

**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 23rd day of July 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:

<b><u>PRESENT:</u></b>	Russ Mitchell	Chairman
	Michelle Borton	Deputy Chair
	Karen Guinup	Member
	Hal Henty	Member
	Al McMahon	Member
	Jim Palumbo	Member
	Paul Graves	Member
	Marie Giannone	Secretary to Planning Board
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	Planning Board Engineer

<b><u>OTHER:</u></b>	Joe Grispino	Commissioner of Code Enforcement
	Caitlin Choberka	Project Engineer, C&S Companies

<b><u>ABSENT:</u></b>	David Tessier	Interim Commissioner of Planning & Development
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A motion was made by Mr. Graves and seconded by Mr. McMahon to approve the minutes of the July 9, 2025 regular meeting.

**Motion Carried: 6-0.** (Mr. Palumbo abstained due to absence on July 9, 2025)

**Public Hearings:**

**New Business:**

**\*\*Case #2025-036 – United Auto Supply Renovation (3) – 8091 Oswego Road – Amended Site Plan**

Mr. Ben Harrell, CHA, is present to address the board on behalf of the applicant. The amended site plan is to allow the existing 10,040 sf Pep Boys into a United Auto Supply Store with exterior improvements. These improvements will include repainting the existing building and improvements to the existing dumpster enclosure by expansion of this dumpster area. This dumpster is only for Pep Boys. The renovation will be done to the right side of the existing Pep Boys as shown on the drawing. New entrance will be created for Pep Boys. Hours of operation are 8 am to 6 pm Monday thru Friday, 8 to 4:30 Saturday and 9 to 2 pm on Sunday,

Chairman Mitchell asked the board if there are any questions.

Ms. Borton questioned if the sanitary lateral is shown on the drawing. Mr. Harrell was not sure if this was picked up on the survey but will address this. Ms. Borton asked about the two pump stations shown on the drawing by the dumpster. Mr. Harrell said one is a pump station and the other is a valve and he will confirm that.

Chairman Mitchell asked if there are any comments/questions as this is a public hearing. None.

Motion made by Mr. Henty to adjourn Case #2025-036 to August 13, 2025. Seconded by Mr. Palumbo.

**Motion Approved: 7-0.**

**Old Business:**

**\*\*Case #2023-006 – Emerald Lawn Care (3) – 4663 Wetzel Road – Site Plan (Adj. 18)**

Motion made by Mr. Graves to adjourn Case #2023-006 Emerald Lawn Care to September 10, 2025. Seconded by Mr. McMahon.

**Motion Carried: 7-0.**

**\*\*Case #2023-047 – Equipment Share Syracuse (3) - 7481 Henry Clay Blvd – Site Plan (Adj. 13)**

Ms. Nadine Bell and Mr. Eric Keller, were present to address the board on behalf of the applicant. Ms. Bell said since the last meeting we submitted on July 15<sup>th</sup> updated plans and received from the town board the special permit for fueling station.

Mr. DeTota, town engineer, said it is good.

Mr. Henty asked about the details on the lighting fixtures. Separate sheet showed the details on lighting and will be provided to the board.

The chairman asked if there are any questions from the public. None.

Chairman Mitchell closed this hearing and asked for a motion.

Motion made by Mr. McMahon. Mr. Chairman: In the matter of the application of the planning board case No. 2023-047 for Equipment Share, I move the adoption of a resolution using standard form #10 SEQR, that the propose 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 declaration for the following reason. It is in keeping with the like use of the area. Seconded by Mr. Palumbo.

**Motion Carried: 7-0.**

Motion made by Mr. McMahon. Mr. Chairman: In the matter of the application of planning board case No. 2023-047 for Equipment Share I move the adoption of a resolution using standard form #20 site plan be granted based on a site plan by Bowman Consulting Engineering, and surveying and landscape architects as follows:

Sheet Index			
Sheet Number	Sheet Title	Date	Last Revised
C0.0	COVER SHEET	09/13/2023	07/11/2025
C0.1	GENERAL NOTES	09/13/2023	07/11/2025
1 OF 2	SURVEY	05/18/2023	By Land Surveyor J M. Schwandt dated 05/18/2023
2 OF 2	SURVEY	05/18/2023	
C1.0	DEMOLITION PLAN	09/13/2023	07/11/2025
C2.0	EROSION CONTROL PLAN	09/13/2023	07/11/2025
C2.1	EROSION CONTROL DETAILS	09/13/2023	07/11/2025
C3.0	SITE & PAVING PLAN	09/13/2023	07/11/2025
C3.1	TRUCK TURNING PLAN	10/25/2024	07/11/2025
C4.0	PRE-DEVELOPMENT DRAINAGE AREA MAP	09/13/2023	07/11/2025
C5.0	POST-DEVELOPMENT DRAINAGE AREA MAP	9/13/2023	07/11/2025
C6.0	GRADING & DRAINAGE PLAN	09/13/2023	07/11/2025
C7.0	UTILITY PLAN	09/13/2023	07/11/2025
C8.0	CONSTRUCTION DETAILS	09/13/2023	07/11/2025
C8.1	CONSTRUCTION DETAILS	11/20/2023	07/11/2025
C8.2	CONSTRUCTION DETAILS	11/20/2023	07/11/2025
C8.3	CONSTRUCTION DETAILS	11/20/2023	07/11/2025
C8.4	CONSTRUCTION DETAILS	04/26/2024	07/11/2025
C8.5	CONSTRUCTION DETAILS	04/26/2024	07/11/2025
C8.6	CONSTRUCTION DETAILS	11/20/2023	07/11/2025
L1.0	LANDSCAPE PLAN	09/26/2023	07/11/2025
L1.1	LANDSCAPE DETAILS	09/26/2023	07/11/2025
L2.0	IRRIGATION PLAN	09/26/2023	07/11/2025
L2.1	IRRIGATION SPECIFICATIONS	09/26/2023	07/11/2025
E1.0	LIGHTING PLAN (BY OTHERS)	09/08/2023	10/28/2024 BY PB2 ARCHITECTURE AND ENGINEERING

E1.2	SITE PHOTOMETRIC PLAN (BY OTHERS)	09/08/2023	04/16/2025
E1.3	ELECTRICAL SITE LIGHTING AND POWER PLAN (BY OTHERS)	09/08/2023	10/28/2024

Conditioned upon approval of all legal and engineering requirements of the Town of Clay.  
Seconded by Mr. Graves.

**Motion Carried: 7-0.**

**\*\*Case 2023-053 – Proposed Hotel at Wegmans Great Northern Site (3) – 3955 State Route 31 – Site Plan (Adj. 7)**

Mr. Mike Ritchie, Costich Engineering, is present to address the board on behalf of the applicant. Mr. Ritchie said from previous comments from this board there is now no bank parking. The report on the wetlands was completed and submitted. Comments were submitted to the town engineer as requested.

Chairman Mitchell asked Mr. Palumbo on the wetland delineation. Mr. Palumbo said the question was that this was not a true delineation as pictures were taken outside of the timeframe in March where there was no vegetation. Mr. Palumbo was asking for backup to reflect the true wetland delineation to say there are no wetlands in that area. A letter was submitted but did not get to the board.

Chairman Mitchell said this board needs a letter or email from the fire department to state the turn radius to this hotel meets their requirements. Mr. Ritchie will address this with the fire department.

Ms. Borton asked on the status of the ingress/egress. Mr. Ritchie said this was provided to the town engineer and found no issues on this. Mr. Ritchie said these have not been filed with the town to date. Ms. Bennett, town attorney, has not seen these easements but will look into this. Mr. DeTota said the town does not accept easements until dedication but it should be shown on the drawings.

Ms. Guinup asked for the details of the shed. Mr. Ritchie said this will be used for maintenance supplies and this will match the building.

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

There were no questions from the public as this is a public hearing. Chairman Mitchell closed this hearing and asked for a motion.

Motion made by Mr. Henty to adjourn this case to August 13, 2025. Seconded by Ms. Borton.

**Motion Carried: 7-0.**

**\*\*Case #2024-050 – Pack Rat Storage (3) – 4717 Wetzel Road – Amended Site Plan (Adj. 7)**

Motion made by Mr. Graves to adjourn Case #2024-050 to September 10, 2025. Seconded by Mr. McMahon.

**Motion Carried: 7-0.**

**\*\*Case #2024-069 – Charge Smart EV/Townplace Suites (3) – 8505 Carling Road – Amended Site Plan (Ad. 4)**

Ms. Bridget O'Connor is present to address the board on behalf of the applicant. Ms. O'Connor said all the changes were made as requested by the board.

Chairman Mitchell asked the board if there are any questions/comments. None. This is a public hearing and asked if there are any questions/comments. Hearing none, the chairman closed the hearing.

Motion made by Mr. McMahon. Mr. Chairman: In the matter of the application of the planning board case No. 2024-069 for Charge Smart EV/Townplace Suites, 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 declaration for the following reason. It is in keeping with a similar use of the area. Seconded by Mr. Palumbo.

**Motion Carried: 7-0.**

Motion made by Mr. McMahon. Mr. Chairman: In the matter of the application of the planning board case No. 2024-069 for Charge Smart EV/Townplace Suites, I move the adoption of a resolution using standard form #20 site plan be granted based on site plan by Colliers Engineering & Design dated July 19, 2024, revised May 25, 2025 and

T-1	Title Sheet	07/19/2024	05/25/2025
GN-1	Project Notes	07/19/2024	05/25/2025
C-1	Site Plan	07/19/2024	05/25/2025
C-2	Partial Site Plan	07/19/2024	05/25/2025
A-1, A-2, A-3	Project Details	07/19/2024	05/25/2025
C-101	Amended Site Plan EV Charges by CHA		07/10/2025

Conditioned upon approval of all legal and engineering requirements of the Town of Clay.  
Seconded by Mr. Graves.

**Motion Carried: 7-0.**

**\*\*Case #2025-006 – Scott Merle Builders (3) – 8835 Gaskin Road – Preliminary Plat (Adj 6)**

And

**\*\*Case #2025-006 – Scott Merle Builders (3) – 8835 Gaskin Road – Final Plat (Adj 6)**

Chairman Mitchell said we have received the okay from the health department for the septic system. The chairman asked the board if there are any questions. None. The chairman said this is a public hearing and asked if there are any questions. Hearing none the chairman closed the hearing.

Brief discussion on septic drawings being listed in the motion.

Motion made by Mr. Palumbo. Mr. Chairman: In the matter of the application of the planning board case No 2025-006 for Scott Merle Builders preliminary plat, 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 therefore the resolution shall constitute a negative resolution. Seconded by Mr. Graves.

**Motion Carried: 7-0.**

Motion made by Ms. Guinup to move to final plat. Seconded by Ms. Borton.

**Motion Carried: 7-0.**

Motion made by Mr. Palumbo. Mr. Chairman: In the matter of the application of planning board case No 2025-007 for Scott Merle Builders final plat, I move the adoption of a resolution using standard form #40 final plat be granted based on a map by Jeffrey J. Schultz Land Surveying & Mapping PLLC dated March 15, 2025 and numbered File #340.4F. Also to be included the septic drawings for Lot 1 and 2 from NVL Engineering C-001 dated April 25, 2025, Department Health review April 2, 2025 and C-002 and C-003. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Graves.

**Motion Carried: 7-0.**

**\*\*Case #2025-009 – Sonbyrne Sales, Inc./Byrne Dairy (3) - 7190 Buckley Road – Site Plan (Adj. 4)**

Motion made by Mr. Henty to adjourn case #2025-009 to August 13, 2025. Seconded by Ms. Guinup.

**Motion Carried: 7-0.**

**\*\*Case #2025-015 – Seneca Savings (3) – 5332 State Route 31 – Site Plan (Adj. 3)**

Motion made by Mr. Graves to adjourn case #2025-015 to August 13, 2025. Seconded by Ms. Borton.

**Motion Carried: 7-0.**

**\*\*Case #2025-019 – Canandaigua National Bank (3) – 7515 & 7519 Oswego Road – Site Plan (Adj. 2)**

No one was present to address the board.

Motion made by Mr. Henty to adjourn case #2025-019 to August 13, 2025. Seconded by Ms. Guinup.

**Motion Carried: 7-0.**

**\*\*Case#2025-026 – Mirabito Shopping Center (3) – 5566 State Route 31 – Site Plan (Adj. 1)**

Motion made by Mr. Henty to adjourn case #2025-026 to September 10, 2025. Seconded by Mr. Graves.

**Motion Carried: 7-0.**

**\*\*Case #2025-030 – Evgo and Rocklyn Clay, LLC (Barnes and Noble) (3) – 3956 State Route 31 – Amended Site Plan (Adj. 2)**

Mr. David Revette is present to address the board. Mr. Revette said the changes were made as required by the board for approval.

Chairman Mitchell asked the board is there are any questions. None. The chairman asked if there are any questions as this is a public hearing. Hearing none, the chairman closed the hearing.

Motion made by Mr. Palumbo. Mr. Chairman: In the matter of the application of the planning board case No. 2025-030 for EVgo and Rocklyn Clay, LLC, 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 parking stalls are in keeping with the site. Seconded by Mr. Graves.

**Motion Carried: 7-0**

Motion made by Mr. Palumbo. Mr. Chairman: In the matter of the application of the planning board case No. 2025-030 for EVgo and Rocklyn Clay, LLC, amended site plan, I move the adoption of a resolution using standard form #20 site plan be granted based on a map by Dewberry Engineers dated April 9, 2025, revised July 11, 2025 and numbered T-1, C-1, C-2, C-3, C-3A, C-4, C-5 and C-6. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. And other conditions that EV Parking spaces shall not be restricted for electrical vehicles only. Seconded by Mr. Graves.

**Motion Carried: 7-0.**

**Signs:**

**Matthew Calvo/Building Brothers – *T-Mobile Authorized Retailer* – 5133 W. Taft Road**

Zoned HC-1, Permit #55,134

1 – Wall Sign – A 14 square foot, Internally Illuminated LED Wall Sign is proposed, when 36.4 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

1 – Wall Sign – A 10 square foot, Internally Illuminated LED Wall Sign is proposed, when 27.49 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

1 – Freestanding Sign – A 3-1  $\frac{1}{2}$  square foot, Internally Illuminated LED Freestanding Sign is proposed, when 29 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

There were no questions from the board.

Motion made by Mr. Graves to approve two wall signs and one freestanding sign on permit #55,134 to Matthew Calvo/Building Brothers – T-Mobile Authorized Retailer. Seconded by Mr. McMahon.

**Motion Carried: 7-0.**

**Greg Fishel/Allied Sign Company – *Edward Jones* – 4595 State Route 31**

Zoned RC-1, Permit #55,140

1 – Wall Sign – A 14.6 square foot, Internally Illuminated LED Wall Sign is proposed, when 46.2 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

There were no questions from the board.



Motion made by Mr. Graves to approve one wall sign on permit #55,140 to Greg Fishel/Allied Sign Company – Honda/Logo. Seconded by Mr. McMahon.

**Motion Carried: 7-0.**

**Greg Fishel/Allied Sign Company – *Honda/Logo* – 7140 Henry Clay Blvd.**

Zoned HC-1, Permit #55,142

1 Freestanding Sign – A 64 square foot, Internally Illuminated LED Freestanding Sign is proposed, when 64 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

There were no questions from the board.

Motion made by Mr. Graves to approve one freestanding sign on permit #55,142 to Greg Fishel/Allied Sign Company – Honda/Logo. Seconded by Mr. Palumbo.

**Motion Carried: 7-0.**

**Rania Kassis/Kassis Signs – *Zaman Coffee House/Logo & Zaman Coffee House Drive Thru w/Arrow* – 5380 West Taft Road**

Zoned RC-1, Permit #55,145

2- Wall Signs – A 41.5 square foot, Internally Illuminated LED Wall Sign is proposed, 1 wall sign on the front and 1 wall sign on the side, when 108.8 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

1 Freestanding Sign – A 33 square foot, Internally Illuminated LED Freestanding Sign is proposed, when 64 square feet is allowed. Should the Planning Board approve it, this sign will meet code.

There were no questions from the board.

Motion made by Mr. Graves to approve two wall signs – one wall sign on the front and one wall sign on the side, and one freestanding sign on permit #55,145 to Rania Kassis/Kassis Signs – Zaman Coffee House Drive Thru. Seconded by Mr. McMahon.

**Motion Carried: 7-0.**

Planning Board  
Regular Meeting  
July 23, 2025

Motion made by Mr. Graves to adjourn this meeting at 8:22 p.m. Next meeting is scheduled for August 13, 2025.

Respectfully submitted,

*Marie Giannone*

Marie Giannone  
Planning Board Secretary