

Regular Meeting
Planning Board
September 22, 2010

APPROVED

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 22nd day of September 2010. The meeting was called to order by Chairman Lepkowski at 7:30 PM and upon roll being called, the following were:

PRESENT:	Walter Lepkowski	Chairman
	Karen Guinup	Deputy Chairperson
	Allen Kovac	Member
	Hal Henty	Member
	Russ Mitchell	Member
	David Hess	Member
	Mark Territo	Commissioner of Planning & Development
	David Balcer	Town Planner
	Ron DeTota	C & S Engineers
	Scott Chatfield	Planning Board Attorney
	Gloria Wetmore	Planning Board Secretary

ABSENT: James Sharpe Member

Minutes of Previous Meeting

Chairman Lepkowski noted that in the minutes of September 8, 2010, COR Apts PB Case # 2010-8-2 and # 2010-8-1 should reflect a resolution. The Secretary will notify all involved agencies that the Planning Board wants to be lead agency.

A motion was made by David Hess seconded by Allen Kovac to approve the minutes of the previous meeting with the above correction.

Motion Passed 6-0

Public Hearings:

NONE

Old Business: Adjourned Hearings

2007-12-3 Group One Development, LLC (3) Site Plan– Corner of Route 31 & Henry Clay Blvd. (Adjourned from 35 previous meetings)

Chairman Lepkowski opened the public hearing. Alex Wisnewski of LJR Engineering and Gordon Stansbury were present for the applicant. Mr. Stansbury did the traffic study. Chairman Lepkowski had specific concerns to the function ability of the main driveway of the site across from Sherwood Circle. The traffic study shows an “F” at Sherwood Circle. Mr. Stansbury explained the process. The initial traffic study was done in conjunction with Nice-n-Easy. They used shopping center trip generation rates, example: bank, pharmacy, movies. Taking multi uses into consideration and how the credit system works, this is used when they don’t have a specific user. Mr. Stansbury explained the “F” rating at Sherwood Circle; the rating would only be traffic exiting the site going straight over Rt. 31 onto Sherwood Circle. This rating is not for traffic going East and West on Rt. 31. The rating for the traffic going East and West on Rt. 31 is “B” for phase I, and “C” at full build out.

Chairman Lepkowski asked about cars waiting to turn into the site from Rt. 31. Mr. Stansbury explained the cars will not be stacked because people will just pass on the shoulder. Karen Guinup said that is not true. The shoulder on the corner of Rt. 31 and Henry Clay Blvd. is not suitable for passing on the right. Mr. Stansbury said at the light there may be a delay of 5 seconds and then the traffic will clear out.

Hal Henty said the traffic light needs to be changed; it needs a left turn arrow.

Chairman Lepkowski said in the narrative you said there would be approximately 10 car back-up, which is about 300 feet. People will be passing on the rt. Does the State DOT find it acceptable to have people passing on the rt. illegally? Mr. Stansbury said when the road is widened that won’t be an issue.

Chairman Lepkowski went to the EAF question # 15 would there be an impact on transportation. The answer is yes. The Chairman and the Board members answered it would be a small to moderate impact for phase I. The Chairman gave a brief over view of the plan for the students that were present. The Chairman asked if there were any questions and there were none.

A motion was made by Russ Mitchell seconded by David Hess to adopt a negative SEQR determination using standard form # 10, for case #2007-12-3 Group One Development, LLC. Corner of Route 31 & Henry Clay Blvd. is a type I action with a full EAF. The Planning Board was designated the lead agency. This project appears to have no environmental impact which can not be mitigated and does not involve any other permit granting agencies, including the Federal Government.

Motion passed 6-0

A motion was made by Russ Mitchell seconded by Hal Henty to adopt a resolution using standard form #20 granting Site Plan approval for case #2007-12-3 Group One Development, LLC. Corner of Route 31 & Henry Clay Blvd. (Henry Clay Commons). Based on a map by LJR Engineering, PC. Dated June 25, 2009, final revision date August 16, 2010. Sheet numbers 1, 2, 3, 4 and 5. Lighting plan dated June 25, 2010 with attached TBX pictures with fixtures and specifications consisting of 11 pages.

Motion Passed 6-0

Old Business: Hearings Closed

2010-6-9 Jennifer Richardson (Innovations Salon), Zone Change Recommendation NC-1 & RA-100(GOV) to HC-1 at 3627 NYS Route 31 (Adjourned from 1 previous meeting)

Chairman Lepkowski reopened the Public Hearing. Mr. Weiss was present for the applicant. There was some discussion on the square footage and lack of adequate parking. Mr. Weiss stated that he put in as much parking as space would allow, without purchasing more land.

Chairman Lepkowski asked the board for comments. Karen Guinup stated that the parking is the concern; the parking with the addition is not adequate. Scott Chatfield said that if this were a site plan issue parking can be made a condition.

David Hess asked what the current uses are on the other three corners. Two are gas station and the third is a restaurant.

The chairman asked if the board had any comments Karen stated the she wants all the zoning to be NC-1 with a max build out of 15,000 square feet. HC-1 will be large.

Chairman Lepkowski stated that parking has been a problem all along. Taking over the additional property was the appropriate thing to do.

Hal Henty asked Scott Chatfield if a zone change is approved can this Board exclude a use even if it is allowed in the zone. Scott, the Planning Board Attorney, stated that this Board could not exclude a particular use in an approved zone change.

Chairman Lepkowski explained that the Planning Board is an advisory board and the Town Board makes the final decision.

A motion was made by Karen Guinup seconded by Hal Henty that this Zone Change not be approved, with the suggestion that it all be NC-1.

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Russ Mitchell- Nay- in favor of HC-1
Karen Guinup- Aye- wants NC-1 zone for whole parcel
Hal Henty- Aye – in favor of NC-1
Walter Lepkowski- Aye- in favor of NC-1
Allen Kovac- Aye- in favor of NC-1
David Hess – Nay- in favor of HC-1

Motion Passed 4-2. Against Zone Change

New Business: Signs

Scholastic (Book Fair) – 4474 Steelway Blvd N.

Zoned I-1, permit #42,384

Wall signs – Allowed 1/building, max s.f. 8% of the wall area. Allowable area is 707.2 s.f.
Proposed sign: 120.0 s.f.

A motion was made by Karen Guinup seconded by Russ Mitchell to approve the sign as presented.

Motion Passed 6-0

Chuck Hafner’s Garden Center – 7265 Buckley Rd. (Taft Road site sign only)

Zoned RC-1, permit #42,362 & Area Variance case #1355

Freestanding sign – Allowed 1/entry 128 s.f. max area, 25’ tall & 25’ setback.
Variance obtained – Reduced setback to 15’ - 0” with conditions being built in substantial compliance with Exhibit ‘A’ and Exhibit ‘2’. A max height of 17’, max area no greater than 96 s.f. and no greater than 9’ - 2” width.
Proposed sign – 15’ setback, 17’ tall, 96 s.f. +/- and 9’ - 2” wide.

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A motion was made by Russ Mitchell seconded by Karen Guinup to approve the sign with modifications. Because the sign is so close to the road it doesn't need to be so large, also to be compatible with other signs in the area.

Motion Passed 6-0

Tiny Bubbles – 4225 Long Branch Road

Zoned RC-1, permit #42,423

Wall signs – Allowed 2/tenant max 8% of the wall area mounted on. front existing to remain.
Right side max area = 44.27 s.f.
Proposed signs – side 41.72 s.f.

A motion was made by Karen Guinup seconded by Hal Henty to approve the sign as presented.

Motion Passed 6-0

Panera Bread – 3815 NYS Route 31

Zoned RC-1, permit #42,321 & variance #1382 (see enclosed case decision)

Wall signs – Allowed 2/tenant max 8% of the wall area mounted on.
Front area allowed area 61.27 s.f. (existing 54.17 s.f.)
Proposed 73.85 s.f. (variance granted)
Rear allowed area 60.07 s.f. (existing 54.17 s.f.)
Proposed 73.85 s.f. variance granted)
Side wall (variance granted for third sign) allowed area 99.2 s.f.
Proposed 23.63 s.f.

A motion was made by David Hess seconded by Allen Kovac to approve the sign as presented.

Motion Passed 6-0

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Fastrac – 8467 Oswego Road (corner of NYS Rte 31)

Zoned LuC-1, permit #42,424 & variance 1385 (see enclosed case decision)

Freestanding – Allowed 1/lot, 32 s.f. max., 15’ ht. & 25’ setback
Proposed 1 sign at 63.975 s.f. (existing 50.17s.f.). Variance granted
Proposed height 9’-8” (existing 9’-6”). Variance limited height
Proposed setback off NYS Rte 31 - 8’-0” (existing same). Variance granted

A motion was made by Russ Mitchell seconded by David Hess to approve the sign as presented.

Motion Passed 6-0

Work Session

JoLu Development Company, Tocco Villagio, PDD Concept Plan Discussion

Amy Franco of CHA was present for the applicant. The Board asked for minimal changes to the narrative. Amy presented the corrected narrative, as well as the traffic study and curb cuts to Barcladine and Rt. 31.

A motion was made by Karen Guinup seconded by Hal Henty to make a Resolution that the Planning Board has met with the applicant on numerous occasions, whereas we have a narrative that we find acceptable and appropriate, based on the narrative and plan attached. (Revised 9-17-10). We refer this back to the Town Board in regards to the concept plan. The Planning Board is recommending a full EAF be required.

Motion Passed 6-0

A motion was made by Allen Kovac seconded by David Hess to adjourn the meeting at 9:45 P.M.

Motion Passed 6-0

Respectfully Submitted

Gloria Wetmore