

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 9th day of July 2025. The meeting was called to order by Chairman Mitchell at 7:30 p.m. All joined in the Pledge of Allegiance and upon roll being called the following were:

<u>PRESENT:</u>	Russ Mitchell	Chairman
	Michelle Borton	Deputy Chair
	Karen Guinup	Member
	Hal Henty	Member
	Al McMahon	Member
	Paul Graves	Member
	Marie Giannone	Secretary to Planning Board
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	Planning Board Engineer

<u>OTHER:</u>	Joe Grispino	Commissioner of Code Enforcement
	Caitlin Choberka	Project Engineer, C&S Companies

<u>ABSENT:</u>	Jim Palumbo	Member
	David Tessier	Interim Commissioner of Planning & Development

A motion was made by Mr. Graves and seconded by Mr. McMahon to approve the minutes of the June 11, 2025 regular meeting.

Motion Carried: 6-0.

Public Hearings:

Old Business:

****Case #2023-042 – Amerco Real Estate (3) – 8015 Oswego Road – Amended Site Plan (Adj. 15)**

Motion made by Mr. Henty to adjourn Case #2023-042 to October 22, 2025. Seconded by Mr. Graves.

Motion Carried: 6-0.

****Case #2023-047 – Equipment Share Syracuse (3) – 7481 Henry Clay Blvd. - Site Plan (Adj. 12)**

Ms. Nadine Bell, Costello, Cooney & Fearon, is present on behalf of the applicant. Also present is David Southhall and Eric Keller.

Ms. Bell said the special use permit has been obtained along with the special permit for fueling as required by the Codes Department. Comments from Mr. DeTota have been received and addressed. Ms. Bell said we hope to be in a position to move this project forward at the next planning board meeting of July 23, 2025.

Chairman Mitchell said the most recent revision on the plan is dated April 10, 2025 and asked if this is correct. Mr. Keller said that is the most recent. That is the plan that has been reviewed by Mr. DeTota with comments.

The site is located on Dey Road, west of Henry Clay Blvd. The site is vacant of approximately 9 acres. There are clusters of small trees on the property with approximately 1,000 feet of frontage along Dey Road. Most of the site drains to the West to Onondaga Lake with a small eastern portion draining to the creek, two different drainage areas. The western portion of the site consisting of approximately two acres will not be disturbed and remain in its natural state. The proposal is for a construction rental equipment facility, with 22 parking spaces with 2 EV charging stations in the front of building and side, gravel lay down area, security fence installed around the perimeter with two sliding gates. Fuel pumps will be to the left of the property and lighting in the area. Drainage will be kept on site. Two 1,000 diesel tanks will be on site, one for on road and one for off road. These tanks are contained in a containment box and protected by barriers. Disturbances will be 7 acres of the 9-acre site. The stormwater system has been reviewed by Mr. DeTota, town engineer, and found an issue with the fueling tanks and the fact that this is a construction equipment area, we have removed the wet pond. Soils on the site do not infiltrate and have a high ground water table. Two filtration bio retention basins have been designed. There are 4 bays for the SMP which discharge to the west to an existing drainage pipe down by the Onondaga Lake watershed. Mr. Keller said they will continue to work with Mr. DeTota on this project. The building has a showroom with most of the work being done remotely and equipment delivered to the job site. There are connections for public sewers and water.

There will be 9 fixtures, 25 ft. in height and 11 low level wall lighting packs. A landscaping plan has been developed along Dey Road consisting of 14 shade trees, 17 evergreen and shrubs each shown on a plan. Comments received from Onondaga County Planning Board advised of the Indiana Bat possibly on this site.

Chairman Mitchell asked if the site plan drawings are all set for this board to review pending town board approval of the special permit. Mr. Keller said yes. Mr. DeTota said 99% of the plan is the same with little or minor changes. Chairman Mitchell said in the future site plan is for building, structures, parking, etc. and there is no need for engineering detailed drawings for this board. These drawing are only for the engineer.

Chairman Mitchell asked the board members for their comments.

Mr. Henty asked about the lighting. Mr. Keller said the lights are all downward facing under 26 ft in height.

Mr. McMahon – good

Mr. Graves – good

Ms. Borton – good

Ms. Guinup said this is the same presentation that was presented in April and understand that counsel advised the applicant to be present at this meeting. But this was to present new material only. If there are changes to drainage, new drawing will be needed. Brief discussion followed with Ms. Bell and Mr. Keller and agreed the plans are correct with minor drainage changes.

Mr. DeTota said the plans are 99% the same with very little minor changes. This will not alter the layout plans.

Chairman Mitchell said this is a public hearing and asked for any comments. None.

Motion made by Mr. Henty to adjourn this case to July 23, 2025. Seconded by Mr. Graves.

Motion Carried: 6-0.

*Case #2024-068 – **Goguen Drive Realty, LLC** (5) – 7835 Goguen Drive – Special Permit Referral (Adj. 5)

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

Mr. Harrell is present for the fuel storage tank special permit. Comments were received at the last meeting and have been addressed:

- ✓ Included an oil stop valve
- ✓ Catch basin in the concrete area
- ✓ 1000-gallon tank moved further on the site to avoid contact with other vehicles
- ✓ Adjusted location of the empty fuel tanks
- ✓ Bollards added around fuel tanks
- ✓ Red highlight to the special permit area

Mr. DeTota, town engineer, said engineering is okay with what has been done by the applicant. Chairman Mitchell asked about the storage material for tenants. Mr. Harrell said the property is own by Goguen Realty LLC, not actually a contractor and they lease it to the tenants. Material has been moved as requested. This will be up to the Codes Department for any violations.

Mr. Henty said he still has some reservations that what this board has asked of Goguen will be done as Goguen has a reputation for nonconforming. This will be up to the Codes Department for enforcement.

Ms. Guinup asked who owns the tanks – the tenants or Goguen LLC. Mr. Harrell said Goguen owns the tanks and is responsible and in charge of fueling. The tanks are used for fueling the

equipment. So the LLC owns the tanks but using their tanks to fuel the tenant's equipment. Mr. Harrell said that is correct.

Chairman Mitchell asked if the empty fuel tanks go out to the site empty and are used there and returned again empty and stored at Goguen. Mr. Harrell said yes.

Mr. Graves – no questions

Mr. McMahon – no questions

Ms. Borton asked if the applicant were to obtain the special permit would there be a codes review after the building permit. Mr. Harrell said yes.

Chairman Mitchell said this is a public hearing and asked for comments.

Ms. Janet Rathburn asked what contractor stores a jet ski at that contractor service yard. Can anything be stored there. The record of the applicant has shown he does not do what is suppose to be done.

Chairman Mitchell and Ms. Guinup said it is up to the Codes Department to monitor and check for violations.

Chairman Mitchell closed the hearing and polled the board.

Mr. Henty said his comments from the previous meeting are the same about how he feels about this.

Mr. McMahon said the I's have been dotted and t's crossed and I am okay with this.

Mr. Graves said his concerns were addressed and is okay with this.

Ms. Borton said from a planning board perspective everything that was asked of the applicant was done. I do not see denying them the special permit for the fueling area. This will become a codes enforcement issue to monitor the site for any violations.

Ms. Guinup concurs with Ms. Borton as everything was done that was asked of the applicant. This was worked on more than we normally do for a special permit because of the history of this site and violations. But that is not the reason for denying this applicant the special permit. I am okay with the special permit.

Chairman Mitchell said he is in agreement with Ms. Guinup and Ms. Borton's comments. This potentially could be a safety issue because of the fuel stored at the site. The Planning Board did everything they could and now look to the town board to have monitoring of this site by the Codes Department. The chairman is okay with the special permit.

Motion read by Mr. Graves: Mr. Chairman: In the matter of the application of planning board case No. 2024-068 for Goguen Drive Realty, LLC, I move to recommend to the Town Board using standard form #60 special permit recommendation be granted with the comments from the planning board. Seconded by Ms. Guinup.

Motion Carried: 6-0

****Case #2024-069 – Charge Smart EV/Townplace Suites (3) – 8505 Carling Road – Amended Site Plan (Adj. 4)**

Ms. Bridget O'Connor is present to address the board on behalf of the applicant. Ms. O'Connor said changes were made as requested at the previous meeting.

Chairman Mitchell said changes need to be made in the order of the site plan drawings. Ms. Borton explained the new layout needs to be shown. Discussion followed on explaining what is needed. Mr. Ben Harrell, CHA, who was present said he would show Ms. O'Connor what is needed and will work with CHA to make the changes for the board.

Chairman Mitchell said this is a public hearing and asked for comments. None.

Motion made by Mr. Graves to adjourn this case to July 23, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0.

****Case #2025-003 – John Fisher Construction Co. Inc. (3) – 4593 Wetzel Road – Site Plan (Adj. 2)**

And

****Case #2025-004 – John Fisher Construction Co. Inc. (3) – 4593 Wetzel Road – Special Permit**

Motion made by Mr. Graves to adjourn Case #2025-003 and #2025-004 to October 8, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0

***Case #2025-011 – McDonald's USA LLC (5) – 4979 West Taft Road – Special Permit Referral (Adj. 2)**

Mr. Joe Frateschi is present to address the board. He said changes have been made to the plan and Mr. Randy Bebout of Bohler Engineering will address these changes. Mr. Bebout said all the comments received and were looked at along with the traffic entering and leaving the plaza.

Planning Board
Regular Meeting
July 9, 2025

- ✓ McDonald's building has been shifted 8 feet to the east having more driveway length from the entrance into the McDonald's area.
- ✓ Increase green space and island at the northwest corner
- ✓ Eliminated the access drive on the north side
- ✓ Eleven parking spaces will be marked "for employees only"
- ✓ Long east/west island coming in from West Taft Road extended to one more parking space

These above changes were shown on the drawing.

Mr. Bebout concluded and was open to any questions.

Chairman Mitchell asked the board members if they had any questions.

Mr. McMahon – no

Mr. Graves asked if Wegmans if okay with the changes to their parking lot. Mr. Bebout said yes. Mr. Graves asked what size was used on the drawing for the stacking of vehicles. Mr. Bebout said typically a 20 ft block is used – 17 ft vehicle with 3 ft of space.

Ms. Borton said an independent traffic study by C&S is being finalized by the end of the week. This traffic study will have an overall impact on the traffic of this area along with traffic on West Taft Road.

Mr. Henty said the traffic study is not a perfect situation but never will be. There is still a safety concern with the 11 parking spaces for employees and someone else could park there causing a safety issue. Even though signage will be put up, people do not obey.

Ms. Guinup – not at this time

Mr. Graves said with the right turn arrow, left turn arrow both on West Taft Road going into Wegmans, plus the incoming traffic from Wintersweet Drive can cause a backup onto West Taft Road. Mr. Graves said this happens now without a McDonald's. Timing of the traffic patterns need to be looked at trying to avoid too many backups. Discussion with Mr. Gordon Stansbury addressing this. Mr. Graves said the volume of cars entering the plaza will cause back up problems because of the short distance.

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

Ms. Debbie Errante, Roseann Drive, addressed the board. Ms. Errante said she has spoken before this board regarding the traffic on Cedarpost Rd. Ms. Errante said with this new traffic pattern shown people will get frustrated waiting at the stop signs and will find the way out to Cedarpost Rd. Question was asked about the green area shown on the drawing. Chairman Mitchell said that is a zone change bringing the entire plaza from LUC-1 to RC-1.

Ms. Erika Gallucci, 5003 Astilbe Path, questioned the in and out onto Cedarpost Road. Ms. Gallucci concurred with the comments of Ms. Errante. Ms. Gallucci said when traffic is backed up in the plaza, people will go around to Cedarpost to make the exit.

Chairman Mitchell closed this hearing and polled the board. Those comments will be the referral to the town board.

Ms. Borton said this all hinges on the independent traffic study looking at internal circulation. Ms. Borton said this is as good situation to analyze for the site with the changes made that could improve the site. The traffic study will be looked at by the town board for safety issues and concerns hopefully not making a bad situation worse.

Mr. Graves said this is probably the only decent design to make of that situation. However, when this parking lot is very busy during high volume times it could be a mess. This traffic study needs to be looked at very closely.

Mr. McMahon said this is a good faith design. He agreed with previous comments – coming out of McDonald's and seeing traffic backed up, turn around and go to Cedarpost to exit. It is obvious vehicles will channel to Cedarpost.

Mr. Henty said why can't an AI traffic study be done to say yes it can be done or no it can't.

Ms. Guinup thanked the applicant for the many revisions done, and not much else could be done. The West Taft Road ingress/egress is an issue and there are no improvements coming from the county at this time. Future developments are being planned for West Taft Road properties. The town board needs to take a serious look at the traffic study and the C&S traffic study.

Chairman Mitchell said he has been back and forth on this project since 2016. This is the best solution we have seen for McDonald's in this plaza. Traffic is the big thing. The chairman said his big concern was always the internal traffic circulation. The Town Board needs to take a look at the traffic, not only for McDonald's but other stores located there. Chairman Mitchell said he has not been any other place where McDonald's in a plaza is as tight as this location – like putting 10 lbs. in a 5 lb. bag. The chairman said a suggestion was just made this day putting in another ingress/egress at the back of the lot on the east side in front of the businesses out onto Cedarpost Road to take the pressure off the current ingress/egress onto Cedarpost. Whatever happens, we will see this again during site plan or not. And, if this comes before this board again, we will do the best we can to protect everything and everyone that this board can do for the town.

Motion read by Mr. Graves: Mr. Chairman: In the matter of the application of planning board case No. 2025-011 for McDonald's USA LLC, I move to recommend to the Town Board using standard form #60 special permit recommendation the referral be submitted with individual comments from the planning board. Seconded by: Mr. Henty

Motion Carried: 6-0.

****Case #2025-015 – Seneca Savings (3) – 5332 State Route 31 – Site Plan (Adj. 2)**

Mr. Jesse Plumley is present to address the board on behalf of the applicant. The revised plans were not submitted to the board for their review.

Chairman Mitchell asked Mr. Plumley what changes have been made. Mr. Plumley said the 30 ft area for a potential access road along Route 31. Rearranged some of the site to accommodate this area. The detention basin was moved. Chairman Mitchell said the septic has to be approved by county before this site plan can be approved. Chairman Mitchell said these revised plans submitted this date will be for the July 23, 2025 meeting.

Motion made by Mr. Graves to adjourn this case to July 23, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0

****Case #2025-019 – Canandaigua National Bank (3) – 7515 & 7519 Oswego Road – Site Plan (Adj. 1)**

Motion to adjourn this case to July 23, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0.

****Case #2025-030 – EVgo and Rocklyn Clay LLC, (Barnes & Noble) (3) – 3956 State Route 31 – Amended Site Plan (Adj. 1)**

Mr. David Revette is present to address the board on behalf of the applicant.

Mr. Revette said there were no major changes in the plan. Comments from the board have been incorporated in the site plan.

Chairman Mitchell said the EV parking is now part of the overall parking formula. The chairman said on the “Parking and Loading Analysis” on the site plan the statement you have for proposed EV parking needs to be removed. The total EV after installation needs to be removed. This site plan needs to be called “EV Amended Site Plan”.

Ms. Borton asked the applicant to remove “EV Charging Station Only”.

Ms. Borton said when the parking analysis was done, something was not adding up to enough spaces. Mr. Revette said the square footage of the restaurant and bookstore were used.

Chairman Mitchell asked who owns the EV stations. Mr. Revette said EVgo leases the area from Barnes & Nobles.

Ms. Guinup said to remove “EV Charging Station Only” off of C1 and C5.

Planning Board
Regular Meeting
July 9, 2025

Mr. Revette said there is a reduction of 3 parking spaces.

Chairman Mitchell said this is a public hearing and asked for any comments. None.

Motion made by Mr. Graves to adjourn this case to July 23, 2025. Seconded by Mr. McMahon.

Motion Carried: 6-0.

SIGNS

Kassis Superior Signs – *Smoothy Food Massa w/Arabic tagline* – 8223 Oswego Road

Zoned LuC-1, Permit #55,110

1 – Wall Sign – A 40 square foot, Internally Illuminated LED Wall Sign is proposed, when 83.6 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

Motion made by Mr. Graves to approve 1 – Wall Sign – A 40 square foot, Internally Illuminated LED Wall Sign is proposed, when 83.6 square feet is allowed on permit #55,110. This sign will meet code. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Motion made by Mr. Graves to adjourn meeting at 9:31 p.m. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary