

Motion Carried 6-0

Russ Mitchell said he will amend the minutes of the November 28, 2018 meeting , under old business Case #2017-031 – *Widewaters Farrell Road II Company, LLC/Widewaters Commons – Commercial Development* (3) Site Plan – NYS Route 31 and **Case #2018-003 – *Widewaters Farrell Road II Company, LLC/Widewaters Commons, (3) - Preliminary Plat – NYS Route 31*

Where it says Russ Mitchell “closed the public hearings”, it should say, “Russ Mitchell adjourned the hearings”.

A motion was made by Hal Henty seconded by Scott Soyster to amend the minutes of the 11/28/18 Minutes.

Motion Carried 6-0

A motion was made by Scott Soyster seconded by Jim Palumbo to approve the minutes of the previous meeting.

Motion Carried 5-0 Michelle Borton Abstained due to her absence from that meeting.

Public Hearings:

New Business:

7:30 P.M. Case #2018-051- **KF Mumps, LLC Financial Services (3) – 7897 Oswego Road – Amended Site Plan

Russ Mitchell opened the Hearing, Tim Coyer resented the plan. Not much has changed; added 1(one) parking space. Angled the parking spaces, moved to the west to accommodate the ADA ramp. Karen Guinup said the concrete pad has not been removed and replaced with asphalt. Tim Coyer explained that it was not financially feasible until now. The applicant will remove the concrete slab.

Russ Mitchell asked if there were any comments or questions, hearing none he closed the public hearing.

A motion was made by Jim Palumbo seconded by Karen Guinup using standard form # 10 SEQR for Case #2018-051- **KF Mumps, LLC Financial Services** located at 7897 Oswego Road Amended Site Plan. The proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons. Potential impacts have been considered and it aligns with the community character.

Motion Carried 6-0

A motion was made by Jim Palumbo seconded by Karen Guinup, using form # 20, granting Amended Site Plan Approval for Case #2018-051- **KF Mumps, LLC Financial Services** located at 7897 Oswego Road based on a map by Ianuzzi and Romans dated 12/28/2011 revised 10/30/2018 and numbered sheet # 2 of 2. Conditioned on all legal and engineering.

Motion Carried 6-0

7:35 P.M. Case #2018-052- **Saxton Sign Corp/Deborah Guarasce/Speedway (3) – 7369 Oswego Road – Special Permit

7:40 P.M. Case #2018-053 - - **Saxton Sign Corp/Deborah Guarasce/Speedway (3) – 4803 W. Taft Road – Special Permit

Russ Mitchell opened both cases together, Deborah Guarasce presented. Both locations will be replacing signs with LED, Red and Green.

Hal Henty asked if there would be letters or words. Deborah said there would only be numbers.

Russ asked if there were any more comments or questions, hearing none he closed both hearings.

A motion was made by Scott Soyster seconded by Jim Palumbo using standard form #70 Special Permit in the matter of Case #2018-052- **Saxton Sign Corp/Speedway** located at 7369 Oswego Road be granted on Everbright Sign dated 08/24/2018 and numbered 389661. Conditioned on all legal and engineering.

Motion Carried 6-0

A motion was made by Scott Soyster seconded by Jim Palumbo using standard form #70 Special Permit in the matter of Case #2018-053- **Saxton Sign Corp/Speedway** located at 4803 W. Taft Road be granted on Everbright Sign dated 09/20/2018 and numbered 389675. Conditioned on all legal and engineering.

Motion Carried 6-0

Saxton Sign Corp. – Speedway – 7369 Oswego Rd.

Zoned RC-1, Permit #49,637

1 - Freestanding Sign Face change for existing Freestanding sign to LED gas pricing. This will meet the code, applicant pending special permit approval.

A motion was made by Karen Guinup seconded by Scott Soyster to approve the sign as presented.

Motion Carried 6-0

Saxton Sign Corp. – Speedway – 4803 W. Taft Rd.

Zoned LuC-1, Permit #49,638

1 - Freestanding Sign Face change for existing Freestanding sign to LED gas pricing. This will meet the code, applicant pending special permit approval.

A motion was made by Hal Henty seconded by Michelle Borton to approve the sign as presented.

Motion Carried 6-0

****7:45 P.M. Case #2018-054 – David Stoutenger/Cornerstone Church (3) – 8137 Morgan Road – Special Permit**

Russ Mitchell opened the public hearing, Bob Abbott Architect with Maxine and Horst, presented.

Russ Mitchell asked if there were any more comments or questions, Hearing none he closed the public hearing.

A motion was made by Scott Soyster seconded by Jim Palumbo using standard form # 10 SEQR for Case #2018-054 **Cornerstone Church** located at 8137 Morgan Road – Special Permit. The proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons. The proposed use will provide a benefit to the local community.

Motion Carried 6-0

A motion was made by Scott Soyster seconded by Jim Palumbo moved the adoption of a resolution for Case #2018-054 **Cornerstone Church** located at 8137 Morgan Road Special Permit using standard form # 70 based on a map by Maxine and Horst dated 09/26/18 and numbered L-1. Approval is conditioned upon all legal and engineering.

Motion Carried 6-0

****7: 50 P.M. Case #2018-055 – David Stoutenger/Cornerstone Church (3) – 8137 Morgan Road – Site Plan**

Russ Mitchell opened the hearing, Bob Abbott of Maxine and Horst presented the plan. New construction, 5 acres, the building will have vinyl siding and a stainless steel roof. There will be 59 parking spaces; they will connect to the existing sewer. They will build a retention pond, and a landscape buffer along the residential.

Russ Mitchell went over the County Comments, access to Morgan Rd. The County will need the lighting plan and SWPPP. You will need to ensure all easements are provided to the Town for access. Put a cover sheet on the Site Plan, the photometric plan and the landscape need to be separate. Sheets A-1 thru A-6 can be removed from the rest of the plan. Remove the lines and

dots from the #L-1. Put the whole plot of land on one sheet so the Board can refer to the whole site. We would also prefer there be no lines on the plan showing roof lines.

Russ Mitchell said the peak of the roof is 30 ft, but with the steeple it is 43 ft. The applicant will have to go to the Zoning Board for a variance.

Michelle Borton asked for more detail on the retaining wall, add measurements and materials. Karen Guinup wanted to make it clear that all the letters referred to on page 2 of the County Comments have to be submitted to the County by the applicant.

Jim Palumbo asked if the applicant will need a dumpster, Mr. Stoutenger said they would remove the trash on a daily basis. They will not need a dumpster. On the front there are 3 trees, are they in the right of way. The roof lines need to be more defined.

Michelle asked about the sanitary sewer.

Ron DeTota said on the retaining wall you should have a licensed engineer design the retaining wall. He also said that the wetlands haven't been delineated since 2006 that may have to be done. Will the sewer be public or private? Mr. Abbott said private. Ron DeTota said if it is private you will have to go by County standards and you will be responsible for the upkeep, if you go for public sewer it will have to go through the Town Board for approval and would be more expensive at first but you wouldn't have to maintain it.

Russ Mitchell asked if there were any more comments or questions, hearing none he asked for a motion.

A motion was made by Michelle Borton seconded by Hal Henty to adjourn this case to the February 27th 2019 meeting.

Motion Carried 6-0

Old Business:

**Case #2016-009 – *Nichols LD, LLC/Liverpool Sports Complex (3)* – Site Plan – 7286 Oswego Road (Adjourned from 13 previous meetings)

A motion was made by Hal Henty seconded by Jim Palumbo to adjourn this case to the March 13, 2019 meeting.

Motion Carried 6-0

**Case #2017-031 – *Widewaters Farrell Road II Company, LLC/Widewaters Commons – Commercial Development (3)* Site Plan – NYS Route 31 (Adjourned from 19 previous meetings)

Organizational & Regular Meeting
Town of Clay Planning Board
January 9, 2019

****Case #2018-003 – *Widewaters Farrell Road II Company, LLC/Widewaters Commons*, (3) - Preliminary Plat – NYS Route 31 (Adjourned from 13 previous meetings)**
Russ Mitchell opened both hearings together, Marco Marzocchi presented the plan. They are working on the value engineering and grading. The building known as parcel #4 has been reduced by 2192 square feet. They are now proposing access to the Path Finder bank.

Russ Mitchell asked how they stand with the Army Corp, Marco said they had made application in October and presented a letter to the Chairman stating their progress. Marco Marzocchi said they need a Neg. Dec, in order to acquire DEC water quality letter. State DOT letter was presented to Russ Mitchell. Russ Mitchell said the notice from the DEC , they are asking for a Neg Dec.

Scott Chatfield said the Army Corp will sign off on the permit with conditions.

Russ Mitchell asked if there was any more information on the sewer. Mr. Marzocchi said no. Show the connection on the plan with Path Finder Bank.

Michelle Borton asked for directional signage to keep people from driving in the wrong direction and a stop sign on out parcel # 4.

Karen Guinup on 138 take the picnic tables off the plan. Parcel # 2 the drive thru has been moved, will that be an issue since it went through the Town Board for a Special Permit. Mr. Marzocchi said no there is a section that it can be put in and it is with in that area. Label the bio detention area on the plan. The parking is moved right up close to the building. On out parcel # 4 there are only 2 dumpsters, there are 4 possible units. Michelle Borton asked if they were doing painted lines instead of curbing. Mr. Marzocchi said he would update the plan.

Ron DeTota said they are waiting for the State and Federal Government to get all the engineering taken care of.

Russ Mitchell asked if there were any more comments or questions, hearing none he asked for a motion.

A motion was made by Michelle Borton seconded by Scott Soyster to adjourn this case to the February 13, 2019 meeting.

Motion Carried 6-0

****Case #2018-035 – *VIP Development/True North Center for Children* (3) – Site Plan – 4431 Waterhouse Road (Adjourned from 6 previous meetings)**
A motion was made by Hal Henty seconded by Karen Guinup to adjourn this case to the January 23, 2019 meeting.

Motion Carried 6-0

**** Case #2018-046 – Randy Brown Subdivision, Phase IV, 9623 Black Creek Road (3) – Preliminary Plat (Adjourned from 1 previous meeting)**

Russ Mitchell opened the hearing; Randy Brown said he decided not to subdivide the 60 ft right of way. There was a discussion about lot # 5 to the water; it has to go back to lot # 1.

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

A motion was made by Jim Palumbo seconded by Michelle Borton using standard form #10 SEQR for Case #2018-046 – **Randy Brown Subdivision, Phase IV**, located at 9623 Black Creek Road The proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reasons. Made the property lines cleaner and more practical.

Motion Carried 6-0

A motion was made by Jim Palumbo seconded by Karen Guinup using standard form # 30 for Case #2018-046 – **Randy Brown Subdivision, Phase IV**, located at 9623 Black Creek Preliminary Plat based on a map by David Bardoun dated 09/05/2018 revised 01/09/2019 and numbered 10.03-PIV. Conditioned upon all legal and engineering and the removal of the 50' line along lot #1 to make said piece contiguous with lot #1, remove description and hooks accordingly.

Motion Carried 6-0

New Business:

A motion was made by Karen Guniup seconded by Hal Henty to add **Case # 2019-002 Wild Flower Amended Final Plat.**

Motion Carried 6-0

Case # 2019-002 Wild Flower Amended Final Plat.

Russ Mitchell opened the public hearing, Tim Coyer presented the plan, and there were minor changes from the final plat. Russ Mitchell asked if there are any more comments or questions hearing none he closed the public hearing.

A motion was made by Karen Guinup seconded by Michelle Borton using standard form # 40 Amended Final Plat for **Case # 2019-002 Wild Flower**, based on a map by Ianuzi and Romans Numbered 847-095 sheet # 1 of 5 and 2 of 5 dated 12/07/2018. Conditioned upon all legal and engineering.

Motion Carried 6-0

Signs

Charles Signs– *Train Hard Fitness* – 8180 Oswego Road

Zoned NC-1, Permit #49,677

1 - Freestanding One freestanding pylon sign of 24 square feet is proposed when 24 square feet is allowed. This will meet the code. Sign must be located on the grassy area as directed on the site plan. Also, put the address number on the sign.

A motion was made by Karen Guinup seconded by Hal Henty to approve the sign as amended.

Motion Carried 6-0

Work Session

*Case #2018-029 - **UR-ban Villages** (5) - PDD Concept Plan referral, NYS Route 31 adjacent to Cicero Border (Adjourned from 3 previous meetings)

Russ Mitchell said the work session will continue 03/27/19.

A motion was made by Karen Guinup seconded by Scott Soyster to adjourn the meeting at 10:10 PM.

Motion Carried 6-0

Respectfully submitted



Gloria Wetmore