

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 14th day of July 2021. The meeting was called to order by Chairman Mitchell at 7:30 PM. All joined in the Pledge of Allegiance and upon roll being called, the following were:

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| PRESENT: | Russ Mitchell | Chairman |
| | Karen Guinup | Deputy Chair |
| | Michelle Borton | Member |
| | Hal Henty | Member |
| | Al McMahan | Member |
| | James Palumbo | Member |
| | Scott Soyster | Member |
| | Mark Territo | Commissioner of Planning & Development |
| | Judy Rios | Secretary |
| | Kathleen Bennett | Planning Board Attorney |
| | Ron DeTota | C&S Engineers |

A motion was made by Hal Henty seconded by Jim Palumbo granting approval of the minutes from the June 9, 2021 meeting.

Motion Carried 7-0

Public Hearings

New Business:

*Case #2021-018 – *Royal Car Wash* (5) – 7376 Oswego Road – Special Permit Referral. Anthony Daniele, owner of Royal Car Wash, spoke introducing himself to the Board also noting David Cox of Pasco Engineering in attendance. Anthony indicated his company is based out of Rochester, NY and currently owns thirteen (13) car washes. His plans are to bring more of his business to the Syracuse area and is seeking approval to put a car wash on Route 57 on redevelopment of an existing site. Anthony pointed out they are an express car wash, with 80% of their customers monthly club members. He also offers free vacuum services for paying customers after exiting the car wash. Anthony explained this is a commercial road in a redevelopment area and traffic impact would be minimal. David spoke directing attention to the site plan which shows a 4,000 square foot building that sits back 170’ from the road. Plans are to add landscaping and 25% more green space to the property. Currently there are two (2) curb cuts and they’ll be reducing to one (1). NYS DOT is favorable with this reduction since there is an existing traffic signal to the north of the site; they prefer curbs further away from signals. David noted he has worked with the DOT on several projects and they are familiar with their system. Russ Mitchell asked the hours of operation and Anthony said 7:00 a.m. – 9:00 p.m. with varying weekend hours, however, never earlier than 7 or later than 9. Russ also asked about traffic and Anthony stated the average day typically sees 30/40 cars in an hour with peak days/times averaging 80/hour. Further, Russ asked what enticed them to the site and Anthony said they look for traffic sites, ease of access (ingress/egress), and proximity to competition which is currently 2 miles from a current car wash. From a SEQR standpoint this area has a nice setback from the residential neighborhood making all less intrusive. Russ asked if Anthony had seen Onondaga County’s comments and

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he said he had not. Russ provided a copy and read a comment that states the County will not allow two (2) exit lanes; this will have to be reduced to one (1). Michelle Borton asked if any specifics had been provided from Onondaga County DOT (OCDOT) as the site plan hinges on their input. Dave stated they have submitted a formal application but not received yet feedback. Karen Guinup read comments from OCDOT indicating the exit lanes as proposed would not be permitted. She asked they keep that in mind for stacking purposes. Karen asked if the site could operate with just one (1) exit and Dave stated the exit stacking has a very large lane, which he could adjust accordingly and reduce down to one (1) without concern. Jim Palumbo asked for stacking clarification since cars would not be exiting in regular fashion he's concerned something may impede it. Anthony explained exiting is not usually an issue; people leaving is not a problem and if there is not enough stacking, the problem causes cars spilling out on the road. This site is designed for more stacking capacity coming in thus cars wouldn't overflow on Route 57. Scott Soyster asked what type of car wash it is and Anthony said a conveyor system averaging 2-2-1/2 minutes to go through. Scott also asked about the stacking and Anthony said over 40 cars. Hal Henty raised a concern about water/ice during the winter months since cars only about 95% dry upon exiting the bay(s). Anthony said they have prepared for that and will install a 10-15' heated concrete pad where any water would dissipate quickly. Russ reminded the audience this is a public hearing for a special permit land use and asked anyone from the public wishing to speak, to begin lining up behind the podium. Pete Smith, owner of 4 Seasons Car Wash, 7795 Oswego Road, spoke stating he has a long history in the community with his family business over 50+ years. He is concerned with oversaturation of car washes coming before the Board and feels there will be overcrowding. He asked Anthony about a car wash in Canandaigua that went out of business due to his location and Anthony said they did not go out of business and remain across the street from his car wash. Pete asked how many people on the Board had a membership to his facility, with Hal stating he does have a monthly subscription. Lastly, Pete thanked the Board for allowing to him to comment and asked they keep his long-running business in mind for any approvals. Amanda (a worker for 4 Seasons) spoke stating she feels family-owned businesses need more attention. 4 Seasons has been there for its community and believes it is time for the community to be there for them. She thanked the Board for their consideration.

Russ Mitchell closed Case #2021-018 and asked comments from the Board deciding this land use.

-Scott Soyster is in favor of the special permit and feels this revitalization will be a good use.

-Al McMahon agrees with Scott and also feels this is a good use.

-Jim Palumbo feels the request for such a use of the subject property is reasonable, in consideration of the surrounding and commercial corridor. However, he does encourage the Town Board to consider potential demands on sanitary and water infrastructure and traffic impacts.

-Hal Henty stated for land use this is a good fit.

-Michelle Borton is in favor for use of this site. She encouraged the Town Board to look at the ingress/egress and at OCDOT recommendations as well as any noise that might impeded the surrounding community/neighborhood.

-Karen Guinup is in favor and this fits the area. There are some items to be addressed, but this would be during site plan review.

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-Russ Mitchell is in favor and stated if this gets approved, it is up to the Planning Board to make sure the area gets developed accordingly for the Town.

A motion was made by Michelle Borton seconded by Hal Henty that the comments expressed by the individual Planning Board members be submitted to the Town Board for their consideration.

Motion Carried 7-0

Russ Mitchell approved Case #2021-020 and Case #2021-021 be combined for speaking purposes.

***Case #2021-020 – VP Road Solar, LLC – *South Ver Plank Road Solar Array* (5) – 4936 +/-Ver Plank Road – Utility Special Permit Referral. *Case #2021-021 – VP Road Solar, LLC – *North Ver Plank Road Solar Array* (5) – 4936 +/-Ver Plank Road – Utility Special Permit Referral.**

Kevin O'Neill, Seaboard Solar, introduced himself and Caryn Mlodzianowski from Bohler Engineering. Caryn distributed aerial views of the site to the Board Members noting this is a 96 acre project with 4 megawatt and 5 megawatt solar arrays. The property is in an industrial zone area (I-2) with access off Ver Plank Road. Caryn explained this is an excellent use as there would be no noise, lighting, pollution, etc. and the panels are designed with an anti-glare effect. Plans will include a 20' wide access road for service/maintenance to the arrays. There are some site constraints with wetlands and utility easements, however, they have flexibility to work around these. Russ Mitchell thanked Caryn for the aerials. He asked if anyone has spoken to the residents on Ver Plank about what is proposed? Kevin said he has reached out to numerous residents on Ver Plank and Van Hoesen. Feedback to date has been positive and questions asked about additional features and the layout for landscaping. Russ asked Kevin to supply the large size (24x36) aerial maps for the next meeting; he agreed. Hal Henty asked, since the Town Board meeting has anyone contacted those that had questions from that meeting? Kevin said yes and plans are to reach out with the letter this week and get with other residents further down on Ver Plank. Michelle Borton asked regarding the wetlands, how far along they are with the permit process. Caryn said this has been delineated and won't trigger anything near them. Michelle asked about screening and Caryn stated they will be able to maintain the existing vegetation screening. Jim Palumbo asked about the 4 and 5 megawatt AC value asking if there is a DC value as well as what kind of acreage? Caryn said this is 96 acres each array. The front array system is about 7 acres, with the back area larger and utilizing 5 megawatt there. Jim expressed this seemed light and Caryn said it's because of the system they are using. Further, Jim asked if any energy storage units would be on site and Kevin said, no. Jim asked the anticipated height and Caryn said this is a single access tracking system with its highest at 9'. Jim quested the L-shaped property and is a subdivision would be needed for these and Caryn said there are two parcels today and are proposing to adjust the lot line. Ron DeTota spoke stating if they receive approval, to be sensitive to the storm water management system. Caryn will provide details at site plan presentation. Jim asked if the storm water management would occur within the perimeter fencing as they may need greater project with change in the land surface. Kevin stated they are purchasing the property from the current owners. Jim questioned if this is a special use permit for the whole parcel and Mark Territo said it would be for the two of them. Russ stated this is a public hearing and asked if anyone in the audience would like to speak. Ver Plank Resident, Renee Frontale, asked several questions: 1) I noticed a portion of brush cleared on the front parcel and wondered who did this? Kevin said he believes the owner cleared the property for selling purposes. 2) Are you buying from JMG? Kevin said, yes. 3) There's a section on Van Hoesen will this have landscape as well? Russ and Karen stated this question is during site plan review. 4) If your main headquarters are in Connecticut, why choose here, in Upstate NY?

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Kevin stated they are new to the NY area, however, have been operating 10+ years. The owner spoke and said his business has just started in NY but he owns thousand's of acres in the Massachusetts area. 5) With the wetlands, what are the concerns for the endangered Indiana Bat and Wren species? Karen stated this is during site plan review. 6) Were residents notified on Van Hoesen about noise, as her family experienced a very loud installation with metal pipes banging several hours throughout the day for 2+ weeks. Kevin said yes, he can notify them, but does not do the public notices. 7) Will there be a substation? Kevin said they are not constructing one on this site, and would be connecting to the Wetzel Road substation. 8) What about dismantling? Kevin said he reached out to the Town about a decommissioning plan and will have an agreement at site plan.

Russ Mitchell closed Case #2021-020 and Case #2021-021.

The Board was polled as follows:

-Hal Henty stated he is in favor and feels this is a good spot for this project.

-Michelle Borton is in favor.

-Karen Guinup is in favor.

-Scott Soyster is in favor.

-Al McMahon is in favor.

-Jim Palumbo is in favor.

-Russ Mitchell is in favor and stated this is a great area for the project.

A motion was made by Al McMahon seconded by Karen Guinup that the comments expressed by the individual Planning Board members be submitted to the Town Board for their consideration.

Motion Carried 7-0

****Case #2021-023 – Guggenheim Development Services, LLC/Jiffy Lube Multi Care Facility – between 5229 & 5255 West Taft Road – Site Plan.** Caryn Mlodzianowski, Bohler Engineering, presented on behalf of the applicant. She noted this project is for a 3,000 square foot facility on W. Taft Rd. next to the current Auto Zone. The parcel is regional commercial and they have received three (3) area variances from the Zoning Board. No driveway is being proposed and cross access has been obtained. As for traffic, there is no curb cut so this is not a concern. The business typically sees 15-20 cars/day with a goal to work up to 30-35/day. Caryn mentioned the setbacks are large and they meet minimal lot size noting a green space on one side of the area. Plans are to add a row of evergreen trees to this east side. The building will host four (4) bays with a one-way traffic flow/exit to the street; parking will be in the rear. Russ Mitchell noted a footnote needs to be placed on the site plan and the variance number on the map. He also asked about lighting. Caryn said the hours will be 8:00 a.m. – 6:00 p.m. and the only lighting will be on the building itself. Russ said they would need a details sheet about what type of lighting will be on the building. Further, he asked about the dumpster details stating there are certain standards such as the enclosure needs to be the same

material as on the building along with powder-coated metal gates. Hal Henty asked if there were light poles in the back of the building as it appears on the map. Caryn clarified noting those are internal roof drains and will label accordingly. Michelle Borton asked about snow storage and Caryn said they have not yet completed a full storm water design. Scott Soyster asked if the traffic flow entrance from west would be making a left turn and Caryn said, yes. Karen Guinup suggested they have a “go to left” or “no right hand turn” placed. Caryn said she will add “do not enter” signs to the detail sheet. Ron DeTota asked is this is a purchased or leased building and Caryn said they are under contract for purchase. Further, Ron asked with the storm water report, to be sensitive to the snow storage and where it will be stored. He also said the residual areas look above .95 acres as referenced, however, 2/3 of the property could be disturbed; be sure to confirm and not exceed 1 area or more. Ron also asked about the sewers in the front of the property and Caryn mentioned discussion for sewer connection has begun. He stated if a direct connection is made in to the County Highway, a SWPP would be needed showing no increase of flow to the system. This would need submitting to the agency and Board receiving acknowledgement from the County. Jim Palumbo noted looking at the elevations they appear to be reversed. Caryn said, yes that is correct, the top elevation is from the street side. Karen Guinup reminded any use of signage on the site plan would need a separate application.

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn Case #2021-023 to July 28, 2021.

Motion Carried 7-0

Old Business:

**Case #2020-016 – *Praxair* (3), 4580 Morgan Place, Amended Site Plan (Adjourned from 7 previous meetings). Scott Freeman, Keplinger Freeman Associates L.L.C., was available on behalf of the applicant. The Board had no questions or comments. Ron DeTota spoke indicating he has been working with the applicant and all issues have been satisfied accordingly.

Russ Mitchell closed Case #2021-016.

Jim Palumbo read: In the matter of the application of Planning Board Case #2021-016, 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 that 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 use is conducive of the surrounding area.

A motion was made by Jim Palumbo seconded by Scott Soyster granting SEQR approval.

Motion Carried 6-1

Jim Palumbo read: In the matter of the application of Planning Board Case #2021-016, I move the adoption of a resolution using standard form #20 – Site Plan granted based on a map by Keplinger Freeman Associates dated June 6, 2020, revised June 22, 2021 and numbered L1 – L6. Conditioned upon approval of all legal and engineering requirements of the Town of Clay.

A motion was made by Jim Palumbo seconded by Scott Soyster granting Site Plan approval.

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Motion Carried 6-1 Karen Guinup abstained as extra attention was given to additional landscaping, which was not necessary, in an Industrial Zone. However, the requirement for the dumpster enclosure were not held to Town of Clay standards.

**Case #2021-011 - *Sharkey's Beach Volleyball and Restaurant* (3) – 7420 Oswego Road – Amended Site Plan (Adjourned from 1 previous meeting). The applicant requested an adjournment.

A motion was made by Michelle Borton seconded by Karen Guinup to adjourn Case #2021-011 to July 28, 2021.

Motion Carried 7-0

**Case #2021-015 – *Rocklyn Plaza* (3) – 3881 Route 31 – Amended Site Plan (Adjourned from 3 previous meetings). The applicant requested an adjournment.

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn Case #2021-015 to August 11, 2021.

Motion Carried 7-0

Closed Hearings – Board/Applicant discussions:

**Case #2021-012 – *Crossroads Commons* (3) – 4705, 4709, & 4713 Crossroads Park – Preliminary Plat (Adjourned from 3 previous meetings) and Case #2021-013 – *Crossroads Commons* – (5) – 4705, 4709, & 4713 Crossroads Park – Final Plat (Adjourned from 1 previous meeting). The applicant requested an adjournment for both Cases.

A motion was made by Scott Soyster seconded by Karen Guinup to adjourn Case #2021-012 and 2021-013 to July 28, 2021.

Motion Carried 7-0

**Case #2021-019 – *Wegmans Food Markets Great Northern* (3), 3955 NYS Route 31, Amended Site Plan (Adjourned from 1 previous meeting). Kim Goergen, Project Manager for Wegmans Markets presented on behalf of the applicant noting the following requested items complete. A detail sheet regarding relocation of the bottle machines has been provided with explanation of the non-glare windows (which are the same as located on the windscreen) and proposed bollard location. Kim explained after review with the applicant, it was decided not to pursue the request of parking spaces with Dick's Sporting Goods, rather they will utilize an area where two (2) small planters are currently located, take them down and fill for purposes of additional parking. The drive-thru Instacart lanes have been turned eliminating confusion and the need for additional signage. Plans are to use temporary A-frame signs for directional purposes. Rear parking details have been added to the drawings and new detail regarding LED fixtures and wiring. Lastly, a request from the Wegman's team was to add a fence at the northwest corner where employees typically take breaks. This will be a 7' high steel fence with a gate for security purposes; details have been provided.

Russ Mitchell closed Case #2021-019.

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Jim Palumbo read: In the matter of the application of Planning Board Case #2021-019, 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 that 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 site modifications are within the standards that are expected.

A motion was made by Jim Palumbo seconded by Scott Soyster granting SEQR approval.

Motion Carried 7-0

Jim Palumbo read: In the matter of the application of Planning Board Case #2021-019, I move the adoption of a resolution using standard form #20 – Site Plan granted based on a map by Costitch Engineering dated May 17, 2021, revised June 28, 2021 and numbered GA001, CA100, CA110, CA120 and CA500. Conditioned upon approval of all legal and engineering requirements of the Town of Clay.

A motion was made by Jim Palumbo seconded by Scott Soyster granting Site Plan approval.

Motion Carried 7-0

****Case #2019-029 – Nick Avicolti/Avicolti's (3) – 7839 Oswego Road – Amended Site Plan (Adjourned from 7 previous meetings).** Tim Coyer, Ianuzi and Romans Land Surveying, P.C., presented on behalf of the applicant stating the final requested item to combine the three (3) parcels into one (1) has been done. An email received from Carol Holbrook, Onondaga County Tax Map Division, indicates this item as complete. Tim shared the email with Mark Territo for file purposes.

Russ Mitchell closed Case #2019-029.

Michelle Borton read: In the matter of the application of Planning Board Case #2019-029, I move the adoption of a resolution using standard form #20 –Site Plan granted based on a map by Ianuzi and Romans Land Surveying, P.C., dated July 23, 2019, file number 12658.001, as revised through April 6, 2021. Conditioned upon approval of all lighting details, architectural drawings, legal and engineering requirements of the Town of Clay.

A motion was made by Michelle Borton seconded by Hal Henty granting Site Plan approval.

Motion Carried 7-0

New Business

Signs:

Signarama – Wellnow Urgent Care – 4938 Wintersweet Road - Zoned PDD, Permit #52,002.

2 – Wall signs – The applicant is proposing two internally illuminated wall signs: Sign A for 35 square feet in size and Sign B for 35 square feet in size. 1 – Freestanding sign 21.1 square feet.

The proposed signs are located in a PDD and square foot allowance is up to the Planning Board.

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A motion was made by Jim Palumbo seconded by Karen Guinup granting sign and awning approval for Permit #52,002.

Motion Carried 7-0

Art Part Signs – Fleet Feet, Inc. - 4136 NYS Route 31 - Zoned RC-1, Permit #52,038.

1 – Wall sign – The applicant is proposing one internally illuminated wall sign for 45 square feet in size when 71.6 square feet is allowed. This sign will meet code. The applicant is also changing the panels on the freestanding sign.

A motion was made by Karen Guinup seconded by Michelle Borton granting sign approval for Permit #52,038.

Motion Carried 7-0

The Graphics Warehouse – St. Elizabeth Ann Seton Catholic Church – 3994 NYS Route 31 – Zoned PDD, Permit #52,058.

1 – Freestanding sign 32 square feet, external illumination. The proposed sign is located in a PDD and square foot allowance is up to the Planning Board.

The applicant presented to the Board noting this sign is for a proposed extension to an existing brick monument sign. Russ Mitchell asked if the sign would impede the sightline on Route 31 and was told, no as the sign sits back off the road. Karen Guinup noted the sign drawing reads 6', yet the cross is 12'H. Mark Territo noted this information was included as part of the building permit. Michelle Borton asked about the address signage. The applicant stated there are three (3) signs now 3'x6' and asked if the address signs need to be illuminated. Hal Henty said no but they do have to have the numbers placed on the sign.

A motion was made by Hal Henty seconded by Scott Soyster granting sign and awning approval for Permit #52,058.

Motion Carried 7-0

Work Session


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

A motion was made by Hal Henty seconded by Karen Guinup granting approval to adjourn the meeting at 9:27 p.m.

The next meeting is slated for July 28, 2021.

Motion Carried 7-0

Respectfully Submitted,


Judy Rios
Planning Board Secretary