

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 26th day of October 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
	Al McMahon	Member
	Jim Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Judy Rios	Secretary
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	C&S Engineers
ABSENT:	Scott Soyster	Member

A motion was made by Michelle Borton seconded by Hal Henty granting approval of the minutes from the October 12, 2022 Regular Meeting.

Motion Carried 4-2 (Russ Mitchell and Al McMahon abstained due to absence)

Public Hearings (New Business):

Case #2022-045 – **Clay Marketplace (Phases 1-3) (3) N/E corner of NYS Route 31 and Henry Clay Boulevard –Site Plan. Alex Wisniewski, LJR Engineering, spoke on behalf of the applicant noting they have refined the architectural package and their traffic engineer is working on traffic concerns; he has submitted information to the County D.O.T. and awaits further communication. Alex stated this project remains a mixed use project with three apartment buildings in the back and retail stores in the front on the N.E. corner of Henry Clay Blvd. Plans are for 96 apartments – 1 bedroom and 2 bedroom with 48 garage spaces. Berm landscaping and greenery is planned adjacent to the cemetery. Construction will be in 4 phases with the first the east apartments and retail, 2nd – commercial buildings, 3rd – second apartment building and 4th – outparcel to the S.W. All uses and setbacks meet Town requirements and have been submitted with the application. Russ Mitchell asked if anything had changed from their last appearance and Alex said yes, the garage spaces are now 12’ rather than 10’ and the total number is down from 54 to 48, as well the general outline is more refined to match the architectural, as well, still working on cross access agreement(s). Russ stated the previous drawings show paving to the property line and this should remain. Alex agreed, noting they’ll have to stop a few feet short to tie into the existing. Russ noted two retail spaces in the front and asked if one would be occupied by the owners and Alex said, yes, plans are to occupy one of the spaces, however, there are several people interested in the other retail areas and they will select tenants that will compliment the apartments. Russ pointed out where it reads “50% of commercial to be built before Phase 4, Phase I and II before Phase III” this should be noted specifically on the drawing. Further, Russ indicated, from the project narrative, the word “proposed” be taken out and replaced with “shall.” He explained this PDD is important and thanked Alex for the work that’s been done. Karen Guinup noted there are 54 parking spaces in this version and in the concept

narrative it read 68; dropping the garages and increase the surface parking, dropped by 5 spaces. Also, at the bottom of the narrative, third sentence it reads “access drives” and will need to read “full access drives” as it is much clearer. One schedule not included in the project narrative, in the very back under “allowed uses” needs to be included. As well, this same document, phasing talks about wording needs to go in under Phase I – “access drives eastern parking garages”; paved access drives to east and west also needs to be included. Karen asked, what happens if the area is paved to the insurance office in the future, and this tenant wants to use that paved area? Alex said there would be a reciprocal cross access that would give allowance. Karen noted charging stations added and Alex said, yes, there are two pedestal-type, one in the back area (apartments) and two in an area positioned for good access by anyone. Hal Henty asked about lighting and Alex said he included a lighting plan and there are no changes; heights indication is noted. Ozzie Crisalli spoke and stated there is consideration to add one light pole in an existing dark area. Hal asked they be sure there is no spill over and Alex agreed; he stated he would add this to the lighting plan. Karen asked they also be sure the poles are all the same height. Jim Palumbo mentioned he’s looked at the landscaping and there is a good mix of vegetation; he asked they be sure to allow room for the plantings to grow and don’t get crushed by snowplows. Karen asked about future development and the possibility of the traffic light changing to allow an arrow and Alex said there have been recent conversations regarding turning lights. Russ indicated he likes the new schematics and how the stores are positioned on the lot(s). As well, the nice color combination. Discussion surrounded the maximum height of the apartments to 30’, per Town code; Alex said he would double check this as he believes they are 34’. Ron DeTota asked about the status of the drainage analysis and Alex said he can drop the report off to him. Ron noted concern about the depth of the sewer infrastructure and sensitivity to the integrity of the lines, due to weight, freeze, etc. Alex agreed to meet with Ron and go over details of this concern and potential solutions.

Russ asked for questions/comments from the public. None received.

A motion was made by Hal Henty seconded by Michelle Borton to adjourn Case #2022-045 – Clay Marketplace (Phases 1-3) N/E corner of NYS Route 31 and Henry Clay Boulevard – Site Plan to November 16, 2022.

Motion Carried 6-0

Case #2022-047 – **Lands of Leo (3) – 8159 Maple Road – Preliminary Plat. Tim Coyer, Ianuzi and Romans, PC, presented on behalf of the applicant and provided a smaller copy of this project to the Board Members, noting no changes. This property is family-owned and is being purchased by the son who plans to build a new home. Tim stated all septic concerns have been addressed and there are no issues.

Russ asked for questions/comments from the public. Hearing none he closed the hearing.

Al McMahon read: In the matter of the application of the Planning Board Case #2022-047 – Lands of Leo – 8159 Maple Road – Preliminary Plat, 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 declaration for the following reasons: None. Seconded by Karen Guinup.

Motion Carried 6-0

A motion was made by Al McMahon to move to Final Plat. Seconded by Jim Palumbo.

Motion Carried 6-0

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Al McMahon read: In the matter of the application of Planning Board Case #2022-048 – Lands of Leo – 8159 Maple Road, I move the adoption of a resolution using standard form #40 – Final Plat granted based on a map by Ianuzi and Romans Land Surveying dated May 11, 2022, File #3910.001. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Jim Palumbo.

Motion Carried 6-0

Public Hearings (Old Business/Open and Adjourned):

Case #2022-011 – **7842 Goguen Drive, LLC (3) – 7842 Goguen Drive (Adjourned from 6 previous meetings). The applicant has withdrawn their application for this project.

Case #2022-023 – **Westside Properties FRSW, LLC/7458 Oswego Road (3) – 7458 Oswego Road – Amended Site Plan (Adjourned from 4 previous meetings). The applicant requested an adjournment.

A motion was made by Jim Palumbo seconded by Karen Guinup to adjourn Case #2022-023 – Westside Properties FRSW, LLC/7458 Oswego Road – Amended Site Plan to November 16, 2022.

Motion Carried 6-0

Case #2022-029 – **Goguen Drive Laydown Yard (3) – Goguen Drive – Amended Site Plan (Adjourned from 5 previous meetings). The applicant was present. Russ Mitchell noted having all needed information and had no questions/comments.

Russ asked for questions/comments from the public. Hearing none he closed the hearing.

Michelle Borton read: In the matter of the application of the Planning Board Case #2022-029 – Goguen Drive Laydown Yard – Goguen Drive – Amended 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 declaration for the following reasons: Potential impacts to threatened or endangered species, wetlands, and waterways, have been considered and mitigated through the project design and permitting processes. Seconded by Karen Guinup.

Motion Carried 6-0

Michelle Borton read: In the matter of the application of Planning Board Case #2022-029 – Goguen Drive Laydown Yard – Goguen Drive – Amended Site Plan. I move the adoption of a resolution using standard form #20 – Site Plan, granted based on a map by Plumley Engineering. Site development plans cover sheet dated August 30, 2022, revised August 2022. Sheets C101, dated August 30, 2022, C102 dated August 2022, revised August 30, 2022, C201 dated May 2022, revised August 30, 2022, C301 dated June 2022, revised August 30, 2022, C302 dated June 2022, revised August 30, 2022, C401 dated June 2022, revised August 30, 2022, C402 dated June 2022, revised August 30, 2022, and Eralux Photometric Plan dated August 30, 2022; Figure 1 dated August 30, 2022 by Plumley Engineering. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Any other conditions if necessary. Seconded by Hal Henty.

Motion Carried 6-0

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****Case #2022-030 – Goguen Drive Laydown Yard (3) – Goguen Drive – Special Permit – Contractor’s Service Yard (Adjourned from 5 previous meetings).** Russ Mitchell stated he sees no problems and is in favor of this project.

Russ asked for questions/comments from the public. Hearing none he closed the hearing.

Michelle Borton read: In the matter of the application of the Planning Board Case #2022-030 – Goguen Drive - Special Permit - Contractor’s Service Yard, 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 declaration for the following reasons: The proposed action is consistent with the site’s soil capabilities, provides stormwater management conforming to the Town’s planning objectives, and complies with applicable County, State, and Federal regulations for significant environmental resources. Seconded by Karen Guinup.

Motion Carried 6-0

Michelle Borton read: In the matter of the application of Planning Board Case #2022-030 – Goguen Drive – Special Permit – Contractor’s Service Yard, I make a motion using standard form #70 – Special Permit the petition be granted for the following reasons: The proposed Contractor’s Service Yard is compatible with surrounding land uses and patterns of development, is of appropriate scale, and is located adjacent to suitable roadways and public facilities. Seconded by Karen Guinup.

Motion Carried 6-0

****Case #2022-034 – B&C Storage (3) – 7988 Morgan Road – Amended Site Plan (Adjourned from 2 previous meetings).** The applicant requested an adjournment.

A motion was made by Hal Henty seconded by Michelle Borton to adjourn Case #2022-034 – B&C Storage - 7988 Morgan Road - Amended Site Plan to November 16, 2022.

Motion Carried 6-0

****Case #2022-035 – O’Reilly Auto Parts (3) - 3906 Brewerton Road – Amended Site Plan (Adjourned from 1 previous meeting).** The applicant requested an adjournment.

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn Case #2022-035 – O’Reilly Auto Parts – 3906 Brewerton Road – Amended Site Plan to November 16, 2022.

Motion Carried 6-0

****Case #2022-038 – Auburn Community Federal Credit Union (3) – 7538 Oswego Road – Amended Site Plan (Adjourned from 3 previous meetings).** Joshua Oot, Labella Associates, spoke on behalf of the applicant. Josh stated he’s addressed the issue of the right turn only and believes this is accommodated correctly. In question is the access agreement and the front is best area for this. Josh asked if he’s required to pave the easement to the property line and Russ said, yes, as the object is to run all the property together and is

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conducive for us as being paved. Josh stated the owner has an issue with this since he'll have to move curbs and remove an existing tree. Karen Guinup noted there is 20' existing between the curb and front and no need to make the area wider, thus the need to move curbs and remove the tree would not have to be done. Karen asked if the existing fence is the owner's and Josh said he would have to check on that. She said it would have to be added to the plan if it is theirs. Michelle Borton said the wider easement is good and keeping 20' favorable. Ron DeTota said he is in favor of 30' as 20' might not incorporate the right out only issue. Karen said yes, 30' of pavement, but only need to pave 20'. Josh said he is planning to pave 24', Russ said 24' is acceptable; Ron agreed. Karen clarified this is a 30' easement and only paving a 20' width from property line to property line. Russ asked Josh to talk these items over with his client; Josh agreed. Russ reiterated that any work to be done inside the building is at the owner's liability. Josh stated no work will be done.

A motion was made by Hal Henty seconded by Michelle Borton to adjourn Case #2022-038 – Auburn Community Federal Credit Union – 7538 Oswego Road – Amended Site Plan to November 16, 2022.

Motion Carried 6-0

Closed Hearings – Board/Applicant discussions:

None.

New Business:

Case #2022-048 – **Lands of Leo** – 8159 Maple Road – Final Plat. This case was combined and approved as noted above under Case #2022-047.

Signs:

None.

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 Michelle Borton seconded by Jim Palumbo granting approval to adjourn the meeting at 8:59 p.m.

Motion Carried 6-0

The next meeting is slated for November 16, 2022.

Respectfully Submitted,



Judy Rios
Planning Board Secretary