

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 12th day of May 2021. 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
	James Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Judy Rios	Secretary
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	C&S Engineers

ABSENT: Scott Soyster Member

A motion was made by Jim Palumbo seconded by Karen Guinup granting approval of the minutes from the April 28, 2021 meeting.

Motion Carried 5-0

Public Hearings

New Business

7:30 P.M. *Case #2020-038 – *Hinerwadel’s Grove* (5) – 5300 West Taft Road – Zone Change Referral. Steve Calocerinos, Calocerinos Engineering, PLLC, presented on behalf of the applicant noting the owner is seeking a zone change on approximately 30 acres. Currently the property is zoned as LUC-2 and R-10, they are requesting to change RC-1 and R-APT. The front half of the property will be commercial and the rear a 64-unit residential area, all town house/apartments style; the rental units would be owned and operated by Two plus Four Construction. Plans for the commercial area include an auto parts store, a big box store and 46,000 square foot grocery retailer. Russ Mitchell asked if this land had been tried to market any other way and Steve said the property has been on the market 2+ years and has been looked at various times to find a good fit. Russ commented the Town could use more senior housing and asked if a traffic study had been done. Steve noted the traffic study will be started in a couple weeks and is being coordinated with the County D.O.T. Russ asked about the one access area and Steve said this is a right-in and right-out on the west of the property. A full access driveway in the center, with a signal light is planned. Russ mentioned the County’s comments ask a redesign of the apartment complex with a road through the middle. Steve said this is one of the changes made and he’s eliminated the westerly access point. Russ is concerned with an access for fire hazard or other emergencies. Comments from the Fire Department will be needed for this. Karen Guinup asked if the two buildings under contract will be leased or sold and Steve said they will be sold. Jim Palumbo said traffic is a big concern and the traffic study should be done while the nearby school is in session. Steve said the County is requiring this. Jim asked if the capacity of buses and students will be full and Steve said he’s not sure about full capacity but adjustment factors will be taken into consideration; it will be an extensive study well beyond Taft Rd. including future Amazon traffic.

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Russ opened the hearing to the public for questions and comments.

Resident James Warren of Fay Park Drive spoke noting his concern with the traffic and housing; he agrees the Town needs more senior housing.

Resident Gary Ronn spoke commenting on the explosion of growth in the area since the 1950's. He feels the senior population around the site is substantial along with heavy traffic. He also feels the pollution will become a much larger issue. He's reached out to the County about turning the area into a green space, such as an outdoor senior facility or park; more public entities are needed for senior citizens.

A resident spoke having several questions. He asked if the environmental impact study was done and filed? Russ Mitchell stated we only have the environmental assessment form at this point. He asked if the Sheriff's and North Syracuse police were invited to this evening's meeting, as well as the Fire Departments. Russ explained this is a public hearing and advertised accordingly and is open to anyone. He also commented that trash and rubbish removal will become a concern in this area. Karen Guinup spoke letting the resident know some of his questions pertain to site plan, which we are not at yet, and the Town Board will be making the final decision. Further, the resident commented about Hafner's. Years ago residents made lawn signs to express their displeasure, do we have to revive those signs?

Resident Becky Fladd of Bevell Lane spoke asking where the apartments were being proposed. Steve Calocerinos pointed how the area on the drawing. She asked how can we keep the neighborhood safe from a bad developer and Steve stated it is not controlled of who can buy the property. Becky explained she and her neighbors want to protect the area and themselves and asked an explanation of the rules. Hal Henty stated the Town has a Codes Department and there are a number of issues the Town does handle to take of its residents.

Resident Mike Hartel spoke asking if a laundromat would be on site for the new complex? He's very concerned about drugs that could potentially go through that facility. It was explained there would be a laundromat, however, with controlled access.

Resident Paul Graves commented that this does not seem the right fit for this community and does not belong here.

A resident spoke commenting he hopes it can be a nice area and draws in a good community. He is for the low income residential site.

Resident Terri Murray of Sanders Drive spoke pointing out an area in orange on the drawing that is her back yard. She feels there are a lot of empty retail properties on the market and this will turn into the same. She feels town homes for purchase would be better (instead of renting) as people take care of their property better when they own it. She hopes the board will consider declining and not recommending this change. Lastly, she feels a walking park is a great idea.

Resident Julie Boyd of Fay Park Drive spoke noting concern with the traffic and feels a traffic light will build congestion. She's concerned about noise and pointed out there are already two auto stores and two grocery stores within 1 mile. She hopes, if this is passed, the board will consider the neighbors back yards that are treed and the area would remain with fencing to for privacy purposes.

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Resident Sue Kilpatrick of Fay Park Drive commented about the traffic study and feels it should include Fay Park Drive. There are stop signs in the area, however, no one stops; excessive speeding is always witnessed. She feels we do not need this type of housing and is for senior housing and/or a green space.

Resident Dave Kilpatrick of Fay Park Drive spoke and questioned the 46,000 square foot box store, noting the old K-Mart store is just as large and currently empty. He feels it is a good project just being planned in the wrong place.

Russ Mitchell asked if there were further comments or questions, hearing none he closed the hearing. He thanked everyone for their comments.

A motion was made by Hal Henty seconded by Michelle Borton to adjourn Case #2020-038 to May 26, 2021.

Motion Carried 5-0

7:35 P.M. **Case #2021-011 – *Sharkey's Beach Volleyball and Restaurant* (3) – 7240 Oswego Road – Amended Site Plan. Steve Calocerinos presented on behalf of the applicant noting a pavilion addition approved two (2) years ago, serving as a cover for patrons. The owner is now seeking to enclose this pavilion with siding and roll up doors at each one of the bays. Parking requirements have been updated and a layout provided. Based on current use there are 571 spaces and 657 spaces can be accommodated throughout the site. Russ Mitchell asked about the 31 spaces in the parking easement and Steve stated they are in front of the property. Russ also asked what items changed on the site plan and Steve said the previous plan did not show as much parking on the green space, he's also changed the way the pavilion is laid out, taking parking spaces out and lined them up in front of the pavilion and two (2) handicap spaces will be relocated. Russ indicated he'd like to see bollards or wheel stops at the front of the parking spaces located at front of the pavilion. Further, Russ noted the ownership name would need to be changed for the current Amazon site. Steve said that would be taken out and is not included in the parking calculation. Russ asked about the boat and mentioned a signed agreement that states "If the property is sold it would have to be moved immediately at the owners (Sharkey's) expense." This may be a problem at some point. Russ pointed out two notes on the bottom of the drawing asking if the cross access agreement will be secured, this has to be done before any approval; the Board will need a copy of this documentation. As well, a barrier behind Mazzye's Meat is needed. Traffic is not supposed to be going through that area to get to Route 57. The County is adamant about this. Russ asked if the large tree in the parking area would be taken down and Steve said, yes. He also asked how many handicap parking spaces are required and Steve said, 4/100. Russ stated he has 18 that are required and the drawing shows 23. Steve said he can eliminate the other two and still be okay. Russ requested Steve place the parking regulations on the drawing and secure a zoning compliance letter from the Town of Salina. Mark Territo said the letter has to agree and meet their zoning requirements. Hal Henty spoke stating he'd like to see all of the items done as stated, noting the owner has an obligation to comply without making any unapproved changes. Russ asked about the stage in back and landscape strip, which Steve said is covered in the permit and is not fixed, but movable. Russ reminded if it is placed there, it will need a variance. Michelle Borton commented about the two handicap spots being eliminated and would like to see how it will look on the drawing. She is concerned about the turn-around/drop off area and would like to see (on the drawing) how that will be handled. She also asked for architectural elevations of the pavilion to document the proposed changes, plus updated design calculations stamped by a professional engineer to show that the modified structure will meet applicable codes.

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Jim Palumbo spoke and asked Steve to be sure the structure has proper wind load capacity, etc. He'd like to see the barricade placed at Mazzye's Meats as there is an angled parking spot appearing to have easy access across the lawn. Russ asked the owner if he has people who help with parking and Jim (Nichols) said, yes when they have a large event planned. Lastly, Russ reiterated the County wants to be sure no cars are cutting behind the Meat Market to Oswego Road, the barrier is important. Karen Guinup spoke and agrees with Michelle's comments about the handicap spaces, she'd like to see a hammerhead for the turn-around or close it off completely. Karen asked Mark if there is anything that can be done to make sure the items get done as approved. Mark said a site plan violation could be issued which can go to court. Karen stated she'd like to see the details on the pavilion and roll-up doors. Kathy Bennet spoke indicating the need to see the cross access agreements and documentation from the Salina Planning Board. Mark asked what happened to the portion of the parcel to be used for indoor entertainment and Steve said this was not approved. Jim (Nichols) commented stating it was very expensive.

Russ Mitchell asked if there were any further comments, hearing none he requested a motion to adjourn.

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn Case #2021-011 to June 9, 2021.

Motion Carried 5-0

Russ Mitchell combined the following for presentation purposes:

7:40 P.M. **Case #2021-012 – *Crossroads Commons* (3) – 4705, 4709, and 4713 Crossroads Park – Preliminary Plat and Case #2021-013 – *Crossroads Commons* (3) – 4705, 4709, and 4713 Crossroads Park – Final Plat. Tim Coyer, Ianuzi and Romans Land Surveying, P.C., presented on behalf of the applicant distributing drawings to Board Members and noting no changes. The owner seeks to subdivide the westerly portion of land and carve out 122' x 252' size parcel for building purposes. Tim noted being in front of the ZBA and a number of variances granted. The current drawing now shows parking requirements and lot widths. Onondaga County comments state the sewer/water laterals are on a common lateral; a new lateral may be needed. Tim continues talks with Ron DeTota as Ron mentioned he might have other possible solutions to the lateral concern, however, he has no problem with the applicant putting in new. Ron stated the sewer issue is currently a private lateral. There are two (2) options: Construct a new lateral or the Town has, in the past, been willing to take out the infrastructure if it's in good repair and have it slip-lined from the manhole to Lot #2. Preparation of a formal dedication would ensure the lateral is up to today's design standards. Russ Mitchell asked if each building has a separate address and Tim stated he took this off and added square footage. Russ requested approval of the sanitary sewer and Ron stated a resolution of what the approach will be needed and once the work is performed, signed off by a licensed P.E. Tim indicated they are doing a cost analysis on the slip-line vs. new.

A motion was made by Karen Guinup seconded by Jim Palumbo to adjourn Case #2021-012 to May 26, 2021

Motion Carried 5-0

7:45 P.M. **Case #2021-015 – *Rocklyn Plaza* (3) – 3881 Route 31 – Amended Site Plan. Steve Calocerinos presented noting this property is owned by Rocklyn, located next to Matthew’s Kia on Route 31. Rocklyn has been losing tenants and would like to take off a portion of the building that was Dunn Tire and convert it to parking while utilizing the remaining portion for restaurant use. Maximum square footage would be 4,000 and 123 parking spaces approved. The large dumpster enclosure in the back of the building is too large and they’re proposing to move and replace with two (2) smaller dumpsters and enclosures. Restriping of the parking lot is shown noting handicap parking. Russ Mitchell asked if the front doors of the restaurant will face Route 31 and Steve said, yes. There will be exit access in the back of the building. Jim Palumbo requested Steve indicate that on the site plan. Russ asked if the two pole mounted lights would be moved and Steve said, yes. Russ stated they would need the photometrics. Further, Russ indicated the site plan details are needed as part of the site plan. Anything changing needs to be updated and attached. Due to visibility, the new dumpster enclosure must be powder-coated metal gates. Russ asked if road access was researched and Steve stated he’s spent the last year looking for alternatives. Fuccillo’s had agreed, but sold to Matthew’s and they have said, no, as well Cor Development will not allow. Karen Guinup asked Steve to place details on the dumpster move and enclosures on the plan. As well as a bit more information on the building to be taken down and new back wall detail to ensure all matches. The owner spoke noting it is a cinder block wall and will be painted to match. Karen requested that information be placed on the site plan. Russ asked Steve indicate where the doors will be. Ron DeTota spoke asking if the restaurant will be a sit-down type style with servers, or take out? Steve stated the use is for a national fast-food chain with limited seating. Ron asked if the parking is in the back, will patrons be walking to the front as it doesn’t seem to functionally fit. Steve stated the main face will be off of Route 31. Lastly, Ron requested ADA parking, variances and any landscaping be listed as well as the distance from the parking to the front of the store and a legend that details the shaded elements. Steve agreed.

A motion was made by Michelle Borton seconded by Jim Palumbo to adjourn Case #2021-015 to May 26, 2021.

Motion Carried 5-0

7:50 P.M. **Case #2021-016 – *Byrne Dairy*/Sonbyrne Sales, Inc. (3) – 7454 and 7456 Morgan Road – Special Permit. Christian Brunelle presented on behalf of the owner distributing a new drawing noting minor changes and mentioned three (3) variances granted for signs at the recent ZBA meeting. All signs are the same as the Buckley Rd. store. Comments provided by Onondaga County were all good.

Russ Mitchell closed Case #2021-016.

Jim Palumbo read: In the matter of the application of the Planning Board Case #2021-016, 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 resolution shall constitute a negative resolution for the following reasons: Conducive of the developed property and its surrounding area.

A motion was made by Jim Palumbo seconded by Hal Henty granting SEQR approval for Case #2021-016.

Motion Carried 5-0

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Jim Palumbo read: In the matter of the application of Planning Board Case #2021-016, I move the adoption of a resolution using standard form #70-Special Permit granted based on a map by Plumley Engineering dated April 2021, revised May 12, 2020 and numbered Figure 1.

A motion was made by Jim Palumbo seconded by Michelle Borton granting Special Permit approval of Case #2021-016.

Motion Carried 5-0

Old Business

**Case #2019-029 – Nick Avicolti/*Avicolti's* (3) – 7839 Oswego Road – Amended Site Plan (Adjourned from 5 previous meetings). The applicant requested an adjournment.

A motion was made by Hal Henty seconded by Michelle Borton to adjourn Case #2019-029 to June 9, 2021.

Motion Carried 5-0

Closed Hearings – Board/Applicant Discussions

New Business

Case #2021-013 – *Crossroads Commons* (3) – 4705, 4709, and 4713 Crossroads Park – Final Plat. Combined with the Public Hearings Case #2021-012 – *Crossroads Commons* (3) – 4705, 4709, and 4713 Crossroads Park – Preliminary Plat as above.

A motion was made by Karen Guinup seconded by Jim Palumbo to adjourn Case #2021-013 to May 26, 2021.

Motion Carried 5-0

Signs

Allied Sign Company– *Byrne Dairy* – 7454 & 7456 Morgan Road - Zoned LuC-1, Permit # 51,778.

1 – Freestanding Sign: The applicant wants to include a 32 square foot LED illuminated Electronic Message Sign. The proposed sign will meet the code pending the Planning Board's approval of the Special Permit.

6 – Wall and Canopy signs – #1 & 2) **Sign 1 & 2 building/front elevation** - 49 square foot Internally Illuminated LED wall sign. #3) **Sign 3 car wash** - a 60 square foot Internally Illuminated LED wall sign. #4-6) **Sign 4-6 canopy** - Three 28 square foot Internally Illuminated LED canopy signs.

A motion was made by Michelle Borton seconded by Hal Henty granting approval of sign permit #51,778.

Motion Carried 5-0

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Nasomi Signs – *Farone Funeral Home* – 4899 W. Taft Road - Zoned NC-1, Permit # 51,852.

1 – Freestanding sign - 24 square feet, LED, internal illumination. The proposed sign will meet the code.

A motion was made by Michelle Borton seconded by Jim Palumbo granting approval of sign permit #51,852.

Motion Carried 5-0

Work Session

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

A motion was made by Michelle Borton seconded by Jim Palumbo granting approval to adjourn the meeting at 9:57 p.m.

The next meeting is slated for May 26, 2021.

Motion Carried 5-0

Respectfully Submitted,



Judy Rios
Planning Board Secretary