

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 14th day of February 2024. The meeting was called to order by Chairman Mitchell at 7:30 P.M. All joined in the Pledge of Allegiance and upon roll being called, the following were:

<u>PRESENT:</u>	Russ Mitchell	Chairman
	Michelle Borton	Deputy Chair
	Paul Graves	Member
	Karen Guinup	Member
	Hal Henty	Member
	Al McMahon	Member
	Jim Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Marie Giannone	Secretary to Planning Board
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	C&S Engineer

A motion was made by Mr. Graves and seconded by Mr. Palumbo to approve the minutes of the January 24, 2024 Regular Meeting.

Motion Carried 7-0.

New Business:

*Case #2023-051 – **Goguen Drive Realty, LLC (3)** – 7835 Goguen Drive – Special Permit Referral

Mr. Fred Samel – Goguen Drive Realty and Mr. Geoffrey Hillenbrand of Plumley Engineering are present to address the board.

Mr. Hillenbrand addressed the board and presented background information on this project. Site Plan and Special Permit approvals were given at the October 26, 2022 for the Contractor's Service Yard. Since that time there has been a severe lack of concrete availability resulting in a two to three week wait time for concrete to their sites. With the community having projects in the near future, this lack of availability will only get worse. Providing a batch plant within an established industrial area and on property already equipped to handle with only minor site changes would seem like the perfect fit for this project. The yard foot print and landscaping will not change. Stormwater management remained unchanged. Mr. Hillenbrand stated no pervious surfaces will be created, no additional clearing will take place.

Mr. Hillenbrand said five major components associated with this plan have been submitted to the board:

- Batch plant equipment and control room
- Extensions of public utilities will be impervious surfaces
- Wastewater treatment (lagoon) will provide pretreated of the industrial wastewater prior to discharging into the county system
- Additional dark sky compliant fixture lighting
- Well grade bunkers for the material storage

Mr. Hillenbrand said they are going to reach out to the State and Regional Authorities for air quality reviews; received DEC certificate that addresses air issues, in contact with water and environment to address pretreatment requirements associated with cleaning of trucks and equipment. Noise studies have been provided which showed negligible noise and should not be a concern to the neighboring properties. Limited traffic associated with the operations – average five (5) trips per hour. Operations will be Monday thru Friday with some weekends. Ponds still need to be addressed. End of presentation by applicant.

Chairman Mitchell asked if they are operating on that parcel now. Mr. Samel said they have the front portion, parking lot used for equipment and are continuing to work the ponds. Chairman Mitchell said before moving forward ponds have to be addressed. Mr. Samel said culverts have been put in and the pond work will be completed. Chairman Mitchell asked the board members if they have any questions/comments for the applicant. A referral will be given this evening.

Ms. Borton asked if they received approval from OCWA. Mr. Samel said nothing to date has been received in writing,

Mr. Palumbo stated this will be a referral for site plan approval.

Chairman Mitchell stated as this being a public hearing asked for any questions/comments from the public.

Ms. Janet Rathburn, 4760 Free Stone Rd., addressed the board. Ms. Rathburn had the following comments/questions:

- Should be in an Industrial 2 zone as it is too close to residential area.
- Could there be more than one batch plant in the future to increase output.
- Will this be an enclosed process.
- How many tanks are needed.
- Could be problem not having enough Ingress/Egress for truck traffic.
- Is OSHA involved.

Water usage could impact water supply.
Number of trucks in and out. Potential health hazards.
Air quality concerns.
Hours of operation are 4:30 a.m. to 5:00 p.m. affecting noise control.
Truck traffic could create future infrastructure problems on Wetzel Rd.

Mr. Samel addressed these concerns and said emissions are all handled with a new piece of equipment being put in with all the bells and whistles to handle air emission. Noise ordinances are in place. The plant itself will be enclosed and the bins outside will hold the aggregate to go to the hoppers. Chairman Mitchell said noise ordinance begins at 6:00 a.m. and this operation starts at 4:30 a.m. Mr. Samel said 1000 yds a day which is 10 trucks per day. Best estimate is five trucks per hour.

Ms. Guinup said with the equipment being put in now, is there potential for growth. Can it handle more than five trucks. Mr. Samel said it can handle 1000 yds maximum per day. 10 yds per truck per day equals 100 trucks per day. Ms. Guinup said there is the potential for egress of 100 trucks per day. Mr. Samel agreed that the potential is there for maximum growth.

Mr. McMahon asked if they run another facility like the Goguen Rd plant. This will be the first ready mix plant.

Ms. Rathburn asked if they would have to come before the board if they added more equipment for plant growth. Commissioner Territo stated they would have to come before this board for an amended site plan review, but under the Special Permit can increase capacity of equipment for additional batch plant. Ms. Guinup asked if the town board can put in any stipulation to restrict this. Commissioner Territo said the town board could regulated this to what is being presented at this time.

Chairman Mitchell asked for comments and polled the board.

Mr. Henty: This is an industrial zone and Micron will put in their own batch plant. Amazon put in their own batch plant and there were no complaints on this in the residential area around Amazon which is much closer than the Goguen plant to residential. It is a good fit with some precautions, i.e., the weight on the Wetzel Road. This is a good fit for our land in our industrial zone. And it will help for future projects. Mr. Henty is in favor.

Mr. McMahon: I do not see anything that would cause me to object. Mr. McMahon is in favor.

Mr. Palumbo: I am in favor. If the town can put some limitations on this as we have been provided a concept plan. Possibly take into consideration the amount of expansion as there is enough to double the amount. This is in the proper area as I agree that this area will be needing more facilities like this in the upcoming years, and to my understanding there is definitely a shortage of concrete availability in the amount of lead time it takes. I believe it is fitting for this area. Lastly the surrounding infrastructure for the roads need to be looked at along with utilities by the town board. I am in favor.

Mr. Graves: The town board should look at the weight of the roads and this is something that is needed and I am in favor.

Ms. Guinup: It is definitely in the right zone. My comment to the town board – have they taken into consideration the extra weight on Wetzel Road and the deterioration, especially with the potential growth. Has the Town of Clay Highway Dept been given their input on this. Perhaps there is some mitigation needed in that regard.

Ms. Borton: It is definitely in the right zone and a need for the community. I would caution that the town board look closely at the sanitary and water supply from OCWA. Noise ordinances can be an issue with the hours of operation and it should be looked at without depending only on the vegetation buffers for noise control. There should be data to support noise control. Town of Clay Highway should be consulted regarding deterioration of Wetzel Road considering future expansion. Stipulation should be put in to be sure these restrictions are met. I am in favor.

Chairman Mitchell: Noise is a concern particularly starting at 4:00 a.m. There is a dust concern and wanted the applicant to be aware of this. Roads are a concern and the Town of Clay Highway Department needs to take a serious look at deterioration issues that could arise from the increased truck traffic. Can the road support this. Lastly, a site plan is required but the retention ponds need to be put together and the drainages taken care satisfactorily to our Town Engineer. Until this is completed, site plan review will not be on the agenda.

Mr. Chairman: In the matter of the application of planning board case No. 2023-051 for 7035 Goguen Dr, Special Permit Referral, I move to recommend to the Town Board using standard for #60 – special permit recommendation, the petition be granted based on comments from all board members. Motion by Mr. McMahon, seconded by Mr. Palumbo.

Motion Carried: 7-0

Old Business:

****Case #2023-006 – Emerald Lawn Car/Wetzel Road Properties, LLC (3) – 4663 Wetzel Road – Site Plan (Adjourned from 9 previous meetings)**

Mr., Tiim Coyer – Ianuzi & Romans Land Surveying is present to address the board on behalf of the applicant. Mr. Coyer stated he was at the meeting in January 2024 and are hoping to get a SEQR determination to move forward with DEC permits to affect the buffer area then come back before this board for the site plan process. Mr. Coyer stated they did not want to get too far involved with the process as this may change. Chairman Mitchell said they will be given a negative declaration so the applicant can move forward.

Chairman Mitchell asked if there were any questions. None.

Ms. Borton reviewed the EAF forms with Mr. Coyer which have been filled out. Ms. Borton briefly went over Part 2 of the EAF. Some potentials concerns:

- ✓ Impact on Land
- ✓ Impact on Surface Water
- ✓ Impact on Flooding
- ✓ Impact on Plants
- ✓ Impact on Human Health

Mr. Chairman: In the matter of the application of the planning board case No 2023-006 for Emerald Lawn Care/Wetzel Road Properties, LLC of 4663 Wetzel Road, I move the adoption of a resolution using standard form #10 SEQR, that the proposed action is an unlisted action and will not have a significant effect on the environment and the resolution shall constitute a negative declaration for the reasons stated in Part III of the Environmental Assessment Form (EAF). Motion by Ms. Borton, seconded by Ms. Guinup.

Motion Carried: 7-0

Motion to adjourned this case # 2023-006 Emerald Lawn Care/Wetzel Road Properties to April 10, 2024. Motion by Ms. Borton, seconded by Ms. Guinup.

Motion Carried: 7-0

****Case #2023-029 – Delta Sonic Car Wash/Delta Sonic Car Wash Systems, Inc. (3) – 3627 & 3809 State Route 31 – Site Plan (Adjourned from 8 previous meetings)**

Mr. Matthew Oakes is present to address the board on behalf of Delta Sonic. Mr. Oakes stated that approval has been received from the fire department, approval on the right in from DOT, received minor SWPP comments and submitted sewer plans.

Chairman Mitchell that there are a few items that our town engineer needs to sign off on to proceed. The board should be able to adjourn this case to the next meeting which will be

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February 28, 2024 and be ready to go. Chairman Mitchell asked if anyone had any issues on this. Mr. DeTota, town engineer, requested Mr. Oakes forward to him documents discussed for his review.

Motion made to adjourn case 2023-029 to February 28, 2024. Motion by Mr. Graves, seconded by Mr. Palumbo.

Motion Carried: 7-0

**Case #2023-039 – Nick Loannidis/Gardenview Diner (3) – 3564 Route 31 – Site Plan (Adjourned from 5 previous meetings)

Chairman Mitchell stated the applicant requested an adjournment to March 20, 2024.

Motion to adjourn case #2023-039 – Nick Loannidis/Gardenview Diner (3) to March 20, 2024. Motion by Ms. Guinup, seconded by Mr. Henty.

Motion Carried: 7-0

Case #2023-041 – **Splash Car Wash (3) – 7795 Oswego Road – Amended Site Plan (Adjourned from 5 previous meetings)

Mr. Paul Morgan and Mr. Jason Frank are present to address the board. Mr. Morgan said from the previous meeting the following changes were made: on the existing utilities we did add the storm sanitary and water. Also inserted the survey from the surveyors. A separate detail page for landscaping, employee parking lot which are all properly labeled. Mr. Morgan said all the updates have been made for the board.

Chairman Mitchel said all the drawings are current. Chairman Mitchell asked if the board had any comments/questions. Ms. Guinup said the dumpster enclosures should be painted the same color as the building.

Chairman Mitchell asked if anyone had any comments/questions as this is a public hearing. None.

Chairman Mitchell asked for a motion to close the public hearing. Motion by Ms. Guinup, seconded by Mr. Henty.

Mr. Chairman: In the matter of the application of the planning board case No. 3023-041 for Splash Car Wash, Amended Site Plan, 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: It is in keeping with the surrounding developed corridor and similar to current site activity. Motion by Mr. Palumbo, seconded by Mr. McMahan.

Motion Carried: 7-0

Mr. Chairman: In the matter of the application of planning board case No. 2023-041 for Splash Car Wash, Amended Site Plan, I move the adoption of a resolution using standard form #20 Site Plan, be granted based on a map by The DDS Companies dated May 3,

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2023 revised January 16, 2024 and numbered C1 through C4 and survey dated January 10, 2024 by LEHR Land Surveyors. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Any other conditions if necessary to include dumpster enclosure shall match the building materials.
Motion by Mr. Palumbo, seconded by Mr. McMahon.

Motion Carried: 7-0

**Case #2023-047 – EquipmentShare – Syracuse (3) – 7481 Henry Clay Blvd. – Site Plan (Adjourned from 3 previous meetings)

Ms. Nicki Louloudis, Bowman Consulting is present to address the board on behalf of the applicant EquipmentShare. Ms. Louloudis stated she was present on October 25, 2023 and gave a brief overview of the project. At that meeting there were a lot of comments on the EAF, and drawings. We did receive comments from Mr. DeTota, town engineer. Ms. Louloudis is here to confirm that the resubmission has been made on February 7, 2024 and we understand that we are not expecting a referral this evening. Plans with drainage design have been provided, went thorough into the stormwater management regulation. Ms. Louloudis was asking what the process is from this point forward.

Chairman Mitchell said normally when we review a site plan a SEQR is done. Ms. Louloudis stated the plans were cleaned up as requested. Chairman Mitchell asked what exactly is being done at the facility? Ms. Louloudis said vehicles are being washed in the wash bay from debris on them from use by someone else. There is no sanitary discharge. It is a self-contained system that recycles water within the unit which is in a structure with openings for trucks. Water from use gets carted out. Chairman Mitchell asked how often is the water carted out. Ms. Louloudis said she did not have that answer but will find out and let the board know. There will be electrical and water supply at the site, but no sewer is necessary. A submission for the fueling station has been done but has been going back and forth with the vendor so the vendor will submit directly to the board. Chairman Mitchell said from the plan it shows a concrete plan and is there a pump in there. Ms. Louloudis said yes. There are three tanks in there – one holding 2000 gallons of certain type of diesel, 1000 gallons of another type of diesel, and 500 gallons of gasoline each surrounded by 4” bollards. Bollards should be shown on the site plan. Chairman Mitchell asked why is this concrete area so far out in the yard. Ms. Louloudis said that is where the lay down area is located. Ms. Louloudis said they have addressed stormwater management and went back and looked at the watersheds. Not getting too technical Ms. Louloudis said they found that two thirds of the site is in an enhanced phosphorus area. There is an infiltration basin that has a four bay in it. The stormwater conveyance has been extended more to the east so it can capture more of the site in that stormwater system. The entire site is captured with the exception of a couple off site areas. A full stormwater management plan will be submitted to Mr. DeTota, town engineer.

Chairman Mitchell asked what type of security fence is around the site. Ms. Louloudis said it should be razor wire on top. This should be shown on the drawing.

Chairman Mitchell asked the board if there were any questions/comments.

Mr. Henty asked what is being done with the lighting. This needs to be shown on a separate sheet E1.2, need a photometric plan to show property line, pole heights and mounting heights.

Mr. Palumbo asked Mr. DeTota about their irrigation plan. Irrigation is being shown in the right of way (ROW). Is this a concern. Mr. DeTota’s recommendation is to move it

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out because it is reserved for public utilities. Mr. DeTota will work with the applicant on this.

This is a public hearing and are there any comments? None.

Motion made to adjourn this case #2023-047 – EquipmentShare to April 10, 2024.
Motion made by Ms. Guinup, seconded by Mr. Palumbo.

Motion Carried: 7-0

Signs

Metropolitan Signs – Barber Shop – 8395 Oswego Road, Zoned RC-1, Permit #54,008
1 – Wall Sign – A 16.15 square foot, internally illuminated Led Wall Sign is proposed when 23.4 square feet is allowed. This sign will meet the code.

Motion made by Mr. Graves, seconded by Mr. Palumbo granting approval of Sign Permit #54,008 Metropolitan Signs – Barber Shop – 8395 Oswego Road.

Motion Carried 7-0

Charles Signs – Raven’s Joint – 4106 NYS Rt 31, Zoned RC-1, Permit #54,007
2 – Wall Signs – One 28 square foot internally illuminated LED Wall Sign is proposed when 49.68 square feet is allowed, and a second 9.36 square foot internally illuminated Led Wall Sign is proposed when 49.68 square feet is allowed. These signs will meet the code.

Motion made by Mr. Graves, seconded by Mr. Palumbo granting approval of Sign Permit #54,007 Charles Signs – Raven’s Joint – 4106 NYS Rt 31.

Motion Carried 7-0

Ameer Signs – Mediterranean Combo – 8223 Oswego Road, Zoned LuC-1, Permit #54,005
2 – Wall Signs – One 63 square foot internally illuminated Led Wall Sign is proposed when 80 square feet is allowed, and a second 24 square foot non-illuminated wall sign is proposed when 48 square feet is allowed. These signs will meet the code.

Motion made by Mr. Henty, seconded by Ms. Guinup granting approved of Sign Permit #54,005 Mediterranean Combo, 8223 Oswego Road, with the stipulation that the pizza sign be removed.

Motion Carried: 7-0

Motion was made by Ms. Borton, seconded by Mr. Graves to adjourn this regular meeting at 8:55 p.m. Next meeting is scheduled for February 28, 2024.

Respectfully submitted,



Marie Giannone
Planning Board Secretary