

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 26th day of February 2025. The meeting was called to order by Deputy Chairman Borton at 7:30 P.M. All joined in the Pledge of Allegiance and upon roll being called, the following were:

PRESENT: Michelle Borton Deputy Chair
Karen Guinup Member
Jim Palumbo Member
Paul Graves Member
Hal Henty Member
Al McMahon Member
Marie Giannone Secretary to Planning Board
Kathleen Bennett Planning Board Attorney

OTHER: Caitlin Choberka, Project Engineer – C&S Companies
Joe Grispino – Commissioner of Code Enforcement

ABSENT: Ron DeTota – Town Engineer
Russ Mitchell - Chairman

A motion was made by Mr. Graves and seconded by Mr. Palumbo to approve the minutes of the February 12, 2025 Regular Meeting.

Motion Carried: 6-0.

Public Hearings:

New Business:

Case #2025-006 – **Scott Merle Builders (3) – 8835 Gaskin Road – Preliminary Plat

Mr. Scott Merle is present to address the board. The applicant would like to subdivide a 1.81-acre parcel into two lots, Lot 1 is 0.56 acres and Lot 2 is 1.25 acres, to a one family residential in an R10- zoning district. One lot has 70 ft. frontage and the other lot has a 30 ft right of way to the back as shown on the map. Mr. Merle confirmed to the board that all existing structures have been demolished, Deputy Chair Borton asked Mr. Merle to note on the plan that these structures have been demolished.

Deputy Chair Borton stated that a variance has been given for the width of the front lot and asked that the date and case number for this variance be noted on the plan. Also, add “Final Plat” wording on the final plat drawing.

Deputy Chair Borton asked the board if there are any comments/questions. None.

Ms. Choberka said the Topography (TOPO) needs to be provided. Also the 100 year flood zone that was provided needs to have the elevation to ensure that any potential building would be above that elevation. There appears to be an existing electrical service line that is fed from the adjacent property to the house and asked if this will be utilized. Mr. Merle said all service will be new. Ms. Choberka said that should

not be shown on the final plat as this will be all new service. Ms. Bennett said if it is an easement it will have to be shown on the final plat. This will have to be clarified before approval of final plat. Ms. Choberka asked about the leech field and Mr. Merle said the septic system will be replaced. Ms. Choberka said Lots 1 and 2 and not buildable lots until final plat approval and should be noted.

Deputy Chair Borton asked the board if there are any questions/comments. None. As this is a public hearing, the deputy chair asked if there are any questions from the public. None.

Motion made by Mr. Graves to adjourn Case #2025-006 to March 19, 2025. Seconded by Mr. McMahon.

Old Business:

Motion Carried: 6-0.

Case #2024-050 – **Pack Rat Storage (3) – 4717 Wetzel Road – Amended Site Plan – (Adj, 3). The applicant requested an adjournment.

Motion made by Mr. Henty to adjourn Case #2024-050 to March 19, 2025. Seconded by Mr. Graves.

Motion Carried: 6-0.

Case #2023-053 – **Proposed Hotel at Wegmans Great Northern Site (3) – 3955 State Rte. 31 – Site Plan (Adj. 2)

Mr. Mike Ritchie, Costich Engineering, is present on behalf of the applicant and brought the board up to date.

- ✓ Mr. Ritchie said they met with ZBA on December 11, 2024 and received the variance.
- ✓ The proposed hotel has been shifted farther away from the highway boundary so that the banked future parking would not be in the landscape buffer.
- ✓ Comments from C&S Engineers were received and submitted.
- ✓ Resubmitted to water authority, WEP and health department and will be in a position to sign off soon.
- ✓ Easement descriptions have been provided to the town for review
- ✓ Comments from the planning board have been addressed

Deputy Chair Borton said the board has comments on this site plan.

Deputy Chair Borton had the following comments:

- Deputy Chair Borton said the height variance case number and date need to be put on the site data sheet.
- The authorities that are reviewing the plan (OCWA, WEP, Health) need this approval in writing. This can be coordinated with C&S Engineers.
- CA100 shows a line FF – existing features, please clarify that it should be there.
- Pictures will be needed of the overall campus, the lot itself, and all Wegmans holdings.
- Deputy Chair Borton asked Mr. Ritchie to explain the sanitary main on CA100. Mr. Ritchie said this is connecting out to the road to be tied in for future areas to the north are developed. Deputy Chair deferred this to our engineer.

- The land banked parking spaces are in the snow storage area and deputy chair asked where the snow would be dumped. Mr. Ritchie said over the six-inch curb behind it. Deputy Chair said this would have to be shown on the plan detail.
- In the same area this will encroach both for the banked parking and the proposed parking lot will be within a 20 ft wide National Grid easement. The board will need a letter or email from National Grid for acceptance.
- On the access easement CA110 the lines on the easements need to be made darker for legibility.
- The fire department needs to be contacted for their approval as the tracking goes into the parking area. Also adjust the design line to be more legible.
- No stop signs are proposed per the drawing, stop signs need to be placed leaving the site.
- Need blow up of the patio area showing landscape.
- Bollards? No bollards are proposed but will provide if requested.
- Cover Sheet – shows index of drawings but need date and revision date.
- No fences are proposed but will provide more detail as required.

Mr. Henty would like to see the lighting plan blown up for ease in reading possibly on a 20 scale.

Ms. Guinup had the following comments:

- Design needs to be put on a separate detail sheet
- Need details for the proposed shed next to the dumpster including the details of the gates. Details needed were provided to the applicant in the Town of Clay packet.
- What is the setback from the property line to the shed and dumpster? Mr. Ritchie said it is 9.7 ft. Ms. Guinup asked if this was per code. More information will be provided.
- Need a map showing overall area of layout.
- Wegmans will sell the lot to the hotel.
- Lot lines are not set in stone as of this meeting. No site approval until lot lines are set.
- One third of the parking will be banked. Ms. Guinup, in her opinion, stated that is totally unacceptable.
- Where is the access to the bank parking spaces. Mr. Ritchie said there are banked parking spaces to the south and as they try to shows on the site plan for the future there would be a slight reduction of two parking spaces to allow access to the remainder of the spaces. The other proposed banked spaces are along that east line which is a two-way drive. This was shown on the map for clarification.
- No parking spaces to accommodate campers, trailers, large trucks and other vehicle towing. This is a concern for guests at hotel. Mr. Ritchie will discuss with developer.

Mr. Graves had the following comments:

- Following up to Ms. Guinup concern on insufficient parking for campers etc., Mr. Graves gave reference to the Syracuse Nationals that come to the Syracuse area every year. And Mr. Graves said some people are towing a camper, or trailer, driving a large vehicle and would be looking for parking spaces. This is a concern.
- Snow removal/storage is a concern as this gets dumped in the northwest corner of the property and could take up 4 to 5 parking spaces or dumped into the next person's parcel. Adequate snow storage needs to be addressed.

Mr. Palumbo had the following comments:

- Following up further to the snow storage, Mr. Palumbo said according to the grading plans the northwest corner will be built up three to three- and one-half feet in elevation. The property line is right there at that location. Mr. Palumbo said in looking at the survey was a wetland

delineation done. Mr. Palumbo said in looking at the contours of the grading the EAF showed no wetlands. Mr. Palumbo said he finds this difficult to believe in looking at the contours off the grading being done. The contours show an isolated area and all the drainage goes through there. Mr. Palumbo would like to know if a wetland delineation was done and not just relying on DEC mapper saying there are no records.

- Mr. Palumbo said pushing all that snow off the property line to someone else property creates the problem of parking lot snow containing debris which can infiltrate into wetlands. Mr. Palumbo would like to see a wetland delineation done to bring this up to date on the site. Mr. Ritchie will research this further for clarification. Also noted that a wetland delineation cannot be done for approximately two months because of weather conditions.

Mr. McMahon – no comment – he is good.

Ms. Choberka had the following comments.

- The grading plan needs to be blown up for legibility.
- Note on the drawing that the public infrastructure is “Solely for information purposes”.
- Still working on engineer’s comments on SWPP and will be provided soon.
- Concern with SWPP is the storm system out to the bioretention pond as it is currently designed only conveys the five year plan and with that all the overland flow for our 100 year storm event is directed toward the south. Ms. Choberka said a way should be looked at to have the 100 year overland flow being conveyed towards the bioretention and stormwater treatment that is occurring or looking into upsizing the proposed storm system so that it is directed to where it will be treated.

Ms. Bennett had the following comments.

- Need to review terms and language of easements for water main, sewer, and access.
- Concurred with the discussion on wetland delineation and the revised January 2025 regulations.
- Wetland delineation should be done when weather permits.
- Is the 20 ft easement to National Grid an electric transmission line or underground gas easement. Mr. Ritchie will clarify this.

Deputy Chair Borton asked if there are any questions/comments as this is a public hearing.

Ms. Janet Rathburn asked how many hotel rooms. Mr. Ritchie said 103 rooms. 155 parking spaces are needed for the 103 rooms per Ms. Guinup.

Motion made by Mr. Graves to adjourn Case #2023-053 to April 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Case #2024-070 **Tully’s Tenders (3) – 3567 State Rte. 31 - Site Plan (Adj. 1)

Mr. Dave Schlosser is present to address the board on behalf of the applicant. Mr. Schlosser said since the last meeting they have made changes/additions/deletions as follows:

- ✓ Property legal description showing right of way.
- ✓ Added new drainage easements.
- ✓ Curb cut closing discussed at last meeting has been left open per their design team. A benefit to leave it open as it becomes an escape vehicle method rather than going through the drive thru.
- ✓ Added landscape islands.

- ✓ Deciduous trees added in the southwest corner.
- ✓ EAF completed.
- ✓ Dumpster area complete and now in one area with gates and more detail.
- ✓ Snow storage area has bollard protection.
- ✓ Drive thru entrance defined clearer.
- ✓ Storm drainage did extensive modifications shown on additional drawing.
- ✓ Storm water evaluation report submitted. Added an overflow as shown on the drawing.

Mr. Schlosser said another look was taken at the curb cut and went back to the traffic engineer and basically the existing curb cut is Tully's position as it is safe and consistent with NYS DOT, Town Board (special permit) and OCPB having no suggestion or modification to curb cut. Mr. Schlosser said alternatives were present to NYS DOT and rejected for three lanes. DOT does not permit three lanes on single intersection. Niagara Car Wash said no to a right out only. A copy of their response was given to the board. DOT would not allow a second curb cut in the southwest corner. Mr. Schlosser concluded his presentation with the statement that they are not suggesting that we are presenting that curb cut to remain as is just because there is no alternative but also in the traffic study report and NYS DOT guidelines, that is a safe intersection.

Deputy Chair Borton said since the last meeting we have received Onondaga County Planning Board (OCPB) comments. Discussion on the sewer extension at that location with Mr. Steve Calocerinos. Mr. Calocerinos said the county is not aware of sewers at that location. Plans submitted by Mr. DeTota did not show sewers going to the Mauer Funeral Home which in fact it does. The site for Tully's is on septic but have submitted the connection request to county and town and will be advised if there is an existing lateral to connect, if not a new lateral will be provided to the main. Mr. Calocerinos showed Deputy Chair Borton where the sewers are connected on the map.

Deputy Chair Borton referred to "Modifications" from OCPB that any mitigation has to be reflected on the project plans. Deputy Chair Borton said the board would not do that as a condition.

Deputy Chair Borton read from county comments the following"

"The applicant must contact the Onondaga County Department of Water Environment Protection (WEP) Plumbing Control Division to discuss any requirements for restaurant use of the site, including a scheduling a reinspection of the premises and obtaining the appropriate permits for all plumbing installations. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval."

Deputy Chair Borton requested for the applicant to put a general note to this plan that this will be done. Mr. Schlosser agreed.

Deputy Chair Borton said the county encourages the extension of sidewalks to and across the frontage of the site. Deputy Chair Borton agrees with this comment. There is a crosswalk near by but sidewalks lead nowhere. Mr. Henty said sidewalks go nowhere but county is supporting sidewalks. Mr. Schlosser asked if this could be a condition that it be installed should sidewalks be installed in that area. Deputy Chair Borton said no, because as sidewalks are added, connections will be made alleviating the nowhere sidewalk. Mr. Grispino said there are sidewalks to the east. Deputy Chair Borton said sidewalks have to coordinated with DOT as to the location of sidewalks in this area.

Deputy Chair Borton said there was a comment to contact CENTRO as there is transit service and bus stops in that area. The applicant will continue to contact CENTRO to obtain an email reply.

Discussion on the parking area and drive thru lanes followed. A smaller sign will be erected “Exit Only” which will serve as a bailout lane only. This will be addressed.

Mr. Henty said the DOT is wrong and it is not safe with the in/out.

Ms. Guinup the dumpster area on L2.2 needs a description of the gate which are shown on the elevation sheet. This needs to be moved to the detail sheet.

Mr. Graves agrees with Mr. Henty’s comment on the safety issue of the in/out. Mr. Graves referenced Tully’s on Rt. 11 with the traffic congestion.

Mr. Palumbo said the drainage in the back of the infiltration system shows an underdrain as specified. Will there be an underdrain. Mr. Calocerinos said the plans show a dry swale and there will be overflowing to the existing pond at Niagara Car Wash.

Mr. McMahon thank the applicant for the alternatives for the in/out traffic. Mr. McMahon agrees with Mr. Henty and that it will be an issue.

Ms. Choberka had the following requests/comments:

- Images need to be provided for E and E1.
- Could the applicant explore Luminary D to be more downfacing. This will be addressed.
- Would like to see some gravel protection along the western side of the swale, not against the pavement, as this is an area for snow storage.
- Labelling needs to be more legible for the grading/drainage area.
- Underdrain for the dry swale based on the current invert, not sure if it will daylight with enough positive drainage. This will be addressed by the applicant.
- Not enough positive drainage to the south existing storm structure.
- Building dimensions are needed on the site plan.
- C102 property lines need to be legible.

Ms. Bennett referred to the previous discussion where the Niagara Car Wash would not consent to a right in/right out only driveway. Ms. Bennett said in reading the easement which states “each party shall be jointly responsible for complying with all requirements of any municipality and equally share the cost of complying same.” Ms. Bennett said if this planning board want to made this a condition, Niagara Car Wash would have to comply.

Mr. Grispino concurred with Ms. Bennett’s statement.

This is a public hearing and asked if there are any questions/comments. None.

Motion made by Mr. Graves to adjourn Case #2024-070 to March 19, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Case #2025-001 – **Inverness Gardens (3) 4938 West Taft Rd. – Site Plan (Adj. 1)

Mr. Andrew Day is present to address the board. Mr. Day said a meeting was held with county and their comments said no to right in/right out at the West Taft Road location.

Discussion followed with Mr. Day and the board members whereby Mr. Day and Chairman Mitchell exchanged email regarding the right in/right out at West Taft Road location. Mr. Day said in that exchange Chairman Mitchell said he would take this up with the board. The applicant stated they will not do any new drawings until they know what access points they have to the parcel. Ms. Guinup said when Chairman Mitchell returns this will be discussed with the board.

There were no comments/questions from the board and public.

Motion made by Mr. Graves to adjourn Case #2025-001 to March 19, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Case #2025-003 – **John E. Fisher Construction Co., Inc. (3) – 4593 Wetzel Road – Site Plan

Case #2025-004 – **John E. Fisher Construction Co., Inc. (3) 4593 Wetzel Road – Special Permit

Motion made by Mr. Graves to adjourn Case 2025-003 and Case 2025-004 to April 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0

Closed Hearings – Board/Applicant discussions:

Case #2024-057 – **J. W. Didado Expansion (3) – 7822 Morgan Road – Amended Site Plan (Adj.3)

Motion made by Mr. Graves to adjourn Case 2024-057 to March 19, 2025. Seconded by Mr. Palumbo.

Motion Carried: 6-0

New Business:

Case #2025-007 – **Scott Merle Builders (3) – 8835 Gaskin Road – Final Plat

Motion made by Mr. Graves to adjourn Case #2025-007 to March 19, 2025. Seconded by Mr. Palumbo.

Motion Carried: 6-0.

SIGNS

Sign Pro Inc. – *Community Bank* – 7379 Oswego Road

Zoned RC-1, Permit #54,733

South Elevation

1 – Wall Sign – A 47.6 square foot, internally illuminated LED Wall Sign is proposed, when 61.6 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

East Elevation

1– Wall Sign - A 43.3 square foot, internally illuminated LED Wall Sign is proposed, when 47.04 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

There were no questions from the board.

Motion made by Mr. Graves to approve 1 wall sign, 47.6 sq ft and one 43.3 sq ft sign on permit #54,733 which will meet code. Seconded by Mr. Palumbo.

Motion Carried: 6-0.

BGST Properties, LLC – 7 Days Nails Spa – 4599 State Route 31

Zoned PDD, Permit #54,754

1 - Wall Sign – A 15.66 square foot, internally illuminated LED Wall Sign is proposed, when 46 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

There were no questions from the board.

Motion made by Mr. Graves to approve 1 wall sign, 15.66 on permit #54,754 which will meet code. Seconded by Mr. McMahon.

Motion Carried: 6-0.

James Schneider/Charles Signs Inc. – Momentum Strategic Wealth LLC – 4100-4160 State Route 31

Zoned RC-1, Permit #54,756

1 – Wall Sign – A 26.4 square foot, internally illuminated LED Wall Sign is proposed, when 26.4 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

There were no questions from the board,

Motion made by Mr. Graves to approve 1 wall sign, 26.4 sq ft on permit #54,756 which will meet code. Seconded by Mr. Palumbo.

Motion Carried: 6-0.

Signarama – AT&T – 3812 Brewerton Road

Zoned RC-1, Permit #74,759

1 – Wall Sign – 34 square foot, internally illuminated LED Wall Sign is proposed, when 52 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

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Mr. Palumbo said to be sure the proper address in on the drawings. This was verified.

Motion made by Mr. Graves to approve wall sign, 34 square foot on permit #54,759 which will meet code. Seconded by Mr. Palumbo.

Motion Carried: 6-0

Motion made by Mr. Graves to adjourn this meeting at 9:15 pm. Seconded by Mr. Palumbo. Next meeting is March 19, 2025.

Motion Carried: 6-0.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary