

**APPROVED**

The regular meeting of the Planning Board of the Town of Clay, County of Onondaga was held at Town Hall located at 4401 State Route 31, Clay, New York on June 12, 2019. Chairman Mitchell called the meeting to order at 7:30 PM. All joined in the Pledge of Allegiance, and upon roll being called, the following were:

<b>PRESENT:</b>	Russ Mitchell	Chairman
	Karen Guinup	Deputy Chairperson
	Michelle Borton	Member
	Hal Henty	Member
	Allen Kovac	Member
	James Palumbo	Member
	Scott Soyster	Member
	Mark Territo	Commissioner of Planning & Development
	Ron DeTota	C & S Engineers
	Scott Chatfield	Planning Board Attorney
	Gloria Wetmore	Planning Board Secretary

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

**Motion Carried 7-0**

**Public Hearings:**

\*\* Case #2019-012 – **Edward H. Weeks/King of Kings** – (3) – Special Permit – 8278 Oswego Road

Chairman Mitchell opened the hearing, Charles Grundner, real estate attorney presented the plan. Mr. Grundner introduced all the woman and gentleman on the sign committee. Marcy Grundner, Barb Winkel, Weta Hayden, Lynn and Ed Weeks. The existing sign is from 1991, made of wood and is deteriorating. The proposed sign would advertise community functions. Mr. Grundner went over the town code in reference to LED signage. He explained that the animation and video will be controlled from the church office. The sign will be cosistant with the look of the church, it will be brick.

Russ Mitchell complimented the sign committee on doing a nice job. He asked if there were an amber alert would the church put that up on the sign. Mr. Grundner said they would.

Hal Henty asked if the dimming of the lights would be automatic. Mr. Grundner said the lights will be on a timer.

Al Kovac said it is a good looking sign and thanked the sign committee for all their hard work.

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Karen Guinup said that the County comments mentioned the County Code in reference to the sign, she was unaware of the County code on LED signs.  
Scott Chatfield explained that County and State regulations supercede the Town Code. The applicant will have to adhere to the more stringent code.

Karen instructed the applicant to add the County Code on the sign to the plan.

Scott Soyster asked if the applicant will also have to check on the State Code, Scott Chatfield said only if the sign is on a State Road.

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 Al Kovac to move the adoption of a resolution for SEQR determination using standard form # 10 for **Case #2019-012 –King of Kings for a Special Permit** of an LED sign located at 8278 Oswego 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. This is solely a replacement of an existing sign.

**Motion Carried 7-0**

A motion was made by Scott Soyster seconded by Jim Palumbo to move the adoption of a resolution for a Special Permit using standard form # 70 for **Case #2019-012 –King of Kings** located at 8278 Oswego Road dated May 13, 2019, conditioned upon all legal and engineering. Also adhere to the County Code for LED signage.

**Motion Carried 7-0**

**Old Business:**

\*\*Case #2017-031 – *Widewaters Farrell Road II Company, LLC/Widewaters Commons – Commercial Development* (3) Site Plan – NYS Route 31 (Adjourned from 24 previous meetings)

\*\*Case #2018-003 – *Widewaters Farrell Road II Company, LLC/Widewaters Commons, (3) - Preliminary Plat* – NYS Route 31 (Adjourned from 18 previous meetings)

A Motion was made by Michelle Borton seconded by Scott Soyster to adjourn both cases to the July 24, 2019 meeting.

**Motion Carried 7-0**

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**\*\*Case #2019-010 – Nichols LD, LLC/Sharkey's Beach Volleyball and Restaurant (3) – Amended Site Plan – 7240 Oswego Road (Adjourned from 3 previous meetings)**

Russ Mitchell opened the hearing. Steve Calocerinos presented the plan. Updated the plan showing all properties owned by the applicant, as well as the restaurant lot, all the shaded areas are asphalt. The over flow parking some are grass and some are gravel. They added the square footage of the basement when calculating the required parking spaces 445 spaces are required when they have 458.

Russ asked where the dumpsters will be located. Steve said they are located behind the loading dock. Russ spoke to Salina and said they don't have an issue with the cross easements but are concerned about noise. Russ added that if the applicant comes back before this board for a building, the applicant should be prepared to pave a lot of the grassy area. Michelle Borton asked about the cross easements, if they should be added to the plan. Scott Chatfield said it is up to the Board but it can all be covered under Legal and Engineering.

Russ Mitchell asked if there were any additional comments or questions, hearing none he closed the hearing and asked for a motion.

A motion was made by Jim Palumbo seconded by Al Kovac to move the adoption of a resolution for SEQR determination using standard form # 10 for **Case #2019-010 – Nichols LD, LLC/Sharkey's Beach Volleyball and Restaurant** – Amended Site Plan located at 7240 Oswego 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. The proposed site plan as provided is similar and compatible with existing use of the property.

**Motion Carried 6-1**, Scott Soyster opposed

A motion was made by Jim Palumbo seconded by Karen Guinup to move the adoption of a resolution for **Case #2019-010 – Nichols LD, LLC/Sharkey's Beach Volleyball and Restaurant** – Amended Site Plan located at 7240 Oswego Road, using standard form # 20 based on a map by Calocerinos Engineering for incorporation of a pavilion dated 06/05/2019 and numbered C-101. Delmar Wise sheets A-1.0, A-1.01, A-1.1, A- 1.2, A-1.3, A-1.4 & A-1.5. Conditioned upon all legal and engineering. Additional requirements, Obtaining necessary cross access easements. No permits will be issued until the revised pavilion structure drawings are received by the Commissioner of Planning and Development.

**Motion Carried 6-1**, Scott Soyster opposed

**\*\*Case #2019-011 – Mercer Milling Silo Room Addition (3) – 4968 Crossroads Park Drive – Amended Site Plan (Adjourned from 2 previous meeting)**

A motion was made Hal Henty seconded by Karen Guinup to adjourn this case to the July 10, 2019 meeting.

**Motion Carried 7-0**

**Closed Hearings - Board/Applicant discussions:**

**\*\*Case #2016-013 – America Stores – It – (3) Site Plan – Oswego Road (Adjourned from 31 previous meetings)**

A motion was made by Michelle Borton seconded by Al Kovac to adjourn this case to the August 14, 2019 meeting.

**Motion Carried 6-0** Hal Henty abstained.

**\*\*Case #2017-008 – B & B Taft Road/Simons Agency (3), Site Plan – Wintersweet Drive (Adjourned from 14 previous meetings)**

Chairman Mitchell explained that the applicant requested to be adjourned to this date and time, however they did not show up or contact the Planning Board. Chairman Mitchell asked for a motion.

A motion was made by Al Kovac seconded by Scott Soyster to deny this Site Plan without prejudice.

**Motion Carried 7-0**

**Case # 2018-007 North End Commons Final Plat**

Russ Mitchell opened the hearing. Ron DeTota asked if the Board is considering only the Final Sub Division. The Applicant said yes only final. This is expected to be before the Town Board on the 17<sup>th</sup> for sanitary sewer approval.

The applicant will need easements & facilities from the Town Board.

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

A motion was made by Michelle Borton seconded by Al Kovac to approve the adoption of a resolution using standard form # 40 Final Plat, for **Case # 2018-007 North End Commons** based on a map by C T Male Associates dated 12/26/2017 revised 06/12/2019 and numbered 17-0739 sheet 1 of 1. Conditioned upon all legal and engineering.

**Motion Carried 7-0**

**Case # 2019-014 Riverwalk Final Plat**

Tim Coyer presented the plan. This will finish up Wood Duck Path Cul-D-Sac section 4.

Russ Mitchell asked if there were any comments or questions, Hearing none he closed the hearing and asked for a motion.

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A motion was made by Michelle Borton seconded by Scott Soyster to approve the adoption of a resolution using standard form # 40 Final Plat, for **Case # 2019-014 Riverwalk section #4** based on a map by Ianuzi and Romans Land Surveying dated August 1, 2018 numbered 1431.014 sheet 1 of 1. Conditioned upon all legal and engineering.

**Motion Carried 7-0**

**New Business:**

Signs

**Metropolitan Signs, Inc – *King of Kings* – 8278 Oswego Road**

Zoned RA-100, Permit # 49,981

1 – Existing Freestanding Sign: The applicant wants to include a 66 square foot LED illuminated Electronic Message Sign. The proposed sign will meet the code pending the Planning Board's approval of the Special Permit.

A motion was made by Hal Henty seconded by Al Kovac to approve the sign as presented.

**Motion Carried 7-0**

**Magnolia Hard Scapes – Clay Community Church – 8650 Morgan Road**

Zoned RA-100, Permit # 50,103

1 Existing freestanding sign, applicant is proposing to move the existing 24 square foot sign. The Board Members had questions about the base, the difference in grading and the lighting.

A motion was made by Al Kovac seconded by Michelle Borton to adjourn this case to the July 10, 2019 meeting.

**Motion Carried 7-0**

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn this meeting at 9:05 P.M.

**Motion Carried 7-0**

Respectfully Submitted



Gloria Wetmore