

Regular Meeting  
Planning Board  
May 20, 2020

**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 20<sup>th</sup> day of May 2020. The meeting was called to order by Chairman Mitchell at 7:30 PM and upon roll being called, the following were:

<b>PRESENT:</b>	Russ Mitchell	Chairman
	Karen Guinup	Deputy Chair
	Michelle Borton	Member (Via Video Conference)
	Hal Henty	Member
	Allen Kovac	Member (Via Video Conference)
	James Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Ron DeTota	C&S Engineers (Via Video Conference)
	Kathleen Bennett	Planning Board Attorney (Via Video Conference)
	Judy Rios	Secretary

Russ Mitchell opened the meeting by leading the Pledge of Allegiance and further, reading the following notice:

Please take notice that the Town of Clay, in response to the continuing emergency circumstances caused by the Covid-19 pandemic and consistent with the New York State Governor's Executive Orders, including but not limited to, Executive Order 202.1 shall conduct its Planning Board Meeting on May 20, 2020 commencing at 7:30 P.M. and to be held at Clay Town Hall, 4401 State Route 31, Clay, New York. The public will not be allowed to physically attend the meeting, however, may attend virtually through Webex. Further, the public is encouraged to offer its written comments in one of the three following ways: 1.) Email: [planning@townofclay.org](mailto:planning@townofclay.org) 2.) Fax: (315) 622-7259, 3) Mail: Town of Clay, Planning and Development, 4401 State Route 31, Clay, NY 13041. Please remit no later than May 19, 2020 at 10:00 A.M. All comments will be entered into the record and distributed to all the Board members. All meetings of the Town will be recorded and later transcribed. The transcriptions will be made available on line upon review.

A motion was made by Karen Guinip seconded by Scott Soyster to approve the minutes from the March 13, 2020 meeting.

**Motion Carried 7-0**

**Public Hearings:**

**\*\*Case #2020-007 – *Zen School*, 7916 Oswego Road (3) – Amended Site Plan**

Tim Coyer (Ianuzi and Romans) spoke on behalf of the applicant offering copies of the plans to the Board, if needed. These plans were also sent to each Member prior to this evening's meeting. Tim stated no additional changes were made to the exterior; there is an existing sign, however, he will come in for approval of a sign at a later time. Russ read a last comment provided by the Onondaga

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County Planning Board indicating the applicant must contact their department. Karen Guinup asked if the County is changing the ingress/egress, also pointing out if there is any mitigation he would have to come back with another site plan for approval. Tim said he would reach out to the County for details, contacting them over the next couple weeks.

A motion was made by Hal Henty seconded by Scott Soyster to adjourn this case to May 27, 2020.

**Motion Carried 7-0**

**\*\*Case #2020-009 – T.C. Syracuse Development Associates, LLC/Proposed Distribution Facility Project (3), 7169, 7175, 7209, and 7211 Morgan Road – Amended Site Plan**

Frank Pavia and Trista Kuna (Harris Beach) spoke on behalf of the applicant seeking approval of amended site plans. Four (4) neighboring parcels have been obtained and combined with the overall project site to better situate vehicular parking spots, driveways, relocation of a guard house, and more direct routes for trucks. Realignment on the southern portion of the property has allowed for widening of drive aisles, thus resulting in better access for emergency vehicles. Trista offered assistance for any technical questions. Russ Mitchell agreed the site plan appears better. His biggest concern was drainage and how other items may be affected. However, after speaking with Ron DeTota, he is pleased with the corner property and the changes made. Trista stated the document at this evening's hearing will also be sent digitally to be placed on the Town's website. She pointed out the areas in red are what is being proposed. A free flowing movement of traffic between the north and south parking lot can be seen, aligning with Morgan Place and allowing a full turning maneuver for tractor trailers. Additionally, (3) landscape islands have been placed at the southern portion of the parking lot area. As mentioned, the access road has been modified to 26' wide providing much more space for emergency vehicles to maneuver. The remote trailer parking lot allows tractor trailers to come straight in to the loading area. National Grid has connected electric from the right-of-way and just north of the site, switchgear has been added. No additional loading docks have been added, however, the parking has decreased by four spots and trailer spaces by six. This will not change the flow of traffic, but will allow better circulation on site. The grading drainage plan has no major changes, however, the infrastructure has been updated and two basins have been enlarged. A couple swales have added more green infrastructure, there is no impact to the streams and berming added around the site. The landscape plan shows the perimeter and 1,447 trees proposed. They are looking closely at the landscape and keeping green. Hal Henty asked if the light poles along the bypass can be dropped and Trista said they will take a look at this. Scott Soyster agreed the site plan is much better. Karen Guinup also agreed. She asked if the drainage for the new berming extended where previous parcels are indicating this can be provided on the overlay plan, however, needs to see the berm change vs. what has already been approved. Karen asked where we are at with the lead agency? Mark Territo said the letters were mailed out on Monday, May 18<sup>th</sup> and he is waiting for responses. Jim Palumbo complimented the landscape plan and stated it is very nice. Michelle Borton commented, noting she likes the improved traffic site and also asked about SEQR. Which Mark stated letters have been mailed. Allen Kovac stated he had no comments. Frank Pavia mentioned the project is at a standstill and critical juncture being driven by the tenant. Since SEQR has gone out, he'd like to secure consent by the Board as lead agency. Hal stated he was okay with this. Kathy Bennett noted receipt of input and interest by the three (3) involved agencies to sign off, thus approval at the next Board Meeting slated for May 27<sup>th</sup>, if the Planning Board is comfortable with the timeframe. Russ stated even though it is not 30 days, if others were okay, it would be added to the May 27<sup>th</sup> agenda. Scott noted he had no

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issue, as long as letters of intent and applications were signed. Jim commented he is okay with this as well as Michelle Borton having no issue. Allen Kovac stated he, too, was satisfied.

A motion was made by Hal Henty seconded by Michelle Borton to adjourn this case to May 27, 2020.

**Motion Carried 7-0**

**Old Business:** None.

**Closed Hearings – Board/Applicant discussions:**

**\*\*Case #2019-032 – *Borrego Solar Systems, Inc.* (3) – 8150 Morgan Road – Site Plan (Adjourned from 7 previous meetings).**

The applicant noted no major modifications have been made to the site plan. Minor changes include the panel height from 6'-7' to 5'-6' height; seed mix between panels, and a narrower turn-around. Jim Palumbo mentioned having no questions, however, is concerned if they are not able to get NYSERDA subsidy approval due to National Grid requirements. Jim reached out to National Grid and he asked this be part of the minutes. This project, as mentioned in October, was asked questions about National Grid potentially requiring a subdivision and was told nothing definite. If, for some unfortunate reason, the ability for this project to get a one (1) parcel approval for subsidy purposes falls through, then it will need to start all over. It should then need to come back for a proper subdivision and associated site plan approvals by the Town and Planning Board. It is unknown how the rules may change by the subsidy providers, which could impact the project's approach on the applicant's end. Karen Guinup mentioned this as a courtesy subdivision. Russ pointed out National Grid wants a 911 address and these address numbers must be displayed at entrances. The applicant stated they have that address. A question arose about parcels for tax purposes and Russ stated there are (2) 911 parcels for arrays, however, could be (3) on the same parcel. As for the moratorium and how to handle this once the Town Board approves, directions will be provided to the Planning Board. Michelle Borton and Allen Kovac had no further comments. Hal Henty commented on the parcel noting it is only for tax purposes. Mark Territo said the Assessor wants one tax map number. Kathy Bennett pointed out this type of assessment parcel happens a lot and is known as suffix parcels, meaning the parcel is all one legal parcel. Suffix parcel numbers are a courtesy, however, can't sell one portion of it, unless it is approved as a subdivision.

Scott Soyster read: In the matter of the application of the Planning Board Case #2019-032, 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: The addition of solar power adds green energy to the Town of Clay.

A motion was made by Scott Soyster seconded by Karen Guinup.

**Motion Carried 7-0**

Scott Soyster read: In the matter of the application of Planning Board Case #2019-032, I move the adoption of a resolution using standard form #20 – Site Plan, granted based on a map by Marathon Engineering Title Page dated September 9, 2019, revised May 14, 2020 and numbered T-1 plus 16

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sheets in the plan set numbered, dated, and revised as listed on the Title Sheet. LSM Land Survey September 14, 2019, #M24-1103. Address number needs to be clearly displayed at the entrance from Waterhouse Road for each solar array. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Other conditions as necessary: Understanding if there needs to be a subdivision it will require new site plan approvals.

A motion was made by Scott Soyster seconded by Jim Palumbo.

**Motion Carried 7-0**

**\*\*Case #2020-005 – *Chick-fil-A* (3) – 4000 (3974) NYS Route 31 – Site Plan (Adjourned from 3 previous meetings).**

Tim Freitag (Via Video Conference) of Bohler Engineering spoke on behalf of the applicant noting the lease agreement had been reviewed and satisfied by Kathy Bennett. The dumpster enclosure has been replaced with louvered sections, as preferred by the Planning Board. Tim stated his appreciation to the Board on moving forward. Russ Mitchell mentioned the Town is looking forward to the new restaurant. Jim Palumbo complimented the applicant on the louvered sections of the dumpster stating it appears much better with the middle vertical element. As well, the color cut sheet selection – PT-9 (Dark Bronze) will compliment the building. Michelle Borton noted having no comments. Allen Kovac stated he is satisfied with no comments, as well as Scott Soyster. Karen Guinup had no comments but did ask to ensure signage is not included and not on the cut sheets, since signage is a separate approval process. Russ stated the applicant must return for permits for any signs on the building

Jim Palumbo read: In the matter of the application of the Planning Board Case #2020-005, for Chick-fil-A, 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: The proposed redevelopment site plan is appropriate in that it is in keeping with the surrounding commercial properties.

A motion was made by Hal Henty seconded by Michelle Borton.

**Motion Carried 7-0**

Jim Palumbo read: In the matter of the application of Planning Board Case #2020-005 for Chick-fil-A, I move the adoption of a resolution using standard form 20-site plan granted based on a map by Bohler Engineering dated February 6, 2020 revised April 24 and numbered C-0.0, C-1.0, C-1.1, C-1.2, C-2.0, C-2.1, C-3.0, C-3.1, C-3.2 (Permit Set) misc. revised May 12, C-4.0, C-4.1, C-4.2, C-5.0, C-5.1, PS-1.0, L-1 and L-2 misc. revised May 12. A-103, dated: November 4, 2020, E-102, dated: April 24, 2020. Rev. April 24 issue for Permit. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Any other conditions if necessary: Signs shall be under separate approval process [area variance for # of wall signs received]. Dumpster enclosure: PT-9, Dark Bronze.

A motion was made by Hal Henty seconded by Karen Guinup to adjourn this case to May 27, 2020.

**Motion Carried 7-0**

**New Business:**

The applicant (Randy Cramer & Son) spoke looking for approval of a future sign to be designed by Sign-o-Rama. Russ asked regarding plans for a future office and the applicant explained currently this is a residential office for a plowing company. Approval was recently provided by the Zoning Board of Appeals for variances of a setback. The applicant noted at some point he would like to put up a pole barn to store equipment, however, not at this time. Russ pointed out the Planning Board typically prefers to hear about signs later on, indicating the first step is a site plan. The applicant explained approval of the sign (first) is to clarify administrative procedures, due to Covid-19. Hal Henty asked if the (3) umbrella lights shown will point at the sign and if the fixtures would be mounted on the building, which the applicant said yes to both questions. He is also planning to use Sign-o-Rama as a preferred vendor for creation of his sign. Hal asked to see more details. The applicant noted he would produce these details as provided by Sign-o-Rama. Karen Guinup asked if the (3) umbrella lights, as seen on the plans, are a gooseneck-type fixture, noting these fixtures do not shine on the road. She stated she is okay with the sign if it administratively fits what is zoned. Mark Territo mentioned it is, and zoned as RC (regional commercial). Lastly, Russ stated he would like to see the house number on the building for 911 purposes.

A motion was made by Karen Guinup seconded by Scott Soyster for approval of a sign for Randy Cramer & Son.

**Motion Carried 7-0**

Russ asked if there were any more comments or questions, hearing none he adjourned the meeting.

A motion was made by Karen Guinup seconded by Scott Soyster to adjourn the meeting at 9:05 p.m. The next meeting is slated for May 27, 2020.

**Motion Carried 7-0**

Respectfully Submitted,

  
Judy Rios  
Planning Board Secretary