

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 28th day of September 2022. The meeting was called to order by Chairman Mitchell at 7:30 PM. All joined in the Pledge of Allegiance and upon roll being called, the following were:

PRESENT:	Russ Mitchell	Chairman
	Karen Guinup	Deputy Chair
	Michelle Borton	Member
	Hal Henty	Member
	Jim Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Judy Rios	Secretary
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	C&S Engineers

ABSENT:	Al McMahon	Member
	Scott Soyster	Member

A motion was made by Michelle Borton seconded by Jim Palumbo granting approval of the minutes from the September 14, 2022 Regular Meeting.

Motion Carried 4-1 (Chairman Russ Mitchell abstained due to absence)

Public Hearings (New Business):

**Case #2022-035 – O’Reilly Auto Parts (3) – 3906 Brewerton Road – Amended Site Plan. Patricia Ernst, CASCO, presented on behalf of the applicant noting an amended site plan submitted showing a new service ramp for deliveries and dumpster enclosure to match the existing building. Russ Mitchell spoke stating his displeasure with the submission, noting it is lacking a lot of information such as lot lines, details of site requirements (i.e., parking, zoning, etc.), grass/lawn, photometrics for lighting, elevations on building, dumpster enclosure details based upon packet requirements, etc. Russ asked what the connector is on the northern part of the lot and Patricia said, this is a connection to other properties. Russ stated the big item is the future adjacent tenants as indicated. Karen Guinup asked Patricia if she had received Onondaga County’s comments and she said, no. A copy was provided and Karen noted the Board is required to adhere to their requests pointing out the Brewerton Road access piece. Karen stated a good site plan is needed to go forward with the County and State approvals, and letters back to the Planning Board that they have received, reviewed and approved. Karen questioned a drive-thru window and Patricia said that is not their portion of the lease, only the right side. Karen asked who owned this and Patricia said, New Plan North, LLC. Karen also asked who the future tenants might be and Patricia said, she did not know. Discussion ensued as to who should be presenting and all agreed New Plan North (the owners). Ron DeTota stated outside of O’Reilly’s falls on the property owner and could be a concern for the Town. Russ pointed out what is shown is the whole parcel and there is a concern with setbacks. Hal Henty stated better lighting details are needed. Jim Palumbo noted wall packs, as indicated, are the applicants. Karen asked Patricia meet with the property owner and provided requirements of what the Planning Board needs. Russ agreed this appears the property owner’s project.

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Russ Mitchell asked for further questions/comments. None provided.

A motion was made by Jim Palumbo seconded by Michelle Borton to adjourn Case #2022-035 – O'Reilly Auto Parts – 3906 Brewerton Road – Amended Site Plan to October 26, 2022.

Motion Carried 5-0

Case #2022-036 – **Pizza Hut (3) – 7365 Oswego Road – Amended Site Plan. The applicant was not in attendance. Hal Henty requested the Planning Department send a letter to the applicant requiring a site plan and dumpster details.

A motion was made by Hal Henty seconded by Karen Guinup to adjourn Case #2022-036 – Pizza Hut – 7365 Oswego Road – Amended Site Plan to November 16, 2022.

Motion Carried 5-0

Case #2022-038 – **Auburn Community Federal Credit Union (3) – 7538 Oswego Road – Amended Site Plan. Joshua Oot, Labella Associates, presented on behalf of the applicant noting Sam Scro, CEO Auburn Community Federal Credit Union, also in attendance. Russ Mitchell asked if they had received Onondaga County's comments and provided a copy. Joshua stated their proposing to replace an existing M&T Bank on Route 57 with a new branch, consistent with the building. The interior will be a fit-out, and the exterior plan is to replace the front canopy and add a canopy cover to the rear; the footprint is not changing. The west side parking layout will stay the same, and patching, restriping, and resealing will be done to the pavement. Existing lights will be replaced and one light added in the back lot. Russ stated photometrics must be provided and the dumpster enclosure needs to meet our requirements as indicated in the packet. Joshua asked, since the building is brick, does the enclosure need to be brick to match and Russ said, no although a split face block that has a facing on it could be used. As well, Russ asked a data table be provided on the drawing with site data requirements, parking, zoning, etc.; Joshua agreed. Dimensions of the building should also be added. Russ read from the County comments about advisory notes, DOT spillage, western driveway as a right-out only, mitigation condition (no condition will be considered), traffic safety, etc. and asked the applicant look into these items along with the easement that is going through another property. Sam commented on this stating the property owner was in negotiations with M&T about access, however, their concern is a liability issue. Karen Guinup said a connection, if made, should be a usable and reasonable spot. Russ asked they take a look at this, although this doesn't mean to make a connection. Hal Henty asked if they were supplying new bulbs and Josh said, yes he would provide the cut sheet. Michelle Borton asked they show where the fixtures will be changed out on the plan. The photometrics also need to be extended to the property line all the way (on DOT side, per County comments). As well, the site plan states that there is a right-of-way and easement to be conveyed to the Town of Clay. Michelle asked what this was in reference to. Josh said this is part of the original survey and will be clarified on the revised plan. Russ stated the County's comments address signage as encroaching on their right-of-way and the Town does not want this. Karen said they could delete the comment. Jim Palumbo noted the landscape plan and asked if there is existing trees on site and not shown. Josh said, yes in the front yard, which will be removed. Jim asked they be shown on the drawing so they can see what is being removed. As well, the plantings noted under the front eave are sun-loving and won't last long where they are located. Jim is concerned this area will turn into a mulch-bed and would like to see a couple small conifer-type trees, flower trees, or small evergreens. Sam said their concern is with safety and doesn't want something to large near the entrance; Jim agreed and said what he is referring would alleviate this concern. Karen noted an existing flagpole and if it is staying needs to be shown on the site plan. As well, the right-out only issue (from County

comments) needs to be absolutely defined and an arrow is not acceptable. Also, a note on the plan reads "Right-of-way/easement and Farm Family Association." Sam said this is from a prior owner before M&T. Ron DeTota noted concern with complexity of the two parcels for setbacks and storm drain issues with the easement granted to the adjacent property, he'd like to see no impact to the Town. Karen suggested they could combine the lots and Ron said that would take care of his concerns; the applicant agreed. Russ asked if this could be done administratively and Mark Territo said, yes. Karen said they would like this done before going to site plan.

Russ Mitchell asked for further questions/comments. None provided.

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn Case #2022-038 – Auburn Community Federal Credit Union – 7538 Oswego Road – Amended Site Plan to October 12, 2022.

Motion Carried 5-0

Case #2022-039 – **Iqbal-George Subdivision (3) – 8394 Maple Road – Preliminary Plat. Melissa Cherubino, Whiteman Osterman & Hanna, LLP, spoke noting Rob Seeley, EDR Companies, also in attendance. Melissa explained this is a straightforward project with the owner of the property looking to build a new home and town home on both lots with one shared driveway. Russ Mitchell asked if they had received Onondaga County's comments and a copy was provided. A question was raised if this is public water or septic and Melissa said, public. Russ asked if they were going to clear trees and Melissa said, no. Rob said the only clearing is shown on map C-201 and will be graded accordingly. Karen Guinup asked how much and Rob said, 80x85' on each side. Future plans also include a ground-mounted solar array and Mark Territo stated that is a separate application and they would need to return for approval. Russ noted no clearing of trees could be done before November 1st, due to the Indiana bat species; Rob agreed. Russ also asked they show the proposed house (lot 839B) on the drawing; the shared driveway needs to be put on the preliminary plat. A question was raised about a SPDES permit and Rob said he would look into this. Ron DeTota spoke about his concern for water run-off, flows, swale creation and asked better clarification be provided as to how this will all work. He noted the sewers will not have connection to gravity connectors and an E1 grinder pump is a special request to be made for those connections. Jim Palumbo asked regarding the existing pavement and a note to be added stating "to be removed" for clarity; Russ agreed. Karen requested a clear note be added to the drawing to read "preliminary plat plan approval not buildable."

Russ Mitchell asked for further questions/comments. None provided.

A motion was made by Hal Henty seconded by Michelle Borton to adjourn Case #2022-039 – Iqbal-George Subdivision – 8394 Maple Road – Preliminary Plat to October 12, 2022.

Motion Carried 5-0

Public Hearings (Old Business/Open and Adjourned):

Case #2022-011 – **7842 Goguen Drive, LLC (3) – 7842 Goguen Drive – Site Plan (Adjourned from 5 previous meetings). The applicant was not in attendance.

A motion was made by Hal Henty seconded by Karen Guinup to adjourn Case #2022-011 – 7842 Goguen Drive –Site Plan to October 26, 2022.

Motion Carried 5-0

Case #2022-029 – **Goguen Drive Laydown Yard (3) – Goguen Drive – Site Plan (Adjourned from 1 previous meeting) and Case #2022-030 - **Goguen Drive Laydown Yard (3)** – Goguen Drive – Special Permit – Contractor’s Service Yard (Adjourned from 1 previous meeting). Russ Mitchell combined Case #2022-29 and Case #2022-030 for presentation purposes. Geoff Hillenbrand, Plumley Engineering, spoke on behalf of the applicant noting he submitted stamped lighting photometrics as requested and received acknowledgement from the Army Corps. Russ explained the Board needs an answer/documentation from the Corps (or DEC) before moving forward and no conditional would be provided. Karen Guinup suggested he keep calling and/or emailing them; Geoff agreed.

A motion was made by Michelle Borton seconded by Karen Guinup to adjourn Case #2022-029 – Goguen Drive Laydown Yard – Goguen Drive – Site Plan and Case #2022-030 Goguen Drive Laydown Yard – Goguen Drive – Special Permit Contractor’s Service Yard to October 12, 2022.

Motion Carried 5-0

Case #2022-032 – **Splash Car Wash (3) – 3610 NYS Route 31 – Site Plan (Adjourned from 2 previous meetings). Cade Krueger, DDS Engineers, and Jeff Arnold, Splash Car Wash were in attendance for presentation purposes. Russ Mitchell noted they have put together a good summary and thanked them. Further, he asked what they were planning for snow removal and Cade said snow storage will be pushed to open areas, however, the company (Splash) will also contract to have snow hauled/trucked out, if needed. Karen asked for clarification on the vehicles and gates as shown on the drawing and Cade said this was only for visual purposes to show motion. Russ questioned the length of time a vehicle takes to go through the tunnel and Jeff said, roughly one minute.

Russ Mitchell closed the public hearing.

Jim Palumbo read: In the matter of the application of the Planning Board Case #2022-032 for Splash Car Wash – 3610 NYS Route 31 – Site Plan, I move the adoption of a resolution using standard form #10-SEQR, that the proposed action 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 resolution for the following reasons: The proposed site redevelopment is in keeping with the surrounding commercial area. Seconded by Karen Guinup.

Motion Carried 5-0

Jim Palumbo read: In the matter of the application of Planning Board Case #2022-032 for Splash Car Wash – 3610 NYS Route 31 at the corner of Route 57 and Route 31 – Site Plan, I move the adoption of a resolution using standard form #20 – Site Plan granted based on a map by The DDS Companies dated July 6, 2022 revised September 21, 2022 and numbered C-0 through C-9 drawing no. Stacking A1.01 and A2.00 by Form 2 dated September 20, 2022 and lighting data sheets RSX1 LED and WPX LED dated September 21, 2022. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Any other conditions if necessary: Minus the signage shown which shall be a separate sign application. Seconded by Michelle Borton.

Motion Carried 5-0

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****Case #2022-034 – B&C Storage (3) – 7988 Morgan Road – Amended Site Plan.** The applicant requested an adjournment.

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn Case #2022-034 – B&C Storage – 7988 Morgan Road – Amended Site Plan to October 26, 2022.

Motion Carried 5-0

Closed Hearings – Board/Applicant discussions:

None.

New Business

Signs:

Allied Sign Company – Jersey Mike’s Subs – 7567 Oswego Road - Zoned RC-1, Permit #53,115. Greg Fishel, Allied Sign Company, spoke on behalf of the applicant seeking approval for one wall sign, 20.56 square feet (35.01 square feet is allowed) and a panel change to the pylon sign, of an 8.3 square foot panel. Each of these signs will meet the code. Karen Guinup asked the interpretation of the two proposed wall signs and if they were directional signs. Mark Territo said these are wall signs and per Town code, they are allowed two per tenant.

A motion was made by Hal Henty seconded by Michelle Borton granting approval of Sign Permit #53,115 – Allied Sign Company – Jersey Mike’s Subs – 7567 Oswego Road.

Motion Carried 5-0

Work Session:

None.

Russ Mitchell asked if there were any further comments or questions, hearing none he adjourned the meeting.

A motion was made by Jim Palumbo seconded by Hal Henty granting approval to adjourn the meeting at 9:27 p.m.

Motion Carried 5-0

The next meeting is slated for October 12, 2022.

Respectfully Submitted,


Judy Rios

Planning Board Secretary