. The applicant discussed the wetlands, proposed curb cut and access into Lowe's Plaza. The applicant explained that they need to obtain variances from the Zoning Board for insufficient lot size, reduction in setbacks, and reduction in required parking.

Karen referenced that the County has not submitted comments regarding this case yet and she would like to see those as well as the results of the ZBA meeting before a recommendation.

The Board expressed concern about the deficiencies in parking and also if the applicant is going to be able to work through their wetland issues. The applicant stated that they are working with the Army Corp. for the wetlands and Mr. Keplinger explained that the

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proposed users in the shopping center are busy at different times of the day; therefore parking should not be an issue.

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

A motion was made by Russ Mitchell seconded by Jim Palumbo to adjourn the public hearing to the October 11, 2017 meeting.

Motion carried 7-0

7:35 P.M. - Case #2017-037 – *Humane CNY Renovations* (5) – Zone Change referral, 4915 ½ West Taft Road

Chairperson Guinup opened the public hearing; Cheryl Robinson was present for the applicant, along with the Architect and others from the Humane Association.

The applicant explained that the facility has been at this location since the late 1960s, and they would now like to expand. In order to do this, they need a *zone change*. The existing facility is considered non-conforming, so to expand any further would now require the proper zoning designation.

The applicant stated that the new building being proposed would fit into the site better, it would be constructed to eliminate as much of the noise as possible, and the outdoor area for the dogs would be moved to the west side of the building to minimize any noise for the neighbors to the east.

The Chairwoman asked what other zoning designation would allow for this use, Commissioner Territo stated that it is allowed only in RA-100 and I-1 Industrial. The Chairwoman stated that should this *zone change* be granted, a *special permit* is needed from the Town Board for an *Animal Boarding Facility*.

Jim Palumbo asked if the landscaping would be spruced up around the building and the Architect stated that the site plan would show an entire landscaping plan to compliment the new building.

Al Kovac asked if the driveway has been approved by the County DOT and the applicant stated that they are in the review process now, but no approvals have been granted yet.

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

A motion was made by Jim Palumbo seconded by Hal Henty using standard form #50, for a favorable referral for #2017-037 – *Humane CNY Renovations*– Zone Change Referral located at 4915 ½ W. Taft Road. The Board feels that this proposal is conducive to the area and any issues can be worked through during the *site plan* process.

Motion carried 7-0

Old Business:

****Case #2016-056 – Kimbrook Route 31 Development, LLC- Philip Simao(Rite Aid)
(3) – Site Plan – 3566 & 3578 NYS Route 31 (Adjourned from 6 previous meetings).**

Tim Coyer of Ianuzzi and Romans, Paul Curtain Attorney for the applicant presented, the dumpster enclosure has been updated on the plan, raised the roof peak to match the rest, and added the directional signage.

Karen said at the end of the last meeting the board asked if Mr. Curtain and Mr. Fucillo could meet and come to some conclusion on the ring road. Mr. Curtain stated that they did have a discussion however they did not come to any conclusion.

Michelle Borton stated that she is concerned about the site's proposed vehicle circulation design. The relocated ring road would direct traffic to an open area of asphalt on the adjacent parking lot to the east. The site's traffic patterns should be reviewed in the context of the overall plaza traffic flow, and modified as necessary to avoid potential vehicle conflicts.

Hal Henty agreed, he needs more time before making a decision.

Jim Palumbo also agrees there needs to be more of an effort made to clean up the road. Have the loop road go in right direction.

Paul Curtain is proposing to comply with the approved site. We are willing to work with Mr. Fucillo and his client; however it has been tried before to no avail. The road from Theodolite conforms to the approved site plan; we are willing to participate in a work session.

The traffic is a real issue; the traffic study only takes into account the traffic on Rt 31 and the road into the plaza.

Karen turned to the drainage issue, Mr. Durrant of TDK said there is a problem with the drainage, Ron DeTota said Mr. Durant addressed the site plan and the drainage will be taken care of.

Scott Chatfield said this is a site plan for the out parcel; not the entire site. Once the hearing has been closed the Board has 62 days to make a decision.

Karen asked if there were any more comments or questions, Jim Palumbo, Michelle Borton, Al Kovac, and Hal Henty all agree that there will be an issue if this site plan is approved as it is right now.

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Russ Mitchell said he visited the site at 6 PM this evening; he had to look in every direction. It was crazy people were going in all different directions. He added that there is no reason the two property owners can't get together and straighten out the road. Let's get it done!

The Board has an issue with traffic, the east entrance off Route 31 is a mess. Scott asked if the Site functions as is, Hal Henty said in his opinion it does not.

Karen asked Mr. Territo if he would be willing to have an informal meeting with the two attorneys, Ron DeTota, and two members of the planning board. Mr. Territo said he would.

A motion was made by Hal Henty seconded by Al Kovac to adjourn this hearing to the October 25, 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 2 previous meetings).**

A motion was made by Al Kovac seconded by Brian Hall to adjourn this hearing to the October 11, 2017 meeting.

Motion Carried 7-0

**** Case #2017-027 – Empower Federal Credit Union, Empower Federal Credit Union Liverpool Branch (3) – Site Plan – 7670 Morgan Road (Adjourned from 3 previous meetings)**

Larry Sour of Sutton Real Estate presented. There are minimal revisions to the plan. The County DOT accepted the traffic study. Catch basin – drop curb detail. County wanted to know if any signs were in the Right of Way, they are not.

Ron DeTota suggested the applicant include a topographical as built drawing before a certificate of occupancy be issued.

Karen closed the Public Hearing.

A motion was made by Michelle Borton seconded by Jim Palumbo Using standard form #10 SEQR for Case #2017-027 – **Empower Federal Credit Union, Liverpool Branch** Site Plan located at 7670 Morgan Road. That the proposed 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 shall constitute a negative

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resolution for the following reasons: the proposed action will not have a significant adverse effect on transportation, noise or growth and community character.

Motion Carried 7-0

A motion was made by Michelle Borton seconded by Jim Palumbo for Site Plan approval for Case #2017-027 – **Empower Federal Credit Union, Empower Federal Credit Union Liverpool Branch** Site Plan located at 7670 Morgan Road. Using standard form # 20 based on a map by RSA Architects numbered and dated as follows,

S-101 dated 9/25/17

S-1A dated 9/15/17

S-102 dated 9/22/17

C-1R dated 9/25/17

C-2R dated 9/13/17

Conditioned upon including topographic as built drawings before certificate of occupancy will be issued, as well as all legal and engineering.

Motion Carried 7-0

****Case #2017-029 – J. Lou Sotherden, Side Track Enterprises (3) – Site Plan – 4975 NYS Route 31 (Adjourned from 3 previous meetings).**

Karen opened the hearing. J Lou Sotherden presented the plan. They moved the entrance to the west, moved the fence and planted grasses. The demo plan will include removing pavement on the south side and replacing with grass strips. The parking lot will be repaved. The fence photos are in the packet, it will be a steel trellis system.

The apartment lease expires in November of 2018.

The building exterior will include repairing the cinder blocks and painting the east and west. The applicant asked the Planning Board to allow them to eliminate the sidewalks. Karen explained that Route 31 is a State road and the State DOT will make a decision on sidewalks and they have made a decision.

The parking lot to the east, the asphalt needs to be replaced. J Lou said she thought it could be repaired. Karen said it is too far gone it will need to be replaced.

Karen said when this case was before the Town Board for Zone Change the applicant said they would not be brewing on site. We will need clarification from the State Liquor Authority in writing about having a tap room without brewing on site (in this Zone). The Board will also need a letter from the Fire Department.

Russ looking at the ingress and egress it will be an issue with entering the wrong way. He also asked about the large fire pit in the back, what are the plans for that? Will it be removed?

J Lou said they will fill the pit with contractors' stone, level it out and build the dumpster enclosure on it.

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

A motion was made by Russ Mitchell seconded by Hal Henty to adjourn this case to the October 11, 2017 meeting.

Motion Carried 7-0

*Case #2017-031 – *Widewaters Commons* (3) – Site Plan – NYS Route 31 (Adjourned from 1 meeting)

Karen opened the hearing Marco Marzocchi presented the plan. Mr. Marzocchi said he knows the board really can't do anything tonight because there are no County comments yet. The permit is underway with the Army Corp of Engineers.

Karen asked why the white house is still standing, and how far along is the combining of the 2 lots? Mr. Marzocchi said they have not combined the lots yet. She said the Plan cannot be approved as is, the small lot with the house on it either has to be combined with the other lot or removed from the Site Plan.

Karen also asked if the applicant had given any thought to the sewer connection going from the Key bank all the way to Rt 57. He said they were willing to listen.

Ron DeTota added that he had spoken to the Town Board and they agree that it would be beneficial for the sewer to go to rt 57, the temporary disturbance wouldn't be an issue for the Army Corp.

Mr. Marzocchi said he can't make any promises but is willing to listen. He is willing to meet with the Town.

Karen said this is a very large project and each of the parcels has to come back to the Planning Board for site plan.

All dumpster enclosures will match the buildings.

Russ asked if the applicant considered buying the Key Bank building. Mr. Marzocchi said there is a 2 year restriction on all financial institutions, they can't sell.

Mr. Marzocchi asked if the Board would be lead agency.

A motion was made by Russ Mitchell seconded by Brian Hall to move a resolution making the Planning Board lead agency.

Motion Carried 7-0

Karen asked Mark if he would send out the appropriate letters.

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A motion was made by Hal Henty seconded by Russ Mitchell to adjourn this case to the October 25, 2017 meeting.

Motion Carried 7-0
Closed Hearings :

****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 7 previous meetings).**

A motion was made by Russ Mitchell seconded by Brian Hall to adjourn this case to the November 15, 2017.

Motion Carried 7-0

Signs

C&D Laface Construction # 48505

Karen said the Board needs something in writing stating the sign has to be 25 feet from the road.

A motion was made by Brian Hall seconded by Al Kovac to approve the sign with the condition.

Motion Carried 7-0

Hunt Real Estate

The Board needs more detail, recommending a monument sign.

No action taken.

Ariella Inc. – SOS Medical – 8324 Oswego Rd.

Zoned PDD, Permit #48,394

2 – Freestanding signs – AMENDED

There was an error when installing the 2 signs, both being put on Route 57. The board agreed to let the signs stay where they are, with the condition that there will be no more signs allowed for this site including on Canvas Back.

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A motion was made by Russ Mitchell seconded by Al Kovac to approve the sign as amended.

Motion Carried 7-0

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn the meeting at 11:19 P.M.

Motion Carried 7-0

Respectfully submitted

A handwritten signature in cursive script that reads "Gloria Wetmore". The signature is written in black ink and is positioned above the printed name.

Gloria Wetmore