

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

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at Town Hall located at 4401 State Route 31, Clay, New York on the 24<sup>th</sup> of July 2013. The meeting was called to order by Deputy Chairman Guinup at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	Karen Guinup	Deputy Chairperson
	Hal Henty	Member
	Allen Kovac	Member
	Russ Mitchell	Member
	James Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Scott Chatfield	Planning Board Attorney
	Ron DeTota	C & S Engineers
	Linda Simmons	Planning Board Secretary

**ABSENT:** David Hess Chairman

A motion was made by Russ Mitchell seconded by Hal Henty to postpone approval of the minutes of the previous meeting until the August 14, 2013 meeting.

**Motion Passed 5-0**

**Public Hearings:**

**\*7:30 PM – Case #2013-018 – *Michael Bell* – Special Permit referral, 10152  
Caughdenoy Road**

Deputy Chairperson Karen Guinup opened the hearing. Hal Romans was present on behalf of the applicant, along with Michael Bell. Mr. Romans began by explaining what is being proposed before the Town Board. The applicant is proposing a campground on his 74 acre parcel. Currently he has a residence on this parcel.

Mr. Romans stated that there will be one roadway that comes in off Caughdenoy Rd., along with an access drive that will parallel the river, and there will also be a maintenance driveway. He stated that the applicant won't be subdividing the parcel, and it will be up to the Town Board as to whether or not a Site Plan will be required, as the code does not require one for this use.

There was discussion as to whether or not this use is appropriate for this zone, as there is not a clear definition of 'campground', the applicant stated that they are in front of this Board to get a recommendation for the Town Board regarding the Special Permit.

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They are currently not proposing any docks. James Palumbo asked about the potential to have boats on this site. Mr. Romans stated that they would need permission from the NYS Canal Corp.

Hal Henty asked if the campers would be stored over the winter as this issue was brought up during the Town Board presentation, Mr. Romans stated that there would not as this is a seasonal operation.

Russ Mitchell stated that this proposal is similar to a campground in Watkins Glen where half of the people seem to use the facility during the summer months and half of the people keep their RV's stored there over the winter. Mr. Bell stated that people do ask for this service, but he doesn't want to conflict with zoning regulations. Mr. Romans stated that if this use were to occur in the future, Mr. Bell would need to return to the Board and ask permission for this.

Hal Romans stated that Mr. Bell is thinking about offering such activities as volleyball, softball, and a pool, which could help to keep people from swimming in the river.

Mr. Chatfield stated that he thinks this is a principal use by special permit, as opposed to an accessory use requiring a special permit. An example was given of when a restaurant (principal use) seeks a drive-thru (accessory use) special permit. This is a different scenario than what is in front of us tonight. Because of this, he feels that the portion of the parcel containing the single-family dwelling should be sub-divided from the portion containing the campground. The determination shall be made by the Commissioner of Planning & Development. He also asked if this was going to have 50/100 or 200 amp service. He also stated that State Regulations require certain things of campgrounds, such as the row of trees as shown on the plan. Mr. Romans stated that the Town Board is driving the project, and wants to see even more trees planted along Caughdenoy Rd.

Mr. DeTota stated that the proximity of trees to the septic system could be problematic in the future, as the roots may cause problems. He wants the applicant to be aware of this. He is also reviewing the SWPPP and other stormwater issues associated with this application.

Mr. Palumbo expressed concern the applicant clearing the existing stand of trees so that more of the parcel would have views of the river. Hal Romans stated that is not Mr. Bell's intent, and that this parcel is for camping.

Hearing no further comment from the Board, Ms. Guinup asked if anyone in the audience had questions or comments. Mr. Dave Martin of Martin Custom Homes stated that he is in the audience on another matter, but he thinks this proposal is a 'win-win' situation. He believes people will use this facility, and it is exciting.

Hal Romans asked if this general lay-out is acceptable to the Board, and the Board said the basics look good at this time.

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A motion was made by Russ Mitchell, seconded by Allen Kovac to adjourn the Public Hearing to August 14, 2013.

**Motion Passed 5-0**

**\*7:35 PM – Case #2013-022 – Bergman Associates – *Sunoco, Inc. (R&M)* - Special Permit referral, 8450 Oswego Road**

Deputy Chairperson Karen Guinup opened the hearing. The applicant began by explaining what is being proposed before the Town Board.

The applicant is seeking to remove the current convenience store portion of the existing Sunoco gas station, along with the car wash, and construct a new 3,800 ± square foot convenience store, 600 square feet of which would be a Dunkin Donuts with a drive-thru. This drive-thru requires a Special Permit from the Town Board, and it was referred to this Board for input and recommendation.

The Board began a discussion about if the parking spaces shown on the plan are ample for what is being proposed. The applicant stated that the parking issue will be addressed during the Site Plan phase of the proposal. Ms. Guinup stated that the Planning Board needs to get the parking issue resolved during this process in order to make a well-informed recommendation to the Town Board. In addition, the queuing of cars in relation to where cars are parked is also required to make a decision on this request. The discussion continued about vehicle queuing, fire truck turning radius, and how this will now function as Dunkin Donuts is a higher volume use than what has previously been on this site.

Russ Mitchell stated that he has issues with the applicant using spaces next to the gas pumps to meet parking code. He compared this site to the Fastrac gas station across the street, and feels this site is similar, but there is not enough room on this site for what is being proposed.

The applicant stated that they have talked to the State and County DOT, and the plan in front of us reflects their comments/stipulations.

Ms. Guinup asked if a cross-access agreement will need to be presented to the Board. Scott Chatfield stated that a reciprocal ingress/egress easement will need to be drawn up, but we can still make a recommendation to the Town Board, and require this as part of Site Plan approval.

James Palumbo agrees with Russ Mitchell in that there is too much going on at this site, and he feels that a drive-thru will push it over the tipping point. He doesn't know how we can't consider the Site Plan as part of making a recommendation about the drive-thru Special Permit, especially if we suspect that the drive-thru may not function well.

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The Deputy Chairperson asked if anyone in the audience had any questions or comments. Joyce Cerrito of Bayberry spoke about this proposal, stating that the Dunkin Donuts in Bayberry is very busy, and very difficult to access during the morning rush hour, and this site could be facing the same problem in the future unless careful design is considered now.

Ms. Guinup stated that the Board will need more time to look at this proposal.

A motion was made by Hal Henty, seconded by James Palumbo to adjourn the Public Hearing to August 14, 2013.

**Motion Passed 5-0**

**\*\*7:40 PM – Case #2013-023 - *Longhorn Steakhouse Restaurant - Site Plan, 4000 State Route 31 (Northwest corner of the existing plaza)***

Deputy Chairperson Karen Guinup opened the hearing. Scott Milnamow, Kathleen Boudreau, Adam Fumarola, and Adam Frosino, and Marshall Hardy were present on behalf of the applicant. Mr. Milnamow began by explaining the history of the Longhorn Steakhouse and its affiliates, the background on the Raymour Plaza, and what is being proposed currently. Scott then turned over the presentation to Marshall Hardy.

Mr. Hardy, of McFarland Johnson, went over the details of the Site Plan. A 6,424 square foot restaurant is being proposed on part of the existing 14± acre parcel. This parcel currently contains a shopping center, and 2 restaurants on the outparcels. He next addressed the 5 variances that were granted at the July 8, 2013 Zoning Board meeting. These were to allow for a highway overlay reduction for the building and parking, and also a sign variance for the building signs and an additional panel on the freestanding sign, and a variance for an increase in allowable percentage of lot coverage for structures and pavement.

The next issue discussed was the existing stormwater management facility. It was explained that the current facility was sized to accommodate full build-out, and while the regulations at the time did not require a SWPPP as would be required today, the stormwater management facility will be able to handle the additional runoff that will be created by this new building.

Sanitary sewers were discussed next. Mr. Hardy explained that the County currently has a moratorium in place that no new development may occur for any facility that would discharge into the Oak Orchard treatment plant. The applicant has been in ongoing discussions with Chris Deitman, of Onondaga County Department of Water Environment Protection and it now appears that if the latest study reveals that the facility is not at its maximum, the moratorium may be lifted. The applicant is hoping to get a letter from Mr. Deitman stating this.

The water flow and pressure for hydrants at this site are good and can handle the new restaurant.

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Site lighting design is currently being worked on, as a photometric plan has not yet been completed, but this should be available by the next meeting.

The landscaping shown is on the outside of the parking lot, with approximately 130 plants on the perimeter of the site, they feel this is pretty heavily planted especially when compared to some of the adjoining sites.

The applicant stated that the County comments asked for a traffic study. Mr. Hardy has talked to Betsy Parmley of the NYS DOT, and has given her some numbers of their proposed traffic, and she seems to agree with what was presented. He is hoping that she will be able to put something in writing by the next meeting. Raymour and Flanigan has also agreed to the requirement of installing the sidewalk along State Route 31 where it currently does not exist.

The Deputy Chairperson asked how tall the Sports Authority building is in comparison to the proposed 23-foot high restaurant. Mr. Milnamow stated that Sports Authority is approximately 30 feet high. She also asked about the dumpsters, and what the gate will look like. The applicant stated that the surround will match the building material, and the gate will be metal. She also stated that the other 2 restaurants in the Shopping Center have brought the finished look that appears in the front of the building, around the rear of their buildings and this proposal does not appear to do that. The applicant stated that they will try to do this for the next rendition.

Russ Mitchell wants to see the delineation on the driving aisles to look as they do in the rest of the shopping center, so that it is clear that it is for a driving lane.

Mr. Palumbo asked Ron DeTota if this proposal needed a SWPPP, and he explained that it did not as the original approval pre-dates the current regulations, but he reiterated that the stormwater facility was sized to handle full buildout, and normal erosion control measures during construction are still required. Mr. Palumbo then asked about why the driving aisles on the existing plaza were wider. It was explained that the old code required shorter parking spaces so the overall dimensions are the same, and this will meet the 20 foot driving aisle requirement. He also discussed the possible need for cross walks and the need for a safe crossing within the site.

The Board would like to see more work on this proposal, and will continue the public hearing at the next meeting. It was also stated that any signage will not be approved as part of this package. Any signage must have a separate approval, and a sign permit application.

Ron DeTota stated that his comments will be sent to the applicant.

The applicant stated that the wall shown on the plan is an architectural feature/landscaping planter, and not a retaining wall.

There were no public comments.

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A motion was made by Russ Mitchell, seconded by James Palumbo to adjourn the Public Hearing to August 14, 2013.

**Motion Passed 5-0**

**Old Business: Adjourned Hearings:**

**\*\*2013-011 Gary Greer, Lands of Francis Greer (3)- Preliminary Plat, 4787 Grange Rd. (adjourned from 3 previous meetings)**

Deputy Chairperson Guinup stated that no one was present on behalf of the applicant. Scott Chatfield stated that he will get in touch with Robert Ventre for an update on the status of this case.

A motion was made by Hal Henty seconded by Russ Mitchell to adjourn the Public Hearing to September 11, 2013.

**Motion Passed 5-0**

**\*\*Case #2013-020 – David G. and Linda J. Martin- Site Plan – 7527 Buckley Road (adjourned from 1 previous meeting)**

Tim Coyer was present on behalf of the applicant. Mr. Coyer stated that all of the County comments have been addressed, and a note has been added about reserve parking in the rear, silt fence will be installed, and there is also data about building and lot coverage as requested in the previous meeting.

Jim Palumbo likes this proposal, and asked if the handicap ramp is code compliant. Mr. Coyer believes it is. Jim would like to see some of the plantings shift from the rear of the property, and be shown as more foundation plantings along the building.

Ron DeTota assured the Board that Jim Palumbo's comments will be incorporated into their letter.

Hearing no further comments, the hearing was closed.

A motion was made by Russ Mitchell, seconded by Allen Kovac to adopt a resolution using standard form # 10, SEQR determination for Case # 2013-020 *David G. and Linda J. Martin*, Site Plan Approval, located at 7527 Buckley Rd., be declared an unlisted action and a negative declaration as it appears to have no environmental impact which can not be mitigated and does not involve any other permit granting agencies, including the Federal Government. This project will contribute to growth and community character, and poses no excessive impact on traffic.

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**Motion Passed 5-0**

A motion was made by Russ Mitchell, seconded by Hal Henty, using form # 20, granting Site Plan Approval to the *David G. and Linda J. Martin* on property located in the O-1 zoning district, located at 7527 Buckley Rd., for Case # 2013-020, based on a map by Ianuzi and Romans, being file # 3105.027, dated April 18, 2013, last revised July 24, 2013 subject to all engineering and legal requirements, and the landscaping to be altered by relocating from the rear plantings, to front foundation plantings.

**Motion Passed 5-0.**

**\*\*Case #2013-024 – *Clay Community Church* – 7652 Morgan Road – Site Plan**

The Deputy Chairperson stated that the applicant has requested an adjournment.

A motion was made by Hal Henty, seconded by Russ Mitchell to adjourn the Public Hearing to September 11, 2013.

**Motion Passed 5-0**

**\*\*2012-044 – *Eric Dorn (Contractor's Service Yard)* – Special Permit– 4582 Buckley Road (Adjourned from 6 previous meetings)**

The Deputy Chairperson explained that the applicant has not been in contact with the Town.

Scott Chatfield stated that this case arose as a result of an enforcement issue and recommends this case be denied without prejudice.

Hearing no further comments, the case was closed.

A motion was made by Russ Mitchell, seconded by Hal Henty to deny Case 2012-044, Eric Dorn (Contractor's Service Yard) without prejudice.

**Motion Passed 5-0**

Regular Meeting  
Planning Board  
July 24, 2013

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

**Old Business: Hearings Closed**

NONE

**New Business:**

**SIGNS-** None

**Work Session:**

NONE

A motion was made by Russ Mitchell, seconded by Jim Palumbo to adjourn the meeting at 9:52 PM.

**Motion Passed 5-0**

Respectfully Submitted

Linda Simmons