

**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 22<sup>nd</sup> day of March 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 McMahon	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

A motion was made by Jim Palumbo seconded by Al McMahon granting approval of the minutes from the March 8, 2023 Regular meeting.

**Motion Carried 6-1 (Scott Soyster abstained due to absence)**

**Public Hearings (New Business):**

\*Case #2023-004 – **Route 31 Holding Company, LLC/Davis Zone Change Lot 1A (5)** – 5252 State Route 31 – Zone Change Referral. Joe Frateschi, Attorney, presented on behalf of the applicant distributing zone change maps noting this zone change is for CNY Veterinary Services located on the corner of Route 31 and Stearns Road. Currently they are zoned RA-100 and his client seeks to change to HC-1 (Highway Commercial) and would like to subdivide the parcel as it is under utilized and could be developed into a commercial site to assist in supporting Micron. Joe stated he was at Monday’s March 20, 2023 Town Board Meeting and was referred to the Planning Board; there is no site plan as this is strictly a zone change. Russ Mitchell asked who currently owns the parcel and Joe said, Dr. Davis. Scott Soyster asked about the portion on Stearns Road and Joe said they are seeking a zone change to the parcel. Scott asked if it could be developed as residential and Joe said, yes. The proximity to Micron is the main reason for making this commercial. Karen Guinup asked if Dr. Davis sold other parcels and what they were zoned and Joe said he did not represent him at that time. Karen stated changing to commercial won’t allow for farming or nicer homes, however, she has no problem with this being rezoned to HC-1 but going from HC-1 to any other zone would be a problem. HC-1 is a wide range of uses and what’s allowed and can obtain a special permit to go more intense. Jim Palumbo noted the adjacent property on the north side reads agriculture and highway commercial, which implies both parcels are zoned as such. Joe said the residential agriculture piece is a highway overlay district. Mark Territo indicated all parcels are highway commercial and rezoned years ago.

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

The Board was polled in regards to the Zone Change Referral as follows:

- Karen Guinup, comments as mentioned previously.
- Hal Henty is in favor of HC-1, but not industrial.
- Scott Soyster is in favor to see the site developed but with reservations on Stearns Road.
- Al McMahon is in favor.
- Jim Palumbo is in favor.
- Michelle Borton is in favor stating HC-1 is appropriate and consistent with the southern corridor and a good buffer to the north.
- Russ Mitchell is in favor, however noted the road between Caughdenoy and Stearns as not wanting to see industrial. Homes and parks are in the back and need to be preserved to protect our neighborhoods.

Michelle Borton read: In the matter of the application of Planning Board Case #2023-004 – Route 31 Holding Company, LLC/Davis Zone Change Lot 1A – 5252 State Route 31 – Zone Change Referral I move to recommend to the Town Board using standard form #50 – zone change, the petition be granted for the following reasons: Based on the comments of the Planning Board. Seconded by Hal Henty.

**Motion Carried 7-0**

**\*\*Case #2023-006 – Wetzel Road Properties, LLC/Emerald Lawn Care (3) – 4663 Wetzel Road – Site Plan.** The applicant requested an adjournment.

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn Case #2023-006 – Wetzel Road Properties, LLC/Emerald Lawn Care – 4663 Wetzel Rod – Site Plan to April 26, 2023.

**Motion Carried 7-0**

**\*\*Case #2023-007 – Lauris Rigdon/Onondaga Physical Therapy Parking Lot Expansion (3) – 8390-8392 Oswego Road – Amended Site Plan.** Lauris Rigdon noted purchasing this 2,400 square foot building over the summer and now would like to offer more services. He seeks additional parking for the patients. Russ Mitchell asked if he had received the County comments and handed him a copy. Russ noted the County has concerns that no trees are to come down due to presence of the Indiana Bat species. As well they need a SHPO and revisions to signage that is in their right-of-way; contact with Onondaga County DOT must be made. Russ indicated their site map is insufficient and details are needed such as a legend, setbacks, ordinances, parking requirements, etc. When revising, the sign needs to be removed and placed back at an area not encroaching County property. Further, Russ pointed out he does not like the parallel parking on the side of the building. The County also notes if any grass or plantings are to be removed, they would like to see landscaping put back in those areas. Jim Palumbo spoke stating any landscaping to be removed should have something else planted; a plan showing existing vegetation and anything new is required. He also asked any utilities be shown. Karen Guinup noted photometrics are needed and asked if they received the requirements of a site plan submission from Planning. Lauris stated he did go over with Mark Territo, however, Mark indicated they now have more in-depth details than previously spoken about. Karen asked them to go back and refer to the list for site plan requirements. She also asked about an on-site storage pod and was informed this is temporary for new equipment and will be removed. Karen agreed with Russ' comment regarding side parking and noted they may have issues with the Fire Department as well as with future snow removal. Michelle Borton asked about the plans for trash removal and Lauris said there is

rolling residential trash bins stored on the side of the building. Karen noted trash cans should not be visible to the public and should not be in the front or side. Michelle requested when doing drawing revisions, to show construction detail for pavement, i.e. stone base, etc. Ron DeTota asked they provide clarity on the property lines (which one governs) and to define the edge of the roadways.

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn Case #2023-007 – Lauris Rigdon/*Onondaga Physical Therapy Parking Lot Expansion* – 8390-8392 Oswego Road – Amended Site Plan to April 26, 2023.

**Motion Carried 7-0**

\*\*Case #2023-008 – **SKS Orthodontics** (3) – 7176 Buckley Road – Site Plan. Ed Keplinger, Keplinger Freeman Associates, spoke noting a representative from Zausmer-Frisch in attendance as well as Vince Smith of SKS Orthodontics. Ed projected images on the monitor noting this site plan is for a new dental office at 7176 Buckley Rd. Russ Mitchell asked why they are relocating, and Vince said they have outgrown their existing space and the current site is not handicap accessible. Ed continued noting this is a 1-acre site zoned NC-1 and no variances are needed. The building is 5,000 square feet with access from Dolshire Drive and a main entrance off Buckley Road. There are currently 33 parking spaces on site and plantings have been added and shown. The site will drain to existing infiltration to the east and south of the property line; the Engineers continue to work with Ron DeTota. The interior is being developed with an expansion of space and handicap accessibility. Elevations show a combination of stone and wood structure with signage above the door, solar panels to one side of the roof, and a charging station to be added; this is a one-story building. County comments have been received and a letter from the Fire Department received (a copy was provided to the Planning Board). Russ noted comments regarding plumbing permits and coordination with DOT for traffic data, drainage, etc. is needed. As well, the Fire Department is concerned with making a turn off Dolshire Drive to get in front of the building and potential for a turning radius issue. Ed said they would look into this. Russ indicated sidewalks are needed up Buckley Road to the light and addition of a walkway noted. When there is an approved site plan we suggest a cross access agreement be done to the east. Also, please include square footage information. Hal Henty noted a lighting plan is needed to include height of poles, fixture details, and any spillage information. Jim Palumbo noted the EV Station at a less than ideal location and asked they re-look at this. Michelle Borton asked if they coordinated with OCWA and Vince said they received the flow test information and will provide a copy. Michelle questioned if notice was provided to the Town of Salina and Mark Territo said no, but can be sent to them now. A question was raised about the roof solar panels and Mark said only a building permit is needed. Michelle asked about zoning setbacks and questions on the zoning table and Ed said they didn't have the highway overlay and can update that. Michelle also agrees with Russ on the cross access agreement to the east. Vince asked about the property to the south and Russ indicated only to your property line. Vince questioned the purpose and Russ said it's advisable for legal reasons to get between the highway and Dolshire Drive. All agreed. Michelle asked the sign be shown on the drawing noting that is a separate application. As well, the dumpster gates should be metal and enclosure to match the building. The fencing details is outside the pavement and sidewalks show from the front door to the sidewalk. Karen Guinup pointed out zoning data and be sure the height of the building is correct with ordinances; parking requirements need the width shown. Also, ensure the letter from the Fire Department addresses their needs. Karen asked Mark about the vinyl fence and Mark said it can go up to the property line. Karen asked the cross access agreement be noted on the drawings as "permitted to the south." Ron DeTota asked about a fire hydrant report from 2011 and Ed said they have new testing and information and will submit it accordingly. Ron provided recommendations on the

stormwater drainage indicating the infiltration basin as being a good addition. Ed asked if they should supply records of easement and Ron said, yes. Ron also mentioned hydrant locations as noted in the letter from the Fire Department. Kathy Bennett asked their Attorney reach out to her for cross access agreement discussion. Lastly, Karen Guinup requested the Town's Highway Superintendent (Joe Nicoletti) be involved for road purposes re: Dolshire Drive. Karen would like Joe to acknowledge any impacts and/or if he sees any problems with the road holding up and what, if any, are the resolves. Ron DeTota feels this is a good idea between the County and the Town to come up with a good basis, as well the Town to reach out to the County's DOT Department. Mark said he would assist in setting up a meeting.

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

A motion was made by Scott Soyster seconded by Jim Palumbo to adjourn Case #2023-008 – SKS Orthodontics – 7176 Buckley Road – Site Plan to April 26, 2023.

**Motion Carried 7-0**

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

\*\*Case #2022-035 **O'Reilly Auto Parts** (3) – 3906 Brewerton Road – Amended Site Plan (Adjourned from 6 previous meetings). The applicant requested an adjournment.

A motion was made by Micelle Borton seconded by Jim Palumbo to adjourn Case #2022-035 - O'Reilly Auto Parts – 3906 Brewerton Road – Amended Site Plan to April 12, 2023.

**Motion Carried 7-0**

\*\*Case #2022-036 – **Pizza Hut** (3) – 7365 Oswego Road - Amended Site Plan (Adjourned from 5 previous meetings). The applicant requested an adjournment.

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 April 26, 2023.

**Motion Carried 7-0**

**Closed Hearings – (Board/Applicant only):**

None.

**New Business:**

**Signs**

None.

Regular Meeting  
Planning Board  
March 22, 2023

**Work Session:**

**Chick-fil-A SEQR Discussion.**

Tim Freitag, P.E., Bohler Engineering, spoke indicating revised drawings have been done to this site with no ingress off Taft Rd. Russ Mitchell asked if the State and County have seen the new site plan and Tim said, yes. Tim indicated there is now a one-way circulation flow (counter-clockwise), a third drive-thru lane added, an increase to stacking capacity, and an increase to on-site parking. He reminded everyone this is a drive-thru location only and plans to install crosswalks, per County recommendation. Russ noted liking the plan and asked if he had anything in writing from the State and County and Tim said, yes, emails and has attached it to the correspondence documentation. Michelle Borton stressed a lot of signage will be needed. Scott Soyster indicated an issue with angled parking, and fire truck access. Jim Palumbo agrees with Russ about the plan and with Michelle regarding signage. Karen Guinup asked about the drive aisles and has concerns with stacking. She also noted not liking where the dumpster is located. She feels the area is very congested with a large parcel of pavement and a small building; it reflects a negative appearance. Mark Territo pointed out the dumpster location is actually in the Village of North Syracuse and approval or a waiver is needed, in writing, from their Planning Board. A conversation about parking was held and noted it is between the two property owners. A lengthy discussion was held regarding the traffic study with several questions asked by Karen. Gordon Stansbury, P.E., GTS Consulting, was in the audience to assist with answers.

Lastly, the Board noted needing a new set of drawings with revision dates included.

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

A motion was made by Scott Soyster seconded by Al McMahon granting approval to adjourn the meeting at 10:15 p.m.

**Motion Carried 7-0**

The next meeting is slated for April 12, 2023

Respectfully Submitted,



Judy Rios  
Planning Board Secretary