

**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 28<sup>th</sup> day of April 2021. 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
	Karen Guinup	Deputy Chair
	Michelle Borton	Member
	Hal Henty	Member
	James Palumbo	Member
	Scott Soyster	Member
	Mark Territo	Commissioner of Planning & Development
	Judy Rios	Secretary
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	C&S Engineers

A motion was made by Michelle Borton seconded by Scott Soyster granting approval of the minutes from the April 14, 2021 meeting.

**Motion Carried 6-0**

**Public Hearings**

**New Business**

**Old Business:**

**\*\*Case #2019-029 – Nick Avicolti/Avicolti's (3) – 7839 Oswego Road – Amended Site Plan (Adjourned from 4 previous meetings). The applicant requested an adjournment.**

A motion was made by Jim Palumbo seconded by Hal Henty to adjourn Case #2019-029 to May 12, 2021.

**Motion Carried 6-0**

**\*\*Case #2021-009 – *Colonial Village* (3) – 8196 Oswego Road - Site Plan (Adjourned from 2 previous meetings). Geoff Hillenbrand, Plumley Engineering presented on behalf of the applicant noting Bob Seigart, Schopfer Architects also in attendance. Geoff distributed updated site plans to the Board Members. Russ Mitchell asked about the retention basin, which Geoff mentioned is on Sheet C301. Geoff pointed out the dumpster gates noting they will match Byrne Dairy's. Russ requested Geoff research the gate louvres. Karen Guinup asked regarding the cross access easements, which Kathy Bennett said is okay. Michelle Borton had questions regarding building signage and stop signs. Geoff explained there is no stop sign as there is limited traffic out of Provo Drive. Michelle and Karen suggested an exit sign in the center of the island in front of building 2, directing traffic toward Provo Drive. Michelle also asked about the lighting plan and Geoff explained it was submitted separately. Russ asked Geoff to include all the drawings in one set. Jim Palumbo noted the elevation heights for the buildings not added. Karen asked about the sign at Lot 2 and Geoff said it is an "entrance-only" sign. She suggested placement of a "no left hand turn" sign in front**

Regular Meeting  
Planning Board  
April 28, 2021

of Lot 2 and Geoff said he had no problem with the change. Karen asked who owns the site and Geoff said it is an LLC company. She asked who is responsible for the road maintenance once paved and Geoff said it is the owner's responsibility as they are purchasing all three parcels. Further, Karen asked about the two older pylon brick posts noting they are in rough shape. Geoff indicated an upgrade to these are planned.

Russ Mitchell asked if there were any more comments or questions, hearing none he closed Case #2021-009.

Scott Soyster read: In the matter of the application of the Planning Board Case #2021-009, 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 revised site plan does not drastically change the property from an environmental standpoint.

A motion was made by Scott Soyster seconded by Jim Palumbo granting SEQR approval for Case #2021-009.

#### **Motion Carried 6-0**

Scott Soyster read: In the matter of the application of Planning Board Case #2021-009, I move the adoption of a resolution using standard form #20-Site Plan granted based on a map by Plumley Engineering dated February, 2021, revised April 28, 2021 and numbered C101, C201, C301, C302, C401, C402, C403. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Any other conditions if necessary: Elevation drawing to be updated with building height at 23'. Lighting plan by Global Lighting Perspective, Rev. 3, dated April 6, 2021 and Schopfer Architects A2.1 dated April 24, 2021. Add an exit sign in center of island in front of building 2.

A motion was made by Scott Soyster seconded by Jim Palumbo granting Site Plan approval.

#### **Motion Carried 6-0**

#### **Closed Hearings – Board/Applicant Discussions**

Russ Mitchell combined the following for presentation purposes:

**\*\*Case #2021-004 – *Lands of Bartorillo/Samuel Bartorillo* (3) – 8191 Maple Road – Preliminary Plat** (Adjourned from 2 previous meetings) and **Case #2021-005 – *Lands of Bartorillo/Samuel Bartorillo* – 8191 Maple Road – Final Plat** (Adjourned from 2 previous meetings). Tim Coyer presented on behalf of the applicant noting this is a two-lot subdivision. Driveway approval for Lot 2 was received and submitted, as well as the sewer design is being approved by the Onondaga County Health Department. Ron DeTota asked Tim to submit the easement description so the Town Board can accept it. Tim agreed.

Russ Mitchell asked if there were any more comments or questions, hearing none he closed Case #'s 2021-004 and #2021-005.

Regular Meeting  
Planning Board  
April 28, 2021

Scott Soyster read: In the matter of the application of the Planning Board Case #2021-004 and #2021-005, 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 subdivision does not have any impact on the environment and is conducive with the surrounding properties.

A motion was made by Scott Soyster seconded by Michelle Borton granting SEQR approval for Case #2021-004 and #2021-005.

**Motion Carried 6-0**

A motion was made by Scott Soyster seconded by Karen Guinup to move Case #2021-004 to Final Plat.

**Motion Carried 6-0**

Scott Soyster read: In the matter of the application of Planning Board Case #2021-005, I move the adoption of a resolution using standard form #40-Final Plat granted based on a map by Ianuzi and Romans Land Surveying, P.C. dated December 30, 2020 and numbered 13128.001.

A motion was made by Scott Soyster seconded by Karen Guinup granting Final Plat approval of Case #2021-005.

**Motion Carried 6-0**

**New Business**

**Signs**

**Salt City Signs – *Café Kubal* – 3911 Brewerton Road – (2) Wall Signs – Zoned RC-1, Permit #51,761.** The applicant is proposing one wall sign 77.55 sq. ft., when 85.76 sq. ft. is allowed, and one 21.96 sq. ft. sign when 33.9 sq. ft. is allowed. The signs will meet code.

A motion was made by Scott Soyster seconded by Karen Guinup granting sign approval for Permit #51,761.

**Motion Carried 6-0**

**Kassis Superior Signs – *The Grove Apartments* - 6 Avon Parkway – (1) Freestanding Sign – Zoned R-APT, Permit #51,786.** The applicant is proposing one freestanding sign name change/face replacement of 24 sq. ft., when 24 sq. ft. is allowed. The sign will be internally illuminated and will meet code. Additionally, the applicant is showing the building numbering signage and office location as minor signs.

A motion was made by Jim Palumbo seconded by Michelle Borton granting sign approval for Permit #51,786.

**Motion Carried 6-0**

Regular Meeting  
Planning Board  
April 28, 2021

**Work Session:**

\*Case #2020-031 – *Clay Marketplace PDD (5)* – Concept Plan referral – northeast corner of NYS Route 31 and Henry Clay Boulevard.

A motion was made by Russ Mitchell seconded by Hal Henty to make a Resolution that the Planning Board has met with the applicant on numerous occasions, whereas we have a narrative of recommendations that we find acceptable and appropriate, based on the narrative and plan attached. We refer this back to the Town Board.

**Motion Carried 6-0**

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

A motion was made by Scott Soyster seconded by Michelle Borton granting approval to adjourn the meeting at 8:01 p.m.

The next meeting is slated for May 12, 2021.

**Motion Carried 6-0**

Respectfully Submitted,

  
Judy Rios  
Planning Board Secretary

**Planning Board recommendation to the Town Board for the Clay Marketplace PDD application.**

Although our code calls for a minimum of 25 acres for a PDD and anything less would seem to be putting more in a small space, the applicant has presented a plan that could be acceptable to the Town Board for the zone change.

The following factors have been looked at by the Planning Board and should be considered by the Town Board for the establishment of this PDD.

**SEQR determination:** This is a TYPE I action and as a result the applicant has submitted part 1 of the Full Environmental Assessment form. We feel this form satisfies the SEQR requirement and the preparation of an EIS is not necessary for the TB to complete parts 2 & 3.

**Project Plan:** The graphics for this project have changed since the Town Board first saw the project. Attached are the new graphics for the plan and the elevations for new building designs for a more attractive project.

**Phasing:** As directed by the Town Board the phasing has changed ( see the attached plan graphics ). Phase 1 is the build out of one apartment building and one commercial building, phase 2 is the build out of a second commercial building ( fulfills the TB requirement of 50% of the commercial built before the second apartment building is constructed ) phase 3 is the build out of the second apartment building and phase four is the build out of the third commercial building to complete the project.

**Traffic:** the traffic study presented showed the intersection of Route 31 and Henry Clay Blvd would fail with the build out of this project. To mitigate this failure it was suggested that right turn lanes be constructed both north and south on Henry Clay Blvd. The county was in agreement with the mitigation but said they would not pay for it. The Applicant has committed to building the turn lanes. The NYSDOT has approved the ingress/egress from the project to NYS route 31.

**Fire prevention:** To effectively fight fires and have first responder access around the apartment buildings the applicant and fire service agreed on how to access 360 degrees. As per the plan there is a fire lane/turnaround between the apartment buildings. This lane encroaches into the rear yard set back, along with other items and need approval from the Town Board.

**Cross access agreements:** The main east/west interior road will be constructed during phase 1. The east end will have a cross access agreement to the adjacent property and on the west section is a cross access agreement to connect to the property owned by the insurance agent. TB needs to be aware of these connections.

**Sewer line dedication:** The sewer line that was constructed and brought through to the project property when Nice-n Easy was built has not been dedicated. It needs dedicated and televised to determine its condition.