

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 18th day of March 2026. The meeting was called to order by Chairwoman Borton at 7:30 p.m. All joined in the Pledge of Allegiance and upon roll being called the following were:

<u>PRESENT:</u>	Michelle Borton	Chairwoman
	Russ Mitchell	Deputy Chair
	Karen Guinup	Member
	Hal Henty	Member
	Paul Graves	Member
	Jim Palumbo	Member
	Al McMahan	Member
	Marie Giannone	Secretary to Planning Board
	Brian Bender	Commissioner of Planning & Development

<u>OTHER:</u>	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	Planning Board Engineer

Motion made by Mr. Graves to approve the minutes of the February 25, 2026 meeting.
Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Signs:

MC Dolshire, LLC – Byrne Dairy – 7190 Buckley Road, Zoned RC-1, Permit #55,626

1 – Wall Sign – A 49 square foot Internally Illuminated LED Wall Sign is proposed, when 64 square feet is allowed. This will meet code.

1 – Freestanding Sign – 1 34.47 square foot, Internally Illuminated LED Freestanding Sign is proposed, when 64 square feet is allowed. This will meet code.

1 – Marquee Awning Canopy Sign – Applicant is proposing to install a vinyl non-illuminated canopy sign totaling 20 square feet, when 102 square feet is allowed. This will meet code.

Mr. Marshall Winn is present representing Byrne Dairy. A drawing was shown to the board showing the layout of the proposed signs.

There were no comments from the board or public.

Motion made by Mr. Mitchell to approve the signs on permit #55,626. Seconded by Mr. Henty.

Motion Carried: 7-0.

Public Hearings:

New Business:

Case # 2026-013 – **Scott Merle Builders**, 4095 and 4101 Elmcrest Road, Mauro Subdivision Preliminary Plat

Mr. Pat Reynolds, Ianuzi & Romans, is present to address the board on behalf of the applicant. The builder is proposing to subdivide two existing lots totaling 4,037 acres into four parcels all retaining one family residential R7.5 zoning. The two new lots will be cut out from the rear of the two existing lots. The two new lots will get access and utilities from Mistral Circle. They are proposing a private access to utilities. The remainder of the original lots will remain as they are, the common boundary line between the two lots will remain unchanged and the principal and accessory setbacks will remain as they are. Each of the four lots will be about an acre.

Chairwoman Borton addressed the driveway off of the cul-de-sac on the drawing and said reciprocal easements may be needed and asked if the driveway can be more perpendicular to the road. This could be a problem with a shared driveway. Mr. Reynolds said they wanted to show what two houses would look like in the location and are not committed to the driveway location. The reason to use a shared driveway is for appearance in the circle. Mr. Reynolds said the driveway situation can be addressed as a shared driveway is not doable and two separate driveways is a better plan. Agreements would be needed.

Chairwoman Borton said there appears to be a history with zoning on Lot 2 as there is a home landscaping business and referred to Mr. Bender. Mr. Bender said the codes department is looking into a home-based business approved years ago for Lot #2. This will be researched before preliminary plat approval.

Mr. DeTota had a couple of concerns. Lot #2 – easterly boundary – Lots 28 thru 30 (as shown on the drawing) the driveway is in the easement on the adjacent property. Both lots are in a heavily wooded area which is subject to the Phase 2 requirements of disturbance of over an acre for the aggregate two lots. This will have to be addressed. Mr. Reynolds noted this.

Mr. Mitchell asked what kind of business is being done at that location as there is heavy equipment there. It is an excavating business which will be vacated with this new subdivision approval. Chairwoman Borton said this will be coordinated with the planning department and Mr. Bender agreed.

Ms. Guinup, in looking at the drawing, asked about the lot lines on Lot 1 and 2 and if they are existing. Mr. Reynolds said the lot line to the north is new and the east and west are existing. Ms. Guinup said the driveway on Lot 1 infringes on Lot 2. Lot 2 has a wood fence which shows in the easement but not sure if it belongs to Lot 1 or Lot 2. The vinyl fence in the drainage

easement appears to belong to the townhomes. The applicant does not know but this will be referred to the Codes Department for clarification.

Chairwoman Borton asked if there are any comments from the public. Hearing none, the chairwoman asked for a motion.

Motion made by Mr. Graves to adjourn case #2026-023 to April 8, 2026. Seconded by Ms. Guinup.

Motion Carried: 7-0.

Case #2026-015 **VFW Post No. 951** – 5366 Caughdenoy Road – Site Plan

Mr. Pat Reynolds, Ianuzi & Romans, is present to address the board on behalf of the applicant. Mr. Reynolds stated the VFW Post is located at 5366 Caughdenoy Road and it is used for monthly member meetings. Presently the hall does not hold any fund-raising events only for monthly meetings. The hall is available to the general public to rent for an event. There are black top and gravel area for parking including a couple of storage sheds. The VFW is seeking site plan approval to construct a 2,160 square foot pavilion which will have a 78-foot front yard setback and will provide 35 parking spaces. There are no changes to the existing parks, lighting or signage. The parking improvements will include a new black top area with striping. New landscaping is shown on the drawing which shows pine and maple trees, and rhododendron plants.

Chairwoman Borton asked Mr. Reynolds if this is one lot as shown on the drawing. Mr. Reynolds said yes. This needs to be made clearer. The site plan will show one parcel number but on the survey Mr. Reynolds said they like to show everything.

Chairwoman Borton said the county is okay with the two driveways. On the EAF, boxes were checked for wetlands and archeological. Mr. Reynolds will provide a statement stating no wetlands on the site and no permit will be needed and also contract SHPPO for a letter stating there is no impact. Chairwoman Borton said moving forward the board will need more details including erosion and sediment controls; also lighting plan with photometrics (if new lighting is planned), and architecture plans for the pavilion.

Chairwoman Borton asked the board members for their comments. Mr. Palumbo had comments on the landscaping. On the planting schedule it states “or comparable replacements” next to the scotch pine and sugar maple. The board would like to see exactly what the replacements are that will be planted as there are plants that do not survive the winter weather. Mr. Palumbo asked who makes the decision once the site plan is approved. Mr. Reynolds said he assumes it will be a landscaping company hired to do the plantings. Mr. Palumbo said this board would like to see a detailed landscape plan as to what will be planted there before site plan approval. Mr.

Reynolds will address this and will have a landscape plan available. Mr. Palumbo suggested sugar maples, grasses but not rhododendron as these do not do well with winter weather, also allowing for snow plowing.

Mr. Palumbo said there is a note on the drawing that says existing gravel brought to grade and seeded and asked if this is overflow parking. Mr. Reynolds said top soil will be brought in for that area to match the grade. Mr. Palumbo said to be sure it reads correctly on the drawing, Also the back of the site gets steep and the contours should be looked along with the easement and the placement of trees. The planting of trees in the easement should be avoided as it is no different than a fence in the easement, with the obstruction of hydrology. There are a couple of large 20 ft deciduous trees that possibly could be saved with proper grading and this will be looked by the applicant as they are in agreement to keep these established trees.

Ms. Guinup said there is no case number on the drawings and this will be added by the applicant.

Chairwoman Borton said to add to Mr. Palumbo's comments on landscaping brought up about snow storage and asked that this area be shown on the drawing.

Mr. Bender said there was no opposition from the Zoning Board of Appeals (ZBA) January 2026 meeting.

There were no comments/questions from the public.

Motion made by Mr. Graves to adjourn Case #2026-013 to April 22, 2026. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Case #2026-017 – **Park Ridge TLE** – 8233 Park Ridge South Special Permit

And

Case #2026-018 – **The Learning Experience (Park Ridge Path)** – 8233 Park Ridge Path Amended Site Plan

Mr. Ben Harrell, CHA, is present on behalf of the applicant. This is to construct a 10,000 square foot building where this site was previously approved for a 10,000 square foot office building as part of the Park Ridge Commercial Park. The day care facility will include a 5,000 square foot outdoor play area, broken into two areas: toddlers and preschool children, surrounded by a six-foot vinyl fence. Sidewalks will be added (as shown on the plan), and location of dumpster area. This is in the O-2 district and is 4.52 acres. There is adequate parking with ADA access to the building. Drop off times are 6:30 am to 9:30 am allowing 5 minutes per drop off. Pick up times are 4:00 pm to 6:30 pm allowing 8 minutes per pick up. Total children are approximately 144 but not all at the same time or day and 26 staff at full occupancy.

Mr. Harrell said comments were received from Onondaga County Planning Board (OCPB) March 11, 2026 meeting that stated: "The board encourages the addition of landscaping and screening to further buffer the site from adjacent residential land uses while also reducing stormwater runoff and improve stormwater quality." Mr. Harrell showed the board the 7 ft berm on the drawing with mature trees. Trees and shrubs will be planted as shown on the drawing.

Chairwoman Borton discussed the parking spaces and said all should be 9 ½ by 20. Some parking spaces are oddly spaced and could present a problem as code states 9 ½ by 20. Mr. Harrell showed on the drawing what can be done to correct this. Even with striping and diagonal lines, this is a problem during the winter months. Work on this will be done to square up this parking.

Chairwoman Borton said the roads need to be shown on the drawing as it appears it was cut off.

Ms. Guinup brought up about the number of parking spaces for a day care center and suggested looking at the approved site plan for Tru North Day Care Center on Waterhouse Road. Mr. Bender will look into this for consistency.

Mr. Henty questioned the parking spaces where 26 are used for staff, Mr. Henty asked where people would park for other events at the day care center. Mr. Harrell said these events would be on the weekend or after hours when the other offices are closed. This will be coordinated with the landlord and the total available parking spaces would be 113.

Mr. Harrell said there is no additional lighting as there is parking lighting around the building and no wall packs are needed. Mr. Harrell will check into this as a lighting plan and photometrics would be needed for any additional lighting.

Chairwoman Borton said the drawings shows a shed over the property line and should be removed.

Mr. Henty asked about the bollards. Mr. Harrell said bollards are 4 ft on center.

Ms. Guinup asked about the HVAC units which appear on the roof. Mr. Harrell said they are trying to have the HVAC on the ground but that is a TLE brand standard but continue to work to have HVAC on the ground with landscaping. Mr. Harrell said this would be a good comment from the board having HVAC on the ground. Ms. Guinup said we have not had roof top HVAC in years. Ms. Guinup said the signage on the plans is separate and needs to go through the codes department for sign permit.

Mr. Graves asked about the egress out. The concern is vehicles coming down and being at an angle with a blind spot. This was shown on the drawing by Mr. Harrell. The best solution would be a stop sign (shows on map). People leaving the site will have a stop sign but traffic coming in with have the right of way.

Mr. Palumbo asked about the roof – flat or pitched. Mr. Harrell said it will appear as a pitched roof whether the HVAC remains on roof or on ground. Mr. Palumbo asked how does the drainage work as there are sidewalks all around the building. Mr. Harrell said there will be gutters on the pitched roof. Mr. Harrell said they are still working to have the entire roof pitched if the HVAC can be moved to ground level. This will determine what type of drainage will be used. There will be splash blocks (which will be noted on the drawing) and need to know where the storm tie ins are located on the drawing. There is a vinyl fence hugging the sidewalk and asked how is snow removal done. Mr. Harrell said initially the fence was pulled back but TLE did not want this pulled back. Mr. Palumbo said it is his recommendation to have this fence pulled back for ease of snow removal. Mr. Palumbo asked about the bollards which protect the play area. Existing curbing is across the front with wheel stops on top to keep cars from overlapping the sidewalk. The two columns across the front are for the canopy and does not need protection.

Mr. Mitchell asked if the play area could be switched to the other side. Mr. Harrell said yes but it was put at this location to keep away from the residential area and noise associated with play area.

Mr. Bender said the office received a call from a resident (no name given) having a concern with the increase in traffic on Provo Dr.

Mr. DeTota had a few comments:

- ✓ Need clarity on wetlands in that area
- ✓ Drainage concerns as rules/regulations changed
- ✓ This is a redevelopment site and would like to see an up-to-date analysis showing existing conditions as a base to what is being proposed to what is there today.
- ✓ Basin could be compromised – overflow.

Chairwoman Borton said this is a public hearing and asked if there are any comments/questions from the public.

Mr. Matthew Chambers, 869 Dampier Circle, shows on the map the location of his property. His concern was the noise (which has been address possibly moving to the other side) and the two stop signs which has been addressed. Mr. Chambers stated that he is not opposed to this day care center.

Motion made by Mr. Graves to adjourn Case # 2026-017 and Case #2026-018 to April 8, 2026.
Seconded by Mr. McMahon.

Motion Carried: 7-0.

Case #2026-019 – **Goguen Drive Realty/7835 Goguen Drive**, Contractors Service Yard
Amendment – 7835 Goguen Drive – Amended Site Plan

Mr. Ben Harrell, CHA, is present to address the board. Mr. Harrell said the applicant is proposing an amended site plan for a 1,000-gallon fuel tank and additional lighting for a contractor service yard which is 6.24 acres in an I-1 industrial district. The special permit was approved by the town board (Case #1220) on August 18, 2025. There are no other changes being made. Two additional light poles will be added at the rear of the property along with a six-foot-high galvanized fence at the front with sliding gate and lock for security. An updated photometric plan has been submitted. Mr. Harrell read the comments that were received from the Onondaga County Planning Board (OCPB):

1. The Town is advised to ensure that applicant has obtained all applicable New York State Department of Environmental Conservation permits and approvals regarding bulk fuel storage, and show any required mitigation on the propose site plan prior to municipal consideration of this proposal.

Mr. Harrell noted from comment #1 that this is not regulated by the DEC as it is a 1,000-gallon tank and still regulated by the International Fire Code EPA SPCC which we are fully complying with all the safety measures.

2. The Town should require the applicant to confirm the location of any federal wetlands and related stream channels on the site. All confirmed wetlands should be shown on the plans for the site and any necessary permits should be obtained for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers prior to, or as a condition of, municipal approval.

Mr. Harrell said there is a class stream that runs through the property and this should be labeled on the drawing also showing the entire parcel.

Chairwoman Borton said the note “Refer to Plumley Engineering design drawings for contractor’s service plans” should be removed and incorporated in the amended site plan drawing. Engineering will verify that the fuel storage as proposed in the original site plan is the same as in this amended site plan. Take out the word “proposed” limits as this is now existing and reference case number.

Mr. Henty said on the lighting drawing there appears to be notes with comments. Mr. Harrell will remove the notes as there will be two new 25 ft poles.

Ms. Guinup said Sheet 101 should read “Amended Site Plan”.

Chairwoman Borton said this is a public hearing and asked for comments/questions.

Mr. Ralph Turner, 4180 Rigel Course, expressed concerns on contamination and environmental concerns over corrosion regarding the fuel tanks. Mr. Turner said he would like to see site inspections and/or visitations to make sure they doing what has been approved. These are the same concerns expressed last year.

Chairwoman Borton addressed this concern and stated they do have the special permit for the fuel storage tanks, now this is addressing the site plan. Mr. DeTota address this concern further.

Mr. DeTota said this is not regulated by the DEC but logs need to be kept showing compliance.

Mr. Bender said when approval is given the codes department will review for code compliance and safety of storage.

Ms. Janet Rathburn, 4760 Freestone Road, asked about the light poles. Mr. Bender said the site plan previously approved had three light poles. This amended site plan will include two new light poles.

Motion made by Mr. Graves to adjourn Case #2026-019 to April 8, 2026. Seconded by Mr. McMahan.

Motion Approved: 7-0.

Old Business:

Case #2025-037 – **Northern Credit Union** 5004-5008 West Taft Road Site Plan Adj. 5

The applicant has requested an adjournment.

Motion made by Mr. Graves to adjourn Case #2025-037 to April 8, 2026. Seconded by Mr. McMahan.

Motion Carried: 7-0.

Case #2025-044 – **Chad Mutter/EV Charging Stations** – 7293 Buckley Road, Amended Site Plan Adj. 4

Mr. Brenden Norton, Prime Time Business Solution, Inc. is present to address the board. Mr. Norton said he has worked with Mr. Bender to make sure they are in compliance.

Chairwoman Borton said there are a few issues to be addressed:

- ✓ Restriping of parking spaces and adding an ADA space will be done and to be sure this appears on the plan.
- ✓ Question on the address of the building. Is the building 7293 or 7243. This should be updated on the plan, does not have to be updated on survey.

- ✓ Two of the drawing sheets labeled Site Plan are redundant and can be removed (Sheets 3 & 4)
- ✓ Labeling of Sheet Index with correct sheet numbers (Ex. 1 of 6, 2 of 6 etc.)
- ✓ Parking summary showing what is required by code versus what is provided.

Ms. Guinup said there are two different boundary surveys. One will get tossed.

Mr. Palumbo question the ADA loading zone and having stairs on both sides of the building. What would be the routing to get into the building. Mr. Norton said this could be existing but will look into this for the next meeting.

Mr. Palumbo addressed the chairwoman on the drawings and thought they were too large and the seal is too big for the engineer with a license expiration. Chairwoman Borton said to be sure the drawings are to scale.

Chairwoman Borton asked if these two chargers serve all of these spaces. Mr. Norton said there are 3 dual EV charging ports and this will be corrected to show 3 EV charging ports on the drawing.

Chairwoman said this is a public hearing and asked for comments/questions.

Ms. Janet Rathburn, 4760 Freestone Rd. asked if the EV charging stations are safe. Chairwoman Borton asked Mr. Norton. Mr. Norton said there are safety compliance standards which need to be followed and following the electrical code. The inside of the charging port has a ground fault to detect a surge with an automatic shutdown, then a manual reset.

Motion made by Mr. Mr. Henty to adjourn case #2025-044 to April 8, 2026. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Case #2025-054 – **Cheryl D. White/Clay Equestrian Center**, 9605 Black Creek Road, Site Plan Adj. 3

The applicant is requesting an adjournment.

Motion made by Mr. Mitchell to adjourn case #2025-054 to May 13, 2026. Seconded by Ms. Guinup.

Motion Carried: 7-0.

Case #2026-009 – **Donald Gabor**, 8150 Morgan Road, Preliminary Plat Adj 2

Mr. David Bardoun, Bardoun Land Surveying, is present to address the board on behalf of the applicant. This application is to subdivide a 58.79-acre parcel into two lots both retaining RA-100 zoning. This will be known as Gabor Subdivision Phase II. The original subdivision was done in 2018. The easement agreement has been signed and is in the process of being recorded. The recording number will then be put on the preliminary plan.

Mr. Bardoun read the following: “The existing residence does not comply with the front setback requirements and subsequent home construction will need to adhere applicable setbacks.”

Ms. Guinup said this board has to approve a subdivision that works in the future.

Chairwoman Borton said a final plat can be coordinated with Mr. Bender.

There were no other questions from the board.

Chairwoman said this is a public hearing and asked for comments/questions. None.

Motion made by Mr. Henty to adjourn Case #2026-009 to April 8, 2026. Seconded by Ms. Guinup.

Motion Carried: 7-0

Case #2026-012 – **United Church of Christ** – 215 Blackberry Road Special Permit Adj. 1

Ms. Sarah Bentley is present representing the applicant. Ms. Bentley is the nursery school director at the United Church of Christ in Bayberry. We currently are a private, part time preschool operating from 9 am to 11:30 am. having a two-, three- and four-year-old class. We would like to change the zoning to Day Care zoning so we can offer EPK – Early Pre-K in the district. This cannot be offered now as we cannot be opened more than three hours. The district EPK runs from 9 am to 3 pm. In order to have this program the zoning would need to be changed. There would be no change to the footprint with staggered start times. Currently there are 45 students but never at one time as there are different days and times for students.

Chairwoman Borton said it would still remain R-7.5 district with a special permit for the operating hours.

Mr. Bender said there were no comments from the neighbors in the area of United Church of Christ.

There were no comments from the board.

Chairwoman Borton said this is a public hearing and asked if there are any comments/questions. Hearing none the chairwoman closed this hearing and asked for a motion.

Motion read by Mr. Graves: Mrs. Chairwoman: In the matter of the application of planning board case No. 2026-012 for United Church of Christ, 215 Blackberry Road, 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 reason. It has and will continue to contribute to a positive neighborhood character. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Motion read by Mr. Graves: Mrs. Chairwoman: In the matter of the application of planning board case No. 2026-012 for United Church of Christ, 215 Blackberry Road, I move the adoption of a resolution using standard form #70 – special permit be granted based on a map by Ianuzi & Romans Land Surveying dated February 22, 2024 with no revision and numbered FB#1056. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Non – Public Hearing Item.

Case # 2026-011 – **Maple Road Associates**, Maple Road – Final Plan Adj. 1

Motion made by Mr. Graves to adjourn case #2026-011 to April 8, 2026. Seconded by Mr. McMahan.

Motion Carried: 7-0

Case #2026-014 – **Scott Merle Builders** – 4095 and 4101 Elmcrest Road – Final Plan

Motion made by Mr. Graves to adjourn case #2026-014 to April 8, 2026. Seconded by Mr. Palumbo.

Motion Carried: 7-0

Closed Hearings

Case #2025-056 – **Northside Baptist Church** – 7965 Oswego Road Amended Site Plan Adj. 3

Ms. Alex Samoray, Keplinger Freeman Associates, is present to address the board.

Ms. Samoray said all items have been completed.

Mr. Henty said good job on this project.

Mr. Mitchell said he is excited about this project doubling the size of the facility and doubling the amount of people associated with this facility.

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No other comments from the board. Chairwoman said this is a closed hearing and asked for a motion.

Motion read by Mr. Mitchell: Mrs. Chairwoman; In the matter of the application of the planning board case No. 2025-056 for amended site plan for Northside Baptist Church, 7965 Oswego Road, 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 reason. This supports neighborhood and adds to the growth and character of the community. Seconded by Mr. Henty.

Motion Carried: 7-0.

Motion read by Mr. Mitchell: Mrs. Chairwoman; In the matter of the application of the planning board case No. 2025-056 for amended site plan for Northside Baptist Church, 7965 Oswego Road, I move the adoption of a resolution using standard form #20 Site Plan be granted based on a map by Keplinger Freeman Associates dated November 4, 2025 revised February 3, 2026 and numbered L100, L101, L200, L201, L202, L300, L400, L500, L501, L000 and L301 dated November 4, 2025 revised March 10, 2026 and L502 dated December 2, 2025. Elevation sheets of November 4, 2025 revised December 2, 2025. Also survey maps by CT Male Associates #25-0432, 1 of 2 and 2 of 2. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Graves.

Motion Carried: 7-0.

Motion made by Mr. Graves to adjourn this meeting at 9:15 p.m. Seconded by Mr. McMahon. The next planning board meeting is on April 8, 2026.

Motion Carried: 7-0.

Respectfully submitted:

Marie Giannone

Marie Giannone
Planning Board Secretary