

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 11th day of June 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
	Jim Palumbo	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 Grispingo	Commissioner of Code Enforcement
	Caitlin Choberka	Project Engineer, C&S Companies

<u>ABSENT:</u>	David Tessier	Interim Commissioner of Planning & Development
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A motion was made by Mr. Palumbo and seconded by Mr. McMahon to approve the minutes of the May 28, 2025 regular meeting.

Motion Carried: 6-0. (Mr. Graves abstained due to his absence on May 28, 2025)

Public Hearings:

New Business:

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

Ms. Lisa Wennberg, Keplinger Freeman Associates, is present to address the board on behalf of the applicant. The bank will be located on Oswego Road in the Wegmans Plaza in front of the Ashley Store and adjacent to McDonald's Restaurant. The applicant, Canandaigua National Bank, is proposing construction of a 2,800 sq. ft. bank with a two teller drive thru, one ATM and a bypass lane. The bank will operate six days a week servicing 100 to 125 customers per day. The parking consisting of 33 parking spaces and two ADA spaces will be located along Oswego Road frontage with the bank building to the rear and the drive thru circulating around the rear of the building (as shown on the plan). Access to the building will come from Wegmans parking lot. Included in the plan shows a clock tower, bench and concrete patio adjacent to the bank driveway. Sanitary section will be required and water is available. Sidewalks are shown in front of the bank but no sidewalks along Oswego Road frontage. The fire department requires a fire hydrant near the bank building. The ingress/egress is the same location as McDonalds Restaurant. Existing trees need to be removed but will be replaced with plantings by the applicant. Ms. Wennberg looked to the board for their questions and comments.

Chairman Mitchell had the following comments on this site plan.

- ✓ On the Site Layout Plan the square footage needs to be shown on the building.
- ✓ Parking area needs to be shown on the site layout sheet
- ✓ Question on the location of the dumpster. Ms. Wennberg said the dumpster will have totes rather than the large dumpsters used as this is not required for the bank. Chairman Mitchell said the dumpster needs to conform to our requirements which will be noted and corrected by the applicant.
- ✓ On L2.1 sanitary sewer cannot connect to a private line. The applicant has been in contact with Mr. DeTota on this.

Mr. Henty asked if there is lighting on the building. This should be shown on sheet 4.1 with details. Ms. Wennberg will address this and correct. Mr. Henty would like photo of the lighting to be used.

Ms. Borton asked if the applicant has seen the comments from Onondaga County Planning Board dated April 30, 2025. Ms. Borton said to coordinate with County regarding SWPP as noted in County's comments. Also, Ms. Borton added:

- ✓ The original date and each revision date should be put on the title sheet.
- ✓ Pavement marking need to be put on the plan.
- ✓ L2.0 show the location of electrical service i.e. gas, electric, generator.
- ✓ Need an email from the fire department stating acceptance and adding a fire hydrant.

Ms. Guinup noted that signage is not part of the site plan and is handled separately. Ms. Guinup would like the total height of the building, details of the clock tower and flag pole. Ms. Guinup asked if there is protection around the bench as this needs to be addressed.

Mr. Graves – no comments at this time.

Mr. Palumbo addressed the removal of three trees as stated by the applicant. Mr. Palumbo shows on the plan the planting of some shrubs to compensate for the loss of the three trees to soften the area. Mr. Palumbo said the clock tower seems too close to the drive and asked if this could be rearranged to add more buffer. Mr. Palumbo said the ADA spaces need to be as close as possible to the entrance. Ms. Wennberg will look into this. Mr. Palumbo said between the two entrances should work for this. The light pole near the two maple trees will get lost in the trees and possibly can be shifted. Ms. Wennberg will address this for possible changes.

Mr. McMahon – no comments at this time.

Ms. Choberka concurred with the chairman's comment on the sanitary sewer. Need to see how the stormwater works for the entire campus to meet current standards or brought up to standards. Elevations are off and need to correct.

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Chairman Mitchell stated this is a public hearing and asked for comments/questions.

Mr. Ralph Turner, 4188 Rigel Course, asked the location of the bank. Ms. Wennberg said it is to the right of McDonalds.

Motion made by Mr. Graves to adjourn case no. 2025-019 to July 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0

****Case #2025-029 – Patricia L. Peters/Gaskin Reef (3) – 8515 Gaskin Road – Preliminary Plat**

Mr. Thomas Oot, Real Property Development, LLC, is present to address the board. The application is for a two-lot subdivision. The lot is one-and one-half acres, 260 ft of road frontage, residence now is on the north side of the property. The proposed lot on the south side has an existing driveway. The existing home will have .83 acres and the new lot will have .69 acres. County Health has given approval for septic system. There is public water and gas and electric service. Mr. Oot concluded his presentation.

Chairman Mitchell said this is an R10 district and read from the Town of Clay Codes:

“Intent. This district is intended to permit higher density, single-family uses and supportive nonresidential development on sites in the Town served by both public water and sewer.”

The chairman said septic systems are not permitted in an R10 zoning district. The existing structure has been grandfathered in but not for a new structure. The chairman said this application has to be denied. Chairman Mitchell said possibly meeting with the commissioner to see if there is anything else that can be done.

Ms. Guinup said the applicant can withdraw the application. Mr. Oot said to deny this.

Chairman Mitchell said this is a public hearing and asked if there are any comments. Hearing none he closed this case.

Motion read by Ms. Guinup: Mr. Chairman: In connection with the unlisted action of the Planning Board Case No. 2025-029, I move the adoption of a resolution using our standard form #10 that for SEQR purposes the preliminary plat proposed by Gaskins Reef be declared to be a negative declaration as there appears to be no major environmental impacts that could not be mitigated. This action does not involve any other agencies, including the federal government. Seconded by Mr. Henty.

Motion Carried: 7-0.

Motion read by Ms. Guinup: Mr. Chairman: In connection with Planning Board Case No. 2025-029, I move the adoption of resolution using our standard form no. 30 denying preliminary plat approval to Gaskin Reef for the following reason. The application is for an R-10 sub-division with a septic system. According to Town of Clay code R-10 sites must be served with public water and sewer. Seconded by Mr. Henty.

Motion Carried: 7-0.

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

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Mr. David Revette, Dewberry Eng., is present to address the board on behalf of the applicant. The proposal at 3956 State Route 31, Barnes & Noble, is to add three dual EV chargers to the existing parking lot. A new utility pole will be placed along the Rt 31 highway, underground conduits will run to a utility transformer mounted on the ground surrounded by bollards. Site modifications to the parking area will result in the loss of three stalls and one ADA stall.

Chairman Mitchell said we do not include EV charging stations into the required parking formula. There is nothing here in the site plan stating what is required and what is existing regarding regular parking. This needs to be put on the site plan. Mr. Henty said they are losing six spaces. Chairman Mitchell asked about changes to lighting and landscaping. Mr. Revette said there are no changes being made. The chairman said to note this on the site plan.

Mr. Henty had no questions.

Ms. Borton said to be sure the overall parking for the entire campus is noted on the site plan.

Ms. Guinup said on sheet C-3 to please show the building on the site plan.

Mr. Palumbo questioned the way the charging stations are oriented; it is not conducive of getting out and accessible to both sides of the vehicle. Discussion followed on how this was laid out and Mr. Revette will address this further to make changes in the placement of the chargers. Mr. Palumbo asked if there will be EV signage. Mr. Revette said there will be no signage. Basically anyone can pull into this space. There is a sign for the ADA EV charging station only. Mr. Revette said there is no law stating a non EV vehicle cannot park there.

Ms. Guinup asked if these EV chargers will be fast charge. Mr. Revette said yes 20 to 40 minutes for a full charge.

Mr. Graves said on sheet C3a the five foot showing no parking. Mr. Revette said that is an access aisle not for a stall. Clarification is needed for this on the plan.

Mr. Palumbo had a follow up to his earlier discussion on the ADA stalls. There is a 12 ft width and not sure what is required for EV space but could be 9 ft. There seems to be different widths to the right and possibly could have a loading zone on each side which would be accessible to the vehicle pulling in. Mr. Revette said there is a drainage easement there and that is why the chargers are placed on the pavement.

Ms. Guinup said if parking cannot be resolved, a variance will be needed.

Ms. Borton asked to make this parking area more legible.

Mr. Palumbo said it is confusing having two scales on the drawing. Mr. Revette will correct.

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

Motion made by Mr. Graves to adjourn case 2025-030 to July 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

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Old Business:

****Case #2023-047 – Equipment Share Syracuse (3) – 7481 Henry Clay Blvd. – Site Plan (Adj. 11)**

Motion made by Mr. Graves to adjourn Case #2023-047 to July 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

****Case #2023-052 – Mike Tormey/Buckley Warehouse (3) – 4583 Buckley Road – Site Plan (Adj. 13)**

Ms. Alex Samoray, Keplinger Freeman, is present to address the board. Ms. Samory said all work required has been completed.

Chairman Mitchell asked the board if there are any questions. None.

The chairman said this is a public hearing and asked if there are any questions. None. The chairman closed the hearing.

Motion made by Mr. Graves. Mr. Chairman: In the matter of the application of the planning board case No. 2023-052 for Mike Tormey Buckley Warehouse, 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. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Motion made by Mr. Graves. Mr. Chairman: In the matter of the application of planning board case No. 2023-052 for Mike Tormey Buckley Warehouse, I move the adoption of a resolution using standard form #20 – site plan; be granted based on a map by Keplinger Freeman Associates dated December 20, 2023 revised June 3, 2025 and numbered L-000 to L-601 as listed on the title sheet. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

***Case #2024-068 – Goguen Drive Realty, LLC (5) – 7835 Goguen Drive – Special Permit Referral (Adj. 4)**

Motion made by Mr. Graves to adjourn case No. 2024-068 to July 9, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

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

Motion made by Mr. Graves to adjourn case No. 2024-069 to July 9, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

****Case #2025-006 – Scott Merle Builders (3) – 8845 Gaskin Road – Preliminary Plat (Adj 5)**

And

****Case #2025-007 - Scott Merle Builders (3) – 8835 Gaskin Road – Final Plat (Adj. 5)**

Motion made by Mr. Graves to adjourn case No. 2025-006 and case No. 2025-007 to July 23, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

****Case #2025-009 – Sonbyrne Sales, Inc. /Byrne Dairy (3) – 7190 Buckley Road – Site Pla (Adj. 3)**

Chairman Mitchell said the special permit for this case has not been approved at this point in time. We are waiting as there are a lot of changes the county is planning to made on this portion of Buckley Road.

Motion made by Mr. Graves to adjourn case No. 2025-009 to July 23, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

****Case #2025-020 – Henry Clay Warehouse (3) 7189 Henry Clay Blvd. – Amended Site Plan (Adj. 2)**

Ms. Alex Samoray, Keplinger Freeman Associates, is present on behalf of the applicant. All the changes have been made as requested.

There were no questions from the board and the public as this is a public hearing. The chairman closed this case.

Motion made by Mr. Palumbo: Mr. Chairman: In the matter of the application of the planning board case No. 2025-020 for Henry Clay Warehouse Amended Site Plan, 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 reason. The proposed Amended Site Plan is in keeping with the general area. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Motion made b Mr. Palumbo: Mr. Chairman: In the matter of the application of the planning board case No. 2025-020 for Henry Clay Warehouse Amended Site Plan, I move the adoption of a resolution using standard form #20 Site Plan be granted based on a map by Keplinger Freeman Associates dated April 2, 2025 and numbered L-100, L-200, L-300, L-400, L-500 and L-600 as well as a revision date on June 3, 2025 on Sheet L-000 Title Sheet. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Graves.

Motion Carried: 7-0.

****Case #2025-021 - Windsor Property Group (3) – 7985 Morgan Road – Preliminary Plat (Adj.1)**

And

****Case #2025-022 – Windsor Property Group (3) – 7985 Morgan Road – Final Plat (Adj.1)**

Motion made by Ms. Borton to adjourn Case #2025-021 and Case #2025-022 to August 13, 2025. Seconded by Ms. Guinup.

Motion Carried: 7-0.

***Case #2025-024 – Justin’s Canine Campus (3) – 4112 State Route 31 – Site Plan (Adj. 1)**

Mr. Patrick Reynolds, Ianuzi & Romans, is present to address the board. Also present are the owners, Justin and Carrie Bonn. Mr. Reynolds said they have proposed a new dumpster location. This will be located at the southwest corner of the dog play area. This will have the loss of one parking space which will not affect the overall parking count. Details of the dumpster are shown on the plan for the board.

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The old dumpster will be removed and the area graded and seeded. There are four separate play areas each having approximately 20 to 25 dogs in each determined by the size of the dog. Each play area will have a temporary aluminum carport for shade which is portable. This will be taken down when the owner vacates this location. These carports are staked down into the blacktop.

Ms. Borton asked to have the parking summary on the plan updated. The gate and natural curb area was explained by Ms. Bonn. There is one gate in the back.

Ms. Guinup asked about the 4 sections for the dogs. Ms. Bonn said there are gates in between each section. There are entry points from inside and each point outside to get to each individual group.

Mr. Guinup asked about the curbing on the inside of the fence area. Ms. Bonn said the fence is off the ground. This will be corrected to show better on the plan.

Mr. Grispingo referred to the temporary carports. This will have to meet engineering requirements for snow. Mr. Grispingo said anything more than six months is considered permanent.

Chairman Mitchell said this is a public hearing and asked if there are any comments/questions. Hearing none, the chairman closed this case.

Motion made by Mr. Graves. Mr. Chairman: In the matter of the application of the planning board case no. 2025-024 for Justin's Canine Campus, 4112 State Route 31, 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. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Motion made by Mr. Graves. Mr. Chairman: In the matter of the application of the planning board case no. 2025-024 for Justin's Canine Campus, 4112 State Route 31, I move the adoption of a resolution using standard form #20 Site Plan be granted based on a map by Ianuzi & Romans Land Surveying dated February 19, 2025 revised June 3, 2025 and numbered Sheet 1, Sheet 2, Sheet 3, and Sheet 4 with a revision date of June 11, 2025. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Motion made by Mr. Graves to adjourn at 8:45 p.m. Seconded by Mr. McMahon. Next meeting is on July 9, 2025.

Motion Carried: 7-0.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary