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 22nd day of April 2026. The meeting was called to order by Chairwoman Borton at 7:30 p.m. All joined in the Pledge of Allegiance and upon roll being called the following were:

PRESENT:	Michelle Borton	Chairwoman
	Russ Mitchell	Deputy Chair
	Karen Guinup	Member
	Paul Graves	Member
	Jim Palumbo	Member
	Al McMahon	Member
	Marie Giannone	Secretary to Planning Board
	Brian Bender	Commissioner of Planning & Development
	Amber Dillon	Planner – Planning & Development Department
	Kathleen Bennett	Planning Board Attorney
	Caitlin Choberka	C & S Engineer
OTHER:		
ABSENT:	Hal Henty	Member
	Ron DeTota	Planning Board Engineer

Motion made by Mr. Graves to approve the minutes of the April 8, 2026 meeting. Seconded by Mr. Palumbo.

Motion Carried: 6-0.

Public Hearings:

New Business:

Case #2026-022 **Hinerwadels Subdivision – J. Alberici & Sons** – 5300 West Taft Road, Preliminary Plat

Mr. Tim Coyer, Ianuzi & Romans Land Surveying, and Mr. Ben Harrell, CHA, are present to address the board on behalf of the applicant.

Mr. Coyer said the applicant J. Alberici is proposing to subdivide four (4) lots and create 91 lots for single family housing and offices on twenty-nine (29) acres in Office (O-2) and one family residential (R-7.5) zoning districts on West Taft Road formerly the Hinerwadels location. There will be a connection to Wally Road and ingress/egress to West Taft Road. Mr. Coyer said he received the Department of Transportation initial review late this day. We are in the process of doing Stormwater Pollution Prevention Plan (SWPPP) and are looking for comments/questions

from the board while SWPPP and engineering work is proceeding. Mr. Ben Harrell, CHA, addressed the board. Mr. Harrell said SWPPP is 90% done and will be provided for engineering review. DOT has sent back their initial review of the traffic study this day and we will start to address their comments; but it is looking like a traffic signal is favorable at the West Taft Road intersection (across is Rockland Drive). Mr. Harrell referred back to the board for questions/comments.

Chairwoman Borton said to clarify for the two parcels in the front of the property that will be Office O-2 locations and will be addressed during site plan review. Mr. Harrell said yes and Lot #3 will be a day care center and Lot #2 is under discussion for office use. Chairwoman Borton said this public hearing is just for the preliminary plat. Other information submitted goes beyond the preliminary plat and the two plans submitted have some differences which will be resubmitted to the board after comments are made from this hearing. Mr. Harrell agreed.

Chairwoman Borton said comments were received on April 1, 2026 from Onondaga County Planning Board (OCPB) which reflected some modifications as follows:

1. The applicant must continue coordinating with the Onondaga County Department of Transportation regarding plans for development, and notes the following:

    - The applicant must submit a traffic study for full buildout to the Department, the scope of which should be determined by the Department and include additional information regarding potential commercial tenants.
    - A copy of the Stormwater Pollution Prevention Plan (SWPPP) and a lighting plan will also be required as part of the Department's review.
    - The applicant is advised that a traffic signal and any other mitigation, including but not limited to right of way acquisition, drainage modifications, curb, sidewalks, utility relocations, corridor signal improvements, and striping, as may be determined by the Department, will be the responsibility of the developer/owner.
    - Access to West Taft Road will likely be restricted to one access point, for better access management along this heavily traveled roadway. Per the Department, driveways with a divided entrance/exit will not be permitted in this location.

2. Any extension of the public wastewater infrastructure must be approved by the Onondaga County Health Department and Onondaga County Department of Water Environment Protection.
3. Projects within an Onondaga County Drainage District that require a Stormwater Pollution Prevention Plan (SWPPP) must submit a copy of the SWPPP to the Onondaga

County Department of Water Environment Protection (WEP) for review. The applicant is advised to coordinate with WEP early in the planning process regarding these requirements.

1) The Board supports this kind of infill development with its smart reuse of land, density of residential lots, and connectivity to adjacent neighborhoods.
2) To integrate the project within the surrounding area and create a more people-oriented, walkable environment, the Board encourages the applicant to incorporate neighborhood-scale design elements such as sidewalks, lighting, and street trees throughout the site. Vehicle or pedestrian cross-connections to the adjacent Tops shopping plaza, Wally Road, and Maple Lane are also encouraged.
3) Stormwater areas should be located on their own lots and responsibility for ownership and maintenance of the stormwater management lots must be clearly established and funded prior to, or as a condition of municipal approval of the subdivision.

Chairwomen Borton said these have to be addressed before the preliminary plat is approved.

Mr. Harrell said in reviewing the OCPB comments, he said all the modifications are being addressed. Also, a copy of the SWPPP and lighting plan will be available to move forward with this project. Mr. Harrell said the capacity assurance has been submitted to WEP and finalizing the sanitary sewers to submit to WEP for review.

Chairwoman Borton asked the board if there are any questions/comments.

Mr. Graves asked what is directly across from Road “A” that is shown on the drawing. Mr. Harrell said that is directly in line with Rockland Drive. This traffic signal would be at the developer’s expense.

Mr. Palumbo said he was sure the stormwater is fine but has a question relating to Onondaga County Planning Board Modifications No. 3) Stormwater areas should be located on their own lots. Who is “their”? and what is the County referring to? Mr. Coyer said County would like the retention facilities on individual parcel, and town would own the parcel. Typically, the town of Clay would put the drainage facilities on the property with an easement around it. Mr. Palumbo said that would make sense by the shape and size of the lot. Mr. Coyer said it is not put on the tax parcel because of a potential auction of the parcel. Mr. Bender said this is always avoided. Mr. Bender said further on this that the section in the codes these remnant parcels could come up for a tax sale not realizing at different times the drainage issues. This prevents a lot from being developed for the reasons stated. Mr. Palumbo said that clears up in reference to the county’s comment.

Ms. Choberka said there are a few discrepancies with the preliminary plat such as grading, showing utilities, drainage district, right of way that needs to be addressed. Ms. Choberka will work with Mr. Harrell on these issues.

Ms. Guinup said an adjoining building (shed) is shown on the plan and it needs to be removed.

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments from the public.

Mr. Donald Keegan, Associate Superintendent of North Syracuse Central School District, asked what type of homes are going to be built. Mr. Harrell said probably 3-bedroom, 2 bath, depending on individual needs. The traffic light on West Taft Road is being worked on with DOT. Chairwoman Borton said it is the County DOT that makes that decision. Mr. Keegan asked if there is a pilot agreement associated with this project. Chairwoman Borton said not that this board is aware of a pilot agreement. Mr. Keegan thanked the board.

Ms. Laura Johnson, 119 Fay Park Dr. asked about the large, mature trees on the property. Ms. Johnson said there is a lot of debris from these trees due to winds. This is shown on the map behind Lots 10 and 11. Mr. Harrell said it is up to the developer and any dangerous trees will be taken down. Chairwoman Borton said this will be addressed during the SWPPP process.

There were no other questions from the public.

Motion made by Mr. Graves to adjourn case #2026-022 to June 10, 2026. Seconded by Mr. Palumbo.

Motion Carried: 6-0.

Case #2026-026 **Buckley Two-Family Conversion** – Steven Calocerinis – 4793 Buckley Rd., Special Permit Referral

This case was not referred to the Planning Board by the Town Board.

Old Business.

Case #2025-003 **(Wetzel Service Yard) – John E. Fisher Construction Co., Inc.** 4593 Wetzel Road – Site Plan Development of a Contractor Service Yard (Adj.5)

And

Case #2025-004 **(Wetzel Service Yard) – John E. Fisher Construction Co., Inc.** 4593 Wetzel Road – Site Plan – Approval to permit land use of a Contractor Service Yard (Adj. 5)

Chairwoman Borton said this project is still in litigation and need time to look at the wetland issues.

Motion made by Mr. Graves to adjourn case #2025-003 and case #2025-004 to June 10, 2026. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Case #2025-044 **(Chad Mutter EV) – Chad Mutter/EV Charging Stations** – 7293 Buckley Road, Amended Site Plan (Adj 6)

Mr. Chad Mutter is present to address the board and had no comments.

Chairwoman Borton asked the board if there are any questions/comments on this project.

Mr. Palumbo said this board was interested in how the accessible space would work in relationship to the building. Drawings have been updated and now are depicting where the ADA spaces are located in compliance with building access. Also included are the ADA spaces at the EV station. There seems to be a navigation problem from the ADA EV station to building access. Mr. Palumbo shows Mr. Mutter on the drawing this area where more work needs to be done to make this ADA accessible. On the drawing it shows a vehicle parked adjacent to the building directly behind the loading zone and that should be a crosswalk giving direct access safely to the building. Mr. Mutter said restriping is going to be done in the area. Mr. Palumbo said the curb is a hindrance (east) at the loading zone as he shows on the drawing. In looking at the drawing Mr. Palumbo said there are two spaces that could be utilized for ADA. Right now this is an isolated loading zone and the only choice is to navigate through a parking lot around cars when ADA requires a direct route closest to the entrance. Mr. Mutter said the stations are in this area as this is open for public use – tenant first then open to public. Mr. Palumbo said there has to be ADA compliance for the tenant and this is not in compliance. Mr. Palumbo said he could not look at this drawing as an approvable layout without some measure to make it compliant to ADA. After continued discussion with Mr. Mutter and Mr. Palumbo changes to the drawing will be made to address these issues and will be brought to the next meeting. Mr. Palumbo said to Mrs. Chairwoman this should be good to go at the next meeting.

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments. None.

Motion made by Mr. Graves to adjourn case #2025-044 to May 13, 2026. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Case #2026-009 **Gabor Subdivision Phase II – Donald Gabor** – 8150 Morgan Road – Preliminary Plat (Adj. 4)

No one was present to address the board.

Motion made by Mr. Graves to adjourn case #2026-009 to May 13, 2026. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Case #2026-013 – **Mauro Subdivision – Scott Merle Builders** – 4095 & 4101 Elmcrest Road Preliminary Plat (Adj. 2)

Mr. Tim Coyer, Ianuzi & Romans Land Surveying, is present to address the board. Comments that were requested by the board included:

- ✓ Notes on the map
- ✓ Utility easement filed
- ✓ Letter will be filed regarding commercial use of lot

Mr. Coyer said a letter stating the changes made was sent to the planning department.

Mr. Coyer said the builder is proposing to subdivide two existing lots totaling 4,037 acres into four parcels all retaining one family residential R7.5 zoning. The two new lots will be cut out from the rear of the two existing lots. The two new lots will get access and utilities from Mistral Circle. They are proposing a private access to utilities. The remainder of the original lots will remain as they are, the common boundary line between the two lots will remain unchanged and the principal and accessory setbacks will remain as they are. Each of the four lots will be about an acre.

There were no questions from the board. Chairwoman Borton said this is a public hearing and asked if there are any questions/comments.

Mr. Jerry Comer, 4207 Mistral Circle, asked about utility easement. Mr. Coyer said this is a private utility easement located in the front of the two lots (as shown on the drawing). This will be used for sewer and water access to these individual lots and there is an existing manhole (shown on the drawing) with laterals over to that manhole. Will access to Mistral Circle be between the existing utility pole to the north and the fire hydrant. Mr. Coyer said yes between the sewer manhole and fire hydrant. The two driveways will be separate. Mr. Comer asked where is the electrical. Mr. Coyer said this is sent to National Grid for their design and National Grid cannot bring any utility across private property. Mr. Comer asked about the other two lots and Mr. Bender said the commercial use of this is ceasing but the building will remain with no commercial use. Discussion continued with garage and snow removal which is not part of the planning board. Mr. Bender will take this up with the codes department to address Mr. Comer's

issue. Mr. Comer is also concerned with trucks on Mistral Circle during construction. Mr. Coyer said it is the builder's responsibility for any road repair during construction. Mr. Comer thanked the board.

Ms. Margaret Miller, 4210 Mistral Circle, Lot 18, asked about the trees between her property and the new property. Mr. Coyer said it is left up to the developer what trees remain. Ms. Miller said she hoped there would be some barrier left.

Ms. Gayle Bero, 4183 Mistral Circle, asked if there could be any more homes built. Mr. Coyer said once subdivided there is no more division of lots. Ms. Bero questioned drainage issues. Mr. Coyer said they cannot affect your drainage and cannot add more to it. Ms. Bero is concerned about traffic on their street. Mr. Coyer said the road is 22 ft wide which meets code. Mr. Coyer said the sq ft of the home on the drawing is 1500 sq. ft., and if the square footage increased, the builder would have to come to the Codes Department as the setbacks have to be met.

Ms. Miller, 4210 Mistral Circle, expressed concern with congestion on Mistral Circle during construction.

Hearing no more questions from the public, Chairwoman Borton closed this case and asked for a motion.

Motion read by Ms. Guinup. Mrs. Chairwoman: In connection with the unlisted action of the Planning Board Case No. 2026-013, I move the adoption of a resolution using standard form No. 10 that for SEQR purposes the Preliminary Plat proposed by Merle Builders the Mauro Subdivision 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. Mitchell.

Motion Carried: 6-0.

Motion made by Mr. Mitchell to go to final plat. Seconded by Ms. Guinup.

Motion Carried: 6-0.

Motion read by Ms. Guinup. Mrs. Chairwoman: In connection with Planning Board Case No. 2026-013, I move the adoption of a resolution using standard form No. 40 Final Plat approval to Merle Builders Mauro Subdivision based on a map by Ianuzi & Romans dated 1/19/2026 revised 4/14/2026 showing drawing no. 2520.011. Subject to the following conditions: 1. License Agreement between 4101 and 4095 Elmcrest Road was filed with Onondaga County – Instrument No. 2026-00011863 regarding the encroachment of the asphalt drive on 4101

Elmcrest from 4095 Elmcrest Road. Subject to all legal and engineering requirements of the Town of Clay.

Seconded by Mr. Mitchell.

Motion Carried: 6-0.

Case #2026-015 **VFW Post 951**, 5366 Caughdenoy Road, Site Plan (Adj. 1)

This case will be withdrawn due to wetland issues.

Case #2026-017 **The Learning Experience – Park Ridge Path Special Permit** – 8233 Park Ridge Path (Adj. 2)

And

Case #2026-018 – **The Learning Experience – Park Ridge Amended Site Plan** - 8233 Park Ridge Path (Adj. 2)

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

Mr. Harrell said the changes made included:

- ✓ False roof was eliminated
- ✓ Island removed as shown on the revised drawing
- ✓ Labels shown on drawing
- ✓ Parking matched that were used for True North Day Care
- ✓ Lighting is now mounted on building and lighting plan provided
- ✓ Fence removed
- ✓ Stormwater report provided
- ✓ Pond undersized and underground chamber put it

The board had comments on the drawings:

Ms. Guinup – parking spaces with arrow (shows Mr. Harrell on map) will be removed

Chairwoman Borton - Overlapping text on some of the sheets need to be cleaned up and removed.

Mr. Palumbo - Planting plan is not legible.

Mr. McMahon - Elevation needs a date

Mr. Palumbo - Play area on west side shows picnic table with awning. Not legible on drawing.

Chairwoman Borton - Need location identified for HVAC on drawing

Ms. Choberka will provide in writing items for review but nothing that will change the design

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments. None.

Chairwoman Borton summarized what is needed to move this project along at the next meeting.

- ✓ Clean up drawings
- ✓ Location of HVAC
- ✓ Make plans more legible
- ✓ Engineering should be all set

Motion made by Mr. Graves to adjourn case #2026-017 and case #2026-018 to May 13, 2026. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Case #2026-019 – **Goguen Service Yard – Goguen Drive Realty**/7835 Goguen Dr. Contractor Service Yard Amendment – Amended Site Plan (Adj 2).

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

Mr. Harrell said the clearance around the empty tanks as well as the 1000-gallon tanks has been provided on the drawings. Mr. Harrell said that is the only thing that has changed.

Chairwoman Borton said there are still some issues with the stormwater pond and verifying what was approved in the previous site plan was constructed as required. We found in our files that there was a survey but no label about who did it and no professional sign/seal. Ms. Choberka said for the special permit a topographic survey was provided but not done by a licensed surveyor. As a requirement of this approval process we request that a licensed surveyor be retained and perform a topographic survey identifying the body of the existing stormwater pond so that it can be confirmed compliance of the approved site plan as of 2022. Chairwoman Borton said if they are not in compliance they would have to be brought into compliance for this amended site plan or the drainage report through the excess capacity would have to be updated to reflect the capacity was provided and confirm it meets the town's requirements.

Mr. Harrell asked if they could construct this and get the survey once it is complete as they will be digging into the stormwater pond. Chairwoman Borton said the survey is needed for this

amended site plan. Ms. Choberka said it is important for the board to have the proposed improvement included in the as built to ensure that any additional improvements to this site are draining to the stormwater pond that operates as designed. Mr. Harrell said the SPDES permit is still open so technically this is still under construction. Chairwoman Borton said this application is for an amended site plan so we look at existing conditions. And Chairwoman Borton said to Mr. Harrell that he would agree to want the stormwater facilities that you are designing and putting company stamp to meet the requirements of the SPDES permit. Mr. Harrell agreed.

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

Mr. Ralph Turner, 4188 Rigal Course, asked how many tanks are at this location. Mr. Harrell said the tank in use are 1000 gallon, 6 empty tanks consisting of 4 – 500 gallons, 2 – 300 gallons.

Motion made by Mr. Graves to adjourn case #2026-019 to June 10, 2026. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Motion made by Mr. Graves to adjourn this meeting at 8:45 p.m. Seconded by Mr. McMahon.

Motion Carried: 6-0.

Next meeting is May 13, 2026.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary