

**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 22nd of July 2015. The meeting was called to order by Chair Guinup at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	Karen Guinup	Chair
	Russ Mitchell	Deputy Chairman
	Hal Henty	Member
	Michelle Borton	Member
	James Palumbo	Member
	Brian Hall	Member
	Gloria Wetmore	Planning Board Secretary
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineers
<b>ABSENT:</b>	Allen Kovac	Member

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

**Motion Passed 6-0**

**Public Hearings:**

**\*\*7:30 P.M. Case #2015-024 – *American Granby* (3) – Site Plan – 7652 Morgan Road.**

Chair Guinup opened the public hearing; James Hert of VIP Structures introduced Neil Zinsmeyer of Napierala Construction, Tom Malinowski of VIP Architectural Associates, as well as Denise Gerwold and Mary Lanzafame of American Granby.

Mr. Hert explained the plan, there will be a 120 foot expansion, loading dock and a truck maneuvering area, bio retention areas, no new curb cuts, fire access road and drainage improvements.

Regular Meeting  
Planning Board  
July 22, 2015

Karen said the County is requesting a gap analysis study, and fire protection to show fire connection and fire flow.

Jim Palumbo asked if the 150 foot emergency apparatus access road would be adequate to reach all parts of the building. Is the gravel road maintained? He would also like to have a better defined drainage plan.

Karen pointed out the date of 6-28-2015 on the plan; she explained that there needs to be an original date and revision date on the plan.

Russ Mitchell commended the American Granby Company on the wonderful job they have done on this site. Karen Guinup and Jim Palumbo agreed with Mr. Mitchell.

Ron DeTota said in reviewing the upper diversion area, it will steer the water away from the gravel road.

Karen Guinup closed the Public Hearing.

A motion was made by Hal Henty seconded by Russ Mitchell to adjourn this case to the August 12<sup>th</sup> 2015 meeting.

**Motion Passed 6-0**

\*\*7:35 P.M. Case #2015-027 – *COR Ver Plank Road Company, LLC (Harke Farms)*, (3) – Amended Preliminary Plat– West of Dell Center Dr., and south of Ver Plank Rd.

Chair Guinup opened the Public Hearing. Hal Romans of Ianuzi and Romans explained the plan. This site was going to be single family homes now it will be apartments. They will reconfigure the road, 2 apartment lots #29 & #30 were changed to lot #28. Cross easements to the south, emergency exit onto Ver Plank Road.

Karen pointed out the reciprocal easements between the apartments; Mr. Romans said there will be no vehicle access, and the cross easements will be recorded with the final plat.

Kate Johnson said there is an HOA in place and they are modifying the document to reflect the green area on the plan.

Karen Guinup asked if there were any questions, hearing none she closed the Public Hearing.

A motion was made by Jim Palumbo seconded by Michelle Borton to adopt a Resolution using standard form # 10 SEQR determination for P B Case # 2015-027 – *COR Ver Plank Road Company, LLC (Harke Farms)*, (Amended Preliminary Plat)– West of Dell Center Dr., and south of Ver Plank Rd.

That the proposed is an unlisted action, and does not involve any Federal Agency. It is further determined that the proposed action will not have a significant effect on the environment and that the resolution shall constitute a negative declaration.

**Motion Passed 6-0**

A motion was made by Russ Mitchell seconded by Jim Palumbo to adopt a Resolution using standard form # 30 Preliminary Plat Approval PB Case # 2015-027 – ***COR Ver Plank Road Company, LLC (Harke Farms)***, (Amended Preliminary Plat– West of Dell Center Dr., and south of Ver Plank Rd. Such approval being based on a map by Ianuzi and Romans dated 6-2-2015 revised 7-20-2015 File # 3424.001 sheet 1 of 1.

**Motion Passed 6-0**

**\*\*7:40 P.M. Case #2015-028– *Goddard Development Partners IV, LLC (Mavis Tire)*(3)**  
– Site Plan – 4938 W. Taft Road.

Karen explained that there would be no presentation tonight. Karen explained that the use that the applicant is asking for is not a use within the PDD.

Russ Mitchell said when the planning board approved the PDD a tire center was not on the list of businesses that would support the community. This Board has a responsibility to protect the Residents.

All the Board members agreed that this would not be a good use.

Michael Bragman Sr. asked to speak, he is apprehensive about how the comments made tonight will influence the Town Boards decision

Karen Guinup explained that the Planning Board will not be able to do anything on this case; it will have to go to the Town Board.

Mr. Bragman continued the PDD was a joint effort, and he was under the impression that a PDD would allow any zone. He was hoping that the applicant would have a chance to make a presentation. This is a very unique Mavis Tire Center; it is very different from the others in the area. There is only one other like it in Westchester County.

Karen thanked Mr. Bragman.

A motion was made by Michelle Borton seconded by Jim Palumbo to adjourn the Public Hearing to 9-9-2015.

**Motion Passed 6-0**

Regular Meeting  
Planning Board  
July 22, 2015

Brian Hall asked if the Planning Board could send this back to the Town Board without a recommendation. Mr. Chatfield said that the Planning Board could with expression of their concerns such as hours of operation, and noise.

Russ Mitchell said the Town Board needs to decide if this is an acceptable use in the PDD.

A motion was made by Russ Mitchell seconded by Jim Palumbo to refer this back to the Town Board.

**Motion Passed 6-0.**

\*\*7:45 P.M. Case #2015-030– *Ryan G. Churchill (Sonic)* (3) – Site Plan – 3808 Route 11, and 5431 South Bay Rd.

Karen Guinup opened the Public Hearing.

Ryan Churchill explained the plan. Two parcels are being combined, equaling 1 acre. The former Citizens Bank and a 5000 square foot vacant building being demolished to make way for parking. There will be a 17 foot addition off the back. There will be 7 drive in stalls for ordering and delivery of food. There will be a total of 53 parking spaces when 49 are required. There will be order boards on the north, 24 foot drive lanes. There are 2 existing pylon signs that will be reused, 2 wall signs, 4 smaller signs that will go through the Zoning Board for a variance. Some sewer work will be done. There are 12 inch mains on either side, OCWA said that is adequate.

The applicant has been to the Zoning Board, variances for the signs and setback for the dumpster enclosure. The color scheme will be earth tones, similar to the one in Watertown

The DOT is not allowing full access on the Route 11 Right in Right out only. The applicants would like full access; they are still working with the DOT.

The drive through was increased from 10 cars to 17 cars stacking.

Russ Mitchell asked if they needed 17 cars stack, Russ said that if they eliminated the last 4 cars from the drive through it would make the turn into the site easier.

Karen said the Board hasn't received the County comments yet. She also said the code on lighting allows 1 foot candle along the property line. Mr. Churchill said that could be adjusted. Karen wants to see all variances with numbers on the plan. All signs go through a permitting process through Planning and Zoning.

Jim Palumbo asked about the canopies, and the circulation, he is concerned about the crosswalk and the cut through ability. There is no bail-out lane; Mr. Palumbo asked how long it takes from the time you order your food to the pick up window. Mr. Churchill said approximately 3 minutes. He said there needs to be a bail-out lane, does the bump out have to be there, maybe that could accommodate a bail-out. Needs improvement on the

Regular Meeting  
Planning Board  
July 22, 2015

layout. Will there be dry wells or sewers. Ron DeTota said there are no combined sewers. Still waiting on the County comments. There is a 4 in lateral it should be bumped up to 6 in. the 4 inch would need additional slope.

Mr. Palumbo wants the right out turn island to be beefed up so drivers won't make left turns on to route 11. The new Site Plan is a good effort.

Karen said the drive thru looks tight, maybe there could be a partial bail-out. Also include the dumpster enclosure detail on the plan.

A motion was made by Hal Henty seconded by Brian Hall to adjourn this case to August 12, 2015.

### **Motion Passed 6-0**

Old Business: Adjourned Hearings:

**\*\*Case #2015-021 – *COR Ver Plank Road Company, LLC(Rivers Point North Apartments)* (3) – Site Plan – Ver Plank Road near Dell Center Drive. (Adjourned from 1 previous meeting)**

Alex Wisnewski, explained the plan.

The height is 15 feet allowed by the code. We added a ramp and ADA parking spaces. There will be no dumpsters on site.

Landscape: Bio retention cells with mobile turf bottom, this keeps the turf dry. These are in use at a location in Fayetteville at Towne Center.

Full size deciduous trees will be planted as well as large grasses. We adjusted the grade along the bio-retention

Lighting: 21 foot antique style LED street lamps, with a black steel finish. The lighting is modest no issue with glare.

There will be a gate out to Ver Plank Road that will only be accessible to emergency vehicles only. Hal Henty asked what if something happened to the power lines. Mr. Wisnewski said the gate could be opened in an emergency.

Jim Fahey of Fahey Design Associates explained Rivers Pointe North apartments are designed to compliment Rivers Pointe. The exterior is low maintenance, colors will be earth tones, there will be two different facades some will have brick accents and the other will be a light weight stone. There will be 285, 5 or 7 unit town home style apartments. The trim will be light in color and will match the garage door. Community center is a prototype of the Rivers Point North. The center will include a game room, golf simulator, and flex space for classes. There will be a maintenance building at the other end. There will be a designated spot, within the Community Center, for refuse for community parties.

Jim Palumbo appreciates the bio, he also added that the curb ramp should be flush with the pavement.

Ron DeTota said a curb should be added to the basin to keep cars from going in there. The trees for the buffer should be staggered.

Ron also said that the endangered species was checked off; Mr. Wisnewski said that issue was handled at the Town Board level.

The drainage issue will be public utilities, and taken care of. Legal and engineering is added to the approval.

Karen closed the Public Hearing.

A motion was made by Russ Mitchell seconded by Michelle Borton to adopt a Resolution using standard form # 10 SEQR determination for P B Case #2015-021 – ***COR Ver Plank Road Company, LLC(Rivers Point North Apartments)*** (3) – Site Plan – Ver Plank Road near Dell Center Drive. That the proposed is an unlisted action, and does not involve any Federal Agency. It is further determined that the proposed action will not have a significant effect on the environment and that the resolution shall constitute a negative declaration. (for the following reasons)

- 1) Concerns about water, land and air were considered and mitigated if necessary.
- 2) Adds to growth and community character.

Motion Passed 6-0

A motion was made by Russ Mitchell seconded by Jim Palumbo to adopt a resolution using standard form # 20 Site Plan Approval for PB Case # 2015-021 ***COR Ver Plank Road Company, LLC(Rivers Point North Apartments)*** (3) – Site Plan – Ver Plank Road near Dell Center Drive. Based on a map made by LJR Engineering Dated and Numbered 5-20-2015 revised 7-16 2015, # 1 thru 6 of 6. Fahey Design Associates, drawings of 5-2015 showing apartment design # A-1 thru A-7 plus clubhouse design of 7-14-2015 being # A-8. Fahey exterior materials spec sheet dated 7-14-2015, # 1 of 1. Costice Engineering lighting plan dated 10-21-2014 and # EL100 with a 10 page site lighting description dated 7-15-2015, from Lite Pro. Subject to legal and engineering.

Motion Passed 6-0

**\*\*Case #2015-022 – *Associated Group Services, Inc.***(3) – Site Plan– 3652, 3694, 3702, 3706, 3712 & 3720 State Route 31. (Adjourned from 1 previous meeting)

A motion was made by Hal Henty seconded by Russ Mitchell to adjourn this case to the August 12<sup>th</sup> 2015 meeting.

Motion passed 6-0

Old Business: Hearings Closed

\*Case #2014-041 – *Riverwalk Associates* (5), Zone change referral – 5112+/- Guy Young Road (Adjourned from 9 previous meetings)

Hal Romans, Michael Bragman Sr. and Greg Card (co-applicant) were present. Mr. Romans gave an over view of the Clustering plan. There are 127 acres R-40, all lots are 40 square feet and there would be 72 lots. The second plan is 22 lots on 1 parcel and 50 lots on the other. Sewer could come from the Riverwalk development.

Karen thanked Mr. Bragman for coming. Mr. Bragman Sr. addressed the Board, He said this is a new plan for clustering; they will need time to work out the cost of utilities. Sewer, water and power. Since the utilities are charged by the lot it may be to expensive a project.

Jim Palumbo asked if there was connectivity to the green space across at Riverwalk. Mr. Bragman said there is a trail System consisting of 93 acres, and yes there is access.

Karen Guinup said that the Planning Board had just received the clustering plan today and they would like some time to review it. She also explained that this Board is only the referring Board and that the Town Board will make the decision.

A motion was made by Hal Henty seconded by Brian Hall to adjourn this case to the September 9, 2015 Meeting.

Motion Passed 6

\*\* Case #2015-023– *Tops Markets, LLC* (3) – Amended Site Plan – 3803 Brewerton Road. (Adjourned from 1 previous meeting)

Amy Franco was present for the applicant. They will leave the one way drive alone. They received a letter from the fire department. Karen would prefer that they not revise the interior curb cut to the south. Jim Palumbo said there is 488 parking spaces, when 390 are required.

A motion was made by Michelle Borton seconded by Russ Mitchell to adopt a Resolution using standard form # 10 SEQR determination for P B Case # 2015-023 *Tops Markets, LLC* (3) – Amended Site Plan – 3803 Brewerton Road. That the proposed is an unlisted action, and does not involve any Federal Agency. It is further determined that the proposed action will not have a significant effect on the environment and that the resolution shall constitute a negative declaration.

**Motion Passed 6-0**

A motion was made by Michelle Borton seconded by Jim Palumbo to adopt a resolution using standard form # 20 Site Plan Approval PB Case # 2015-023 *Tops Markets, LLC* (3) – Amended Site Plan – 3803 Brewerton Road. Based on a map made by CHA Engineering Dated September 2011, revised 2-28-11, revised 5-14-15, with a final date of 7-22-2015. Subject to interior curb cut to the south not being altered. It is to remain in its existing condition. Subject to legal and engineering.

**Motion Passed 6-0**

New Business:

2015-034 – *Riverwalk- Section 3*, - Final Plat – 5095 Guy Young Rd.(5)

Hal Romans was present the applicant, There are 30 lots. Under notes. Lot # 43 can not access Beaver Watch Path, Lot # 24 goes out to Wood Duck Path, and Lots #18 & #99 cannot come out onto Spotted Turtle Run.

CNY Land Trust will buy the parcel next to lot # 56 and # 57.

The builders will be Martin Custom Homes and Cornerstone Homes.

A motion was made by Brian Hall seconded by Jim Palumbo to adopt a resolution using standard form # 40, for final plat approval granted on subdivision known as Riverwalk based on a map by Ianuzi and Romans dated and Numbered August 20, 2014 revised July 16, 2015 file # 1431.014 pages 1 of 2 and 2 of 2. The approval is conditioned on the developer complying with all the legal and engineering requirements.

**Motion Passed 6-0**

**SIGNS**

**Allied Sign Company – T-Mobile – 5133 W. Taft Road.**

Zoned HC-1, Permit #46,554

1 – Wall sign – Applicant is proposing a 15 square foot roof sign, when 16 square feet is allowed. The proposed sign will meet the code.

Regular Meeting  
Planning Board  
July 22, 2015

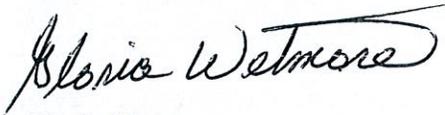
A motion was made by Hal Henty seconded by Michelle Borton to approve the sign as presented.

**Motion Passed 6-0**

A motion was made by Russ Mitchell seconded by Michelle Borton to adjourn the meeting at 10:55 P.M.

**Motion Passed 6-0**

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

