

**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 13<sup>th</sup> of December 2023. 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:

<b>PRESENT:</b>	Russ Mitchell	Chairman
	Michelle Borton	Deputy Chair
	Karen Guinup	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 Engineering

**ABSENT:** Scott Soyster Member

**OTHERS** Paul Graves Pending Member (Incoming 2024)

**PRESENT:**

A motion was made by Hal Henty seconded by Michelle Borton granting approval of the minutes from the October 25, 2023 Regular Meeting.

**Motion Carried 6-0**

A motion was made by Jim Palumbo seconded by Al McMahan granting approval of the minutes from the November 15, 2023 Regular Meeting.

**Motion Carried 6-0**

**Public Hearings (New Business):**

None.

**Public Hearing (Old Business/Open and Adjourned):**

\*\*Case #2022-008 – **Chick-fil-A, Inc** (3) – 3920 Brewerton Road – Special Permit (Adjourned from 8 previous meetings) and \*\*Case #2022-009 – **Chick-fil-A, Inc** (3) – 3920 Brewerton Road – Site Plan (Adjourned from 8 previous meetings). Tim Freytag, Bohler Engineering was present on behalf of the applicant. Russ Mitchell opened both cases for ease of discussion and outlined the procedure for the scoping document as provided. There are a few issues to address with corrections/additions. Once these are completed, the document will be returned back to the Planning Board for review/ acceptance at which time it will go out to the public and then be sent out to interested agencies.

Russ read the following items from the scoping document as follows:

- 1) Page 5 under potential impacts – the Board wants traffic movement at three intersections; add school at intersection.
- 2) Page 5 at the top under #1 – Add wording: “*and/or in the area.*”
- 3) Page 6 under #7 – Obtain most current 5 years of accurate data.

Michelle Borton read the following:

- 4) Under potential impacts under #18 – Review on-site circulation patterns and add an egress point.
- 5) Under conditions of operating and ordering-#19 – Explain the use of a bail-out lane.

Gordon Stansbury, GTS Consulting spoke asking if they are referring to the signal on the west for the school access and Russ said, yes. He stated this won't be a problem as he has studied this area twice. Ron DeTota noted this should be looked at while school is in session. Gordon agreed.

Russ Mitchell noted interest in the plan given to North Syracuse with three lanes. Karen Guinup asked if the Village plan is different than what this Board has and Tim said he could provide all updated drawings.

Russ Mitchell asked for questions/comments from the public. None received.

A motion was made by Hal Henty to adjourn Case #2022-008 – Chick-fil-A, Inc. – 3920 Brewerton Road – Special Permit and Case #2022-009 – Chick-fil-A, Inc. – 3920 Brewerton Road – Site Plan to January 10, 2024. Seconded by Karen Guinup.

#### **Motion Carried 6-0**

\*\*Case #2023-006 – ***Emerald Lawn Care/Wetzel Road Properties, LLC*** (3) – 4663 Wetzel Road – Site Plan (Adjourned from 7 previous meetings). Russ Mitchell noted the applicant awaits approval and permit from NYS DEC, which they have not yet received; this Case will be adjourned.

A motion was made by Michelle Borton to adjourn Case #2023-006 – ***Emerald Lawn Care/Wetzel Road Properties, LLC*** to January 10, 2024. Seconded by Karen Guinup.

#### **Motion Carried 6-0**

\*\*Case #2023-029 – ***Delta Sonic Car Wash/Delta Sonic Car Wash Systems, Inc.*** (3) – 3627 & 3809 State Route 31 – Site Plan (Adjourned from 5 previous meetings). Matthew Oates, P.E., was present on behalf of the applicant. Russ Mitchell thanked him for the updated drawings. Matt updated the Board as follows: The Fire Department has completed their review providing approval and having no comments. Jeff Deep from Onondaga County DOT approved of the photometric plan, however, the SWPP review is still ongoing. He has asked for a couple sketches for the drive/right-in for additional input. Russ Mitchell noted once the light is in that will stop. Matt continued stating he has submitted the sewer extension plans to Ron DeTota and Mark Territo, along with compactor cut sheets, lighting cut sheets, electric service information, and updated elevation drawings. Matt said the convenience store is remaining without a drive-thru window and the outdoor cooler in the front will match and blend-in with the architecture of the building. Russ asked if Tim



Horton's will be in the building and Matt said, yes. Karen Guinup asked about the Fire Department email approval and if it referenced a dated site plan. Matt said he would ask Scott Beverly, Deputy Chief, MCFD, to send a new email and reference this information; he will include Mark Territo on the correspondence. Jim Palumbo asked about the two scenarios and right-in. Matt said one difference is the severity of the turn and Karen noted the width as well.

Russ Mitchell asked for questions/comments from the public. None received.

A motion was made by Hal Henty to adjourn Case #2023-029 – Delta Sonic Car Wash/Delta Sonic Car Wash Systems, Inc. – 3627 & 3809 State Route 31 – Site Plan to January 10, 2024. Seconded by Jim Palumbo.

**Motion Carried 6-0**

\*\*Case #2023-032 – **Renalli Generations, LLC/Sky Zone** – (3) – 4155 State Route 31 – Amended Site Plan (Adjourned from 3 previous meetings). Ben Harrell, CHA Consulting spoke and provided a survey of the overall shopping center (Great Northern Mall) for file purposes. Ben stated they have addressed comments from the last meeting and provided photometrics, cut sheets, doorway information, lighting cut sheets, clarification on the sewer, and updated architectural elevation showing.

Russ Mitchell asked the Board for any questions/comments. Jim Palumbo asked for clarification on drawing #C-601 under #8 (right side) and reference reading “existing landscape conditions” and #7 (on left side) reading “landscape improvements.” Ben said this is to show the existing improvements since the application. Jim requested this to read “existing landscape.”

Russ Mitchell asked for questions/comments from the public, hearing none he closed the Case.

Karen Guinup read: In the matter of the application of Planning Board Case #2023-032 – Renalli Generations, LLC/Sky Zone – 4155 State Route 31 – Amended Site Plan, I move the adoption of a resolution using our standard form #10 – SEQR that the Amended Site Plan be declared to be a negative declaration as there appears to be no major environmental impacts that could be mitigated. This action does not involve any other agencies, including the federal government. Seconded by Jim Palumbo.

**Motion Carried 6-0**

Karen Guinup read: In the matter of the application of Planning Board Case #2023-032 – Renalli Generations, LLC/Sky Zone – 4155 State Route 31 – Amended Site Plan, I move the adoption of a resolution using our standard form #20 – Amended Site, granting approval based on a map by CHA Consulting dated September 20, 2023, revised November 29, 2023, showing drawing no. C-101. Also included in this motion are the following drawing nos. C-001, C003, C-100, C-401, C-601, C-701, A-201, A-202 by CHA Consulting dated September 20, 2023, revised November 20, 2023. MacKnight Architects Floor Plan A-100 dated September 20, 2023. Bock & Clark Survey page 1 dated January 20, 2015 last revised June 3, 2015, page 2 dated January 6, 2015 no revision date. Renalli Generations sewer map, lighting cut sheets and easement documents are also included. Conditioned upon all legal and engineering requirements of the Town of Clay. Seconded by Michelle Borton.

**Motion Carried 6-0**

**\*\*Case 2022-036 – Pizza Hut (3) – 7365 Oswego Road – Amended Street Plan (Adjourned from 12 previous meetings). This applicant has withdrawn this Case.**

**\*\*Case #2023-041 – Splash Car Wash (3) – 7795 Oswego Road – Amended Site Plan (Adjourned from 4 previous meetings). The applicant requested an adjournment.**

A motion was made by Hal Henty to adjourn Case #2023-041 – Splash Car Wash – 7795 Oswego Road – Amended Site Plan to January 10, 2024. Seconded by Michelle Borton.

**Motion Carried 6-0**

**\*\*Case #2023-042 – Amerco Real Estate Company/U-Haul – (3) – 8015 Oswego Road – Amended Site Plan (Adjourned from 3 previous meetings). The applicant requested an adjournment.**

A motion was made by Hal Henty to adjourn Case #2023-042 – Amerco Real Estate Company/U-Haul– 8015 Oswego Road – Amended Site Plan to January 10, 2024. Seconded by Karen Guinup.

**Motion Carried 6-0**

**\*\*Case #2023-047 – EquipmentShare – Syracuse (3) – 7481 Henry Clay Blvd. – Site Plan. The applicant requested an adjournment.**

A motion was made by Jim Palumbo to adjourn Case #2023-047 – EquipmentShare – 7481 Henry Clay Blvd. – Site Plan to January 10, 2024. Seconded by Hal Henty.

**Motion Carried 6-0**

**\*\*Case #2023-048 – Red Barn Extension (3) – Red Barn Circle – Preliminary Plat (Adjourned from 1 previous meeting). Russ Mitchell stated the applicant did not have the required documents in on time for the Board to review; this Case will be adjourned.**

A motion was made by Karen Guinup to adjourn Case #2023-048 – Red Barn Extension - Red Barn Circle – Preliminary Plat to January 10, 2024. Seconded by Hal Henty.

**Motion Carried 6-0**

**\*\*Case #2023-049 – 7653 Liverpool, LLC/CITGO – (3) – Morgan Road – Special Permit. Mark Dombal, SNK Petroleum was present on behalf of the applicant. For clarification purposes, Russ Mitchell stated this evening’s approval is for the Special Permit only and not for signage. Russ indicated that CITGO has changed signage, in the past, on Rt. 57 without proper approval and this is unacceptable. Russ asked he pass the message along to representatives at CITGO. Mark (Dombal) agreed and said his sign-person should have gotten the required permits and apologized. Mark (Dombal) explained he purchased the property from 7/11 and discontinued the Sunoco branding. Changes are primarily on the canopy and fascia. Russ stated it does look good. Mark (Dombal) stated he has the electrical inspection and will provide to Mark Territo. Karen Guinup asked if he is representing the signage only or special permit and Mark (Dombal) said he thought it was for the sign permit but is unfamiliar with the process. Karen stated he will need to submit a sign**



application. Mark Territo spoke noting CITGO is currently in court and this case needs two approvals – one for the signage and one for the special permit. The Planning Department is in receipt of the owner’s check and used it for the special permit fee. Mark (Territo) said he would check the paperwork but believes a fee check is still owed for the sign application. Karen noted he should not have to come back to the next meeting for approval of the signage application.

Russ Mitchell asked for questions/comments from the public, hearing none he closed the Case.

Al McMahon read: In the matter of the application of the Planning Board Case #2023-049 – 7653 Liverpool, LLC/CITGO – Morgan Road – Special Permit, 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 matches the existing use. Seconded by Jim Palumbo.

**Motion Carried 6-0**

Al McMahon read: In the matter of the application of the Planning Board Case #2023-049 – 7653 Liverpool, LLC/CITGO – Morgan Road – Special Permit, I move the adoption of a resolution using standard form #70 – Special Permit, granted based on a map by Lehr Land Surveyors, DPC dated September 29, 2023 and numbered 23-1-34\*D\* and rendering by Sign Resource Identity Group dated March 2, 2023, revised, March 7, 2023 Document #1179 3012 Rev B, 1 of 1. Seconded by Jim Palumbo.

**Motion Carried 6-0**

**Closed Hearings – (Board/Applicant only):**

\*\*2023-040 – **Metropolitan Signs, Inc/America Stores It** (3) – 8372 Oswego Road – Special Permit (Electronic Sign) (Adjourned from 2 previous meetings). Russ Mitchell announced this Case would be adjourned.

A motion was made by Hal Henty to adjourn Case #2023-040 – Metropolitan Signs, Inc/America Stores It – 8372 Oswego Road – Special Permit to January 10, 2024. Seconded by Michelle Borton.

**Motion Carried 6-0**

**New Business:** Signs

None.

**Work Session:**

None.

Regular Meeting  
Planning Board  
December 13, 2023

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 Jim Palumbo granting approval to adjourn the meeting at 8:20 p.m.

**Motion Carried 6-0**

The next meeting is slated for January 10, 2024.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Judy Rios". The signature is written in a cursive, flowing style.

Judy Rios  
Planning Board Secretary