

**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 8th day of January 2025. 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
	Hal Henty	Member
	Al McMahon	Member
	Marie Giannone	Secretary to Planning Board
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	Town Engineer

**OTHER:** Paul Graves (appointment will be made on January 13, 2025 at town board organizational meeting).

**ORGANIZATIONAL ITEMS FOR 2025**

Motion made by Mr. Henty accepting the 2025 Scheduling Calendar, which includes the official meeting dates, and states the filing dates of when a completed application is to be received from an applicant, that Proof of Publication will be in the Tuesday edition of the Post Standard the week before the meeting; the appointment of Michelle Borton as Deputy Chairman; the appointment of Marie Giannone as Secretary to the Planning Board; the appointment of Kathleen Bennett as Planning Board Attorney; and acknowledgment of the Town Board's appointment of CNS Engineering as the Planning Board's Engineers for the year 2025. Seconded by Mr. Palumbo.

**Motion Carried: 6-0.**

A motion was made by Mr. Henty and seconded by Mr. Palumbo to approve the minutes of the December 11, 2024 Regular Meeting.

**Motion Carried: 5-0.** (Mr. McMahon abstained due to his absence on December 11, 2024).

**Public Hearings:**

**New Business:**

**\*\*Case #2024-062 – Summit Federal Credit Union (3) – 5047 W. Taft Road – Special Permit (Referral)**

The special permit is for two drive thru locations at this site with five car stacking, and by pass lane. Mr. Wolfling said a right lane in and out onto West Taft Road is also proposed.

Chairman Mitchell asked if there is a Summit location elsewhere. Mr. Wolfling said east on W Taft Road which will be closed to relocate to this location. That location also has a right in and out. Chairman Mitchell asked the board if there are any questions. None.

Chairman Mitchell polled the board on this special permit.

Mr. Henty – OK  
Ms. Guinup – OK  
Ms. Borton - OK  
Mr. Palumbo – OK  
Mr. McMahon – OK  
Chairman Mitchell – OK

Chairman Mitchell said this is a public hearing and asked the public if there are any questions. Hearing none, he closed the hearing.

Mr. McMahon read the motion: Mr. Chairman: In the matter of the application of planning board case No. 2024-062 for The Summit Federal Credit Union, I move to recommend to the Town Board using standard form #60 special permit recommendation, the petition be granted and based on the comments of the board. Seconded by Mr. Palumbo.

**Motion Carried: 6-0.**

**\*\*Case 32024-064 - Seneca Savings (3) – 5332 State Route 31 – Zone Change (Referral)**

The applicant was not present. Ms. Guinup asked Ms. Bennett, planning board attorney, if the board can proceed without the applicant being present. Ms. Bennett said it is up to the board if they want to proceed as the applicant was notified regarding this meeting. There were no objections from the board members or the public not to proceed.

Chairman Mitchell said county comments were received, some favorable, some non-favorable. Ms. Guinup said the parcel seeking a zone change is the Clifton Recycling facility.

Chairman Mitchell asked the board if there are any questions/comments. None. As this is a public hearing, the chairman asked the public if there are any questions. Hearing none, the chairman closed the hearing and asked for a motion.

The chairman polled the board:

Mr. Henty – OK  
Ms. Guinup – OK  
Ms. Borton - OK  
Mr. Palumbo – OK  
Mr. McMahon – OK  
Chairman Mitchell – OK

Motion read by Mr. McMahon: Mr. Chairman: In the matter of the application of planning board case No. 2024-064 for Seneca Savings, I move to recommend to the Town Board using standard form #50

zone change recommendation the petition be granted and recommended based on the comments of the board. Seconded by Mr. Palumbo.

**Motion Carried: 6-0**

**\*\*Case #2024-067 – Marc Lebiezinski – 7895 Morgan Road (3) Zone Change (Referral)**

Mr. Tim Coyer, Ianuzi & Romans, is present on behalf of the applicant. Mr. Coyer said the applicant is proposing a zone change on a 3.09-acre parcel from Residential/Agricultural RA -100 to One Family Residential R -1. The site is located on Morgan Road having an area with a mix of commercial and residential, railroad tracks belonging to NY Central Line which abuts the site to the rear and residential developments are located north and south of the site. The site is triangular shaped parcel with 514.58 feet frontage on Morgan Road. Mr. Coyer said the reason the applicant did not request a zone change to R-40 due to the fact that variances would be required as there is a highway overlay district on Morgan Road. Mr. Coyer said there is a structure on the site known as a “barn dominion” as basically this is a pole barn with living quarters up above. Mr. Coyer referenced the sheet showing the actual subdivision. There is an existing structure on the north side of the property roughly 140 ft piece of property for the first lot roughly will be one- and one-half acres; and the second lot on the south side will be 1.6 acres.

Chairman Mitchell asked if the same type of structure will be built. Mr., Coyer said yes as the current owner would like to do the same type structure. The Codes Department brought up to the chairman that Mr. Territo, our previous planning and development commissioner, had stated that no structures of this type will be permitted in the town of clay. These are accessory structures. The Codes Department said no building permit will be given if this zone change is approved for this type of structure. The chairman said he wants the owner to be aware of this as he moves forward with site plan. The chairman said no referral will be given this evening and suggested going to ZBA to get a determination if this can be granted. Mr. Coyer said he did not think the owner has a problem doing a different type of structure.

Ms. Borton stated the residential portion should be at 51% and Mr. Coyer agreed. Chairman Mitchell also said that was Mr. Territo’s recommendation.

Ms. Guinup said the pole barn on the site is an accessory structure and would not meet town code. Discussion followed on a motion for this zone change.

Chairman Mitchell asked the public if there are any questions as this is a public hearing. None. The chairman closed the hearing.

Motion read by Ms. Borton: Mr. Chairman: In the matter of the application of planning board case No. 2024-067 for Marc Libiedzinski/7985 Morgan Road, zone change recommendation, I move to recommend to the Town Board using standard form #50 zone change recommendation the petition be granted for the following reasons: That the proposed zone change is consistent with the existing character of the surrounding community with the one comment that any structure proposed for the parcel be in accordance with town zoning code and prior interpretation of that code provided by the town planning department subject to any applicant’s rights of appeal to the zoning board. Seconded by Mr. Palumbo.

**Motion Carried: 6-0.**

**\*\*Case #2023-006 – Emerald Lawn Care (3) – 4663 Wetzal Road – Site Plan – (Adj. 14).**

Motion made by Mr. Henty to adjourn Case 2023-006 Emeral Lawn Care to March 19, 2025. Seconded by Ms. Guinup.

**Motion Carried: 6-0.**

\*\*Case #2023-042 – Amerco Real Estate Co. (3) – 8015 Oswego Road – Amended Site Plan.

Motion made by Mr. Henty to adjourn Case #2023-042 Amerco Real Estate Co. to February 12, 2025. Seconded by Mr. Palumbo.

**Motion Carried: 6-0.**

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

Motion made by Mr. Henty to adjourn Case #2023-047 Equipment Share-Syracuse to March 19, 2025. Seconded by M. Borton.

**Motion Carried: 6-0.**

\*\*Case #2024-053 – Proposed Hotel at Wegmans Great Northern Site (3) – 3955 State Route 31 – Site Plan (Adj. 1)

Motion made by Mr. Henty to adjourn Case #2024-053 Proposed Hotel at Wegmans Great Northern to February 26, 2025. Seconded by Mr. Palumbo.

**Motion Carried: 6-0.**

\*\*Case #2023-031 Whitestone Apartments (3) State Route 31 – Site Plan

Mr. Ben Harrell gave the board the correspondence from the Army Corp of Engineers dated January 7, 2025, the submittal with the updated plans with the trees that broke up the apartment buildings, and the labelling of the lot area.

Chairman Mitchell and Ms. Guinup questioned if any changes had been made since the last meeting. Mr. Harrell said adding the trees as requested by Mr. Palumbo and the labeling of the lot area. Mr. Harrell said nothing changed on the site plan, except calculations that could have been multiplied incorrectly which have been corrected and said only minor technical issues. Ms. Guinup asked if this latest set is a complete set. Mr. Harrell said yes.

Ms. Guinup said the attorneys have to sign off on the agreement. Ms. Bennett, planning board attorney, said she has reviewed it and is acceptable and will send it to Mr. Robert Germain, town board attorney, for his signature. Ms. Bennett asked the planning board to look at the map to be sure the planning board is comfortable with the location of the proposed access road and also comfortable with the notation on the plan that the location is subject to modification. That language was not allowed on the Auburn Federal Credit Union plan which was needed.

Chairman Mitchell asked if there are any questions from the public as this is a public hearing. None. The chairman asked for a motion to adjourn this case to January 29, 2025.

Mr. Graves asked about the walkways at the apartments. Mr. Harrell showed the walkway on the site plan.

Motion made by Ms. Guinup to adjourn this case to January 29, 2025. Seconded by Mr. Palumbo.

**Motion Carried: 6-0**

**SIGNS**

**Patrick Vannelli – *Little Italy Pizza & Pasta* – 4599 Rte. 31, Suite 1**

Zoned PDD, Permit 54,610

1 – Wall Sign – A 39 square foot, internally illuminated LED Wall Sign is proposed, when 40.8 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

Motion made by Mr. Henty to approve one wall sign, 39 square foot, internally illuminated LED Wall Sign, when 40.8 square feet is allowed on permit 54,610. This sign will meet code. Seconded by Ms. Guinup.

**Motion Carried: 6-0.**

**Metropolitan Signs, Inc. – *Bayberry Seafood* – Bayberry Plaza, 7608 Oswego Road**

Zoned RC-1, Permit #54,680

1 – Wall Sign - A 12.82 square foot, internally illuminated LED Wall Sign is proposed, when 30.72 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

Motion made by Mr. Henty to approve one wall sign A 12.82 square foot, internally illuminated LED Wall Sign, when 30.72 square feet is allowed on permit 54,680. This sign will meet code. Seconded by Mr. Palumbo.

**Motion Carried: 6-0.**

**Stewart's Shops Corp. – *Stewart's Shops* – 7669 Morgan Road**

Zoned LuC-1, Permit #54,709

1 – A 69 square foot internally illuminated Led Sign is proposed. This location received area variance in 2024. Should the Planning Board approve this, this sign will meet code.

Motion made by Mr. Palumbo to approve one 69 square foot internally illuminated Led sign on permit #54,709. Seconded by Mr. McMahon.

**Motion Carried: 6-0**

**Charles Signs, Inc. – *Bryant & Stratton* – 7805 Oswego Road**

Zoned RC-1, Permit #54,666

1 – Freestanding Sign – A 36 square foot, internally illuminated LED freestanding sign is proposed, when 64 square feet are allowed. Should the Planning Board approve it, this sign will meet code.

Planning Board  
Regular Meeting  
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Motion made by Mr. Henty to approve 1 – Freestanding Sign – A 36 square foot, internally illuminated LED freestanding sign with the address on both sides of the sign. This is on Permit #54,666. This sign will meet code. Seconded by Ms. Guinup.

**Motion Carried: 6-0.**

Motion made by Ms. Guinup to adjourn meeting. Seconded by Ms. Borton. Next meeting January 29, 2025.

**Motion carried: 6-0**

Respectfully submitted,

*Marie Giannone*

Marie Giannone  
Planning Board Secretary