

**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 26<sup>th</sup> of September 2012. The meeting was called to order by Chairman Hess at 7:30 PM and upon roll being called, the following were:

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

**ABSENT:**

A motion was made by Russ Mitchell seconded by James Palumbo to approve the minutes of the previous meeting.

**Motion Passed 7-0**

**Public Hearings:**

**\*7:30 P.M. 2012-032 *Lakewood Development, LLC. Zone Change referral – 8198 Soule Road***

Chairman Hess opened the public hearing. Hal Romans, surveyor and Susan Kimmel were present to explain the proposal. Mr. Romans began by stating that the applicant is requesting a zone change on a 3.8 acre parcel from RA-100 to R-SR to allow for a senior housing development of approximately 35 units. The development would be a combination of an apartment building and some townhouse units. Mr. Romans described the proposed drainage, and curb cuts within the property. The County Planning Board stated that they feel this proposal will have no significant countywide implications. Ms. Kimmel stated that they are proposing a 35 unit senior housing project for age 62 and older. This is not a subsidized program but controlled income toward rentals and utilities, with cost for 1 bedroom units between \$515 and \$585 and 2 bedroom units around \$650 per month. The units will be comprised of a mix of 2 story apartments and townhouses. All utilities are included, namely water, heat, snow removal and landscaping. All residents must be age 62 and older.

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Mr. Romans stated they would need a variance for the lot size. The current code require a lot size of not less than 5 acres and this proposed lot is 3.8 acres.

James Palumbo asked about the height of the buildings, and if what they are proposing would need a variance. Hal Romans stated that the plan in front of the Board is only conceptual at this point but the height of the building should not need a variance.

Several residents from the area were in attendance and spoke out against the proposal for reasons of increased traffic along an already busy Soule Road, concerns about drainage and the wetlands depicted on the property, and the potential for their property values to decrease. One resident questioned the age 62 and over restriction, and how can we be sure this will be enforced. Another resident questioned who is paying for the subsidy. One resident spoke in favor of the project, stating that it would be a good use for this property and that he likes the concept.

Hearing no further questions or comments, the Chairman closed the hearing and accepted comments from the Board.

Russ Mitchell stated a previous gas facility was turned down at the corner of Wetzel and Morgan, ¼ mile south. He also indicated there was a 5 acre parcel on the NE corner of Waterhouse and Morgan that received zoning for a small neighborhood friendly commercial plaza. He did not feel any further need for any commercial zoning in that area of Morgan Road, the connection into Fairways would cause neighborhood problems and the land would be better suited for townhouses, patio homes and single family homes.

Hal Henty was only able to quickly look at the traffic study but the study appears to be saying that less than 10 cars would be put on the road as a result of this project which doesn't seem like a lot of increase in traffic. Mr. Henty also stated that the fact that the code calls for a 5-acre parcel and this proposal doesn't meet the code is a concern.

Karen Guinup has 2 main concerns: the first is that the code calls for 5-acres, and this proposal does not meet it and the second is that she is not 100% confident that the hours used to study the traffic were enough to show the whole picture, she feels that peak hours are a bit longer than what was studied.

James Palumbo stated that there is a need for senior housing and he appreciates the concerns for traffic but the nature of this proposal is a light traffic generator. He feels that the height and relationship of the buildings may be of some concern, but this isn't a zoning recommendation issue.

Walter Lepkowski stated that he would like to hear from the traffic engineer that conducted the study before giving a recommendation to the Town Board, he feels we should have the benefit of that information.

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Al Kovac agrees with Walt and wants to know more about the traffic study. He also doesn't like to see this zone change proposed when it doesn't meet the code minimum and the senior zoning is a relatively new addition to the code. Al feels that this will be a fairly crowded development, and there really wouldn't be anywhere for the residents to walk to.

David Hess stated his concern about the proposal not meeting the minimum lot size when the ordinance is so new. He is also concerned about the traffic on Soule Rd., as well as the fact that this proposal does not appear to be very walkable.

A motion was made by Russ Mitchell, seconded by Hal Henty to make a recommendation to the Town Board using standard form # 50 for case #2012-032 *Lakewood Development, LLC*, Zone Change from RA-100 to R-SR, located at 8198 Soule Road to **grant** the Zone Change. We feel it is compatible, will have no significant impact on traffic, no environmental impact and requires no other permit-granting agency including the Federal Government.

**Motion Failed 3-4 (Mitchell/Palumbo/Henty- In favor)**  
**(Lepkowski/Kovac/Hess/Guinup- Oppose)**

A motion was made by Karen Guinup, seconded by Walt Lepkowski to make a recommendation to the Town Board using standard form # 50 for case #2012-032 *Lakewood Development, LLC*, Zone Change from RA-100 to R-SR, located at 8198 Soule Road to **deny** the Zone Change. We feel it is not suitable for the neighborhood and the Town should not deviate from the requirements (minimum acreage requirements) on an ordinance that is only 2 years old.

**Motion Passed 4-3 (Lepkowski/Kovac/Hess/Guinup- In favor)**  
**(Mitchell/Palumbo/Henty- Oppose)**

**\*7:35 P.M. 2012-034 *Michaels Farm, LLC*. Zone Change referral – 8073/8097 Morgan Road**

Chairman Hess opened the public hearing. Hal Romans was present to explain the proposal. Mr. Romans began by stating they are proposing a 432 unit senior citizen housing project to be situated on Morgan Road south of the Fairway development. A small commercial development is also being proposed. The traffic would enter from Fairway East Road and Morgan Road with no access from Bordeaux Drive. The project would be constructed in several phases beginning with the residential housing. The commercial development including a gasoline service station would allow for revenue for the future connection of Fairways drive to Waterhouse Rd.

Chairman Hess asked the applicant if the senior housing buildings could be shifted to the east, to move them a bit further away from the existing housing development. Mr. Romans stated that the configuration can change; this is only conceptual at this stage. He also asked about the landlocked parcel to the north and if he was aware of the intention of this land. Mr. Romans was not aware of anything but the potential exists for an easement.

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Russ Mitchell asked about the previous gas station proposal across the road and stated that he doesn't feel that Morgan is appropriate for commercial.

Al Kovac asked if we really need more gas stations, as well as the need for commercial development and the road connection. Hal Romans stated that the project isn't feasible without commercial.

Karen Guinup stated that she could see why the Town wants to see the connection made to Waterhouse, but would like to see the gas station gone. She acknowledged that there is industrial and neighborhood commercial across the street from this proposal but she would like to see senior support services as a bigger part of this proposal.

Walt Lepkowski felt that as a senior housing district, this proposal is missing the mark. He feels that this is basically a big apartment complex and any services are too far away.

James Palumbo stated that in looking at these large parcels, why is commercial necessary just to build a road. A gas station has a detrimental and adverse affect on traffic. Neighborhood commercial would be ok, but this proposal seems too aggressive.

Scott Chatfield questioned how the road right-of-way came about and there was a discussion on the background, but more research is needed.

Bob Mearon of Cross Creek Drive stated that he strongly opposed this development. He has circulated a petition to his neighbors and currently has 557 signatures. John Dougherty stated this project is not compatible to his neighborhood. He feels going forward with this project would be a mistake. Joyce Cirrito states she feels small patio homes or small single family dwellings would be better in this location.

Traffic issues and drainage issues were addressed by neighbors. Walking areas need to be addressed also.

The Board stated that they would like to see the traffic engineer present at the next meeting and have the Cross Creek Subdivision file available for review.

A motion was made by Hal Henty, seconded by Allen Kovac to adjourn the Public Hearing to October 10, 2012.

**Motion Passed 7-0**

**Old Business: Adjourned Hearings:**

**\*\*2012-010 *Brian's Towing Auto Recovery (Brian Antonelli) – Special Permit – 7707 Henry Clay Boulevard* (adjourned from 4 previous meetings)**

Regular Meeting  
Planning Board  
September 26, 2012

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Chairman Hess opened the public hearing. No one was present to represent the applicant. The public hearing was closed. A letter will be mailed that this is denied without prejudice.

A motion was made by Karen Guinup, seconded by Hal Henty to **deny** the request for special permit, case number 2012-010.

**Motion Passed 7-0**

**\*\*2012-030 Sugarwood Plaza – Amended Site Plan – 7575 Buckley Road (adjourned from 1 previous meeting)**

Chairman Hess opened the public hearing. No one was present on behalf of the applicant.

Eric Meaker, a neighbor, expressed concern of neighbors and he does not want to deal with bar issues. He is against the outdoor seating in the back of the plaza.

A letter will be mailed. If no attendance a denial will be issued without prejudice to update the Site Plan to reflect outdoor seating of up to 400 square feet.

A motion was made by Karen Guinup, seconded by Russ Mitchell to adjourn the Public Hearing to October 10, 2012.

**Motion Passed 7-0**

**Old Business: Hearings Closed**

NONE

**New Business: SIGNS**

**Allied Sign Company – Empower Federal Credit Union – 5112 W. Taft Rd.**

Permit #44,228

Zoned RC-1

1 – Wall sign, totaling 36.6 square feet, when 8% or 174 square feet are allowed. The sign will be internally illuminated, LED sign.

The Board determined that what is being presented is actually a ‘canopy sign’ and the applicant must either make the sign smaller or get a variance.

Mark Territo is requested to communicate this with the applicant and get sign dimensions.

A motion was made by Karen Guinip, seconded by Russ Mitchell to adjourn the sign to October 10, 2012.

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**Motion Passed 7-0**

***Rivers Pointe Apartments – 3801 Rivers Pointe Way***  
Permit # 44,236/44,237  
Zoned NC-1

- 1 Freestanding sign, (1) 14 square feet, 5 feet high, when 24 square feet and 6 foot height are allowed. This sign will meet the code.
- 2 Freestanding sign, (1) 16.1 square feet, internally florescent-illuminated sign, 6 feet high, when 24 square feet and 6 foot height are allowed. This sign will meet the code.

A motion was made by Karen Guinup, seconded by Russ Mitchell to approve the signs as presented with the condition it must meet code, in particular the 6-foot maximum height.

**Motion Passed 7-0**

***Kumon Math Reading Success – 3775 State Route 31***  
Permit #44,240  
Zoned RC-1

- 1 Wall Sign- 2 per tenant allowed, 8% max of wall face. Applicant is proposing 1, LED, internally illuminated wall sign measuring 30 square feet in size, where 48 square feet is allowed. This sign will meet the code.

The applicant presented the sign, and there were no questions from the Board. A motion was made by Hal Henty, seconded by Allen Kovac to approve the sign as presented.

**Motion Passed 7-0**

**Work Session:**

NONE

A motion was made by Hal Henty, seconded by Karen Guinup to adjourn the meeting at 11:02PM.

**Motion Passed 7-0**

Respectfully Submitted

Linda Simmons