



**David R. Turner**  
Director

**OSWEGO COUNTY DEPARTMENT OF COMMUNITY  
DEVELOPMENT, TOURISM AND PLANNING**

COUNTY BUILDING  
46 EAST BRIDGE STREET  
OSWEGO, NEW YORK 13126

TELEPHONE (315) 349-8292  
FAX (315) 349-8279

**Janet W. Clerkin**  
Office of Promotion  
And Tourism

**Donna B. Scanlon**  
Office of Community  
Development Programs

**Scott D. Smith**  
Office of Housing Assistance

Bill Joyce  
Village of Sandy Creek Planning Board  
253 Seber Shores Road  
Sandy Creek, NY 13145

5/11/2021

**RE: 239 Review Referral Response #2021-32**

Dear Mr. Joyce:

The Oswego County Department of Community Development, Tourism and Planning has received your request for review pursuant to Article 12-B, Section 239-L and -M of the New York State General Municipal Law regarding the below captioned application:

**Applicant:** Guile and Sons, LLC\Sandy Creek Redemption and Bait & Tackle

**Project Description:** Site plan review for retail sales, service and storage

**Location:** 6079 Main Street (Tax ID: 019.19-05-13)

**Municipality:** Village of Sandy Creek

**Zoning District:** NA

**Jurisdiction:** US Route 11

**Date Received:** 5/10/21

The Department has reviewed the above noted application and, based on the information submitted, recommends **approval with the following modifications:**

- Pursuant to the 2010 Americans with Disabilities Act Standards for Accessible Design (28 CFR 35.151; 28 CFR part 36, subpart D; and the 2004 ADAAG), all privately owned facilities offering goods and services to the public **must** provide a minimum of one van-accessible parking space for parking areas having up to 25 spaces. The van-accessible parking space must be 132" in width with a 60" access aisle, or 96" in width with a 96" access aisle. A parking space identification sign with the international symbol of accessibility must be mounted 60" minimum above the ground surface (measured to the bottom of the sign). The site plan should be updated accordingly.
- It is unclear whether the applicant intends to utilize the Town of Sandy Creek property for ingress/egress as the area is paved and no barriers exist. The intent to use this lot for access should be shared with the Town of Sandy Creek.

- According to Section 5.07, signage for the retail use should be provided with the site plan application and should not impair public safety or restrict clear vision between a sidewalk and street.
- According to Section 5.08, for commercial uses, each use shall have a buffer area at least ten feet in width in the front yard. Planting in such buffer areas shall be such that vision in the ingress/egress drive is not obstructed. The buffer should be shown on the plan and type of landscaping noted.

Please provide documentation that the Village of Sandy Creek adopted a site plan review local law.

Please file a report of final action with this department within 30 days of taking such action. Should you have any questions, please do not hesitate to contact our office at (315) 349-8292.

Sincerely,



**David R. Turner, Director**  
Community Development, Tourism, and Planning  
Oswego County

DRT/KBN

cc: Hon. Michael Yerdon, County Legislator District # 1  
Case File

Village

Town of Sandy Creek

Application and Submission Requirement Checklist for Site Plan Approval

Requirements which cannot be waived:

1. Location map.
2. A to-scale plan at a scale of 1" - 50' or larger for parcels of 10 acres or less;  
1" - 100' or larger for parcels of more than 10 acres. (See Article IV. 402 d. for more information)
3. A landscape plan for the property
4. If municipal (community) water and/or sewer is necessary, a letter of approval from the appropriate source
5. Names and addresses of property owners who are to be notified of the public hearing in accordance with Section 3.07.
6. An environmental assessment form (EAF) and, when applicable, a draft environmental impact statement (EIS) pursuant to 6NYCPR Part 617.

Village  
Town of Sandy Creek  
Site Plan Review Application  
(page 1 of 2)

Name of Applicant: Thomas S Guile II

Applicant Address: 73 CARR DR  
Sandy Creek ny 13145

Name of Owner: Same

Owner Address: \_\_\_\_\_

Name of Project: 6079 N. MAIN ST "old SANCOMA"

Project Address: 6079 N. MAIN ST SANDY CREEK NY 13145

If owner is different from applicant, please explain. \_\_\_\_\_

Present Zoning N/A Existing Use of Property RETAIL - HARDWARE + LUMBER

Project Location: 6079 n. main ST SANDY CREEK NY 13145

Type of Project: CHANGE OF USE TO RETAIL

Date the Sketch Plan Conference was held: \_\_\_\_\_

Attach "Record of Sketch Plan Conference"

Did you remember to include your application and submittal checklist? It is required to apply for a site plan review.

Thomas Guile II  
Applicant's Signature

Date 4/21/21

Thomas Guile II  
Owner's Signature

Date 4/21/21

Village  
Town of Sandy Creek  
Site Plan Review Application  
(Page 2 of 2)

For Official Use Only:

Date application received by CEO: 4/22/21

CEO: What other agencies have regulatory authority or require a permit? \_\_\_\_\_

N/A

Date CEO submitted application to Planning Board Secretary: 4/22/21

Date CEO submitted application to <sup>Village</sup> Town Clerk: 4/22/21

Date Fee was Paid: 4/22/21

Amount of Fee Paid: 150.00

Application and Fee Received by:   
Authorized Local Official

**THE FEE MUST BE PAID BEFORE THE APPLICATION IS SUBMITTED TO THE PLANNING BOARD**

Planning Board Only:

Date of Sketch Plan Conference: 5/5/21

Date Site Plan was formally submitted (after Sketch Plan Conference): 5/5/21

Date application deemed complete: 5/5/21

A Sketch Plan Conference was held between TOM J. GUILLE and the Sandy  
Applicant

Creek Regional Planning Board on 5/5/21 on her/his plan to open a  
Date

RETAIL STORAGE (SANDY CREEK RENOVATION) at  
Project type Name of Business - SANDY CREEK BAIT + TACKLE  
6079 N. MAIN ST SANDY CREEK, NY 13145 GUILLE + SONS LLC  
Address

The formal Site Plan was submitted on 5/5/21

A motion was made by LARRY, seconded by FRANK, and passed (unanimously)  
that:

1. the application be deemed complete YES
2. the Site Plan submitted at the Sketch Plan Conference be considered the formal Site Plan
3. a public hearing be scheduled for 6/2/21
4. that this project be referred to the Oswego County Department of Community Development, Tourism and Planning for 239 (L&M) Review.

\*\*\* an agricultural data statement be submitted

5. the Sandy Creek Regional Planning Board determines that the action, is a **Type II Action** and is not subject to review under 6NYCRR, § 617.5 (c) (2). replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes and does not meet or exceed any of the thresholds in § 617.4. The requirements of 6NYCRR, Part 617 have been met.
6. the Sandy Creek Regional Planning Board determines that the action, under 6NYCRR, Part 617 is an **Unlisted Action** and does not meet or exceed any of the thresholds in § 617.4 (Type I Actions) and is not contained on the list of § 617.5 (Type II Actions). Coordinated review is not required for Unlisted actions. After completing Part II of the Short Environmental Assessment Form, the PB determines that the proposed action will not result in any significant adverse environmental impacts pursuant to §617.7(c). The requirements of 6NYCRR, Part 617 have been met.
7. the Sandy Creek Regional Planning Board determines that the action, under 6NYCRR, Part 617 is a **Type I Action**. It is located in a designated Critical Environmental Area, therefore a Lead Agency must be established and Coordinated Review completed.

Approve or Disapprove at next meeting after public hearing

Village  
Town of Sandy Creek

Site Plan Review

Record of Mandatory Sketch Plan Conference

(Page 1 of 2)

A sketch plan conference was held between THOMAS J. GUILÉ and the

Applicant

Sandy Creek Regional Planning Board on 5/5/21

Date

The applicant shall present a sketch plan showing the major features of the proposed development:

1. Location of all proposed and existing structures
2. Ingress and egress
3. Proposed parking
4. Location of existing natural and manmade features, including but not limited to major vegetation, surface water, land formations, roads and fences
5. Description of intended use of site

At this meeting the following action was taken:

<u>Waived</u>	<u>Required</u>	<u>Initials (PB)</u>	
<u>✓</u>	<u>      </u>	<u>J.P.</u>	1. A topographical survey
<u>      </u>	<u>HAVE</u>	<u>J.P.</u>	2. The location of proposed signs and information about their design.
<u>✓</u>	<u>      </u>	<u>J.P.</u>	3. Any slopes greater than 15%, flood plain areas regulated wetlands, agricultural districts or other significant natural, cultural or historical characteristics.
<u>✓</u>	<u>      </u>	<u>J.P.</u>	4. Traffic generation estimates.

Record of Mandatory Sketch Plan Conference

(Page 2 of 2)

<u>Waived</u>	<u>Required</u>	<u>Initials (PB)</u>	
_____	<u>HAVE</u>	_____	5. Snow removal plans.
_____	<u>HAVE</u>	_____	6. The location of refuse storage and removal areas
<u>✓</u>	_____	_____	7. Grading plan
<u>✓</u>	_____	_____	8. A survey by a licensed land surveyor of the parcel on which the development is to occur, or, if only a small portion of a parcel is to be developed, of the area to be developed
<u>✓</u>	_____	_____	9. A drainage plan for the property
<u>✓</u>	_____	_____	10. An erosion control and sediment control plan during and post construction
_____	<u>HAVE</u>	_____	11. An agricultural data statement pursuant to State law
<u>✓</u>	_____	_____	12. Other as per Planning Board (See Sec 4.02.i.)

Shirley A. Rice  
Signature of Planning Board Chairperson

5/5/21  
Date

The applicant shall have 180 days after this conference to formally submit the Site Plan with these requirements. After 180 days, approved waivers shall be null and void.



617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <p style="text-align: center; font-size: 1.2em;">Change of use of Building</p>			
Project Location (describe, and attach a location map): <p style="text-align: center; font-size: 1.2em;">6079 N. MAIN ST SANDY CREEK NY 13145</p>			
Brief Description of Proposed Action: <p style="text-align: center; font-size: 1.2em;">PROPERTY CHANGE OF USE TO RETAIL FROM LUMBERMILL</p>			
Name of Applicant or Sponsor: <p style="text-align: center; font-size: 1.2em;">THOMAS J Guile / Guile + sons LLC</p>		Telephone: 315-481-4453	
Address: <p style="text-align: center; font-size: 1.2em;">73 CARR DR</p>		E-Mail: Guileandsonsllc@hotmail.com	
City/PO: <p style="text-align: center; font-size: 1.2em;">Sandy Creek</p>		State: <p style="text-align: center; font-size: 1.2em;">NY</p>	Zip Code: <p style="text-align: center; font-size: 1.2em;">13145</p>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.45 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.45 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	76
	c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	76
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: <u>PRIVATE EXISTING SEPTIC</u>	NO	YES		
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES		
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	76	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
16. Is the project site located in the 100 year flood plain?	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Thomas J Guite</u>		Date: <u>4/18/21</u>
Signature: <u>Thomas Guite</u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>ANNY CREEK REGIONAL PLANNING BOARD</u>	<u>5/5/21</u>
Name of Lead Agency	Date
<u>SHIRLEY RICE</u>	<u>CHAIR</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>Shirley A. Rice</u>	<u>Lillian J. Ferguson</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

## SITE PLAN REQUIREMENTS

**On application :** Include phone number(s), mailing address, project address, email address

**On Site Plan:** Graph paper is preferable

No paper larger than 8 ½ "x 14", If applicant wants to submit something larger, provide 10 copies

Cannot copy in color

Show entire parcel to scale of 1"= 50' (for 10 acres or less), 1"= 100' (for more than 10 acres)

May show proposed plan on 8 ½" x 11" (or 14") and note this area on whole parcel

A Full EAF (Environmental Assessment Form) may be needed for projects in the Critical Environmental Area (west of Rt. 3)

For Sketch Plan Conference (mandatory pre-submission meeting to discuss the proposed project):

Show all dimensions as they relate to the entire parcel

- Location of all proposed and existing structures
- Ingress and Egress
- Proposed parking
- Location of existing natural and manmade features, including but not limited to major vegetation, surface water and land formations, roads and fences
- Description of intended use of site.

For Formal Site Plan Review: Please refer to the local law for specific requirements.

Show all dimensions as they relate to the entire parcel

- Applicant name, address and owner name, address and consent if owner is not the applicant
- Existing use of the land
- Property address and a location map showing the site location on the relevant portion of a U.S.G.S. or NYS Planimetric quadrangle map, or town, village or city base map
- A to-scale site plan with north arrow at a scale of 1" = 50' or larger for parcels of up to 10 acres and 1" = 100' or larger for parcels of more than 10 acres, showing:
  - Location and dimension of all existing and proposed buildings and outdoor storage areas on the property with each building or area clearly labeled as to whether it is existing or proposed and its intended use
  - The setback of all existing and proposed buildings from rear and side property lines and public road right-of-ways. Lines of existing and proposed streets and sidewalks with street names
  - The location and dimensions of existing and proposed driveways
  - The location, dimension and delineation of all required parking spaces, loading areas and driving aisles
  - The location of existing or proposed septic systems and wells on the subject property
  - Proposed building heights and number of stories
  - The location of any required buffer areas
  - Any proposed screening from adjacent properties
  - The location of any surface water bodies or stream courses.
  - The location, type and size of any signage and outdoor lighting
  - A landscape plan for the property
- If municipal (community) water and/or sewer is necessary, a letter of approval from the appropriate source is required.
- Names and *mailing* addresses of property owners who are to be notified of the public hearing in accordance with Section 3.07. Village of Sandy Creek and Town west of Rt. 3 (within a 300' radius), rest of Town of Sandy Creek (within a 500' radius). These must be obtained from the Town of Sandy

Creek assessor.

- An environmental assessment form (EAF) and, when applicable, a draft environmental impact statement (EIS) pursuant to 6NYCPR Part 617 (SEQR).
- Any other information necessary to show compliance with the requirements of this local law including but not limited to the location of accessory uses, outdoor sales areas, camp sites and other similar areas.

Submission Requirements Which May be Waived: All applications for site plan review shall also include the following information. However, these requirements may be waived or amended by the Planning Board at the sketch plan conference if the applicant demonstrates to the satisfaction of the Planning Board that the information is of no significance.

- A topographical survey with a sufficient level of detail to fit the scale of the project
- The location, design and dimensions of any existing or proposed signs
- Delineation of any areas with slopes greater than 15%, wetlands, flood hazard areas, agricultural districts or other significant natural, cultural or historical characteristics
- Traffic generation estimates
- Snow storage/removal plan
- The location of refuse storage and removal areas
- Grading plan
- A survey by a licensed land surveyor of the parcel on which the development is to occur, or, if only a small portion of a parcel is to be developed, of the area to be developed
- A drainage plan for the property. For sites with a developed area of 5 acres or more, a storm water retention and grading plan in conformance with NYS guidelines
- An erosion control and sedimentation control plan during and post construction, based on NYS guidelines for erosion and sediment control
- An agricultural data statement pursuant to State law, when required

When the application is deemed complete, a public hearing will be scheduled. Public hearing notices will be published and surrounding property owners notified. Please note that you are responsible for these and any other costs associated with your project. A bill will be sent to you by the Town or Village Clerk.

Town of Sandy Creek  
1992 Harwood Dr.  
PO Box 52  
Sandy Creek, NY 13145  
(315) 387-5456

Sandy Creek Regional  
Planning Board  
PO Box 58  
Sandy Creek, NY 13145

Oswego Co Health Dept  
70 Bunner St.  
Oswego, NY 13126  
(315) 349-3557

Village of Sandy Creek  
11 Park Ave  
Lacona, NY 13083  
(315) 387-5781  
Mailing address:  
PO Box 240  
Sandy Creek, NY 13145

NYS DEC  
615 Erie Blvd West  
Syracuse, NY 13204-2400  
(315) 426-7438

Code Enforcement Officer  
John Howland  
(315) 387-6156

Town of Sandy Creek  
Highway Dept. Garage  
(315) 387-3812

Oswego County Highway  
(315) 349-8331

NYS DOT  
Mexico, NY  
(315) 963-3730



OSWEGO COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING

Janet W. Clerkin
Office of Promotion And Tourism

David R. Turner
Director

COUNTY BUILDING
46 EAST BRIDGE STREET
OSWEGO, NEW YORK 13126

Donna B. Scanlon
Office of Community Development Programs

TELEPHONE (315) 349-8292
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Scott D. Smith
Office of Housing Assistance

239 REVIEW SUBMISSION FORM

Submitted to: Oswego County Department of Community Development, Tourism, and Planning
46 East Bridge Street
Oswego, NY 13126

Submitted by:

Review Agency: SANDY CREEK REGIONAL PLANNING Contact Person/Title: BILL JOYCE, VICE CHAIR

Return Address: 253 SEBER SHORES RD SANDY CREEK, NY 13145

Contact Email: billjoyce253@gmail.com Contact Phone #: 315-387-2202

Date Submitted: 5/7/21 Public Hearing/ Meeting Date(s): 5/5/21

Project details:

Applicant: GOILE + SONS LLC

Site Address: 6079 N. MAIN ST Municipality: VILLAGE OF SANDY CREEK

Tax Parcel Number(s): 09.19-05-15 Zoning District:

Pursuant to §239-f, -l & -m of General Municipal Law enclosed for review and recommendation from the Oswego County Department of Community Development, Tourism, and Planning is an application for (check all applicable):

- Site Plan Review
Special Use Permit
Area Variance
Use Variance
Rezoning
Comprehensive Plan Adoption/Amendment
Zoning Law Adoption/ Amendment
Other Local Law Adoption/Amendment
Other:

The application qualifies for review because the project tax map parcel is located within 500 feet of the following (check all applicable):

- Municipal Boundary\*
State/County Park or Other Recreation Area:
State/County Road(s): ROUTE 11
State/County Drainageway/Watercourse: LITTLE SANDY CREEK
Farm located in an Agricultural District (please complete Ag. Data Statement)
State/County-owned land on which a public building/institution is located:

\*Pursuant to General Municipal Law §239-nn, the legislative body or reviewing board of a municipality shall give notice of a public hearing for a proposed Special Use Permit, Use Variance, Site Plan Review or Subdivision Review to the Clerk of an adjacent municipality at least 10 days prior to the public hearing when the subject property is located within 500 feet of the adjacent municipality.

The Clerk(s) of SANDY CREEK VILLAGE were notified on 5/7/21 (date)

## PROJECT-SPECIFIC QUESTIONS

In addition to the information required on page 1 of this form, please answer the following questions:

1. Describe public facilities available in the area to be affected:

Water: VILLAGE

Sewer: PRIVATE

2. Will this action impact water or sewer facilities?

NO

3. Describe any public services available in the area to be affected (jurisdiction or district):

Police: NYS POLICE, OSWEGO CO. SHERIFF

Fire: SANDY CREEK FIRE DEPT.

Refuse: PRIVATE

School: SANDY CREEK CENTRAL

Other: \_\_\_\_\_

4. Will this action impact services listed above? Describe:

NO

5. Will traffic be affected/ generated by the action? Describe:

NO

6. Is this action in compliance with the following?

Existing municipal plans:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> n/a
Local or State Subdivision Regulations:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> n/a
NYS Building & Fire Code:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> n/a
NYS Freshwater Wetlands Act:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> n/a
Federal Flood Insurance Program:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> n/a
Other Federal/State/County/Local laws:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> n/a

If the action is non-compliant, please describe: \_\_\_\_\_

7. Describe existing land use of areas to the north, south, east and west of the site/action:

North: COMMERCIAL

South: COMMERCIAL

East: COMMERCIAL

West: MUNICIPAL

8. Identify any State or County Facilities in the area (Roads, Parks, Buildings):

COUNTY ROUTE 11

9. Identify any nearby water bodies, streams, wetlands, or flood-hazard zones in the area:

LITTLE SANDY CREEK

10. Describe any unique physical/ natural features or socio-economic conditions in the area:

SANDY CREEK NEEDS REVITALIZATION IN THE "DOWNTOWN" AREA, EXCELLENT OPPORTUNITY FOR VACANT BUILDING



## ADDITIONAL DOCUMENTATION CHECKLIST

*In addition to the information provided on pages 1-2, please submit the following documentation:*

### All Actions Require the Following:

- 239 Review Form (Page 1)
- Full statement as required by local law or ordinance (all application materials)
- Agricultural Data Statement, if applicable.
- EAF or EIS for State Environmental Quality Review (SEQR)

### Proposed or Amending Zoning Ordinances or Local Laws:

- Report from Planning Board or Zoning Board, if applicable.
- Zoning map to be adopted with new law, or existing map illustrating areas to be affected.
- Zoning text: language of the proposed ordinance, law, or amendment.

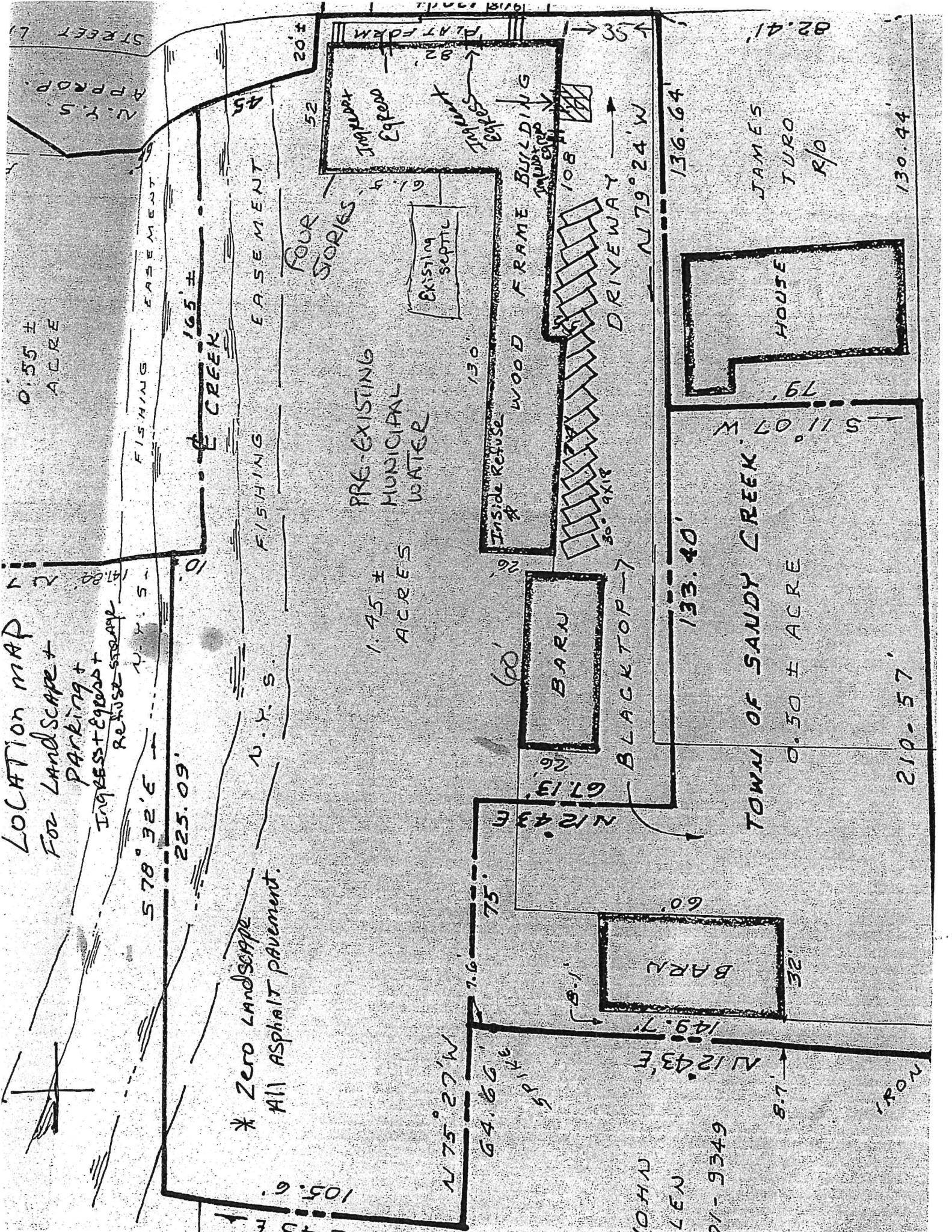
### Site Plan Reviews, Special Use Permits, Area Variances, and Use Variances:

#### Site Plan(s) showing:

- Scale (suggested 1 inch: 20 feet if site <1 acre or appropriate scale for larger sites)
- North arrow
- Bulk table
- Adjacent tax parcel information
- Location of streets and highways
- Location of natural features
- Physical characteristics of the site
- Existing/ proposed septic system and well
- Layout plan showing buildings, parking, and utilities
- Surface and subsurface drainage plan
- Area map at 1:200' noting zoning in the area
- Location map

- Floor plan(s), if available/ relevant

**LOCATION MAP  
FOR LANDSCAPE +  
PARKING +  
INGRESS + EGRESS +  
REFUSE STORAGE**



\* Zero landscape  
All ASPHALT pavement.

PRE-EXISTING  
MUNICIPAL  
WATER

FOUR  
STORIES

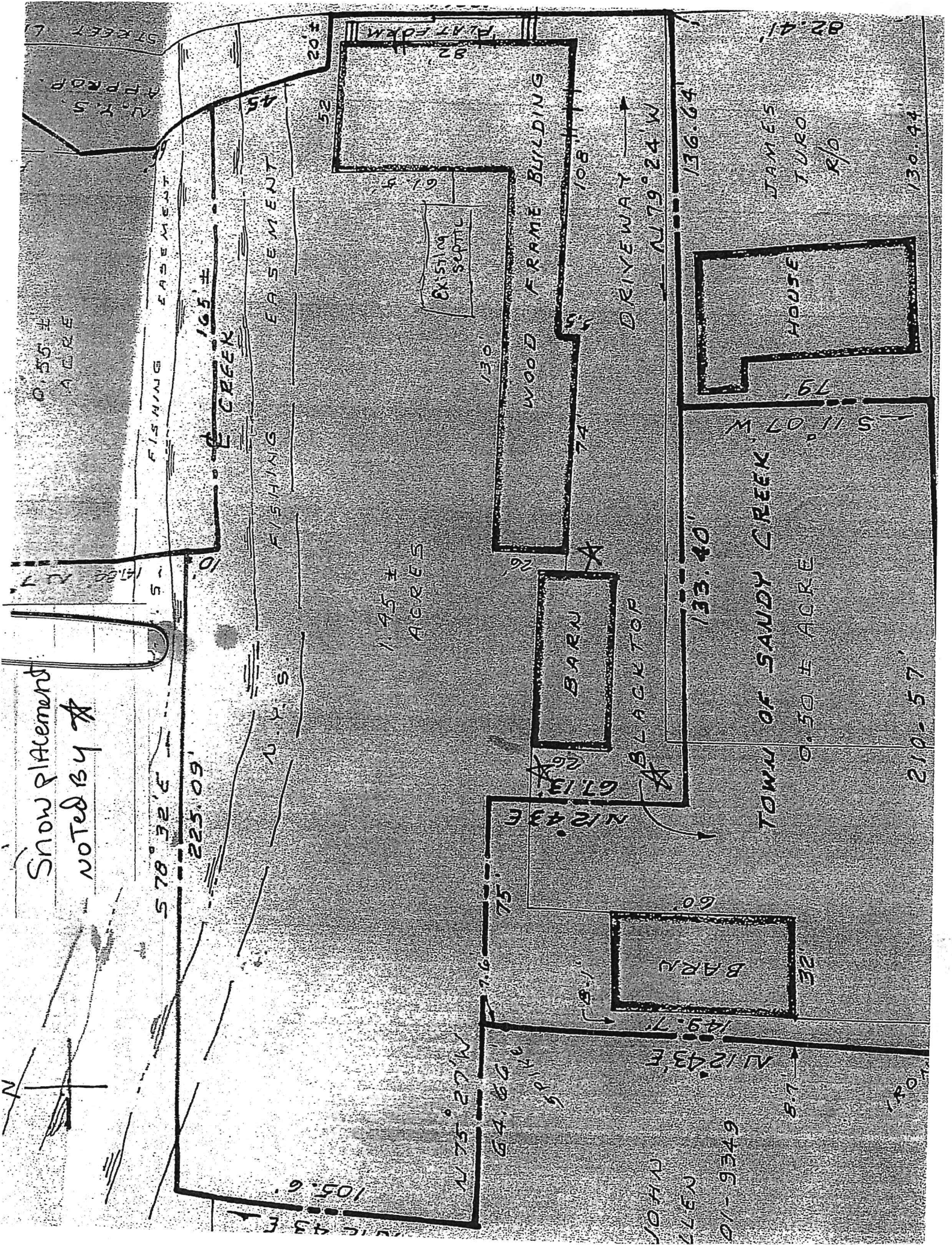
TOWN OF SANDY CREEK

JAMES  
TURO  
R/O

JOHN  
ELEN  
01-9349

IRON

Snow Placement  
Noted by *[Signature]*



0.55 ±  
ACRE

FISHING EASEMENT

CREEK

FISHING EASEMENT

1.45 ±  
ACRES

WOOD FRAME BUILDING

BARN

BLACKTOP

DRIVEWAY

JOHN  
LENN  
01-9349

BARN

TOWN OF SANDY CREEK

0.50 ± ACRE

HOUSE

JAMES  
TURO  
R/O

578° 32' E  
225.09'

U. Y. S.

165 ±

45'

20 ±

1.45 ±  
ACRES

EXISTING SEPTIC

N 75° 27' W  
64.66'

75'

130'

67.13'

26'

N 12° 43' E  
112.43'

74'

108'

N 12° 43' E  
149.7'

8.7'

133.40'

60'

79'

136.64'

JOHN  
LENN  
01-9349

S 11° 07' W

82.41'

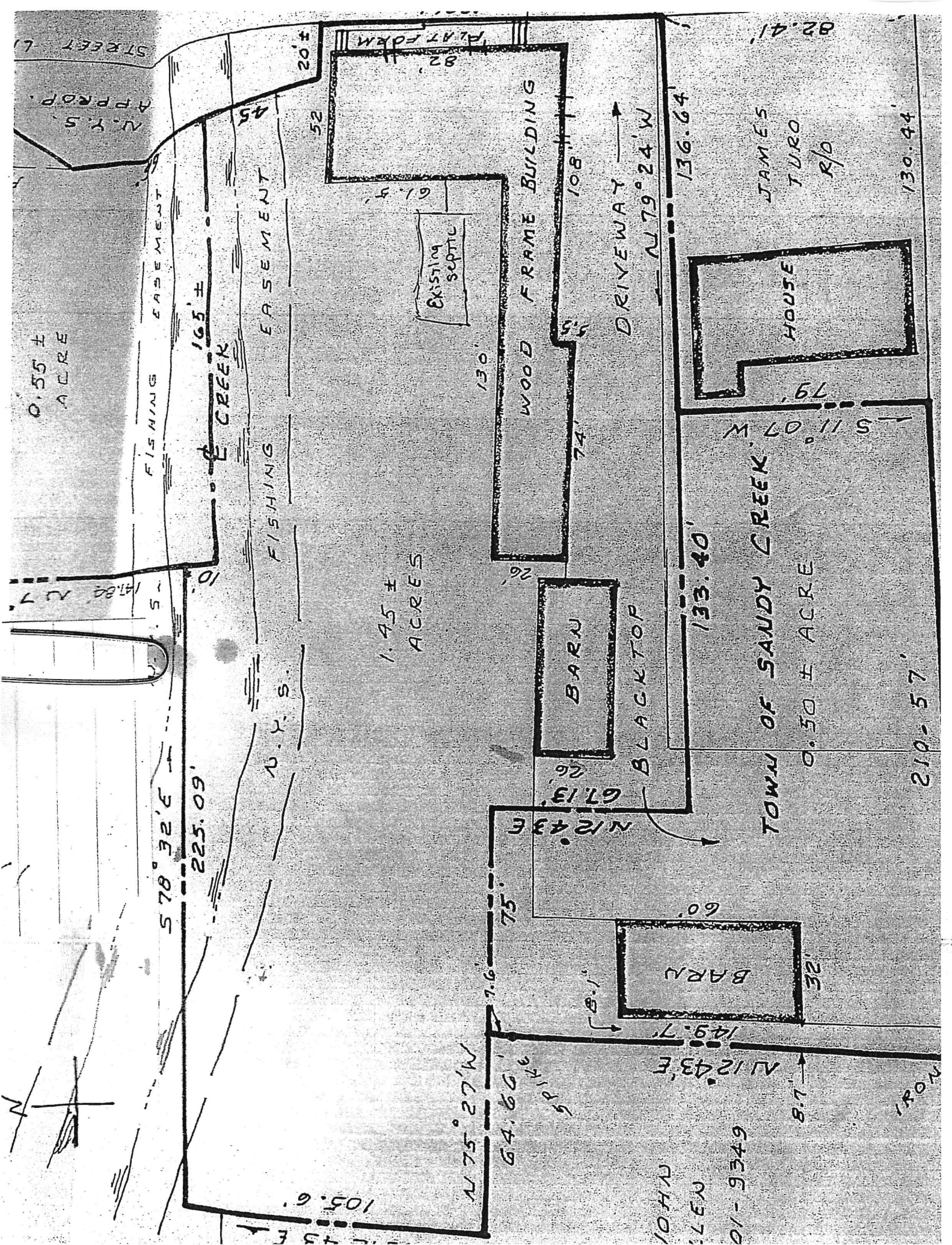
8.7'

210-57'

130.44'

140'

210-57'



0.55 ±  
ACRE

FISHING EASEMENT

165 ±  
CREEK

FISHING EASEMENT

N.Y.S.

1.75 ±  
ACRES

EXISTING  
SEPTIC

WOOD FRAME BUILDING

BARN

BACKTOP

BARN

DRIVEWAY

HOUSE

TOWN OF SANDY CREEK

0.50 ± ACRE

JAMES  
TURO  
R/O

578° 32' E  
225.09'

225.09'

165 ±

10'

45'

20 ±

52'

61.5'

N 75° 27' W  
64.66'

75'

7.6'

7.6'

8.7'

8.7'

26'

67.13'

75'

149.7'

N 12° 43' E

104 W  
12 E W  
01 - 9349

BARN

26'

67.13'

75'

149.7'

N 12° 43' E

104 W  
12 E W  
01 - 9349

BACKTOP

26'

67.13'

75'

149.7'

N 12° 43' E

104 W  
12 E W  
01 - 9349

BARN

32'

60'

104 W  
12 E W  
01 - 9349

133.40'

136.64'

136.64'

136.64'

136.64'

136.64'

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S 11° 07' W

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104 W  
12 E W  
01 - 9349

104 W  
12 E W  
01 - 9349

104 W  
12 E W  
01 - 9349

210-57'

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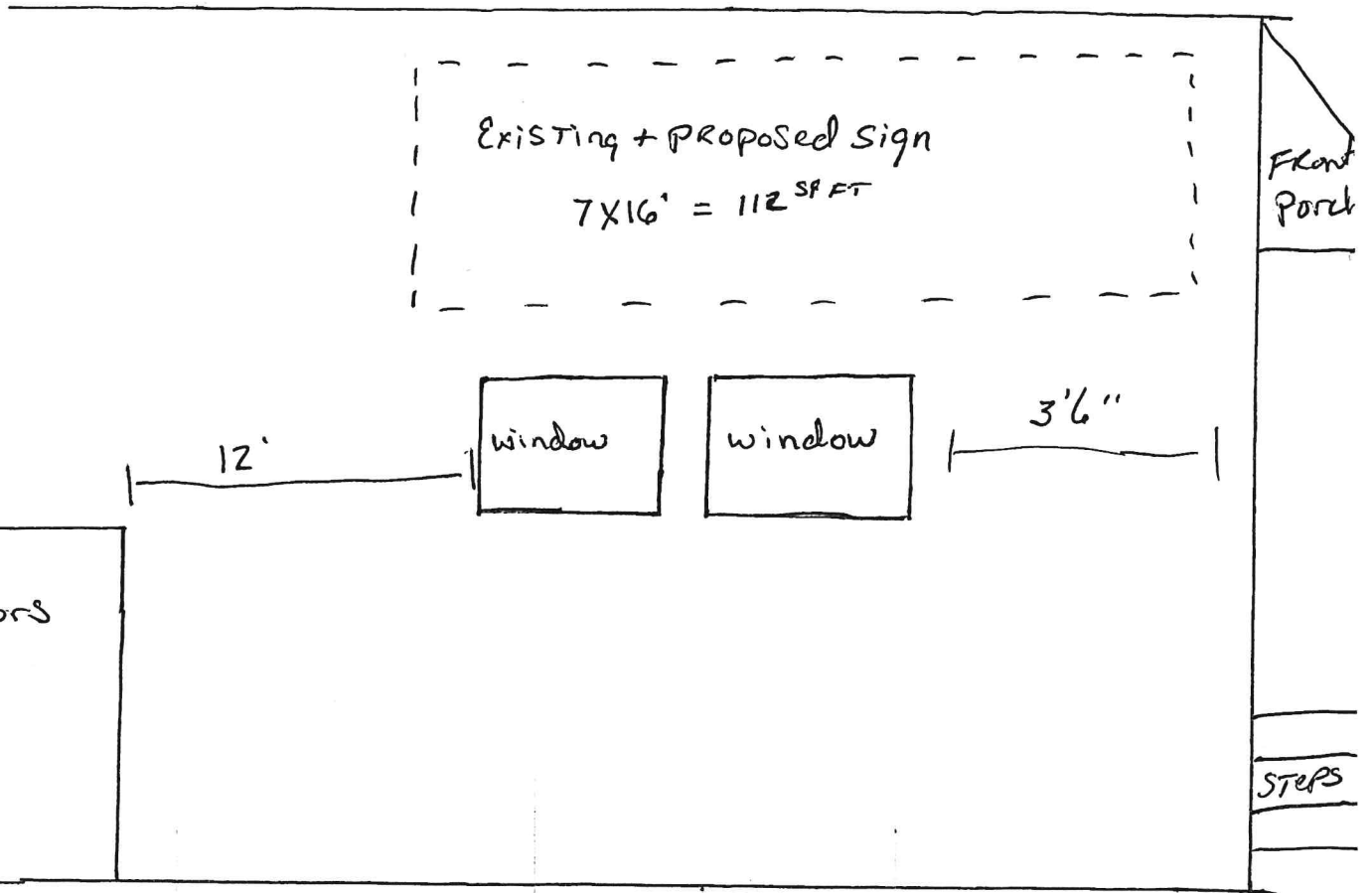
210-57'

210-57'

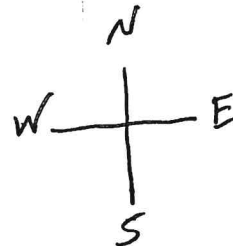
210-57'

# South Side of Building Existing Sign

Roof Line



Ground Line



82' FEET ROAD FRONTAGE

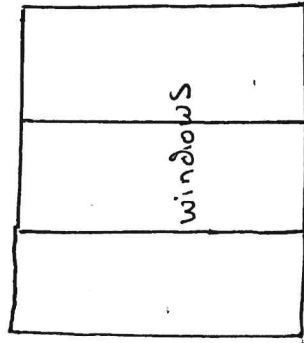


Porch Roof

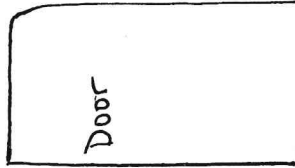
Existing Proposed sign 7' x 9' 63 SF

Existing sign 3x4 12 SF

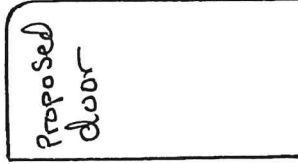
Existing 3x4 12 SF



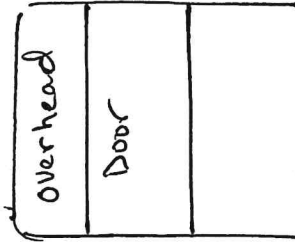
windows



Door



Proposed door



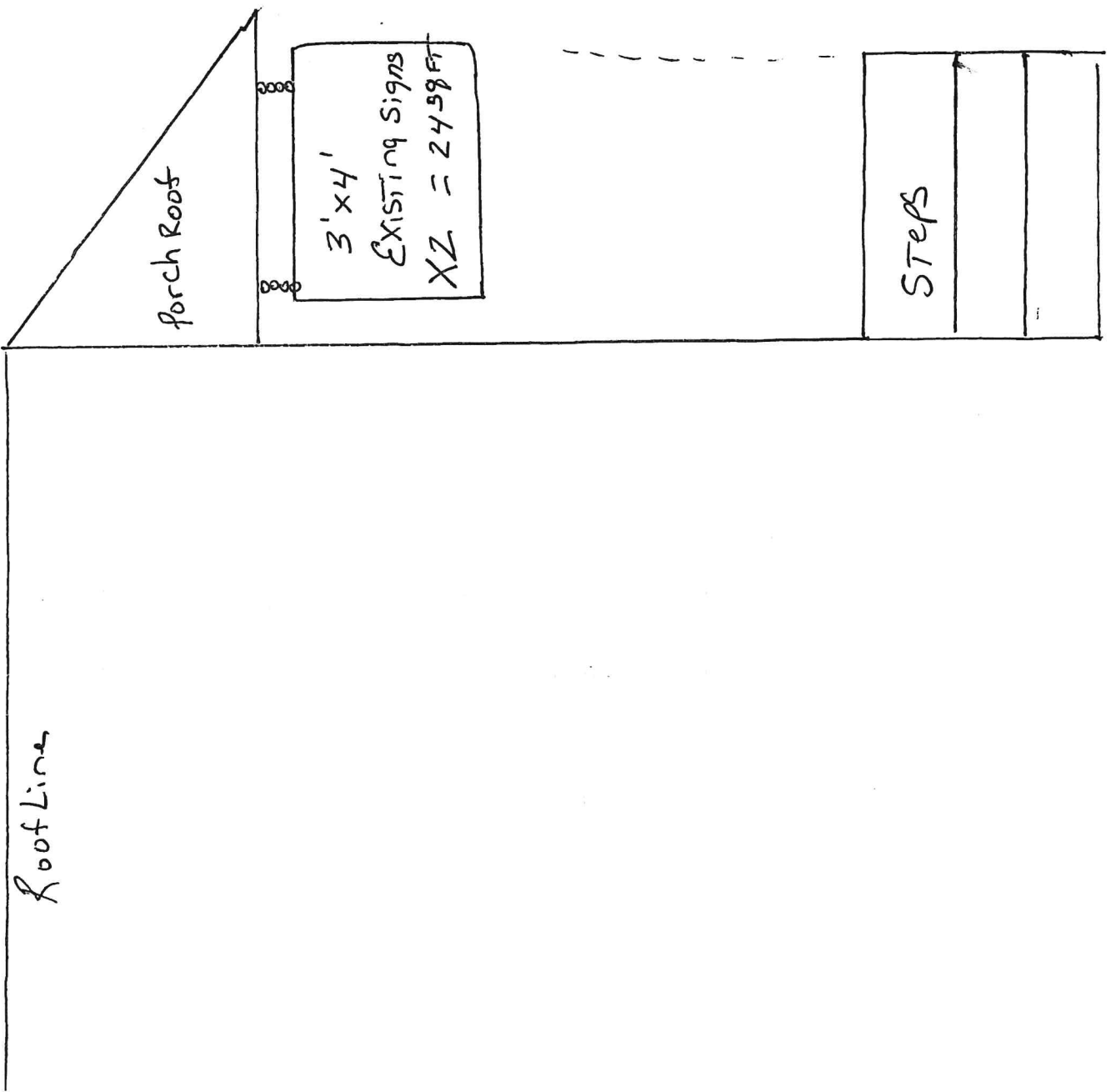
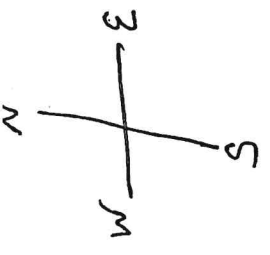
Overhead

Door

NYS BRIDGE

FRONT Concrete Platform

Parking Area



RT 11 side

Village of Sandy Creek Building Department

PO Box 240  
Sandy Creek, NY 13145  
(315) 387-5781

**BUILDING PERMIT**

*(Please Post in a Conspicuous Place)*

**Applicant:** Constanza John  
266 E. Eleventh St.  
Oswego, NY 13126

**Permit #:** 21-0003  
**Fee:** \$150.00  
**Issued:** 04/22/21  
**Expires:** 04/22/22

**Location:** 6079 N Main St

**Property Information:**

**Tax Map#:** 019.19-05-13      **Front:** 0.00      **Lot:**  
**Class:** 444                      **Depth:** 0.00      **Subdivision:**  
**Acres:** 3.89                    **Zone:**

**Owner:**

Constanza John  
266 E. Eleventh St.  
Oswego, NY, 13126

**Project Description:** SITE PLAN APPLICATION FOR A RETAIL SALES AND SERVICE. STORAGE.

**Const Type:** V      **A/B:** B      **PreEng:**      **Loc:** R      **Occupancy:** M  
**Est. Project Cost:**      \$0.00      **Material:**  
**Contractor:**      **Square Feet:** 6,400

*Permission is hereby granted to proceed with the work as set forth in the plans, specifications or statements now on file in the Code Enforcement Office. Any changes made to the original plans must first be submitted for approval.*

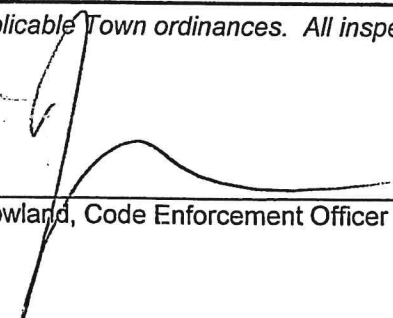
**The applicant shall notify Village of Sandy Creek Code Enforcement Officer for the following inspections:**

- 911 # Posted
- Site Plan Approval
- Final

*It is the responsibility of the owner and/or contractor to comply will all applicable Town ordinances. All inspections require a 24-hour minimum advance notice.*

04/22/21

Date

  
\_\_\_\_\_  
John H Howland, Code Enforcement Officer



Village of Sandy Creek Building Department

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Sandy Creek, NY 13145  
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04/22/21

Date

  
John H Howland, Code Enforcement Officer

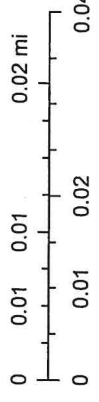
# Oswego County GIS Map



4/21/2021, 7:45:52 PM

- Oswego County Boundary
- Townships
- Tax Parcels (Active)
- Fee Parcel

1:1,128



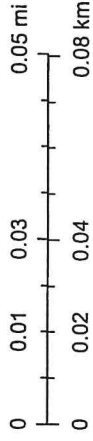
# Oswego County GIS Map



4/21/2021, 7:25:40 PM

-  Oswego County Boundary
-  Townships
-  Tax Parcels (Active)
-  Fee Parcel

1:2,257



# USGS Map



## Legends

## Dataset Details

## Map Credits

- Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## Print Disclaimer

Disclaimer: The suggestions and illustrations included in this map are intended to support scientific research; however, they do not guarantee the safety of an individual or structure. The contributors and sponsors of this product do not assume liability for any injury, death, property damage, or other effects because of using this map. This map must not be used for navigation or precise spatial analysis. Any use of trade, product, or firm names is for descriptive purposes only and does not imply endorsement by the U.S. Government. Powered by TerriaJS. <https://terria.io/>

Printed from <https://maps.usgs.gov/map/> on Wed Apr 21 2021 19:54:56 GMT-0400 (Eastern Daylight Time)

- [DOI Privacy Policy](#)
- [Legal](#)

**GEM Home Inspection**

517 State Route 104A  
Hannibal, NY 13074

Date: 5/24/2020

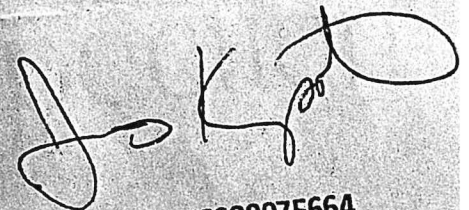
John Constanza  
6079 Main Street  
Sandy Creek, NY 13145

Dear Sir/Madam:

A Fluorescent Dye Test was conducted on the above listed property. Fluorescent Dye was introduced into the septic system and the yard, ditches and shoreline were observed throughout the testing. No dye was noted on the ground surface during the testing period. The system appears to be a good working system, based on the negative results of the dye test it can be assumed the septic system was functioning as designed at the time of the testing. We base our conclusions entirely on the dye test results described above, on the above date.

NOTE: GEM Home Inspection makes no warrant, expressed or implied. GEM Home Inspection is not warranting the septic system, only herein declaring the findings of a septic dye test. GEM Home Inspection is hereby released from any liabilities, claims or damages or cause of action to any future problems that may occur.

James Kempston



GEM Home Inspection NYS LIC.# 16000075664

Piffard Petro Holdings LLC  
2 Coach Side Ln  
Pittsford, NY 14534

John Constanza  
266 E Eleventh St  
Oswego, NY 13126

John A. Allen  
2090 Lake St PO Box 233  
Sandy Creek, NY 13145

James A. Hess  
4362 French Settlement Rd  
Lorraine, NY 13659

Jeremy P. Doyle  
PO Box 363  
Sandy Creek, NY 13145

Rebecca L. Rudd  
260 Van Auken Rd  
Lacona, NY 13083

Three Guys Apartments LLC  
2066 Harwood Dr  
Sandy Creek, NY 13145

Town of Sandy Creek  
PO Box 52  
Sandy Creek, NY 13145

Edward D. Bendzunas  
1964 Co Rt 2  
Richland, NY 13144

James M. Turo  
PO Box 88  
Sandy Creek, NY 13145

Nathan W. Hathway  
PO Box 22  
Sandy Creek, NY 13145

Kevin D. Revette  
18 Manhattan Park Dr  
Pennellville, NY 13132

Richard V. Turo *c/o Jericho Hunter*  
508 Lehigh Rd  
Pulaski, NY 13142

Brooke Rogers  
3337 Maple Ave  
Pulaski, NY 13142

Village Of Sandy Creek  
PO Box 240  
Sandy Creek, NY 13145

TOM GUILLE  
73 CARR DR.  
SANDY CREEK, NY  
13145

Daniel B. Soule  
2083 Lake St  
Sandy Creek, NY 13145

John Collins  
72 Zahler Tract  
Sandy Creek, NY 13145

## LAND CONTRACT

INSTALLMENT CONTRACT made this 14 day of MARCH, 2021

BETWEEN JOHN CONSTANZA, DBA JC RENTALS, LLC, residing at PO Box 173 Oswego, NY 13126, hereinafter called "SELLER", who agrees to sell,

AND GUILLE & SONS, LLC, residing at 73 Carr Dr., Sandy Creek, NY 13145 hereinafter called "PURCHASER", who agrees to buy upon the installment terms hereinafter set forth.

### 1. DESCRIPTION OF PROPERTY:

The SELLER hereby certifies to be the record owner of PREMISES situated in Sandy Creek, County of Oswego, State of New York and also known by street address: **6079 N. Main St, Sandy Creek, NY 13145.**

### 2. INSTALLMENT PAYMENT TERMS AND FEES:

PURCHASER agrees to pay:

For said property in the following installments:

On the signing of this contract, the sum of

to be credited to the PURCHASER.

the balance of :

by paying equal monthly installments of: on the 15th day of each and every month commencing **March 15, 2021** to be apportioned first to interest on the unpaid principal balance, or so much thereof as shall remain unpaid at the rate of **7% per annum** with the balance of each monthly installment to be applied on account of principal.

**There will be a \$35.00 late fee if payment is not paid by the 20<sup>th</sup> of each month. Payments are to be mailed to JC Rentals, LLC, PO Box 173, Oswego, NY 13126. There is also a \$35.00 NSF check fee.**

### 3. PURCHASERS' RIGHT TO POSSESSION:

The PURCHASER shall be entitled to take possession of the PREMISES upon the signing of this contract and payment of the first installment hereunder.

### 4. PURCHASERS' TAX OBLIGATION:

The SELLER certifies that all real property taxes heretofore levied or assessed on the PREMISES have been paid and discharged in full and that there are no tax liens on the property. The PURCHASER agrees to pay all taxes and assessments which may hereafter be payable commencing with the school tax due in September 2021, by paying 12 equal monthly installments based on the amount of the last tax bill levied on the property by that taxing authority. Any difference shall be paid on demand within 30 days by PURCHASER to the SELLER. The PURCHASER also agrees to pay the remainder of the County, School and Village taxes and will be adjusted accordingly.

5. **RISK OF LOSS:**

The risk of loss by fire or other casualty shall be borne by the **PURCHASER** who agrees to maintain proper fire and liability insurance on the **PREMISES** covering all of the parties as their interest may appear. Failure to obtain such coverage and provide proof thereof shall constitute default under this contract.

6. **SELLER TO GIVE WARRANTY DEED:**

When the **PURCHASER** has completed the payment of the purchase price, the **SELLER** agrees to execute and deliver a warranty deed together with a certified abstract of title, which shall show a chain of title for at least 40 years last past and shall show the title to be marketable. Each party shall be responsible for their legal costs and disbursements in connection with the closing to take place at the time of the deed transfer. The **PURCHASER** shall pay for any survey expense. Taxes will be adjusted to date of transfer of title. The **SELLER** agrees that the **SELLER** shall be responsible for any judgments against the **PREMISES** caused by the **SELLER** and shall provide marketable title at the time of the closing and transfer of title.

7. **MAINTENANCE OF PREMISES:**

The **PURCHASER** shall maintain the **PREMISES** in their present condition or better and agrees to keep the **PREMISES** in a proper state of repair, usual wear and tear excepted. Any additional construction or improvements to the **PREMISES** by the **PURCHASER** shall become the property of the **SELLER** in the event of the default by the **PURCHASER** as hereinafter provided. The **SELLER** does not guarantee potable water.

8. **NONASSIGNMENT AND NONASSUMABILITY:**

Upon the sale or transfer of an interest in this property by the **PURCHASER** prior to the completion of payment of the purchase price in full, the entire remaining unpaid balance of the purchase price shall thereupon become immediately due and payable unless prior to such sale or transfer the **PURCHASER** shall have obtained written consent to said sale or transfer from **SELLER**. A lease with option to buy would constitute a sale for purposes of this paragraph.

9. **ENCUMBRANCES:**

The **PREMISES** shall be conveyed subject to any regulation, easement, restriction or rights in effect as of the time of passing of the deed to the **PURCHASER**. **SELLER** shall not be responsible for any violations of any law, rule or regulation as may come into effect subsequent to the date of this agreement, nor shall **SELLER** be responsible for any costs in connection with the compliance of any subsequent law, rule, regulation or permit as may be required for the continued use and operation of the said premises presently as used or as may be used in the future by the **PURCHASER**.



10. **DEFAULT PROVISIONS:**

The **PURCHASER** shall be regarded in default in the event that they:

- i. Fail to make payment of any annual installment herein for a period of thirty (30) days thereafter; or
- ii. Fail to keep the premises in proper state of repair or fails to make prompt repair to any damages occurring hereon; or
- iii. Fails to keep the premises insured as required above for a period in excess of ten (10) days.

11. **PROCEDURE IN EVENT OF DEFAULT:**

In the event of any default as outlined above, the **SELLER** shall give notice of such default in writing to the **PURCHASER** by regular mail. Such notice shall define the default, and the **SELLER**, in such case, may accelerate the payments and demand the entire balance of the principal to be immediately due and payable.

12. **STATUS OF PURCHASER IN POSSESSION; WAIVER OF CERTAIN RIGHTS:**

During the term of this contract, the **PURCHASER** shall be deemed a tenant of the **SELLER** only insofar as the **SELLER'S** rights to remove the **PURCHASER** for non-payment of any installment or default in the performance of any of his obligations under this contract are concerned. In the case of any such default, the **PURCHASER** shall be deemed a tenant at sufferance subject to eviction by summary proceedings or otherwise for holding over, thereby waiving any rights to notice to terminate and any other such rights, laws or regulations, including rent control laws which might otherwise apply at law or at equity to such a tenancy.

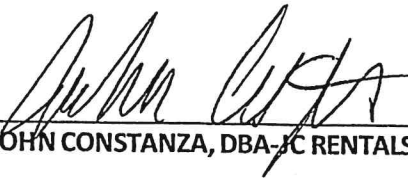
13. **FORFEITURE OF PAYMENTS & IMPROVEMENTS UPON DEFAULT:**

In case of any such default of the **PURCHASER**, in addition to the removal of said **PURCHASERS** from the **PREMISES**, the **SELLER** may retain as liquidated damages hereunder all payments which have been made to her under this contract by the **PURCHASER** and any and all improvements that may have been made to said **PREMISES**. In the event of such default, both parties agree to exchange general releases. The **SELLER** may pursue any other remedies which may be available to her at law or equity.

14. **CONTRACT CONTAINS COMPLETE AGREEMENT:**

This contract contains the entire understanding of the parties, and there are no other warranties or agreements of the parties concerning this matter except as herein stated. This contract shall not be altered in any manner except by further agreement of the parties signed and acknowledged thereto by all parties. All of the terms, covenants and agreements of this contract shall apply to and inure to the benefit of the heirs, devisees, executors, administrators, legal representative and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

  
\_\_\_\_\_  
JOHN CONSTANZA, DBA-JC RENTALS, LLC L.S.

  
\_\_\_\_\_  
TOM GUILLE, DBA-GUILLE & SONS, LLC L.S.

To BE SUBDIVIDED ACROSS CREEK + ACROSS RD  
SANCONA LUMBER ONLY