

**A P P R O V E D**

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 11<sup>th</sup> day of September 2024. The meeting was called to order by Chairman Mitchell at 7:30 P.M. All joined in the Pledge of Allegiance and upon roll being called, the following were:

<b><u>PRESENT:</u></b>	Russ Mitchell	Chairman
	Michelle Borton	Deputy Chair
	Karen Guinup	Member
	Jim Palumbo	Member
	Paul Graves	Member
	Mark Territo	Commissioner of Planning & Development
	Marie Giannone	Secretary to Planning Board
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	Town Engineer

<b><u>ABSENT:</u></b>	Hal Henty	Member
	Al McMahan	Member

A motion was made by Mr. Graves and seconded by Mr. Palumbo to approve the minutes of the August 14, 2024 Regular Meeting.

**Motion Carried: 5-0**

**New Business:**

**Signs:**

**Metropolitan Signs – SPAmazing** – 7608 Oswego Rd, Bayberry Plaza, Zoned RC-1, Permit #54,475. Mr. David Razzante is present.

One wall sign – A39.7 square foot, internally illuminated LED Wall Sign is proposed when 46 square feet is allowed. This will meet code.

There were no questions from the board.

Motion by Mr. Graves to approve one wall sign, illuminated LED, 39.7 square feet on Permit #54,475. Seconded by Mr. Palumbo.

**Motion Carried: 5-0.**

**The Image Press – Wegmans Food Markets/Olum’s Appliances and Go 2 Sleep Gallery** – 4079 West Taft Rd, Zoned RC-1, Permit #54,521

1 – Wall Sign – A 39.06 square foot, internally illuminated LED Wall Sign for Olum’s Appliances is proposed when 78 square feet is allowed. This sign will meet code.

1 – Wall Sign – A29.4 square foot, internally illuminated LED Wall Sign for Go 2 Sleep Gallery is proposed when 78 square feet is allowed. This sign will meet code.

Mr. John Yard is present to address the board. This sign location is shown on the drawing presented to the board. The store location is adjacent to the Dollar Tree store.

Motion by Mr. Gaves to approve 1 – Wall Sign – A 39.06 square foot, internally illuminated LED Wall Sign for Olum’s Appliances is proposed when 78 square feet is allowed. This sign will meet code and 1 – Wall Sign – A29.4 square foot, internally illuminated LED Wall Sign for Go 2 Sleep Gallery is proposed when 78 square feet is allowed. This sign will meet code. This is on Permit #54,521. Seconded by Mr. Palumbo.

**Motion Carried: 5-0.**

Signarama/Chris Carr – **Pinnacle UPRIGHT MRI/Pinnacle Imaging of Syracuse** – 3883 Route 31, Zoned RC-1, Permit #54,481

1 Wall Sign – A64.3 square foot, internally illuminated LED Wall Sign is proposed when 87.36 square feet is allowed. This sign will meet code.

Motion made by Mr. Graves to approve 1 wall sign, 64.36 square foot, illuminated wall sign which meets town code. Seconded by Mr. Palumbo.

**Motion Carried: 5-0.**

\*Case #2024-041 – **McDonald’s USA (5)** – corner of West Taft Road & Cedarpost Road – Special Permit Referral

Chairman Mitchell said McDonald’s requested an adjournment until September 25, 2024 because the town board had many questions for them and they want to be able to address those before they come before this board for a referral. Nothing will be heard this evening.

The question was asked if the town board meeting on September 16, 2024 will include McDonald’s. Mr. Territo, Planning Commissioner, said no as this board has not given a referral to the town board to proceed.

**Public Hearings:**

\*\*Case #2024-044 – **4577 Buckley Road Warehouse/Ranalli Generations LLC (3)** – Amended Site Plan

Mr. Ben Harrell, CHA, is present to address the board on behalf of the applicant. The applicant is proposing to renovate the existing former Rite Aid/Eckerd Drug with 13 new loading docks and expanding the asphalt and concrete parking areas to serve the loading docks. Additional

improvements will include mill and overlay of the parking area along with restriping of the parking spaces, update existing light pole heads with new dark sky compliant LED fixtures and repainting of the exterior building. Ms. Guinup looked at the lighting in Mr. Henty's absence. Mr. Harrell said the poles are 26 ft and 22 ft on the building as shown on the drawing.

Chairman Mitchell asked if the board had any questions. None. Chairman Mithell said as this is a public hearing are there any questions from the public. Ms. Rathburn asked if there is a new tenant. Mr. Harrell said W. B. Mason is the tenant.

Chairman Mitchell said he was pleased with CHA following procedures when addressing the board.

Chairman Mitchell closed the public hearing and asked for a motion.

Motion made by Mr. Graves: Mr. Chairman: In the matter of the application of the planning board case No. 2024-044 for 4577 Buckley Road Warehouse/Ranalli Generations LLC, 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. Seconded by Mr. Palumbo.

**Motion Carried: 5-0**

Motion made by Mr. Graves: Mr. Chairman: In the matter of the application of the planning board case No. 2024-044 for 4577 Buckley Road Warehouse/Ranalli Generations LLC, I move the adoption of a resolution using standard form #20 – site plan, be granted based on a map by CHA dated July 18, 2024 revised September 3, 2024 and numbered C-001, C-002, C-003, C-101, C-601, C-602, C-701, T-1, A-101, A-102, A-110 conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Palumbo.

**Motion Carried: 5-0.**

**Old Business:**

\*\*Case #2023-047 – **Equipment Share – Syracuse (3)** – 7481 Henry Clay Blvd., - Site Plan – (Adj. 7)

No one was present for this case.

Motion made by Mr. Graves to adjourn Case #2023-047 Equipment Share, 7481 Henry Clay Blvd to January 8, 2025. Seconded by Mr. Palumbo.

**Motion Carried: 5-0.**

\*\*Case #2024-031 **Whitestone Apartments (3)** NYS Route 31 – Site Plan (Adj. 2)

Mr. James Trasher, CHA, is present to address the board on behalf of the applicant. Mr. Justin Mirando of Whitestone Development is also present.

Mr. Trasher showed on the drawings the location of:

- ✓ Route 31
- ✓ traffic signal to Davidson Ford
- ✓ Sharon Chevrolet adjacent to Whitestone property
- ✓ Railroad tracks
- ✓ Bank

Mr. Trasher said the building size has expanded by 30 ft in width based on comments from the board on height of the structure. Preference from the board was for three story buildings at the front of the parcel and four-story buildings behind. Based on that Mr. Trasher said the changes were made still having the same number of units. The drawing shows the building and color layout. Garages with direct access to the building were eliminated in some units. There are eight parking spaces for the club house. Mr. Trasher said a discussion was held with the town board on the cross access to the site. The town did not want a public town road. There would be ingress/egress easements on the parcel to the traffic signal that Whitestone would provide and an access easement all along the western boundary so that in the future if there was the ability to access from Sharon Chevrolet to Whitestone site, there could be cross access. Mr. Trasher said the town board was accepting to the cross-access easement and the necessary paperwork is being handled as the process moves forward.

Discussion on the wetlands and paperwork submitted to the DEC. DOT traffic study has been submitted and waiting for their response. Walkability on the site has been addressed and Mr. Trasher showed on the drawing the access points.

Chairman Mitchell asked about the ingress/egress off of Rt. 31. Mr. Trasher said these would be private and with reciprocal easement agreements.

Chairman Mitchell said the plan is a start of a community out there and looking forward to this happening. Chairman Mitchell would like to make sure by not setting a precedence for four story buildings in Clay as other sites become available along the Route 31 corridor.

Comments from the board:

Ms. Borton said in looking at the plan several sheets are missing such as drainage, detailed sidewalk plan, overall utility plan. Mr. Trasher will correct this. Ms. Borton said before we can proceed with site plan approval, we need to know the site is clearly delineated. Mr. Trasher agreed.

Brief discussion on the sub division plan which will be provided at a later date. Mr. Trasher will discuss with Mr. Territo, planning commissioner.

Ms. Guinup stated the apartment colors seem too dark. Chairman Mitchell suggested softening up the colors. Mr. Trasher would look into this with the architect.

Ms. Guinup asked about the number of units in each building. Mr. Trasher said the number of units stayed the same but the size of the unit changed going from four story to three story.

Mr. Palumbo and Mr. Graves questioned the number of dumpsters and handicap parking spaces and if the requirements have been met by town code. Mr. Palumbo said if recycling dumpsters will be required, the dumpster unit should be larger considering the volume of use. Mr. Trasher will look into this and revisit with the Whitestone group.

Chairman Mitchell asked if there are any comments/questions as this is a public hearing.

Mr. Michelson, associated with the Moyers Fire Department, spoke regarding the four story hotel and the fire department having access. Mr. Michelson said he has spoken with the fire chief and settled any miscommunications. He said a letter will be sent to the board. Mr. Michelson said there has been a long-standing agreement with the town regarding three story apartment complexes with a 360° access. There are four story hotels but given the difference in the usage where the hotels are fully sprinklered, fully alarmed, and being a temporary type residence is acceptable. Mr. Michelson said they would like to maintain the three-story apartment complexes with 360° access if at all possible. Mr. Michelson said in this Whitestone plan he would really like to see a rear access road for the two four-story buildings.

Chairman Mitchell thanked Mr. Michelson for his comments.

Chairman Mitchell there will be no SEQR determination this evening. Ms. Bennett asked Mr. Trasher if they have anything in writing from the Army Corp of Engineers. Mr. Trasher said no. Ms. Bennett said it is DEC policy and regulation that they will not see any application complete until they have a positive or negative declaration in SEQR determination. Ms. Bennett, town attorney, said you cannot condition a SEQR determination on the fact that other agencies permits are required.

Ms. Borton asked if the site could be more delineated – will it be sub divided, where are we on SWPP. Mr. DeTota, Town engineer, has this for his review. Ms. Borton said, in her opinion, would not be comfortable doing SEQR determination until we know what this site is and if it will be subdivided.

Ms. Guinup said in order to do a SEQR determination, sub division drawings are required and also to get on the agenda which will be in October. Mr. Trasher will meet with Mr. Territo to address these issues before the September 25 meeting.

Motion by Mr. Graves to adjourn case No. 2024-031 Whitestone Apartments to September 25, 2024. Seconded by Mr. Palumbo.

Planning Board  
Regular Meeting  
September 11, 2024

**Motion Carried: 5-0**

Case #2024-036 – **Hamlin Farm/North Syracuse Lodging Group, LLC (Marriott) (3)** – 8505  
Pepperidge Way – Preliminary Plat (Adj. 2)

and

Case #2024-037 – **North Syracuse Lodging Group, LLC (Marriot)/Hamlin Farm** – 8505  
Pepperidge Way – Final Plat (Adj. 1)

There were no questions from the board or the public on this hearing.

Motion made by Mr. Graves: Mr. Chairman: In the matter of the application of the planning board case No. 2024-036 for Hamlin Farm/North Syracuse Lodging Group, LLC (Marriott), 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. Seconded by Mr. Palumbo.

**Motion Carried: 5-0.**

Motion made by Mr. Graves to move from the preliminary plat to final plat. Seconded by Mr. Palumbo.

**Motion Carried: 5-0.**

Motion made by Mr. Graves: Mr. Chairman: In the matter of the application of the planning board case No. 2024-037 for Hamlin Farm/North Syracuse Lodging Group, LLC (Marriott), I move the adoption of a resolution using standard form #40 – final plat, be granted based on a map by Ianuzi & Romans Land Surveyors dated June 6, 2024 revised August 20, 2024 and numbered 2286.062. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by M. Palumbo.

**Motion Carried: 5-0.**

Chairman Mitchell said case No. 2024-038 North Syracuse Lodging Group, LLC Site Plan will be adjourned this evening until September 25, 2024 because we will not approve the plats and site plan at the same meeting. The plats need to be registered and recorded, along with the access easement agreement.

Motion made by Mr. Graves to adjourn case No. 2024-038 North Syracuse Lodging Group, LLC adjourn to September 25, 2025. Seconded by Mr. Palumbo.

**Motion Carried: 5-0.**

\*\*Case #2024-039 – **Henry Clay Warehouse Site Improvements (3)** – 7189 Henry Clay Blvd. Amended Site Plan (Adj. 2)

Ms. Alex Samoray, Keplinger Freeman, is present to address the board. Ms. Samoray said DOT has signed off on the drainage calcs. Copies have been provided.

Chairman Mitchell asked about the tenants for this site. A beverage distributor mainly for sports drinks is one of the tenants at this point.

Chairman Mitchell asked the board members if there are any questions. None

Chairman Mitchell said this is a public hearing and asked if there are any questions None. Chairman Mitchell closed the hearing.

Motion made by Mr. Palumbo: Mr. Chairman: In the matter of the application of the planning board case No 2024-039 for Henry Clay Warehouse Site Improvements 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 improvements are in keeping with the existing site and activity. Seconded by Mr. Graves.

**Motion Carried: 5-0.**

Motion made by Mr. Palumbo: Mr. Chairman: In the matter of the application of the planning board case No 2024-039 for Henry Clay Warehouse Site Improvements I move the adoption of a resolution using standard form #20 – site plan be granted based on a map by Keplinger Freeman & Associates dated June 17, 2024 revised September 4, 2024 for sheets numbered L-100 through L-600, also to be included the photometric drawings sheets 1 through 4 dated June 14, 2024, and the architectural component sheets A1.1, A2.0, A2.1 dated July 17, 2024 with a revision date of August 7, 2024. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Graves.

**Motion Carried: 5-0.**

\*\*Case #2024-043 – **7 Brew Coffee (3)** – 3906 Brewerton Road, Site Plan (Adj. 1)

Mr. Larry Wilson is present to address the board on behalf of the applicant.

Chairman Mitchell said in order to approve the site plan the board is dealing with the entire site which includes the O'Reilly Auto Parts connected to the future 7 Brew Coffee. There are questions that need to be addressed. Chairman Mitchell said there is a small piece on the northwest corner that has parking in it. That is a separate parcel and it has to be combined because it will be used for 7 Brew parking requirements shown on the site plan.

Mr. Wilson asked about this parking area and what needs to be done. Chairman Mitchell said the Clay assessor could assist them.

Ms. Guinup had the following comments: at the last meeting the board was only looking at site plan for 7 Brew Coffee but we need the entire site plan which includes the O'Reilly Auto Parts. Ms. Guinup said the board did not know that parcel would be used for additional parking. Ms. Guinup said we need cross access agreements.

Needed by the applicant:

- ✓ Parcel that will be used for parking (can be handled through Clay assessor)
- ✓ Dumpster at O'Reilly's Auto Parts – need location of dumpster, details for enclosure, gates added and finish to match building per town code – located on Drawing 5.1
- ✓ Description of landscaping around dumpster – some screening needed
- ✓ Sign needed at the Enter Drive thru
- ✓ Remove “Do Not Enter Sign” on drawing C2.1
- ✓ On #17 should say “Drive Thru”
- ✓ On #15 should have “Stop Sign” not “Do Not Enter”
- ✓ General Notes need to be included in package which is C0.1

Discussion with Mr. Wilson, Ms. Borton and Ms. Guinup on a parking area shown on the drawing that requires size of the parking, and how many spaces in each row.

Ms. Guinup questioned lighting along the roadway of O'Reilly's and needed clarification as to “existing lighting fixtures greater than 15 Ft in height, proposed light fixtures 20 ft. in height” as stated on the drawing.

Ms. Guinup gave clarification to Mr. Wilson. The previous times 7 Brew Coffee has been before this board was for special permit referral and not site plan. Ms. Guinup said there is a big difference when the applicant is here for special permit referral and reviewing drawings for site plan approval. Ms. Guinup said all the items that were discussed need to be addressed to be able to move forward at the next scheduled meeting.

Ms. Guinup asked Mr. Territo if this was a joint application. Mr. Territo said it was for 7 Brew Coffee and the applicant and owner signed off on it. Ms. Guinup asked once the general site plan is done in addition to 7 Brew site plan, can the Codes Department enforce the site plan that the board approved for Mr. Muraco to put in the dumpster, landscaping that is required. Mr.



Planning Board  
Regular Meeting  
September 11, 2024

Territo said once the site plan is approved for the entire site and requirements have not been met, a violation could be issued for a court appearance.

Motion made by Mr. Graves to adjourn case no. 2024-043 7 Brew Coffee to September 25, 2024. Seconded by Ms. Guinup.

**Motion Carried: 5-0.**

Motion made by Mr. Graves to adjourn meeting. Next Meeting September 25, 2024. Seconded by Ms. Guinup.

**Motion Carried: 5-0.**

Respectfully submitted.



Marie Giannone  
Planning Board Secretary