

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 23rd day of March 2022. 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:

PRESENT:	Russ Mitchell	Chairman
	Michelle Borton	Member
	Karen Guinup	Deputy Chair
	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 Engineers

A motion was made by Scott Soyster seconded by Michelle Borton granting approval of the minutes from the March 9, 2022 Regular Meeting.

Motion Carried 7-0

Public Hearings (New Business):

****2022-006 – Singh Petroleum, LLC/Gulf Gas Station (3) – 4989 Bear Road – Special Permit.** Tom Kilts, Singh Petroleum, spoke noting he is seeking approval for a special permit for an electric message sign. Tom noted, in error, the sign contractor neglected getting a permit and began work to hang a new electronic sign over the existing. He is here to correct this oversight.

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

Scott Soyster read: In the matter of the application of the Planning Board Case #2022-006 – Singh Petroleum, LLC/Gulf Gas Station, 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 followings reasons: The Special Permit that will allow an electronic sign is consistent with other gas stations in the area. Seconded by Jim Palumbo.

Motion Carried 7-0

Scott Soyster read: In the matter of the application of the Planning Board Case #2022-006 – Singh Petroleum, LLC/Gulf Gas Station, I move the adoption of a resolution using standard form #70 – Special Permit, granted based on tax map #089-01-080 dated February 8, 2022 and site map #06-0508, dated July 31, 2006. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Jim Palumbo.

Motion Carried 7-0

Regular Meeting
Planning Board
March 23, 2022

*Case #2022-007 – **Chick-fil-A, Inc/Chick-fil-A** (5) – South Bay Road – Zone Change Referral. Russ Mitchell spoke to clarify this evening’s discussion is for a zone change referral only for a strip of land that is not zoned as all the other property; site plan review will be in the future. Tim Freytag, Bohler Engineering, spoke noting Dave Everett, Gordon Stansbury, Clint Mattson, and Kevin Brooks in the audience also involved with this project. Tim stated they were present at the March 21st Town Board Meeting and referred back to the Planning Board. This re-zone site location is at Rt. 11 and W. Taft Rd. and currently serves as the Basil Leaf Restaurant. He noted there is a zone jurisdiction line that runs through the property; 1.3 acres is in the Town of Clay and .3 acres in North Syracuse. The two lots in North Syracuse are zoned commercial, the Town of Clay lot is zoned LuC-2 and a bottom right sliver of the property is zoned R-10. There is a residential home in front and garage in the R-10 zoning district. Tim stated the overall project will include demolishing the 2,800 sq. ft. Basil Leaf Restaurant, the residential home and garage; all will be used for parking and building a new Chick-fil-A Restaurant. Tim is seeking a recommendation for re-zone and to initiate the SEQR process. Russ stated the project is for re-zone and clean-up of the buildings on the corner.

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

Russ asked for comments from the Board.

Hal Henty stated he has no problem and the re-zone should be done.

Michelle Borton agrees with Hal and has no objection; this is consistent with the zoning and will rid the area of the building eyesores.

Karen Guinup agrees and has no issues.

Scott Soyster agrees and stated it will be nice to have the property cleaned up.

Al McMahon agrees with all comments also stating it will be nice to have the house gone.

Jim Palumbo has no issues and feels this is conducive to the surrounding area.

Russ agrees stating it will be nice to have this area cleaned up and consistency with the zones.

The Chairman asked for a motion for referral and stated this case is an unlisted action and the Planning Board will declare itself as Lead Agency. This will take effect 30 days after the establishment of Lead Agency. The public will have 30 days to submit comments, which are provided to the Planning Board, then we will look at SEQR.

Michelle Borton read: In the matter of the application of the Planning Board Case #2022-007 – Chick-fil-A, Inc/Chick-fil-A – South Bay Road – Zone Change Referral, I move to recommend to the Town Board using standard form #50 – Zone Change Recommendation, the petition be granted for the following reasons: Based on the above comments made by the Planning Board Members. Seconded by Hal Henty.

Motion Carried 7-0

Regular Meeting
Planning Board
March 23, 2022

***Case #2022-014 – Bradley & Sarah Morien/Clay Fire Station 3 Subdivision and Zone Change (5) – Mirage Lane – Zone Change Referral.** Tim Coyer, Ianuzi & Romans, PC, spoke on behalf of the applicant noting he is seeking a zone change for 110 sq. ft. strip of land owned by the Clay Volunteer Fire Department (CVFD). Currently it is in a government district and the applicant would like to change to R-15. Tim distributed drawings and pointed out the area (8/10 of an acre); plans are to combine the lots, eventually. Further, Tim stated the property is surrounded by residential and Onondaga County comments noted possibly gifting a strip of land to CVFD. Staff from the Fire Department attended the March 21st Town Board Meeting and they stated they have no problems with the zone change.

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

Russ asked for comments from the Board. He began by stating he has no problem with this change. He was in attendance at the March 21st Town Board Meeting and agrees with Onondaga County that a small strip of land should be gifted to the CVFD.

Hal Henty stated he has no problems with this change.

Michelle Borton stated she has no issues.

Karen Guinup stated she has no issues.

Scott Soyster stated he has no issues.

Al McMahon stated he has no issues.

Jim Palumbo stated he has no issues.

Al McMahon read: In the matter of the application of the Planning Board Case #2022-014 – Bradley & Sarah Morien/Clay Fire Station 3 Subdivision and Zone Change – Mirage Lane – Zone Change Referral, I move to recommend to the Town Board using standard form #50 – Zone Change Recommendation, the petition be granted for the following reasons: Based on the above comments made by the Planning Board Members. Seconded by Scott Soyster.

Motion Carried 7-0

****Case 2022-015 – COR Route 31 Company, LLC/COR Center Tenant Fit Outs 1 & 2 (3) – Lot 2 COR Center Tax Map #021.0-01-16.1 – Amended Site Plan.** Carle Hanson spoke on behalf of the applicant and noted Andy Hart also in attendance. Carle stated they have filled two vacant spaces, which have been vacant since 2020 and 2021. Tenant 1 is seeking to add a 400 sq. ft. addition off the back of the building for use as an office and breakroom area; this has no impact on parking. Onondaga County Planning Board approved and have no issues with this. Russ Mitchell spoke stating the Planning Board's concern is what the plaza will look like as well as signage and the outside arches. Carle indicated a color rendering is missing a line, however, the height of new façade is the same as what is there now, but are creating two elements: Extending the façade to the left and adding new to the right. Russ asked the color scheme and Carle said it will be the same as the main building. Karen Guinup asked about Tenant 1 and if there is blue and Carle said, yes. She also asked if this is part of the sign and Carle said this is the paint color of the eaves. Karen asked if the white as shown is paint and

Carle said, yes. As well, Karen asked what the red is and Carle said it's actually orange awnings. Karen asked about the awnings and Carle said they are 4' - angular. Karen asked if this could be reduced and Carle said, yes, they can consider a 2' depth. Russ stated the area looks unbalanced with the windows and awnings. Karen asked if the stone will be matched in height and Carle said, they can do that. Karen also asked about the vertical stone and if it will be the same and Carle said, yes. Russ asked if the idea is to install a large sign? Carle said it is to reflect the prominence of the size of the tenant going into the space. Jim Palumbo asked the awnings be placed on the drawings and Carle said they are on drawing #A-100. Jim would like to see the relationship of 4' and 2' and the depth of the columns. He also stated the awnings should be reflected as part of the building and on the architectural plan. Jim questioned if the color is a rusty orange and Carle said it is orange, not terracotta. Karen said she has no issues with the divide of Tenant 1 and Tenant 2 or the back addition, however, it is more about the façade changes, colors and awnings. She asked the awnings be placed on the detail sheet and to change the colors where appropriate. Carle said she would limit the awnings to 2' and add to the architectural drawing. Russ requested a larger elevation drawing be added to the site plans.

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

Russ asked for comments from the Board, noting he has no further comments.

Hal Henty stated he has no comments.

Michelle Borton stated she has no comments.

Karen Guinup stated she has no further comments.

Scott Soyster stated he has no comments.

Al McMahan stated he has no comments.

Jim Palumbo stated he has no further comments.

A motion was made by Hal Henty seconded by Karen Guinup to adjourn Case #2022-015 - COR Route 31 Company, LLC/COR Center Tenant Fit Outs 1 & 2 – Lot 2 COR Center Tax Map #021.0-01-16.1 – Amended Site Plan to April 13, 2022.

Motion Carried 7-0

Public Hearings (Old Business):

****Case #2021-011 – Sharkey's Beach Volleyball and Restaurant (3) – 7240 Oswego Road – Amended Site Plan (Adjourned from 10 previous meetings).** Steve Calocerinos, Calocerinos Engineering, PLLC, spoke on behalf of the applicant noting several items taken care of: 1) stamped architectural drawings have been submitted; 2) the owner's attorney is working with the Planning Board attorney on a cross access agreement; 3) the boat on the property has been removed from the plan; 4) a list of all tables has been added to the drawings; and 5) parking spaces resolved. Russ Mitchell spoke stating they Board has still not received the structural information for the pavilion and no Certificate of Occupancy has been provided. Steve stated the drawings as provided should now include that information. Russ said there is an issue with the trusses and asked why an

international code is noted for the structure. Steve stated he did not prepare the stamped drawings but would find out this information. Russ continued noting a lot of discrepancies remain, such as the height of the building and the height of the roof. Steve said the elevations show as being the same height. Russ said this needs to be on the drawing. Further, Russ said he has a cross access agreement and declaration. Kathy Bennett spoke stating the declaration is being reviewed now. Michelle Borton spoke stating the covering is not clear for the entire structure between the existing building as well as the proposed façade. Russ said there is a lot of conflict between what is spec'd and the drawings and no calculations have been provided. Michelle asked an Engineer go through the entire plans for a thorough review. Ron DeTota stated once a package is put together and what the building is being used for, he can direct to an individual at C&S. Jim Palumbo said he is confused as the drawing shows an existing building with new addition, rebar for an uplift and he has concern with the uplift. As well, the drawings read BB then AA causing more confusion. Jim asked if they are as built drawings to this point and Ron said he was not able to answer. Hal Henty spoke stating what specifically was asked for has not been provided. Russ asked the Board for any comments. Karen Guinup said it would be helpful to clarify so the Board receives everything. We see what the applicant wants to do, but need more information. In addition, before moving forward with a 30' addition, we want details as built of the original pavilion. Karen stated until we receive as a full package we won't move forward with the application. Jim Palumbo agrees with Karen stating the as built aspect needs to be analyzed by a structural Engineer and approving it meets code. Steve asked aside from the pavilion, are there other comments needing to be addressed. He stated he is not aware of structural drawings for the pavilion or the Certificate of Occupancy, but will get the information to the owner. Russ said the pavilion needs to be taken care of and the cross access agreement done. (Mark Territo spoke with concern of how the existing structure is being heated stating they may have to amend the heating system. Also, the combined tax parcels within the Town of Clay to be combined and have cross-access agreements with the Salina parcels).

A motion was made by Michelle Borton seconded by Karen Guinup to adjourn Case # Case #2021-011 – Sharkey's Beach Volleyball and Restaurant – 7240 Oswego Road – Amended Site Plan to April 27, 2022.

Motion Carried 7-0

****Case #2021-025 – *The Daniele Family Companies/Royal Car Wash* (3) – 7376 Oswego Road – Site Plan (Adjourned from 6 previous meetings). The applicant requested an adjournment.**

A motion was made by Michelle Borton seconded by Jim Palumbo granting approval to adjourn Case #2021-025 – *The Daniele Family Companies/Royal Car Wash* (3) – 7376 Oswego Road – Site Plan to April 13, 2022.

Motion Carried 7-0

****Case #2022-001 – *VIP Structures, Inc./JW Didado Syracuse Division* (3) – Corner of Wetzel Road and Morgan Road – Site Plan (Adjourned from 1 previous meeting). The applicant requested an adjournment.**

A motion was made by Hal Henty seconded by Karen Guinup granting approval to adjourn Case #2022-001 – *VIP Structures, Inc./JW Didado Syracuse Division* (3) – Corner of Wetzel Road and Morgan Road – Site Plan to April 13, 2022.

Motion Carried 7-0

Regular Meeting
Planning Board
March 23, 2022

***Case #2022-002 – **Pack Rat Storage (3)** – 4717 Wetzel Road – Site Plan (Adjourned from 1 previous meeting). The applicant requested an adjournment.

A motion was made by Michelle Borton seconded by Jim Palumbo granting approval to adjourn Case #2022-002 – Pack Rat Storage (3) – 4717 Wetzel Road – Site Plan to April 13, 2022.

Motion Carried 7-0

Case #2022-003 – **Baldwinsville HWY 31, LLC/Caliber Collision (3) – 3593 State Route 31 – Site Plan (Adjourned from 2 previous meetings). The applicant requested an adjournment.

A motion was made by Scott Soyster seconded by Jim Palumbo granting approval to adjourn Case #2022-003 – Baldwinsville HWY 31, LLC/Caliber Collision – 3593 State Route 31 – Site Plan to April 13, 2022.

Motion Carried 7-0

Closed Hearings – Board/Applicant Discussions:

Case #2021-012 – **Crossroads Commons (3) – 4705, 4709, & 4713 Crossroads Park – Preliminary Plat (Adjourned from 8 previous meetings) and Case #2021-013 – **Crossroads Commons (3)** – 4705, 4709, & 4713 Crossroads Park – Final Plat. The applicant was not present.

A motion was made by Hal Henty seconded by Michelle Borton granting approval to adjourn Case #2021-012 – Crossroads Commons (3) – 4705, 4709, & 4713 Crossroads Park – Preliminary Plat and Case #2021-013 – Crossroads Commons (3) – 4705, 4709, & 4713 Crossroads Park – Final Plat to April 27, 2022.

Karen Guinup suggested, if the applicant is not present for the April 27th meeting, we send them a letter and denying these cases without prejudice.

Motion Carried 7-0

Case #2022-010 – **Haldeman-Stoianoff Subdivision (3) – 4903 Guy Young Road (Adjourned from 1 previous meeting). Dave Bardoun, Bardoun Land Surveying, spoke noting Stephen Haldeman, Owner, also in attendance. Dave provided updated drawings to the Board as needed. Russ Mitchell thanked Dave for supplying all of the required items as requested; everything is in order and ready to be closed. Dave thanked the Board Members.

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

A motion was made by Karen Guinup granting approval to move to Final Plat for Case #2022-010 – Haldeman-Stoianoff Subdivision – 4903 Guy Young Road, seconded by Hal Henty.

Motion Carried 7-0

Regular Meeting
Planning Board
March 23, 2022

Jim Palumbo read: In the matter of the application of the Planning Board Case - Case #2022-010 – Haldeman-Stoianoff Subdivision – 4903 Guy Young Road, 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 followings reasons: N/A. Seconded by Scott Soyster.

Motion Carried 7-0

Jim Palumbo read: In the matter of the application of the Planning Board Case #2022-010 – Case #2022-010 – Haldeman-Stoianoff Subdivision – 4903 Guy Young Road, I move the adoption of a resolution using standard form #40 – Final Plat, granted based on a map by David Bardoun, dated November 22, 2021, revised March 11, 2022 and numbered 10.47-S-R2. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Scott Soyster.

Motion Carried 7-0

New Business:

Signs:

Metropolitan Sign Company – *Dunk & Bright* – 4081 State Route 31 – Zoned RC-1, Permit #52,520.

David Razzante, Metropolitan Sign Company, spoke noting Joe Bright, Owner, Dunk & Bright Furniture, also in attendance. David is proposing one wall sign, 490 square feet when 896 square feet is allowed. The proposed sign will meet the codes and a variance was granted for the number of wall signs from the two allowed to three.

A motion was made by Hal Henty seconded by Jim Palumbo granting approval of Sign Permit #52,520 – Metropolitan Sign Company – Dunk & Bright – 4081 State Route 31.

Motion Carried 7-0

Skylight Signs – *Wegmans* – 7519 Oswego Road – Zoned RC-1, Permit #52,530.

The applicant is proposing one wall sign, 332.5 square feet when 1318 square feet is allowed. The proposed sign will meet the code.

A motion was made by Scott Soyster seconded by Jim Palumbo granting approval of Sign Permit #52,530 - Skylight Signs – Wegmans – 7519 Oswego Road.

Motion Carried 7-0

Pro Signs – *Fastrac* -8467 Oswego Road – 8467 Oswego Road – Zoned LuC-1, Permit #52,473.

The applicant is proposing an electronic gas price sign, 42 square feet, and has received a Special Permit at the previous Planning Board Meeting held on March 9, 2022. The proposed sign will meet the code.

Regular Meeting
Planning Board
March 23, 2022

A motion was made by Karen Guinup seconded by Jim Palumbo granting approval of Sign Permit #52,473 – Pro Signs – Fastrac – 8467 Oswego Road.

Motion Carried 7-0

Saxton Signs – Gulf Gas Station – 4989 Bear Road – Zoned LuC-1, Permit #52,484.

The applicant is proposing an electronic gas price sign, and canopy signs. They have received a variance and a Special Permit was granted, the proposed signs will meet the code.

A motion was made by Scott Soyster seconded by Jim Palumbo granting approval of Sign Permit #52,484 – Saxton Signs – Gulf Gas Station – 4989 Bear Road.

Motion Carried 7-0

Work Session: None.


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 Jim Palumbo granting approval to adjourn the meeting at 9:11 p.m.

Motion Carried 7-0

The next meeting is slated for April 13, 2022

Respectfully Submitted,


Judy Rios
Planning Board Secretary