

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 19th day of March 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:

PRESENT:

Russ Mitchell	Chairman
Michelle Borton	Deputy Chair
Karen Guinup	Member
Jim Palumbo	Member
Paul Graves	Member
Hal Henty	Member
Al McMahon	Member
Marie Giannone	Secretary to Planning Board
Kathleen Bennett	Planning Board Attorney
Ron DeTota	Town Engineer

OTHER: Caitlin Choberka, Project Engineer – C&S Companies
Joe Grispino – Commissioner of Code Enforcement

ABSENT: None

A motion was made by Mr. Graves and seconded by Mr. Palumbo to approve the minutes of the February 26, 2025 Regular Meeting.

Motion Carried: 6-0. (Chairman Mitchell abstained due to his absence on February 26, 2025).

Public Hearings:

New Business:

*Case #2025-002 – **Laurel Springs** (3) – West Taft Road – Zone Change (Referral)

Mr. Ben Harrell, CHA Consulting, is present to address the board on behalf of J. Alberici & Sons. Mr. Harrell stated that changes were made as requested by the board at a previous meeting. Mr. Harrell said a community room was added, along with green space and park benches.

Chairman Mitchell asked the board members if there are any questions. Ms. Guinup said this was done very well. The chairman said this is a public hearing any asked if there are any questions. Hearing none the chairman closed the case and polled the board as this is the board's procedure for making a referral.

Mr. Henty – ok with the changes made, in favor

Ms. Guinup – ok, in favor

Ms. Borton – ok, in favor

Mr. Graves – ok, in favor

Mr. Palumbo – ok, in favor

Mr. McMahon – ok, in favor

Chairman Mitchell - yes, in favor

The Chairman emphasized that in this case the applicant listened to this board to our suggestions regarding the amenities and is appreciated.

Chairman Mitchell asked for a motion.

Motion made by Mr. McMahon. Mr. Chairman: In the matter of the application of planning board case No. 2025-002 for Laurel Springs I move to recommend to the Town Board using standard form #50 – Zone Change the petition be granted and forwarded with the planning board’s comments on record. Seconded by Mr. Palumbo.

Motion Carried: 7-0

*Case #2025-008 – **Sonbyrne Sales, Inc.** (3) – 7190 Buckley Road – Special Permit (Referral)

Mr. Christian Brunelle Vice President, Sonbyrne Sales, Inc. is present to address the board. The applicant is proposing construction of a 4,232 sf convenience store and fueling facility on a 2.47 acre parcel in a RC-1 zoning district. The site is located at the northeast corner of the intersection of Buckley Road, and Dolshire Drive and located south of the intersection of Buckley and West Taft Road. This area is surrounded by North Medical Center, town park, commercial uses and single-family homes. The 4,232 sf convenience store will be in the back of the fueling area. Two access point to Buckley Road and one driveway to Dolshire is shown on the plan. The dumpster enclosure is at the far end of the site. Landscaping is proposed as shown on the plan. The steep area shown on the plan will be maintained by Sonbyrne.

Chairman Mitchell said a family living near this proposed construction is concerned regarding the smell of gasoline. Mr. Brunelle said all the fueling stations have vents in the canopy and in his eighteen years experience there have been no problems. Staff is trained and know the procedure if a problem should arise. Mr. Brunelle said the fueling stations are approximately 250 ft away from the residential area. Chairman Mitchell asked about the ingress/egress near the light on Buckley Road which is two way. Mr. Brunelle said yes and it will be left up to County for changes when the traffic study is complete.

Mr. Brunelle said county has reviewed this plan and offer modifications:

- Traffic Study Data
- Lighting Plan
- Sidewalks
- Sewer Connections
-

Ms. Borton read from the modifications from County as follows:

“The Onondaga County Department of Transportation has determined that the applicant must contact the Department to discuss any required traffic data for the proposed project. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.”

Ms. Borton said what the DOT will allow regarding the ingress/egress is critical whether the fueling is feasible, making truck turns which will make this project viable. Ms. Borton’s recommendation would be to sort that out before the special permit is granted.

Mr. Henty is all set.

Ms. Guinup concurs with Ms. Borton's comments. Ms. Guinup said when the traffic study is conducted to take into consideration Dolshire Drive as some improvements have already been approved. Dolshire ingress/egress should be taken into consideration when the traffic study is done.

Mr. Graves asked about the location of the tank fills. Mr. Brunelle said the tank fills are parallel to Buckley Road. People leaving the park will have access to sidewalks as they are put in along Buckley Road. Mr. Graves also agreed that the dumpster should be as far away as possible from the residential side of Dolshire.

Mr. McMahon is good.
Mr. Palumbo is good.

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

Mr. Jordan Popp, 146 Dolshire Drive (this house borders the proposed Byrne Dairy site) had a concern on the traffic and noise as Dolshire will be an ingress/egress. Mr. Popp said this street has children playing, riding bikes and wants this to be considered for this site. Also, a concern is the air quality from the tanks and dumpster. The site will be open 24/7. Lighting may be a problem in the evening hours.

Chairman Mitchell closed this case and polled the board whether they are in favor of the special permit with any comments.

Mr. McMahon – yes

Mr. Palumbo - yes with regards to the special permit

Mr. Graves – against – no

Mr. Henty – yes because of their past projects in the town, they will do whatever they have to do to make it right. He referred to the lighting.

Ms. Guinup – no the special permit should be granted without traffic study being done and Onondaga County giving their firm approval/disapproval of full access to Buckley Road.

Ms. Borton – no, cannot recommend approval of the special permit until Onondaga County transportation coordination is done and we are certain of the traffic impact if ingress/egress is allowed. Cannot give approval until this is done.

Chairman Mitchell – yes, in favor of this. The chairman feels this will make that corner much better than it has been. Because of the ingress/egress on Dolshire people in that community will be using this more than we think they may, not having to go out on the highway. However, the chairman said he will go along with what Ms. Guinup said that the town board needs to look at the traffic situation and something has to be approved between the County and Town Board before approval is given. This will be used primarily by residents in this area because of its convenience.

Motion made by Mr. McMahon. Mr. Chairman: In the matter of the application of planning board case No. 2025-008 for Sonbyrne Sales, Inc. I move to recommend to the Town Board using standard form #60 Special Permit referral the petition be granted and be forwarded with the planning board's comments on record. Seconded by Mr. Palumbo.

Motion Carried: 6-1.

Case #2023-006 – **Emerald Lawn Care (3) – 4663 Wetzel Road – Site Plan (Adj. 15)

Motion made by Mr. Palumbo to adjourn Case #2023-006 – Emerald Lawn Care to May 14, 2025.
Seconded by Mr. McMahon.

Motion Carried: 7-0.

Case #2023-042 – **Amerco Real Estate Co (3) – 8015 Oswego Road – Amended Site Plan (Adj. 13)

Motion made by Mr. Graves to adjourn Case #2023-042 – Amerco Real Estate Co. to April 23, 2025.
Seconded by Mr. McMahon.

Motion Carried: 7-0.

Case #2023-047 – **Equipment Share Syracuse (3) – 7481 Henry Clay Blvd. Site Plan (Adj. 8)

Motion made by Mr. Henty to adjourn Case #2023-047 – Equipment Share Syracuse to April 9, 2025.
Seconded by Mr. Palumbo.

Motion Carried: 7-0

Chairman Mitchell said a letter will be sent to Equipment Share denying without prejudice unless we hear from them what is the status of this case.

Case #2023-052 – **Mike Tormey (Buckley Warehouse) (3) – 4583 Buckley Rd. Site Plan (Adj. 11)

Ms. Alex Samoray is present to address the board.

Chairman Mitchell asked the board members for their comments on this project.

Ms. Borton showed Ms. Samory changes to be made on the site plan title sheet and sheet 301. Ms. Samoray will update this.

Ms. Guinup said the original date and any revision date should be added to the title sheet. Ms. Guinup had questions on L601 regarding the fencing and dumpster enclosures. This was clarified by Ms. Samoray.

No questions from Mr. Henty, Mr. Palumbo, Mr. Graves and Mr. McMahon.

Chairman Mitchell said the sub division has to be done and sent to County before site plan. A cross-access agreement needs to be done because of the two buildings and registered. Ms. Samoray is working on this and copies will be given as soon as possible.

Ms. Choberka address some typos/errors in the grading plan. Ms. Samoray will address this.

Chairman Mitchell asked for comments/questions as this is a public hearing. None.

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Motion made by Mr. Graves to adjourn Case #2023-052 Site Plan to April 23, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Case #2024-012 – **KRSM Subdivision (Buckley Warehouse) (3) 4583 Buckley Rd, Preliminary Plat (Adj. 8)

And

Case #2024-013 – **KRSM Subdivision (Buckley Warehouse) (3) – 4583 Buckley Rd. – Final Plat (Adj. 6)

Chairman Mitchell asked the board members if there are any questions/comments on these cases. Hearing none he asked the public if there are any questions/comments as this is a public hearing. Hearing none, he asked for a motion.

Motion made by Mr. Graves to adjourn Case 2024-012 and Case 2024-013 to April 9, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Case #2024-050 – **Pack Rat Storage (3) – 4717 Wetzel Road – Amended Site Plan – (Adj. 4).

Chairman Mitchell said the board has not received any new material on this case. Discussion followed with Mr. Coyer.

Motion made by Mr. Graves to adjourn Case #2024-050 to April 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Case #2024-065 – **Sears Property (3) 9417 Horseshoe Island Rd. – Preliminary Plat (Adj. 2)

Mr. Ben Harrell, CHA, is present to address the board.

Chairman Mitchell said the board has not received any new material on this case. Mr. Harrell said the material was hand delivered on February 7, 2025. The chairman said he will look into this and will put Sears Property on the April 9th agenda along with the final plat case.

Mr. Palumbo said he and Mr. Graves have documents on Sears Property dated February 7, 2025 which added to the confusion. Mr. Palumbo brought this up as Mr. Harrell said this material was delivered to the town planning department.

Motion made by Mr. Graves to adjourn case #2024-065 and case #2024-066 to April 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

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****Case #2024-068 Goguen Drive Realty, LLC (3) – 7835 Goguen Drive – Special Permit Referral (Adj. 1)**

Motion made by Mr. Graves to adjourn case #2024-068 to April 23, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

****Case #2024-069 – Charge Smart EV/Townplace Suites (3) – 8505 Carling Road – Amended Site Plan (Adj. 1)**

The applicant (no name given or signed in) for Townplace Suites for installation of five Level II Dual Port EV charging stations at Townplace Suites located at 8505 Carling Road.

Chairman Mitchell referred to the plans submitted and said the board needed full size plans for legibility. The chairman said the checklist should have been provided for the applicant before appearing before the board. The applicant will provide the correct plans.

Mr. Palumbo said he is still skeptical of what the plans are for the ADA compliant portion. Mr. Palumbo questioned the area from the loading zone to sidewalk when it does not show a curb ramp. Positioning of this area needs changes. This will be addressed.

Ms. Borton said an amended site plan is needed to update the parking summary. Ms. Borton reiterated going through the check list to be sure all the required information is there.

Ms. Guinup asked the applicant to repeat what was stated at the beginning of the presentation (inaudible). The applicant said there are stations already at this site. There are two stations at the back of the built hotel as shown on the plan. Ms. Guinup said there are at least six or seven charging stations already there. This will be addressed and clarified.

Brief discussion on this hotel and it is the built Marriott.

Mr. Palumbo said we need the parking data to show what is required, what is existing and what is proposed. Also need to see the count for ADA spaces for comparison. If spaces in the back of the hotel are for EV charging, this should be in the parking data. Mr. Palumbo said not to look at the parking regulations, but starting to see if there are two or seven EV stations in the back, all of a sudden twenty five percent of this parking lot could potentially be off limits to non-electric vehicles. Mr. Palumbo this breakdown will help in the future.

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

Motion made by Mr. Henty to adjourn case #2024-069 to April 23, 2025. Seconded by Mr. Graves.

Motion Carried: 7-0.

****Case #2024-070 Tully's Tenders (3) – 3567 State Rte. 31 - Site Plan (Adj. 1)**

Mr. Dave Schlosser is present to address the board on behalf of the applicant. Mr. Schlosser said since the last meeting they have made changes/additions/deletions as follows:

- ✓ Submitted revised drawings dated 3/12/25
- ✓ Rear parking lot exit to North – made one way enter and added “Exit Only” sign
- ✓ Dumpster area has details on same sheet
- ✓ Fixture cuts changed
- ✓ DOT contacted regarding sidewalks
- ✓ Sanitary Sewers – replacing all
- ✓ No response from CENTRO
- ✓ Underdrain extended to drain into retention pond
- ✓ Gravel strip added
- ✓ Contour markings added
- ✓ Curb cut discussion

Mr. Schlosser presented to the board on the curb cut discussions from the previous meetings and where it stands to date.

Chairman Mitchell asked the board for their comments.

Mr. Henty asked about extending the center turn lane on Rt. 31. Mr. Calocerinos said it is just restriping but it is reducing the length of the dedicated left turn. This was shown on the plan.

Ms. Guinup said signage is not included in this site plan and will have to come before the board at that time.

Mr. McMahon and Mr. Henty questioned the site line exiting the car wash. Discussion followed with Mr. Schlosser on the exiting either left or right and the site line distance.

Mr. Graves asked why a “No left turn” sign could just be put up to restrict vehicles from making a left turn. Discussion followed whether this could even be enforced as people sometimes do not follow this and proceed to make a left turn. Mr. Schlosser questioned if this was something that was in favor by the board.

Ms. Choberka had the following comments/questions:

- Buffer added along the edge where the snow removal will be. This should be extended along the dry swale where the pavement meets the grass.
- Underdrain extended to the pond
- No note on the inspection of the stormwater facility
- Need memo on perk test results
- Need information what is proposed for stormwater practices and what is being done on the Niagara site
- CHA report should be used for existing condition on the peak flow

Ms. Choberka will provide a summary of this discussion to Mr. Schlosser.

Ms. Borton said she is not in favor of a “No left turn”.

Ms. Guinup said she is not in favor of a “No left turn”. This makes no sense because the ingress/egress is not designed that way.

Mr. Henty said in the winter months two cars cannot get out or in because of the way it is plowed. This should also be taken into consideration.

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

Ms. Rathburn asked if this “No left turn” is a legal sign and could be enforced. No as this is on private property just like in shopping centers.

Ms. Borton said the board should be polled to let the applicant know where it stands on the “No left turn” sign.

Mr. Palumbo said even though a left turn cannot be made, the vehicle will make that left turn anyways. Or, Mr. Palumbo said the vehicle will turn right and turn around in another area. The sign sounds great but in reality, can create confusion for people making assumptions.

Mr. McMahon agrees with Mr. Palumbo. Mr. McMahon wants this to go forward but will be a challenge. The sign is a good gesture but will not work.

Mr. Graves was in favor of the sign as he felt it was a good idea.

Chairman Mitchell said there is not enough people on this board in favor of the sign.

Motion made by Mr. Graves to adjourn case # 2024-070 to April 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Case #2025-001 – **Inverness Gardens (3) 4938 West Taft Rd. – Site Plan (Adj. 1)

Motion made by Mr. Graves to adjourn Case #2025-001 to April 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

**Case #2025-006 – Scott Merle Builders (3) – 8835 Gaskin Road – Preliminary Plant (Adj. 1) and

**Case #2025-007 - Scott Merle Builders (3) – 8835 Gaskin Road – Final Plat (Adj. 1)

Motion made by Mr. Graves to adjourn Case #2025-006 and Case #2025-007 to April 9, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Closed Hearings – Board/Applicant discussions:

Case #2024-057 – **J. W. Didado Expansion (3) – 7822 Morgan Road – Amended Site Plan (Adj.3)

Motion made by Mr. Graves to adjourn Case 2024-057 to April 9, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0

SIGNS

John Vella/Utica Sign & Graphics LLC – *Elite Commercial /Davidson & Ford* – 3652 State Rte. 31

Zoned RC-1, Permit #54,755

1 – Wall Sign – A 67.5 & 30.0 square foot, internally illuminated LED Wall Sign is proposed, when 294.4 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

1 – Wall Sign – A 38.3 square foot, internally illuminated LED Wall Sign is proposed, when 294.4 square feet is allowed. Should the Planning Board approve it, this sign will meet code

Motion made by Mr. Graves to approve wall signs on permit #54,755 as this will meet code. Seconded by Mr. McMahan.

Motion Carried: 7-0.

Alicia Walton/Springfield Sign – *Seven Brew Drive Thru Coffee* – 3902-3906 Brewerton Road

Zoned HC-1, Permit #54,776

1 - Wall Sign – A 36 square foot, internally illuminated LED Wall Sign is proposed, when 78.8 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

1 – Wall Signs – A 31.76 square foot, internally illuminated LED Wall Sign is proposed, when 72.86 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

1 – Wall Signs – A 31.76 square foot, internally illuminated LED Wall Sign is proposed, when 72.86 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

Note: Area Variance Case #1947 was approved on 5/15/2024 to increase the number of wall signs to three (3) when two (2) are allowed.

Motion made by Mr. Graves to approve three (3) wall signs on permit #54,776 which will meet code. Seconded by Mr. McMahan.

Motion Carried: 7-0.

Greg Fishel/Allied Sign – *Seven Brew Drive Thru Coffee* – 3902-3906 Brewerton Road

Zoned HC-1, Permit #54,777

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

No action taken on this permit as this should be a monument sign. Referred back to the Codes Department.

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Anthony LaFo/American Sign, Inc. – Ocean State Job Lot – 8015 Oswego Road

Zoned RC-1, Permit #54,787

1 – Freestanding Sign – A 12.5 square foot, internally illuminated LED freestanding sign is proposed, when 64 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

1 - Wall Sign – A 132.6 square foot, internally illuminated LED Wall Sign is proposed, when 205.6 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

Ocean State Job Lot is located in the vacant Big Lots Building.

Motion made by Mr. Graves to approve signs on Permit #54,787 which will meet code Seconded by Mr. McMahon.

Motion Carried: 7-0.

Motion made by Mr. Graves to adjourn this meeting at 9:21 p.m. Seconded by Mr. McMahon. Next meeting is April 9, 2025.

Motion Carried: 7-0.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary