

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 1st day of September 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
	Al McMahan	Member
	Jim 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 Hal Henty seconded by Michelle Borton granting approval of the minutes from the August 11, 2021 meeting.

Motion Carried 5-1 (abstain due to absence)

A motion was made by Michelle Borton seconded by Hal Henty granting approval of the minutes from the August 18, 2021 special meeting.

Motion Carried 5-1 (abstain due to absences)

Public Hearings:

New Business:

Russ Mitchell approved Case #2021-032 and Case #2021-033 be combined for speaking purposes.

****7:30 P.M. Case #2021-032 – VP Road Solar, LLC/VerPlank Road Solar South (3) – 4936 VerPlank Road – Site Plan. **7:35 P.M. Case #2021-033 – VP Road Solar, LLC/VerPlank Road Solar North (3) – VerPlank Road – Site Plan.** Steve Wilson, Bohler Engineering and Kevin O’Neill, Seaboard Solar, presented on behalf of the applicant. Steve provided a quick overview of the project noting solar panel installation to Clay north and Clay south on VerPlank Road. Each project will share a single driveway off VerPlank leading into Clay north. An access road will cover 25 acres wrapping around a smaller area that is part of Clay north. Both pods will be surrounded by a 7’ high security fence. The Clay south site has large utility lines but is a similar layout to Clay north; located on 25 acres with an access drive around it. Clay south will not be visible from the Road, however, Clay north is a more visible property. Plans are to provide a landscape buffer to screen the panels from the residents on that street. Russ Mitchell asked what would be provided and Steve indicated the information would be added to the site plan once decided. Russ asked if

they had received the County's comments and Steve said, yes. Russ read the first item noting requirements for an access road permit and site distance, all should be in writing. An item on page 3 notes the County wanting to take a look at the DEC for any threatened species, specifically the Indiana Bat. Steve is aware of this. Russ also mentioned needing SHPO documentation and Steve said he would provide the letter. Russ asked to clarify delineation of the wetlands on the drawings and Steve pointed it out on the drawings. Russ also asked what the acronym WF means on the drawings and Steve said wetland flag. Further, Russ indicated a cross access agreement between the two projects will be required and to speak with Rachel Woods at the County. Steve agreed. As well, Russ mentioned the need to speak to the County regarding the gas line that is located on the site. Kevin stated he has had a conversation with National Grid and the need for an access agreement for the power lines is required. He is not sure with the gas department and County who to speak with and asked for any contacts. Russ stressed he wanted this addressed. Kevin said he would do this prior to the next meeting. Russ also mentioned needing one SEQR for both projects, Type 1 action. Steve will prepare the paperwork. Michelle Borton asked if they were obtaining a wetlands permit and Steve said, yes from the DEC. She indicated the Town would need to see the documents. Russ reminded that all documents must be provided before site plan approval. Jim Palumbo asked about a note reading "topsoil temporary pile" and what are the intentions for the site and how long? He feels the soil should remain where it came from. There is a lot of excavation and a significant amount of topsoil. Jim asked if these are primes soils and Scott said, no. Scott agreed to go back and look at the topsoil concern, however, the intention is to leave the soil on the site and reuse it. They prefer a good soil and anything left over would be stock piled. Jim noted the decommissioning plan which requires topsoil be brought back to its existing state. He would not like to see an intent to sell this and asked a better understanding of how the soil will be handled. Steve said he would address this and place it on the plan. Further, Jim commented on the buffer and would like to see more smaller planting, such as a 5' spruce which provided a better effect, or consideration of a broad shape from white pine to try and naturalize. Steve stated he understood and would do research on this.

A motion was made by Karen Guinup seconded by Jim Palumbo to adjourn Case #2021-032 and Case #2021-033 to September 22, 2021.

Motion Carried 6-0

A motion made by Russ Mitchell seconded by Hal Henty that the Planning Board intends to act as Lead Agency, and the Commissioner of Planning and Development notify the involved agencies in accordance with SEQR regulations.

Motion Carried 6-0

Old Business:

****Case #2021-011 – *Sharkey's Beach Volleyball and Restaurant* (3) – 7240 Oswego Road – Amended Site Plan (Adjourned from 5 previous meetings). The applicant requested an adjournment.**

A motion was made by Michelle Borton seconded by Jim Palumbo granting approval to adjourn Case #2021-011 to September 22, 2021.

Motion Carried 6-0

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****Case #2021-023 – Guggenheim Development Services, LLC/Jiffy Lube Multi Care Facility (3) – between 5229 & 5255 West Taft Road – Site Plan (Adjourned from 3 previous meetings). The applicant requested an adjournment.**

A motion was made by Hal Henty seconded by Jim Palumbo granting approval to adjourn Case #2021-023 to September 22, 2021.

Motion Carried 6-0

****Case #2021-027 – Salt City Sheds (3) – Oswego Road – Site Plan (outdoor sales) (Adjourned from 1 previous meeting). Pat Reynolds, Ianuzi & Romans, P.C., presented on behalf of the applicant. Pat addressed the comments as made from the previous meeting noting all is complete as follows. The reserved spaces will not be striped, the landscaping is done and will not block the sign; the perimeter has trees added for color and physical barrier; the strip of blacktop has been removed from the northerly site and the area will be seeded.**

Russ Mitchell asked if there were any more comments or questions, hearing none he closed Case #2021-027.

Al McMahon read: In the matter of the application of Planning Board Case #2021-027, 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 that the proposed action will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons: No potential impacts to land, air, or public health issues.

A motion was made by Al McMahon seconded by Jim Palumbo granting SEQR approval.

Motion Carried 6-0

Al McMahon read: In the matter of the application of Planning Board Case #2021-027, I move the adoption of a resolution using standard form #20 – Site Plan granted based on a map by Ianuzi & Romans, P.C., cover sheet dated June 8, 2021 and numbered File #13192.001. Map dated May 25, 2021 number 1 of 2 and map dated May 25, 2021, revised August 25, 2021 number 2 of 2. Conditioned upon approval of all legal and engineering requirements of the Town of Clay.

A motion was made by Al McMahon seconded by Jim Palumbo granting Site Plan approval.

Motion Carried 6-0

Russ Mitchell approved Case #2021-029 and Case #2021-030 be combined for speaking purposes.

****Case #2021-029 – Kempisty Subdivision (3) – 8728 Henry Clay Boulevard – Preliminary Plat (Adjourned from 1 previous meeting). Case #2021-030 – Kempisty Subdivision – 8728 Henry Clay Boulevard – Final Plat. Pat Reynolds, Ianuzi & Romans, P.C., presented on behalf of the applicant indicating site distances are complete and he has forwarded the approved email from Onondaga County. Comment #1 noted a shed too close, this has been moved and now falls into the requirements. Russ Mitchell asked who owns the sheds at the back end of the property and Pat is unsure, but assumes the Sportsman’s Club. Russ mentioned another shed on the north end of the property and Pat stated this belongs with the lot directly north of it. Russ also**

asked if the easement right-of-way did not have a gravel road and easement combined and Pat said that is correct. Russ noted receiving the site distance information and lot line moved. There needs to be an awareness of the owners between the two properties as there could be an issue sometime if the property sells. This would need to be worked out between the property owners. Pat stated he could investigate this if the Board prefers or provide an agreement of acknowledgement. Karen Guinup indicated a potential issue if and/or when Lot 2 is sold. They could ask the Sportsman's Club to move the shed at that time or obtain an acknowledgement stating if Lot 2 sells it would be removed. Karen suggested Pat inform his client of the potential problem and Pat noted he would make sure they are aware. Jim Palumbo asked if the purchaser would be responsible to have the gravel drive moved and Pat said, yes.

Russ Mitchell closed Case #2021-029 and #2021-030.

Jim Palumbo read the following: In the matter of the application of Planning Board Case #2021-029, 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 that the proposed action will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons: The request for subdivision is reasonable and in keeping with the surrounding area parcels.

A motion was made by Jim Palumbo seconded by Al McMahon granting SEQR approval.

Motion Carried 6-0

A motion was made by Karen Guinup seconded by Hal Henty to move to Final Plat.

Motion Carried 6-0

Jim Palumbo read: In the matter of the application of Planning Board Case #2021-029, I move the adoption of a resolution using standard form #40 – Final Plat granted based on a map by Ianuzi & Romans, P.C., dated July 8, 2021 an numbered F.B. No. 1624. Conditioned upon approval of all legal and engineering requirements of the Town of Clay.

A motion was made by Jim Palumbo seconded by Hal Henty granting Final Plat approval.

Motion Carried 6-0

Closed Hearings – Board/Applicant Discussions:

**Case #2021-012 – *Crossroads Commons* (3) – 4705, 4709, & 4713 Crossroads Park – Preliminary Plat (Adjourned from 4 previous meetings). The applicant requested an adjournment to Case #2021-012 and Case #2021-023 – *Crossroads Commons* – 4705, 4709, & 4713 Crossroads Park – Final Plat.

A motion was made by Hal Henty seconded by Michelle Borton granting approval to adjourn Case #2021-012 and Case #2021-023 to September 22, 2021.

Motion Carried 6-0

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****Case #2021-026 – 4 Seasons Car Wash (3) – 7192 Buckley Road – Amended Site Plan.** The applicant requested an adjournment.

A motion was made by Karen Guinup seconded by Jim Palumbo granting approval to adjourn Case #2021-026 to September 22, 2021.

Motion Carried 6-0

New Business

Signs:

Star Clay, LLC – Extra Space Storage – 4155 State Route 31 – Zoned RC-1, Permit #52,194.

2- Wall signs - The applicant is proposing two (2) internally illuminated wall signs 49.5 square feet in size when 55 square feet each is allowed. These signs will meet code.

1 – Freestanding sign - The applicant is proposing a panel face change of an existing panel; 108 square feet in size. This sign was previously approved by the Planning Board (minutes attached) for the movie theater location. The applicant is aware that if this spot takes the sign, then should something go in the abandoned movie site, they would no longer have access to this sign. The property owner signed off on this.

A motion was made by Karen Guinup seconded by Jim Palumbo granting sign approval for Permit #52,194.

Motion Carried 6-0

Signs & Designs – AmeriCU – 7466 Oswego Road – Zoned NC-1, Permit #52,215.

1 – Freestanding sign – The applicant is proposing a panel face change of an existing panel; 24 square feet in size. This sign will meet code. Russ Mitchell noted the applicant needs to put the address on the sign.

A motion was made by Michelle Borton seconded by Jim Palumbo granting sign approval for Permit #52,215.

Motion Carried 6-0

Work Session:

***Case #2021-031 – Clay Marketplace PDD (5) – northeast corner of NYS Route 31 and Henry Clay Boulevard Clay Marketplace PDD – Project Plan Referral.** Alex Wisnewski, presented on behalf of the applicant stating the Town Board has approved the concept plan as Clay Marketplace and he has returned this evening for project plan approval; 11x17 drawings were provided to the Board Members. Alex noted phasing of the project continues to hold true and showing now (graphically) is the turning lanes at Henry Clay Blvd; this is not final geometry and right-of-way markers are needed. Alex stated Sheet 1, preliminary plat, is the same as the concept plan. The intent is to create a landscape barrier between the apartment units and cemetery. The S.E. property has a culvert and stormwater management provisions will be worked out

prior to discharge. There is ample green space and they could oversize the stormwater area if needed. Alex stated a full analysis will be done. OCWA shows three (3) hydrants on site to meet fire code; the easement is 30' wide but elevations are not yet finalized with OCWA. Alex stated the plan is to extend to the existing sanitary sewer. The access to the sites remains the same and aligns with Circle K and Henry Clay Blvd; the State DOT and County have reviewed and are okay with these driveways. Russ Mitchell noted recently learning the two (2) lot (this lot and the insurance agent) would be zoned differently. This was originally considered to be zoned as RC-1, however, that is what the lot is zoned as. Purposely putting an access into the road here as the county was going to block off the access to Henry Clay Blvd. Alex believes this discussion goes back when this was the Henry Clay plan and that is not part of this project. Karen Guinup recommends they get details straight from the other project. Russ noted not having elevation drawings and a full set of plans are needed. Alex said he would provide all. Russ explained to the audience the process going forward and the Planning Board's responsibilities. Many items will be done during site plan review. Russ asked if the Board Members had any questions, hearing none, he asked those in attendance. Resident, Rick Beiswenger of 8494 Newbury Place spoke stating he feels this is a very large project being squeezed into a 14.9' acre lot. He's concerned for traffic on Henry Clay, ingress/egress, fire, etc. Residents in Newbury Place and Orange Commons have been in touch and many feel the same, especially the traffic impact. He stated this is a good project but in the wrong area. Russ explained a traffic study has been done which is why the two driveways were put in; traffic will always need addressing. Further, Russ stated there is land to be developed in the Town and the Board oversees putting the best things on the land as possible. Everything will be studied during site plan review. Hal Henty mentioned the fire departments are aware of this project and they will come in and make changes as necessary. Rick thanked the Board stating he wants to raise awareness of the impact of this project. Karen spoke and noted this is a long process and the Town Board will schedule public hearings as it progresses. Russ asked the audience to keep an eye on the Town's website, specifically the agendas so they're aware of what will be upcoming also inviting them to every meeting as that is what local government is for. Mark Territo informed the Board Members the Town Board will need to declare as lead agency for SEQR, so he can take the next steps. He will let the Supervisor know of this requirement for the next Town Board Meeting agenda.

A motion was made by Jim Palumbo seconded by Hal Henty granting approval to adjourn Case #2021-031 to October 20, 2021.

Motion Carried 6-0

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 8:51 p.m.

Motion Carried 6-0

The next meeting is slated for September 22, 2021.

Respectfully Submitted,


Judy Rios
Planning Board Secretary