

Regular Meeting  
Planning Board  
April 12, 2023

**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 12<sup>th</sup> of April 2023. 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:

<b>PRESENT:</b>	Russ Mitchell	Chairman
	Michelle Borton	Deputy Chair
	Karen Guinup	Member
	Hal Henty	Member
	Al McMahan	Member
	Jim Palumbo	Member
	Scott Soyster	Member
	Mark Territo	Commissioner of Planning & Development
	Judy Rios	Secretary
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	C&S Engineering

**ABSENT:**

A motion was made by Karen Guinup seconded by Jim Palumbo granting approval of the minutes from the March 22, 2023 Regular meeting.

**Motion Carried 7-0**

Russ Mitchell spoke announcing that when applicants apply through the Planning Department and receive their packet of submission requirements, they will need to follow the instructions as outlined. Not doing so, will prevent the project from moving forward. Note: Projects with incomplete or incorrect documents will be rejected and not placed on an agenda until the proper requirements are met.

**Public Hearings (New Business):**

**\*\*Case #2023-011 – Local Union No. 43 Realty Corporation/IBEW Classroom Building Addition – (3) – 4566 Waterhouse Road – Amended Site Plan.** Mark Weiss, M.V. Weiss and Associates, spoke on behalf of the applicant noting Edward Barry, VIP Structures, also in attendance. Mark (Weiss) apologized to the Board for the submitted drawings noting the size as too large; he will resubmit 24”x36” drawings. Going forward, he noted applying in 2014 for a training facility and has returned for an additional 8500 sq. ft. building, generated from the Micron announcement and anticipation of trades. Plans are to take down an old façade and replace with new and relocate an existing culvert. Mark (Weiss) is working with OCWA regarding an encroachment that will add 32’ of easement. As well, the new addition will have new entrances, relocation of entire parking area, EV parking/charging stations, creation of rain gardens with taking down some trees and berms. Plans are to expand the parking to the south while meeting parking requirements. Photometric plans include taking down some wall pack lighting and provide bollard lights. Hal Henty asked about the pole height for outside lighting and Mark (Weiss) stated it is on the drawing and

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reads 23' mounting height; all is LED and a few wall packs will remain over doors for security purposes; lighting

levels will be low. Landscape plans include rain gardens with cut out asphalt to soften the area with added plantings. Russ Mitchell asked if they received the County's comments and Mark (Weiss) said, yes and he is coordinating with OCWA and provided a letter to Mark Territo; as well he is working with the legal department. Russ stated the Board needs approvals in writing. Russ asked if they have contacted DEC and Mark (Weiss) said, no he didn't feel it necessary. Russ noted a concern from the County regarding the endangered bird species and the importance of SHPO, this will need discussion. As well, Russ noted they must assure the encroachments and water line easement are agreed upon and approved. Mark (Weiss) said they are working on this now. Further, Russ requested drawing L-1 include the property lines and questioned the two water lines as noted on L-1. Mark (Weiss) said that is an error and will adjust accordingly. Russ asked about the metal building and Mark (Weiss) said this will be removed. Russ said drawing L-3 shows solar panels and asked what platform they will sit on and Mark (Weiss) said, concrete sonotubes; Russ asked this be included on the drawing. Russ questioned the concrete pad in the back and Mark (Weiss) said it is below grade and they are unsure what it is. Russ asked cut sheets for lighting be included and taken off the drawings. He also asked the square footage be included on each of the buildings as well as requirements for setbacks, etc. Russ noted having a hard time following the drawings and asked about a legend. Mark(Weiss) said it is on the first sheet with construction notes on the next page. Russ requested the construction notes be placed on the first drawing. Michelle Borton asked a reference be provided for clarification purposes. Further, Michelle noted the parking lot is under the 1-acre threshold and asked they delineate what the disturbance limits are such as, depth of asphalt, construction limits, topping, etc. Mark (Weiss) indicated they are just restriping the parking lot. Michelle noted needing the approvals from OCWA for the additional usage and read the advisory note from the County's comments. She stated there are a number of right-of-way's and the Board will need permission from those entities. Mark (Weiss) agreed to check on this. Lastly, Michelle asked about dumpsters and Mark (Weiss) said all trash is kept inside. Jim Palumbo suggested they review the EV parking regulations as it pertains to handicap as their may be changes; Mark (Weiss) agreed. Karen Guinup asked if there are solar panels at the site now and if so, when relocating, will they be mounted the same and Mark (Weiss) said, yes. Karen also questioned the tree height as noted on the drawings and Mark (Weiss) stated that it is trunk width, not height. Karen asked Mark Territo about the parking calculations and he said mixed uses, such as this, are okay to break apart. Ron DeTota reiterated Michelle's concern about the right-of-way's and importance to check this out. He also asked about a discrepancy on the existing culvert reading 52x39" CMP and the survey reads 60" CMP. Mark (Weiss) said this is an error and will correct it. Ron asked if a survey was done and Mark (Weiss) said, yes. Ron asked Mark (Weiss) to show the calculations that went into the water quality for the rain gardens; Mark said he would discuss this with him.

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

A motion was made by Hal Henty seconded by Scott Soyster to adjourn Case #2023-011 – Local Union No. 43 Realty Corporation/IBEW Classroom Building Addition – (3) – 4566 Waterhouse Road – Amended Site Plan to May 10, 2023.

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**Public Hearing (Old Business/Open and Adjourned):**

\*\*Case #2022-035 **O'Reilly Auto Parts (3)** – 3906 Brewerton Road – Amended Site Plan (Adjourned from 7 previous meetings). Tiffany Lawson, representative for O'Reilly Auto Parts and Blake Ryan, Civil Engineer for VAA presented on behalf of the applicant. Tiffany indicated making required changes as discussed from a previous meeting as well as providing a land survey. Russ Mitchell noted the received parking variances need to be noted; Tiffany agreed and will do this as they were just provided at the April 10, 2023 ZBA meeting. Michelle Borton stated the survey for zoning be updated. Russ said this will require another sheet with that removed. Michelle stated, if any future changes are to be made to the outside of the building (with a new tenant) they much come back to the Planning Board for approval. Tiffany said she would let the landlord know this. Hal Henty stated the lighting plan looked good. Karen Guinup asked about the remaining vacant square footage of the building and Tiffany said they can add that information. Jim Palumbo thanked Tiffany and Blake for the landscaping plan noting it is very clear.

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

Al McMahan read: In the matter of the application of the Planning Board Case #2022-035 - O'Reilly Auto Parts – 3906 Brewerton Road – 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 resolution for the following reasons: It is in keeping with the existing character of the area. Seconded by Scott Soyster.

**Motion Carried 7-0**

Al McMahan read: In the matter of the application of the Planning Board Case #2022-035 - O'Reilly Auto Parts – 3906 Brewerton Road – Amended Site Plan, I move the adoption of a resolution using standard form #20 – Amended Site Plan, be granted based on a map by Kevin Harris revised March 31, 2023 and numbered T1.1, L1, A1.1, A2.1 SP1; dated November 30, 2022 – file no. 2185.010; dated November 22, 2022 – SV-1; dated February 15, 2023 C-1 – revised March 31, 2023; dated September 15, 2022 – S-1; plus rendered elevations sheet. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Any other conditions if necessary: 1. Survey sheet updated to current zone; 2. Parking variance include dated and case number; 3. Square footage of vacant building area. Seconded by Jim Palumbo.

**Motion Carried 7-0**

\*\*Case #2023-035 – **B & C Storage (3)** – 4600 Weller Canning Street – Site Plan (Adjourned from 1 previous meeting). The applicant requested an adjournment.

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn Case #2022-035 – B&C Storage – 4600 Weller Canning Street – Site Plan to May 10, 2023.

**Motion Carried 7-0**

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**\*\*Case #2023-003 – Upstate University Hospital Neurological Rehabilitation (3) – 8687 Carling Road – Amended Site Plan (Adjourned from 1 previous meeting).** Terry Horst, Horst Landscape Architecture, P.C., spoke on behalf of the applicant indicating changes have been addressed as follows: four (4) proposed awnings as shown, sidewalk restoration, drop curbing added for handicap parking, lighting (poles to stay the same), improvements to the crosswalk (Laser Dr.), restriping parking lot to bring up to code, changes to sewer, updated landscaping and submitted cross access agreement as sent to Mark Territo. Russ Mitchell asked about the sewer system and Terry said this is a gravity fed overhead system. Ron DeTota reviewed and noted it as a private system. Russ said the dumpster has been addressed and the cross access agreement approved by the Attorney.

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

Karen Guinup read: In connection with the unlisted action of the Planning Board Case #2023-003 – Upstate University Hospital Neurological Rehabilitation – 8687 Carling Road, I move the adoption of a resolution using standard form #10 – that for SEQR purposes the Amended Site Plan proposed by Upstate University Hospital Neurological Rehabilitation be declared to be a negative declaration as there appears to be no major environmental impacts that could not be mitigated. This action does not involve any other agencies, including the Federal Government. Seconded by Hal Henty.

#### **Motion Carried 7-0**

Karen Guinup read: In connection with Planning Board Case #2023-003 - Upstate University Hospital Neurological Rehabilitation – 8687 Carling Road, I move the adoption of a resolution using standard form #20 – granting Amended Site Plan approval to Upstate University Hospital Neurological Rehabilitation based on a map by Terry Horst, dated April 5, 2023 no revision date showing drawing #L1.2, also included in this motion are the following drawing numbers: L1.0, L1.1, L1.3, L1.4, L2.0, L3.0, all dated April 5, 2023 no revision dates by Terry Horst. Drawings by King & King E010 dated March 30, 2023, SP1.00 and SP2.00 both dated April 3, 2023 no revision dates. Survey map #8393 by D.W. Hannig dated November 29, 2005 last revised June 4, 2021. Subject to the following conditions: 1. No signage approval is included in this motion; 2. No C.O including conditional C.O. until the ingress, egress and parking easement agreement is signed and recorded. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Michelle Borton.

#### **Motion Carried 7-0**

#### **New Business:**

Case #2023-017 – **Harke Farms Section No. 2** – Proposed Eleven (11) lot residential subdivision – Final Plat. Tim Coyer, Ianuzi and Romans, Land Surveying, P.C., spoke on behalf of the applicant noting he will resubmit the required 24”x36” drawings to the Planning Department. Jim Palumbo asked about the 2016 date on the drawings and if a revision date should be added. As there were no changes, it was determined a revision date was not needed.

Russ Mitchell asked for other questions/comments. Hearing none he closed the Case.

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Jim Palumbo read: In the matter of the application of Planning Board Case #2023-017 – Harke Farms Section No. 2 – Proposed Eleven (11) lot residential subdivision, I move the adoption of a resolution using standard form #40 – Final Plat, be granted based on a map by Ianuzi and Romans, Land Surveying, P.C. dated October 27, 2016 and numbered 1 of 1 [File No. 3424-001]. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Scott Soyster.

**Motion Carried 7-0**

**Signs:**

**Allied Sign Company/Panara – 3815 Route 31 - Zoned RC-1, Permit #53,316.**

Greg Fishel, Allied Sign Company, spoke on behalf of the applicant noting they are proposing two wall signs, both External Illumination (lit from above). Sign A (north elevation is 6.07 square feet, when 177.4 square feet is allowed, and Sign B (south elevation) is also 6.07 square feet, when 158.66 square feet is allowed. This application is for changing the logos only. The proposed signs will meet the code.

A motion was made by Al McMahon seconded by Jim Palumbo granting approval of Sign Permit #53,316, Allied Sign Company/Panara – 3815 Route 31.

**Motion Carried 7-0**

**Signarama/Il Limone Ristorante – 7421 Oswego Road (Glenn Crossing Plaza) - Zoned RC-1, Permit #53,318.**

1 – Wall sign. The applicant is proposing an Internal Illumination LED 21 square foot wall sign when 38.08 square feet is allowed. The proposed sign will meet the code.

A motion was made by Hal Henty seconded by Michelle Borton granting approval of Sign Permit #53,318, Signarama/Il Limone Ristorante – 7421 Oswego Road (Glenn Crossing Plaza).

**Motion Carried 7-0**

**Speedpro Imaging of CNY/United Financial Services including list of services and the phone number - Zoned O-1, Permit #53,320.**

1 – Wall sign. The applicant is proposing an Internal Illumination LED 30 square foot wall sign when 32 square feet is allowed. The proposed sign will meet the code.

A motion was made by Michelle Borton seconded by Scott Soyster granting approval of Sign Permit #53,320, Speedpro Imaging of CNY/United Financial Services including list of services and the phone number.

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**Z5s Metropolitan Signs, Inc./Crumbl Cookies – 8417 Oswego Road (Kimbrook Plaza) - Zoned RC-1, Permit #53,325.**

David Razzante, Metropolitan Sign, spoke noting the applicant is proposing a 39.75 square foot wall sign when 48 square feet is allowed. The proposed sign will meet the code.

A motion was made by Karen Guinup seconded by Scott Soyster granting approval of Sign Permit #53,325, Metropolitan Signs, Inc./Crumbl Cookies – 8417 Oswego Road (Kimbrook Plaza).

**Motion Carried 7-0**

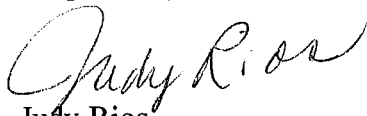
Russ Mitchell asked if there were any further comments or questions, hearing none he adjourned the meeting.

A motion was made by Michelle Borton seconded by Scott Soyster granting approval to adjourn the meeting at 9:02 p.m.

**Motion Carried 7-0**

The next meeting is slated for April 26, 2023

Respectfully Submitted,



Judy Rios  
Planning Board Secretary