

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 9th day of February 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
	Karen Guinup	Deputy Chair
	Michelle Borton	Member
	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 Karen Guinup seconded by Michelle Borton granting approval of the minutes from the January 26, 2022 Regular Meeting.

Motion Carried 6-1 (Al McMahon abstained due to absence)

Public Hearings:

New Business:

None.

Old Business:

****Case #2021-011 – *Sharkey’s Beach Volleyball and Restaurant* (3) – 7240 Oswego Road – Amended Site Plan (Adjourned from 9 previous meetings). The applicant requested an adjournment.**

A motion was made by Scott Soyster seconded by Hal Henty granting approval to adjourn Case #2021-011 – Sharkey’s Beach Volleyball and Restaurant – 7240 Oswego Road – Amended Site Plan to March 23, 2022.

Motion Carried 7-0

****Case #2021-025 – *The Daniele Family Companies/Royal Car Wash* (3) – 7376 Oswego Road – Site Plan (Adjourned from 3 previous meetings). Austin Goodwin, Passero Associates, spoke noting Anthony Daniele, owner, also in attendance. Austin explained changes to the site plan include the employee parking, softening of the landscape and driveway/dumpster location. Driveway directional arrows have been painted in and a mountable curb median sign installed. The dumpster has been relocated allowing the refuse truck to back in and out safely (during off-hours) and without using wash lanes. Russ Mitchell thanked Austin for**

making the requested changes noting the dumpster appears a better location. Russ asked if they had heard back from Onondaga County regarding their requirements and Austin said he sent an email but has not yet received feedback. Russ stated the Board is not able to approve the site plan until the County has been satisfied. Austin and Anthony will reach out to them and resolve the outstanding issues. Austin asked if he could supply the information electronically and Russ said, yes. Jim Palumbo spoke and asked if the dumpster could be shifted a small amount to the north due to the gate system. Anthony said, yes, there is a bit of room for an adjustment. Karen Guinup reminded Austin signage will need a separate process of approval.

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

A motion was made by Al McMahon seconded by Karen Guinup granting approval to adjourn Case #2021-025 – The Daniele Family Companies/Royal Car Wash – 7376 Oswego Road, Site Plan to February 23, 2022.

Motion Carried 7-0

****Case #2021-032 – VP Road Solar, LLC/VerPlank Road Solar South (3) – 4936 VerPlank Road – Site Plan (Adjourned from 5 previous meetings).** Steve Wilson, Bohler Engineering presented on behalf of the applicant noting open items with Onondaga County have been resolved and they've indicated they are ready to sign off and issue a permit once the Planning Board has approved. Michelle Borton spoke mentioning not seeing the survey with the latest revision date that goes along with the latest set of drawings. Steve noted nothing has changed and would submit the missing document.

Russ Mitchell stated SEQR approval for Case #2021-032 has previously been provided. He asked for questions/comments. Hearing none, he closed the public hearing.

Michelle Borton read: In the matter of the application of Planning Board Case #2021-032 for VP Road Solar, LLC/VerPlank Road Solar South, I move the adoption of a resolution using standard form #20 – site plan granted based on a map by Bohler Engineering dated April 30, 2021 last revised January 31, 2022 and numbered C-101 through C-502 as indicated on the cover sheet c-101 survey dated February 26, 2021 revised April 2, 2021 by Control Point Associates, Inc. P.C. drawings 1 through 4 of 4. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Karen Guinup.

The Chairman thanked the Board for the work they had done on the project to ensure everything that was approved will be looked at as an example for future reference going forward.

Motion Carried 7-0

****Case #2021-033 – VP Road Solar, LLC/VerPlank Road Solar North (3) – VerPlank Road – Site Plan (Adjourned from 5 previous meetings).**

Russ Mitchell stated SEQR approval for Case #2021-033 has previously been provided. He asked for questions/comments. Hearing none, he closed the public hearing.

Michelle Borton read: In the matter of the application of Planning Board Case #2021-033 for VP Road Solar, LLC/VerPlank Road Solar North, I move the adoption of a resolution using standard form #20 – site plan granted based on a map by Bohler Engineering dated April 30, 2021 last revised January 31, 2022 and numbered C-101 through C-502 as indicated on the cover sheet C-101 and survey dated February 26, 2021, revised April 2, 2021 by Control Point Associates, Inc., P.C. drawings 1 through 4 of 4. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Scott Soyster.

The Chairman thanked the Board for the work they had done on the project to ensure everything that was approved will be looked at as an example for future reference going forward.

Motion Carried 7-0

*Case #2021-049 – **Classy Chassy** – 3610 NYS Route 31, (5) Special Permit Referral (Adjourned from 2 previous meetings).

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn Case #2021-049 – Classy Chassy – 3610 NYS Route 31, Special Permit Referral to February 23, 2022.

Motion Carried 7-0

Russ Mitchell approved Case #2021-051 and Case #2022-004 be combined for speaking purposes.

Case #2021-051 – **Marlow Subdivision (3) – 8702 Henry Clay Boulevard – Preliminary Plat (Adjourned from 1 previous meeting). David Bardoun, Bardoun Land Surveying, spoke on behalf of the applicant noting working with Onondaga County D.O.T. and driveway variances; all is complete. David stated the driveway between Lot 2 & 3 will be removed as the weather gets better. Karen Guinip asked if the current farmer on Lot 1 is currently farming and David said, yes, however, Mr. Marlow is selling all lots. Karen noted the drawings still show two driveway cuts on Lot 2. Russ Mitchell asked if anyone is using the old dirt road and David said, yes, only the current farmer for farming purposes. Karen asked if Lot 1 is sold and David said, no, the owner is pushing to get Lot 2 & 3 done as well as working on removal of existing greenhouses. Russ asked David remove the dirt roads from the drawings. Karen agreed noting removal is needed for final plat approval. Mark Territo stated a new map showing only the lot lines is what we typically see. Kathy Bennett asked David take everything off the drawings that has been determined to be removed, i.e., dirt roads, driveway connections, greenhouses, and leave only the existing buildings. David said he would do this and make a note of the items removed from the drawings.

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

Scott Soyster read: In the matter of the application of the Planning Board Case #2021-051 – Marlow Subdivision – 8702 Henry Clay Boulevard, 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: This subdivision is consistent with the surrounding area. Seconded by Jim Palumbo.

Motion Carried 7-0

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Scott Soyster read: In the matter of the application of Planning Board Case #2021-051 – Marlow Subdivision – 8702 Henry Clay Boulevard – Preliminary Plat, I move the adoption of a resolution using standard form #30-Preliminary Plat granted based on a map by David Bardoun Land Surveying, dated January 29, 2022 and numbered 20.90-1-R4. Seconded by Jim Palumbo.

Motion Carried 7-0

A motion was made by Scott Soyster seconded by Jim Palumbo granting approval to move Case #2021-051 – Marlow Subdivision to Final Plat.

Motion Carried 7-0

Closed Hearings – Board/Applicant Discussions:

New Business:

Case #2022-004 – Marlow Subdivision Amended – 8700 Henry Clay Boulevard – Final Plat.

Scott Soyster read: In the matter of the application of Planning Board Case #2022-004 for Marlow Subdivision/Amended – 8700 Henry Clay Boulevard – Final Plat, I move the adoption of a resolution using Standard Form #40 – Final Plat, granted based on a map by David Bardoun Land Surveying, dated October 18, 2021 revised February 9, 2022. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Any other conditions if necessary: The dirt road indicated on Lot 2 be removed on the final drawing and removal of buildings that are not staying and the driveway connect.

Motion Carried 7-0.

Signs:

Signarama – Il Limone Pizzeria – 7421 Oswego Road (Glenn Crossing Plaza) - Zoned RC-1, Permit #52,483.

The applicant is proposing one (1) wall sign, 27.33 square feet when 32 square feet is allowed. The proposed sign will meet the code.

A motion was made by Hal Henty seconded by Karen Guinup granting approval of Sign Permit #52,483 – Il Limone Pizzeria – 7421 Oswego Road (Glenn Crossing Plaza).

Motion Carried 7-0

Work Session:

*Case #2020-031 – *Clay Marketplace PDD (5)* – northeast corner of NYS Route 31 and Henry Clay Boulevard Clay Marketplace PDD – Project Plan Referral. Russ Mitchell spoke, indicating the Planning Board is prepared to move forward and present a project narrative to the Town Board. Once reviewed, the Town Board will place on an agenda as a public hearing and refer it back to Planning. Russ thanked everyone for their cooperation and assistance.

Karen Guinup read the following:

WHEREAS, Lan-Dev Associates LLC has duly filed a Petition requesting a change of zone to P.D.D. District on lands located at State Route 31 and east of Henry Clay Blvd. in the Town of Clay; and

WHEREAS, pursuant to Clay Code Section 230-18E, the Planning Board has been reviewing the proposed Project Plan for six months including a proposed Project Report and has made many modifications; and

WHEREAS, the project applicant has proposed mixed uses on the 14.9 acre parcel that will include 96 apartment units and 30,100 square feet of office/retail/restaurant space. The applicant proposes to phase the PDD development into four phases. The first phase is to construct two full access drives on State Route 31 and Henry Clay Blvd., paved cross access to property line of adjacent parcels on Route 31 and Henry Clay Blvd., stormwater facilities along with 1 apartment building, 2 garages, eastern 9,000 SF commercial building. Phase 2 will be the middle 6,200 SF commercial building. Phase 3 will be the 2nd apartment building and 2 garages. Phase 4 will be to construct the right in right out only access to State Route 31 along with the western 14,900 SF commercial building.

WHEREAS, the details of the proposal are as set forth in the attached report dated December 3, 2021 last revised February 2, 2022 proposed by Lan-Dev Associates LLC and hereby adopted by the Planning Board, which report summarizes the proposed project including dimensional requirements, allowable uses covenants and restrictions; and

WHEREAS, the Planning Board reviewed the proposed overall concept plan and the subdivision preliminary plan and other attached plans and finds them acceptable; and

WHEREAS, the Planning Board has also reviewed additional input given by the State DOT, County Planning Agency, Clay Fire Dept., and have taken all their comments into consideration; and

NOW THEREFORE, pursuant to Town Code Section 230-18 F (1)(a) the Planning Board hereby recommends the approval of the Project Plan Narrative, dated December 3, 2021 last revised February 2, 2022 and the Project Plan dated August 23, 2021 last revised January 9, 2022 as set forth in the report and plans attached hereto. The Planning Board recommends that the Town Board, as lead agency, adopt a Negative Declaration for SEQR purposes.

A motion was made by Karen Guinup seconded by Scott Soyster granting approval of said resolution for Case #2020-031 - Clay Marketplace PDD – northeast corner of NYS Route 31 and Henry Clay Boulevard.

Motion Carried 7-0

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The Chairman thanked the Board for the work they had done on the project to ensure everything that was approved will be looked at as an example for future reference going forward.

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

A motion was made by Michelle Borton seconded by Karen Guinup granting approval to adjourn the meeting at 8:28 p.m.

Motion Carried 7-0

The next meeting is slated for February 23, 2022

Respectfully Submitted,



Judy Rios
Planning Board Secretary