

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at Town Hall located at 4401 State Route 31, Clay, New York on the 13th day of January 2010. The meeting was called to order by Chairman Lepkowski at 7:30 PM and upon roll being called, the following were:

PRESENT:	Walter Lepkowski	Chairman
	Hal Henty	Member
	Karen Guinup	Member
	Allen Kovac	Member
	Russ Mitchell	Member
	Scott Chatfield	Planning Board Attorney
	David Balcer	Town Planner
	Mark Territo	Commissioner of Planning & Development
	William Perrine	C & S Engineers
	Gloria Wetmore	Planning Board Secretary

ABSENT: James Sharpe Member

Organizational Items for 2010

A motion was made by Hal Henty seconded by Russ Mitchell to appoint Gloria Wetmore as Planning Board Secretary for the year 2010.

Motion Passed 5-0

A motion was made by Russ Mitchell seconded by Hal Henty to appoint C&S Engineers as the Planning Board Engineer for the year 2010.

Motion Passed 5-0

A motion was made by Hal Henty seconded by Russ Mitchell to appoint Scott Chatfield as Planning Board Attorney for the year 2010.

Motion Passed 5-0

A motion was made by Allen Kovac seconded by Russ Mitchell to approve the Planning Board meeting Calendar for the year 2010 as follows; the second and fourth Wednesdays of the month at 7:30 PM with only 1 meeting in June, August, and November.

Motion Passed 5-0

A motion was made by Russ Mitchell seconded by Hal Henty to approve the minutes of the previous meeting.

Motion Passed 4-0 (Karen Guinup abstained)

Public Hearings:

7:30 P.M. 2009-12-1 *Group One Development, LLC (3) – Amended Preliminary Plat (Newbury Woods) Henry Clay Blvd.*

Chairman Lepkowski opened the public hearing. Hal Romans of Ianuzi and Romans, surveyor for the applicant presented the plan. The applicant would like to cluster 35 lots, following the Town Code. They will bring public sewers along the south west side of Henry Clay Blvd. and will connect to the Walrus property. This has been approved through Onondaga County Health Department. They acquired permission from the Town Board to leave a 22 acre green space.

Chairman Lepkowski asked if any part of the green space is buildable land. The green space will not be platted as a 'buildable' lot, not counted into the required open space calculation for clustering is the area that consists of wetlands, and an area for storm water. This parcel is zoned R-40; the set backs are well within the Town Code.

The Chairman asked who would care for the green area; Hal Romans said it would be either an HOA or an entity approved by the Planning and Town Boards.

Chairman Lepkowski asked if the engineering was all set, William Perrine said it is.

Chairman Lepkowski closed the public hearing.

A motion was made by Russ Mitchell seconded by Hal Henty to adopt a resolution using standard form # 10, SEQR determination for Case # 2009-12-1 Group One Development LLC., (Newbury Woods) located on Henry Clay Blvd. be declared a negative declaration as it appears to have no environmental impact which can not be mitigated and does not involve any other permit granting agencies, including the Federal Government.

Motion Passed 5-0

A motion was made by Russ Mitchell seconded by Karen Guinup, using form # 30 Granting Preliminary Plat Approval for Group One Development (Newbury Woods) located off Henry Clay Blvd Case # 2009-12-1, based on a map by Ianuzi and Romans, being file #2868.007 dated April 28, 2008, revised November 10, 2009. Approval is conditioned on the following; disposal of lots A-B&C through a Home Owners Association, or donation to a forever wild organization on approval of the Planning and Town Boards as indicated on the plan under section 278. Subject to all engineering and legal requirements.

Motion Passed 5-0

2009-12-3 *Warner Energy LLC – Special Permit Advisory Referral, 7526 Morgan Road*

Chairman Lepkowski opened the public hearing. Kurt Stroman with Warner Energy LLC explained the plan. The applicant would like to construct a thin film solar farm. There is a utility substation consisting of wind turbines and meteorology equipment on the parcel. The applicant obtained an Area Variance from the Zoning Board of Appeals on January 11, 2010.

Mr. Stroman explained that the solar panels needs exposure to the sun from 9am to 3pm, with no shading. Karen Guinup asked how the panels are arranged. Mr. Stroman said the solar panels are attached to an aluminum rack, there are 8 panels in each array.

Karen Guinup asked if all 8 panels are in a row. Mr. Stroman said they are all in a row.

Chairman Lepkowski asked about wind damage, Mr. Stroman said the panels are set at a 25° angle which deflects the wind. Studies have been done up to 60 mile an hour with no breakage. The Chairman asked if the applicant considered installing the panels on the roof of the existing building. Mr Stroman said they were concerned with the structure of the building.

Scott Chatfield asked if there will be glare for the drivers on Morgan Road. Mr. Stroman said the solar panels are designed to absorb the suns rays, not reflect them.

Mike Ucalla a resident asked if this product was proven and currently being used, Mr. Stroman said they are in use throughout the world.

Chairman Lepkowski closed the public hearing,

A motion was made by Russ Mitchell, seconded by Allen Kovac to make a favorable Special Permit Recommendation, using form # 60, for Case # 2009-12-3 Warner Energy LLC. located at 7526 Morgan Road. The Onondaga County Planning Board sees no community or County implications. The Zoning Board of Appeals granted their petition to erect accessory structures (solar panels) in the proposed location. This is an excellent futuristic business in the Town of Clay and the growth into various energy sources should be encouraged. The Planning Board recommended that the applicant present a glare study to the Town Board for their consideration.

Motion Passed 5-0

2009-12-5 David N. Charron (3) – Special Permit, 5332 NYS Route 31

Chairman Lepkowski opened the public hearing. David Charron applicant gave an overview of the plan, the parcel is zoned RA-100, being used mainly as a landscaping business. The applicant would like to start selling swing sets, gazebos, arbors, trellises, fire wood, Christmas trees and

vegetables (produce). Hal Henty asked if the applicant would be growing the produce. Mr. Charron said he would have the produce trucked in.

Karen Guinup asked if Special permits go with the use of the property, and if there was a way to control what is sold. Scott Chatfield said no, you can only limit it to the site.

Chairman Lepkowski would like to look at the original plan. David Balcer stated that the applicant didn't need a site plan because his use fit the zone. He would like a detailed plan with all storage areas, include everything you want to sell, and where it will be located on the site. The Chairman suggested the applicant be very specific. The Board suggested it should be drawn by a professional and presented at the next meeting.

A motion was made by Hal Henty seconded by Karen Guinup to adjourn the public hearing to January 27, 2010.

Motion Passed 5-0

Old Business: Adjourned Hearings

2007-12-3 Group One Development, LLC (3) Site Plan– Corner of Route 31 & Henry Clay Blvd. (Adjourned from 22 previous meetings)

The applicant requested an adjournment. A motion was made by Allen Kovac seconded by Russ Mitchell to adjourn the public hearing to February 24, 2010.

Motion Passed 5-0

2009-1-6 Gary Bell (3) Site Plan, 7422 Oswego Road (Adjourned from 10 previous meetings)

The applicant requested an adjournment. A motion was made by Karen Guinup seconded by Russ Mitchell to adjourn the public hearing to January 27, 2010.

Motion Passed 5-0

2009-11-3 Woodside Developers, Inc./Norwood Holdings, LLC (3), Preliminary Plat – on W. Taft Road (Inverness Gardens f/k/a Woodside Runne) (Adjourned from 1 previous meeting)

Chairman Lepkowski opened the public hearing. Hal Romans, of Ianuzi and Romans was present for the applicant. Mr. Romans explained he removed the commercial from the plan, added the

locations of the mail boxes, they will be located on the common property line for the 22 town houses.

Hal Romans said they are still working with Tom Weaver on the gate. Still waiting for drainage for Jewel Drive. Need to show stop signs on the plan.

A motion was made by Allen Kovac seconded by Karen Guinup to adjourn the public hearing to January 27, 2010.

Motion Passed 5-0

2009-11-6 Marc Safran (Clay Eye Care) (3), Site Plan – 8340 Oswego Road

Chairman Lepkowski opened the public hearing. Eugenia Brieva, of QPK design explained the plan. The applicant will be renovating the existing building, they added landscaping to the plan, the existing chain link fence surrounding the dumpster will be removed, there will be an enclosure made of color match panel. The applicant will get sign permits when ready.

Chairman Lepkowski closed the public hearing.

A motion was made by Karen Guinup seconded by Hal Henty to adopt a resolution using standard form # 10, SEQR determination for Case # 2009-11-6 Marc Safran (Clay Eye Care) located at 8340 Oswego Road be declared a negative declaration as it appears to have no environmental impact which can not be mitigated and does not involve any other permit granting agencies, including the Federal Government.

Motion Passed 5-0

A motion was made by Karen Guinup seconded by Hal Henty to adopt a resolution using standard form # 20 granting Site Plan approval for Case # 2009-11-6, Marc Safran (Clay Eye Care) based on a map by QPK Design dated 12-10-09 project #209234 sheet No. L-1.

Motion Passed 5-0

2009-11-7 Walrus Enterprises, LLC (3), Preliminary Plat – corner of Route 31 & Henry Clay Blvd.

Chairman Lepkowski opened the public hearing. Hal Romans, of Ianuzi and Romans, explained the plan. The septic system was sized and approved by the Onondaga County Health Department, with covenants on the plan; no building permit will be issued until the public sewers are complete.

Chairman Lepkowski asked if there were any questions, there were none.

Chairman Lepkowski closed the public hearing.

A motion was made by Russ Mitchell seconded by Allen Kovac to adopt a resolution using standard form # 10, SEQR determination for Case # 2009-11-7 Walrus Enterprises, LLC. be declared a negative declaration as it appears to have no environmental impact which can not be mitigated and does not involve any other permit granting agencies outside the Town including the Federal Government.

Motion Passed 5-0

A motion was made by Allen Kovac seconded by Russ Mitchell to recognize the Final Plat is the same as the Preliminary Plat.

Motion Passed 5-0

A motion was made by Karen Guinup seconded by Hal Henty to approve the Final Plat using form # 40 for Case # 2009-11-7 Walrus Enterprises, LLC. based on a map by Ianuzi and Romans File # 1791.011 dated 1-4-2010, final date being the same, Subject to all engineering and legal requirements. The applicant must also submit the Final Plat application and fee to the Planning Department.

Motion Passed 5-0

Old Business: Hearings Closed

NONE

Karen Guinup left the Board at 9:45 PM.

New Business: Signs

Xpedex – 4626 Crossroads Park Drive

Zoned I-1, permit #41,650

Wall sign – Allowed two per tenant 8% of tenant space

Sign ‘A’ over office area –

Allowed 135.2 s.f. (area 65’w x 26’ ht = 1690s.f.)

Proposed sign is 71.28s.f.

Sign ‘B’ over warehouse area

Allowed 312s.f (area 150’w x 26’ht = 3,900s.f.)

Proposed sign is 239.6s.f.

A motion was made by Hal Henty seconded by Russ Mitchell to approve the sign as presented.

Motion Passed 4-0

Brand Nails- Bayberry Plaza

Zoned RC-1, permit #41,653

Wall signs – Allowed two/tenant, 8% of wall area signs are on

Allowed area 55.5s.f. (area is 18.5’ht x 37.5’w = 693.75s.f.)

Proposed sign 36s.f.

A motion was made by Russ Mitchell seconded by Hal Henty to approve the sign as presented.

Motion Passed 4-0

Allstate insurance – 8402 Oswego Road

Zoned HC-1, permit 41,652

Wall sign – Allowed two/tenant, 8% of wall area signs are on
Allowed area 22s.f
Proposed sign is 19.125s.f.

A motion was made by Hal Henty seconded by Russ Mitchell to approve the sign as presented.

Motion Passed 4-0

ADJOURN MEETING

A motion was made by Hal Henty seconded by Russ Mitchell to adjourn the meeting at 10:00 P.M.

Motion Passed 4-0

Respectfully Submitted

Gloria Wetmore

**Regular Meeting
Planning Board
Town of Clay
January 13, 2010**

APPROVED

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