

APPROVED

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at the Town Hall located at 4401 State Route 31, Clay, New York on April 24, 2019. Chairman Mitchell called the meeting to order at 7:30 PM. All joined in the Pledge of Allegiance, and upon roll call, the following were:

PRESENT:	Russ Mitchell	Chairman
	Karen Guinup	Deputy Chairperson
	Michelle Borton	Member
	Hal Henty	Member
	Allen Kovac	Member
	James Palumbo	Member
	Scott Soyster	Member
	Mark Territo	Commissioner of Planning & Development
	Ron DeTota	C & S Engineers
	Scott Chatfield	Planning Board Attorney
	Gloria Wetmore	Planning Board Secretary

A motion was made by Michelle Borton seconded by Karen Guinup to approve the minutes of previous meeting.

Motion Carried 6-0 , Scott Soyster abstained.

Public Hearings:

New Business:

****7:30 P.M. Case #2019-010 – Nichols LD, LLC/*Sharkey's Beach Volleyball and Restaurant***
(3) – Amended Site Plan – 7240 Oswego Road

Russ Mitchell opened the hearing, Jim Nichols Applicant and Steve Calocerinos, Engineer presented the plan. The applicant will construct a pavilion in front of the restaurant. The ZBA granted a variance for side yard set back.

Russ Mitchell said they need to submit a completely new site plan. Mr. Calocerinos said he would like to look at the last Site Plan that was approved.

All the parking spaces will remain. Mr. Nichols said yes the pavilion will cover the parking. Russ Mitchell said the plan says 120 X 80, Steve Calocerinos said they are going to make it 100 X 50 Russ Mitchell asked about the height. Steve said 25 feet tall. Russ Mitchell asked if Hungry Jack (the boat used as a patio) is staying, Mr. Nichols said yes. Russ Mitchell asked if Mr. Nichols has access to the Ajamian property. Mr. Nichols said he rents space for over flow parking; they are in the process of writing up an agreement. He asked if they also use the Mazzyes' parking lot. Russ asked if there was a concert and people were standing under the Pavilion, how you would keep cars from parking there. Mr. Nichols said it would be roped off.

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Russ Mitchell said the Board is waiting for County Comments. Do you use port-a-pottys? Mr. Nichols said yes, there are 4 on site. Russ said they need to be shown on the plan. Russ wants to see an ingress egress agreement from Mazzyes.

Hal Henty said that you say there is no problem with over flow parking, however Mr. Henty has been at events held there and cars are parked along Route 57.

Scott Soyster asked where the ADA parking will be since the pavilion will block the handicap parking area, Mr. Nichols said they will block off some spaces with cones and remove them so the handicapped person can park.

Karen Guinup asked Mark Teritto if he could get a copy of the last approved site plan to Mr. Calocerinos.

Michelle Borton is concerned about cars hitting the posts of the pavilion while parking. She also asked about snow removal.

Jim Palumbo is also concerned about cars hitting the posts; there may be a problem with maneuverability. Mr. Palumbo also is concerned with the snow sliding off the metal roof on to cars or worse people. Unless you block off the area where the snow will slide off, it is a dangerous situation. When the Planning Board does an amended site plan the board asks the Applicant to get the site up to code. Please check into ADA

Al Kovac said he does not see anything that he can judge.

Scott Soyster is not in favor of the location of the pavilion. He also has an issue with the lack of ADA parking spots.

Russ Mitchell wants all the parking on the updated site plan as it is set up now.

Jim said he could potentially see sides going up on the pavilion and using it for different venues. Weddings, graduation parties, and so on. That would be a completely different thing. Mr. Nichols said this is strictly to keep his patrons out of the weather.

Russ Mitchell asked if there were any more comments or questions, hearing none he asked for a motion.

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn this case to the May 8, 2019 meeting.

Motion Carried 7-0

Old Business:

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****Case #2017-031 – *Widewaters Farrell Road II Company, LLC/Widewaters Commons – Commercial Development* (3) Site Plan – NYS Route 31 (Adjourned from 22 previous meetings)**

****Case #2018-003 – *Widewaters Farrell Road II Company, LLC/Widewaters Commons, (3) - Preliminary Plat – NYS Route 31 (Adjourned from 16 previous meetings)***

A motion was made by Al Kovac seconded by Karen Guinup to adjourn both cases to the May 22 , 2019 meeting.

Motion Carried 7-0

****Case #2018-055 – *David Stoutenger/Cornerstone Church* (3) – 8137 Morgan Road – Site Plan (Adjourned from 2 previous meetings)**

Russ Mitchell opened the hearing; Robert Abbott, Architect presented the plan. Mr. Abbott received a letter from the traffic engineer. They hired someone to delineate the wetlands, they have not started yet. Mr. Abbott went over the issues the Board asked him to look into. See attached. The sewer is being designed, and will be dedicated to the Town.

Russ Mitchell said the set back on Morgan Road is 70 feet for parking, however you don't need the parking spaces. You need to put the Variance on the Site Plan.

Jim Palumbo said on the landscape plan the inkberry bush will be destroyed by the snowplow. Little princess spirea would work great. Mr. Abbott said they will plow to the back.

Scott Soyster asked if the drive lane by the building is one way or two. Mr. Abbott said it is two way.

Michelle Borton is concerned with the retaining wall. Mr. Abbott said it is Redi-Rock Block.

Ron DeTota said the retaining wall is in proximity to the creek; we want to be sure that it will hold up. Please get something from the company.

Karen Guinup said there is a fire hydrant 200 feet away and across the road. Will that be enough for the fire department? Mr. Abbott said the building would be sprinklered.

Ron DeTota Said he reached out to Terri Horst with 7 outstanding issues, including SWPPP for your side of the road, have the zoning requirements for ingress and egress, highway permit for the culvert, photo metric but no cut sheets, green infrastructure. Ron will e-mail Terri Horst again.

Russ Mitchell asked if there were any more comments or questions, hearing none he asked for a motion.

A motion was made by Hal Henty seconded by Michelle Borton to adjourn this case to the May 22, 2019 meeting.

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Motion Carried 7-0

****Case #2018-060 – *Emerald Equipment Laydown Yard Expansion* (3) – 7600 Morgan Road – Site Plan (Adjourned from 2 previous meetings)**

A motion was made by Hal Henty seconded by Al Kovac to adjourn this case to the July 24, 2019 meeting.

Motion Carried 7-0

**** Case #2019-004 – *Amerco Real Estate (U-Haul)* (3) – Amended Site Plan – 8015 Oswego Road (Adjourned from 2 previous meetings)**

Russ opened the case, Brett Lindsey presented the plan. Went over the issues that the Board mentioned at the last meeting. Added special permit to the plan, Russ Mitchell pointed out that the Town Board approved the special permit not the Planning Board. They added the Storage units on the plan, added stop signs. Russ Mitchell said they need the special permit number on the plan.

Karen Guniup suggested that they stripe the areas that were approved through the special permit. And add it to the plan.

The drawing says only two access drives. Add “grass area to remain on the existing grass buffer” To the plan.

Ron DeTota pointed out that the Site Plan Map doesn’t coincide with the map that was submitted to the Town Board for approval of the special permit. The measurements were off and the map should be corrected.

A motion was made by Michelle Borton seconded by Hal Henty to adjourn this case to the May 8, 2019 meeting.

Motion Carried 7-0

Closed Hearings

****Case #2016-013 – *America Stores – It* – (3) Site Plan – Oswego Road (Adjourned from 30 previous meetings)**

A motion was made by Scott Soyster seconded by Karen Guinup to adjourn this case to the June 12, 2019 meeting.

Motion Carried 6-0 Hal Henty abstained.

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****Case #2017-008 – B & B Taft Road/Simons Agency (3), Site Plan – Wintersweet Drive**
(Adjourned from 13 previous meetings)

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn this case to the June 12, 2019 meeting.

Motion Carried 7-0

****Case#2019-007 – Bryant & Stratton College (3) – 7805 Oswego Road – Amended Site Plan**
(Adjourned from 3 previous meetings)

Russ Mitchell said the applicant did everything needed. Dumpster enclosure and gate are acceptable. Russ Mitchell closed the Public Hearing.

A motion was made by Michelle Borton seconded by Karen Guinup using standard form # 10 SEQR for Case # 2019-007 – **Bryant & Stratton College** located at 7805 Oswego Road – Amended Site Plan. The proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed will not have a significant effect on the environment and the resolution shall constitute a negative declaration for the following reasons. The proposed action will have a positive impact on community character and architecture and the action will not have a significant impact on traffic, utilities, or environmental resources

Motion Carried 7-0

A motion was made by Michelle Borton seconded by Karen Guinup to adopt a resolution using standard form # 20 Amended Site Plan for #2019-007 – **Bryant & Stratton College** located at 7805 Oswego Road, based on a map by Christopher Andrzejewski, PE dated 1/1/2018 revised 4/14/2019 numbered C-101, C-102, C-103, C-104.

Site lighting photometric plan prepared by James D. Bowman, PE dated 4/02/2019 revised 4/14/2019 numbered SE-1.

Floor plans and Exterior plans prepared by Silvestri Architects PC, dated 2/18/2019 revised 4/14/2019 numbered A-101 & A-102. Subject to all legal and engineering.

Motion Carried 7-0

Work session:

****Case #2018-029 - UR-ban Villages (5) - PDD Concept Plan referral, NYS Route 31 adjacent to Cicero Border (work session) (Adjourned from 6 previous meetings)**

A motion was made by Jim Palumbo seconded by Al Kovac to adjourn this work session to the May 8, 2019 meeting.

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Motion Carried 7-0

A motion was made by Jim Palumbo seconded by Michelle Borton to adjourn the meeting at 9:25 P.M.

Motion Carried 7-0

Respectfully submitted

A handwritten signature in cursive script that reads "Gloria J. Wetmore". The signature is written in black ink and is positioned above the printed name.

Gloria Wetmore