

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 10th day of June 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
	Paul Graves	Member
	Jim Palumbo	Member
	Hal Henty	Member
	Marie Giannone	Secretary to Planning Board
	Brian Bender	Commissioner of Planning & Development
	Amber Dillon	Planner II – Planning & Development Department
	Kathleen Bennett	Planning Board Attorney
	Caitlin Choberka	C & S Engineer

OTHER:

<u>ABSENT:</u>	Al McMahon	Member
	Ron DeTota	Planning Board Engineer

Motion made by Mr. Graves to approve the minutes of the May 27, 2026 meeting. Seconded by Mr. Palumbo.

Motion Carried: 6-0.

Public Hearings:

New Business:

Case #2026-031 – **West Herr Automotive Group – West Herr Expansion**, 3687 State Route 31, Amended Site Plan

Mr. Joe Durand, TDK Engineering, is present to address the board. Mr. Durand gave a recap of what has transpired with zone changes and expansions:

- ✓ Expansion of parking lot into the consolidated portion of the lot and constructed a building addition.
- ✓ Zone change for a .78-acre parcel to HC-1 to allow addition to the main dealership site.

Mr. Durand said they would like to combine two parcels at this site north of the current vacant Donagan parcel. The dealership asphalt area will be expanded into the new parcel for 90

additional parking spaces. Mr. Durand said photometric will be submitted. Updated SWPPP report will be submitted. Mr. Durand said the county had a comment on the sanitary sewer issue. The facility is set up with laterals to the street ready for tie in connection. County health department has updates on the septic system on the floor drains and holding tanks which is documented. (Per County's comments, no changes to the existing infrastructure are proposed).

Mr. Durand stated that vehicle transport and circulation will be kept on site.

Chairwoman Borton added:

- ✓ Be sure a cover title sheet is submitted with the plan which includes original date and revision dates all listed.
- ✓ Add the total parking spaces for the site on the summary sheet.
- ✓ Take "proposed" off amended site plan
- ✓ Question on Design Vehicle – is this the size of the carrier. Mr. Durand said yes.
- ✓ Numerous occurrences of wetlands.

Mr. Graves asked about the center curbing. Mr. Durand said it is mountable drive over curbing.

Mr. Palumbo said this has been summarized well on this expansion.

Mr. Mitchell further addressed the design vehicle questioned by Ms. Guinup as to the turn radius. Mr. Mitchell said truck carriers should only enter from the East to make the turn into the dealership. There should be no truck traffic parked on Rt. 31 waiting time to unload the vehicles. This is up to the dealership to make this happen.

Ms. Choberka said to show location of the stormwater extensions on the plan.

Mr. Bender said car carriers' axils are separated which will affect the turn radius.

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments. None

Motion made by Mr. Mitchell to adjourn this case to July 8, 2026. Seconded by Mr. Henty.

Motion Carried: 6-0.

Case #2026-045 **Moyers Corners Cell Tower – AT&T Mobility**, 7200 Henry Clay Blvd., Special Permit Referral

Mr. Mark Fuentes, Airosmith Development, is present to address the board on behalf of the applicant. Mr. Fuentes said the applicant is requesting a special permit to construct a 114' public utility cell tower on a 3.6-acre parcel in a government zoning district. This cell tower will

be located between the fire department and West Taft Road frontage. This is located within 500 feet of Henry Clay Blvd, Bear Road and West Taft Road. The property will be leased from Moyers Corner Volunteer Fire Department. The eastern portion is covered by trees and shrubs. There is access from Henry Clay Blvd and West Taft Road. The 30' to 40' utility easements will not have an impact on the proposed work.

Chairwoman Borton said comments were received from the Onondaga County Planning Board (OCPB) site plan issues:

- OCWA – ensure there is no construction that would encroach on the county easements.
- Retain as much of the trees and shrubs.

Chairwoman Borton asked the height of the water tower. Mr. Fuentes is 150 ft. Is FAA permitting necessary. Mr. Fuentes said an FAA report was submitted with the package. The Planning Department will verify this for the board.

Mr. Henty asked about the fall zone. Mr. Fuentes said the fall zone is 135 ft.

Mr. Palumbo said a well constructed cell tower off of Rt 57 was done on the Lynn property and this can be referenced during site plan as an example to this application.

Mr. Bender said this item was presented to the town board at their June 1, 2026 meeting and there were no significant concerns.

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments. None.

Chairwoman Borton closed this hearing and polled the board.

Mr. Henty – in favor

Ms. Guinup – in favor

Mr. Palumbo – in favor

Mr. Graves – in favor

Mr. Mitchell – in favor

Chairwoman Borton – in favor

Motion made by Mr. Palumbo: Mrs. Chairwoman: In the matter of application of case No 2026-045 for AT&T Moyers Corner Cell Tower, I move to recommend to the Town Board using standard form #60 Special Permit Recommendations, the recommended approval. Seconded by Mr. Graves.

Motion Carried: 6-0.

Case #2026-051 **Amazon Drone Implementation** – 7211 Morgan Road, Amended Site Plan.

The applicant asked for an adjournment.

Motion made by Mr. Mitchell to adjourn this case to July 8, 2026. Seconded by Ms. Guinup.

Motion Carried: 6-0.

Case #2025-003 **Fisher Service Yard Site Plan** – 4593 Wetzel Road, Site Plan

And

Case #2025-004 **Fisher Service Yard Special Permit** – 4593 Wetzel Road, Special Permit

The applicant requested an adjournment.

Motion made by Mr. Graves to adjourn Case #2025-003 and Case #2025-004 to July 8, 2026.
Seconded by Mr. Palumbo.

Motion Carried: 6-0.

Case #2025-037 **Northern Credit Union**- 5004 – 5008 West Taft Road, Site Plan (Adj. 9)

Mr. Jim Ballantyne, Napierala Consulting, is present to address the board on behalf of the applicant.

Mr. Ballantyne said changes were made as requested from previous meeting.

Chairwoman Borton said our attorney reviewed the easements and these need to be signed and recorded.

Chairwoman Borton had questions:

- Screening around generator? Need details for what type of enclosure is around generator. Mr. Ballantyne said screening around the generator is there to conceal the generator effectively for visual appeal while ensuring safe and efficient operation.
- Seating in front of ADA parking. A bollard is needed there and added to the site plan.
- Preliminary Wetland Outline is still on-site plan? Mr. Ballantyne explained that has been delineated by the biologist on site and still working with the DEC. A note will be provided on this site plan to that effect. Timeline for this? Mr. Ballantyne will check for a date.

Mr. Henty and Mr. Ballantyne discussed the lighting and photometric issues that need to be addressed. A drawing was shown to Mr. Ballantyne showing what is needed for the photometric and lighting plan. Mr. Ballantyne will address this and have this available for the next meeting.

Ms. Guinup asked if there is a sign off for the ingress/egress off Wintersweet Drive. The planning department will verify that this is in the file. Also, to follow up what Chairwoman Borton asked about the access agreement, Ms. Guinup said on the site plan where it says future driveway to clarify that is the easement and put the book number once it is recorded.

Mr. Palumbo reiterated that the word “proposed” should be removed as this is not part of the site plan.

Mr. Mitchell asked about the bike rack and the bench. Mr. Ballantyne said it is a single bench for seating.

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments. None.

Motion made by Mr. Henty to adjourn this case to July 8, 2026. Seconded by Mr. Graves.

Motion Carried: 6-0.

Case #2025-050 – **Henry Clay Warehouse – Ironhorn Enterprises/Troy Bullock** – 7245 Henry Clay Blvd. Amended Site Plan, (Adj. 6).

The applicant requested an adjournment.

Motion made by Mr. Graves to adjourn this case to July 8, 2026. Seconded by Mr. Palumbo.

Motion Carried: 6-0.

Case #2026-019 **Goguen Service Yard – Goguen Drive Realty/Contractors Service Yard** – 7835 Goguen Drive, Amended Site Plan, (Adj. 3).

Mr. Ben Harrell, CHA, is present to address the board on behalf of the applicant.

Mr. Harrell said the stamped and signed survey has been submitted. Ms. Choberka said they are all set with engineering.

Mr. Henty was not sure why a 25 ft light was needed. Mr. Harrell said it was done to avoid putting a light in the center of the lot. He is good.

Ms. Guinup – good
Mr. Mitchell – good
Mr. Graves – good
Mr. Palumbo – good

Ms. Choberka said to acknowledge that the applicant exceeded what was asked at the initial review.

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments. None.

Chairwoman Borton closed this case and asked for a motion.

Motion made by Mr. Mitchell: Mrs. Chairwoman: In the matter of the application of the planning board case No. 2026-019 for Amended Site Plan for Goguen Contractors Service Yard, 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: final compliance with the Planning Board review of issues of public health, critical environment issues and general character of the area.

Seconded by Ms. Henty.

Motion Carried: 6-0.

Motion made by Mr. Mitchell: Mrs. Chairwoman: In the matter of the application of the planning board case No. 2026-019 for Amended Site Plan for Goguen Contractors Service Yard, I move the adoption of a resolution using standard form #20 Site Plan be granted based on a map by CHA dated 2/12/2026 revised 6/1/2026 and numbered per the Title Sheet C-001, C-101, C-102, C-103 also the lighting spec LLC dated 3/29/2026 revision #3 and Moore Land Survey of 5/1/2026. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Ms. Guinup.

Motion Carried: 6-0.

Case #2026-022 **Hinerwadels Subdivision – J. Alberici & Sons Inc.** 5300 West Taft Road,
Preliminary Plat (Adj. 1)

Mr. Harrell said the applicant has requested an adjournment. Mr. Harrell said finishing up work on SWPPP and still working with DOT.

Motion made by Mr. Graves to adjourn this case to July 8, 2026. Seconded by Mr. Palumbo.

Motion Carried: 6-0.

Case #2026-028 **W Taft Summit Federal Credit Union** – 4955 West Taft Road, Site Plan (Adj. 2)

Mr. Tim Coyer, Ianuzi & Romans, is present to address the board on behalf of the applicant.

Mr. Coyer addressed the changes made as follows:

- Revised cover sheet to show drawing issue date and add all drawing sheets to set.
- Add building height to architectural elevations to the roof peak on sheet A-201.
- Revised C-200 to Site Plan
- Move the landscaping on C-300 at the southern end of the parking area farther away to allow for snow storage.
- Adjust the setback table on C-200 to be clearer with cardinal directions listed instead of front, rear, or side.
- Provided a brief memo to town engineer outlining the changes in impervious, intent of the swales, supported by a hydro cad model.
- Provided additional spot elevations to the proposed pavement, in the area of the drive thru.
- Fence removed from the site. Increased landscaping with large and more dense plantings to screen the site from neighboring parcels.

Chairwoman Borton said the legibility of the plans still appear very light and asked Mr. Coyer to address this. More labels should be added in place of dash lines. The OCWA sewer approval is not county; it is a town sewer.

Mr. Henty discussed the photometrics with Mr. Coyer. Mr. Coyer knew exactly what Mr. Henty is looking for in the photometrics. These will be updated and available at the next meeting. Also need picture for visualization. Cut sheets should be on the same page.

Ms. Guinup said to add the property line on the sheet. Also remove the trash removal enclosure from A201 which is an architectural sheet.

Mr. Graves – good

Mr. Palumbo – good

Mr. Mitchell said to eliminate the neighbor fencing all around the site where it encroaches along the property line.

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments. None.

Motion made by Mr. Mitchell to adjourn this case to July 8, 2026. Seconded by Ms. Guinup.

Motion Carried: 6-0.

Case #2026-032 **Reserve at Clay – Cornerstone Homes CNY LLC** – Lawton Rd. Zone Change Referral (Adj. 1)

Mr. Tim Coyer, Ianuzi & Romans, is present to address the board on behalf of the applicant.

Chairwoman Borton said the board had the chance to consider all the comments from the previous meeting. The board has not heard back from the town of Cicero.

Mr. Coyer said there are no updates to this plan.

There were no questions from the board.

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

Mr. David Yates, 5404 Brisbane Trail, asked if this board will hear from town of Cicero. Chairwoman Borton said this will only be a recommendation to the town and this will be included in the comments that there has been no reply from town of Cicero. Mr. Yates was concerned with the one entrance and Chairwoman Borton said this is for a zone change only. She added that when this goes to preliminary plat that is when these issues are addressed.

Ms. Guinup added for the neighbors with concerns to put in writing to the town board or attend the town board meeting. The town board will make the zone change for or against it.

Chairwoman Borton closed the case and polled the board.

Mr. Henty – yes

Ms. Guinup – yes

Mr. Graves – no will go with the neighbors. Alternate recommendation would be RA100.

Mr. Palumbo – yes

Mr. Mitchell – yes

Chairwoman Borton – R7.5 could be appropriate as long as it is designed properly when we get to preliminary plat. I would also advise the town board to work with the town of Cicero for ways to improve Lawton Road where possible.

Motion made by Mr. Mitchell: Mrs. Chairwoman: In the matter of the application of planning board case No 2026-032 for change of zone from RA-100 to R7.5 for Cornerstone Homes LLC Lawton Road, I move to recommend to the Town Board using standard form #50 Zone Change Recommendation be approved based on comments of planning board members and all surrounding land zoned R7.5. The town board should also contact town of Cicero to see how they feel as far as Lawton Road is concerned. Seconded by Mr. Palumbo.

Motion Carried: 5-1.

Non-Public Hearing Items

Allied Sign Company/Tully's Tenders – 3567 State Route 31 – ZBA Case #2001 Area Variance Referral pursuant to Section 230-22(D)2.

Mr. Greg Fishel, Allied Sign Company, is present to address the board on behalf of the applicant. The applicant is requesting an area variance to allow 3 wall signs when 2 is the maximum allowed and to allow a 59sf freestanding sign when 32 sf is the maximum allowed by town code. The 3 wall signs will be internally lit. The freestanding sign will be a 98.5 x 60" and mounted on a pole over a 36" x 72" electronic message board. These signs were shown to the board members.

Chairwoman Borton read: ZBA Case 2001 includes a waiver to permit freestanding signage that is 59sf where 32 sf is permitted in an HC-1 zoning district. The roll of the planning board is to give a positive or negative recommendation to the ZBA regarding their decision on the application.

Chairwoman Borton said this is not a public hearing and asked the board members if there are any questions. Hearing none, the chairwoman polled the board.

Mr. Henty – no

Ms. Guinup – no

Mr. Graves – no

Mr. Palumbo – no

Mr. Mitchell – when the applicant came before this board previously it was stated that they were going to be good neighbors. This sign is not being a good neighbor. It is too big and on

the verge of being ugly and you can't even see Mauer Funeral Home which is right next door. A monument sign would be the best solution not an Erie Blvd on Route 31.

Chairwoman Borton agreed with Mr. Mitchell completely. The sign is too big according to town code. This would set precedence if this size sign is allowed.

Ms. Guinup gave clarification on the electronic sign which has nothing to do with this at all. I also agree with Mr. Mitchell's comments.

Motion made by Ms. Guinup: Mrs. Chairwoman: In connection with ZBA Case #2001 Tully's Tenders Area Variance pursuant to Section 230-22(D)2 the planning board hereby gives a negative recommendation to the ZBA for the freestanding sign area variance. Supporting this recommendation are planning board members comments. Seconded by Mr. Henty.

Motion Carried: 6-0.

Motion made by Mr. Mitchell to add case #2026-011 Maple Road Associates, Maple Road, Final Plat. Seconded by Ms. Guinup.

Motion Carried: 6-0.

Mr. Tim Coyer is present to address the board on behalf of Maple Road Associates. This is section 8 with 24 lots in this section.

Ms. Choberka said they are all set with this section. This has not yet been adopted by the town board. This is on the town board's agenda.

Chairwoman Borton said this is not a public hearing and asked for a motion for final plat.

Motion made by Ms. Grunup: Mrs. Chairwoman: In connection with planning board case No 2026-011, I move the adoption of a resolution using our standard form no. 40 granting final plat approval to Maple Road Associates based on a map by Ianuzi & Romand dated August 21, 2025, no revision date, showing drawing no. 1431.037. Subject to the following conditions of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Mitchell.

Motion Carried: 6-0.

Motion made by Mr. Graves to adjourn this meeting at 8:35 p.m. Next meeting is July 8, 2026. Seconded by Mr. Mitchell.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary