

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the February 5, 2024 at 7:30 P.M., there were:

PRESENT:

Joseph A. Bick	Deputy Supervisor/Councilor
Eugene Young	Councilor
Ryan Pleskach	Councilor
Deborah Magaro-Dolan	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Ron DeTota	Town Engineer
Neil Germain	Town Attorney

ABSENT:

Damian Ulatowski	Supervisor
Luella Miller	Councilor

OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty, Planning Board Member and Paul Graves, Planning Board Member.

The meeting was called to order by Deputy Supervisor Bick at 7:30 P.M. All present joined in the Pledge of Allegiance.

APPROVAL of MINUTES:

Councilor Hess made a motion to approve the minutes of the January 17, 2024 Regular Town Board Meeting. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 5 and Noes – 0. *Motion carried.*

CORRESPONDENCE:

CANCELLATIONS and/or REQUESTED ADJOURNMENTS:

None

REGULAR MEETING

Franchise Renewal/Spectrum – (PH/Adj.):

A public hearing to consider the proposed ten (10) year franchise renewal agreement between the Town of Clay and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications. (ADJOURNED FROM THE 01/03/24 TB MEETING) was opened by the Deputy Supervisor. He asked who was here to speak on behalf of this agreement. No one was present. There was a discussion on whether to adjourn the public hearing or not. There were questions about the amount of increase they are projecting among other things. After some

discussion it was decided that this should be adjourned pending a representative present or more information.

Councilor Hess made a motion to **adjourn** the public hearing to **March 3, 2024 at 7:44 PM**. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 5 and Noes – 0. *Motion carried. Deputy Supervisor Bick added that they would not take any action on item 8.*

SPECIAL PERMIT (PH) Town Board Case # 1196 – GOGUEN DRIVE REALTY, LLC:

A public hearing to consider the application of **GOGUEN DRIVE REALTY, LLC.**, for a Special Permit pursuant to Section 230-17 E.(2)(a)[4] - Bulk Processing Facility, to allow for a Concrete Batch Plant on land located at **7835 Goguen Drive, Tax Map No. 087.-01-08.1** consisting of +/- 6.24 acres of land, was opened by the Deputy Supervisor; proof of publication and posting was furnished by the Town Clerk.

Chris Dambach, Geoff Hillenbrand and Foez Samel, all of Goguen Drive Realty were all present. Mr. Dambach began by telling a little bit about himself; he is a local resident, CNS grad and Veteran. He continued that he is proposing a concrete batch plant, partially because of the difficulty he has experienced obtaining concrete in the area and subsequently turning away business.

The proposed business would employ 25-30 employees, hopefully Veterans, and the pay would run about \$40.00 per hour. Operations would run Monday through Friday with the potential for some weekends, from 4:30 AM to 5:00 PM.

Geoff Hillenbrand discussed the environmental aspect of the application. He explained that they were before the Planning Board in 2022 for the Contractor Service Yard. There was a lengthy discussion about the incomplete stormwater management and the possibility of approving the application conditional upon the completion there of.

Further discussion about environmental concerns ensued. Mr. Hillenbrand discussed landscape buffers and trees for screening to reduce noise and lights as well as air quality, adding that there will be no dust. He said that there will be limited traffic; ten trucks projecting 5 trips each per hour. He concluded by adding that all standards of proof are in place. Janet Rathburn of Freestone Road asked about the noise adding that currently she can hear construction noise from this site. Mr. Dambach explained that the screening will help with noise reduction.

Deputy Supervisor Bick asked if this was modern concrete. Mr. Dambach said that it is and will be made inside and will be encased and wrapped. Councilor Pleskach said that he is inclined to vote in favor of this and supports the addition of two-million dollars in high paying jobs for this

community as long as the draining issues are addressed and abated. Councilor Hess said that he agrees with Councilor Pleskach and would like to see this move forward contingent upon the retention ponds completion.

Councilor Magaro-Dolan asked if this production of concrete will be for the use of the applicant only or if they will supply other companies. Mr. Dambach explained that the intent was for their own use but there is a need locally and will supply others as well.

After a brief discussion, Deputy Supervisor said that he would like to refer this to the Planning Board for review. He further explained that even if closed, that decision would not be voted on tonight adding that this gives them some time to complete more work. Councilor Young asked why they must appear before the Planning Board and could not get the special permit conditional upon the completion of the retention pond. Deputy Supervisor explained that the next Town Board meeting is not until March 4, 2024 and that they will appear before the Planning Board on February 14, 2024. He concluded, adding that the Town Board is not bound by the recommendation provided by the Planning Board.

Councilor Hess made a motion to **adjourn** the public hearing to **March 4, 2024 at 7:47 PM**. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 5 and Noes – 0. *Motion carried.*

Franchise Renewal/Spectrum – (A/D):

NO ACTION

LOCAL LAW # 1 of 2024 – (A/D) CHAPTER 230 “ZONING” of the Town Code amending SECTION 230-22 “SIGNS” :

Councilor Magaro-Dolan moved the adoption of a resolution **approving LOCAL LAW NO. 1 THE YEAR 2024** to amend **CHAPTER 230 “ZONING”** of the Town Code amending **SECTION 230-22 “SIGNS”** by amending 230-22C.(1)(c)[1][a][i] adding “NC-1” after “HC-1” and to be included in the Town of Clay Municipal Code. *This language would allow for electronic message signs in all Neighborhood Commercial (NC-1) zoning districts with a Special Permit from the Planning Board. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

ZONE CHANGE - Town Board Case #1197 - NELSON ASSOCIATES ZONE CHANGE/SHARON CHEVROLET:

Councilor Pleskach moved the adoption of a resolution calling a public hearing on **March 4, 2024**, commencing at **7:35 P.M.**, local time to consider the application of **NELSON ASSOCIATES ZONE CHANGE/SHARON CHEVROLET** for a Zone Change from RA-100 Residential Agricultural District to HC-1 Highway Commercial District to allow for an expansion of existing auto dealership on land located at **3687 State Route 31, part of Tax Map No. 020.-01-14.4**, consisting of +/- 1.87 acres of land. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 5 and Noes – 0. *Motion carried.*

SPECIAL PERMIT – Town Board Case # 1198 - QP2 PROPERTIES, LLC (bank):

Councilor Pleskach moved the adoption of a resolution calling a public hearing on **March 4, 2024**, commencing at **7:38 P.M.**, local time to consider the application of **QP2 PROPERTIES, LLC** for a Special Permit to allow for a drive-in bank service pursuant to Section 230-18 G.(1)(b) – Site Plan Special Permit, on land located at **4591 NYS Route 31, Tax Map No. 045.-01-02.1**. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

SPECIAL PERMIT – Town Board Case # 1199 - QP2 PROPERTIES, LLC (coffee shop/cafe):

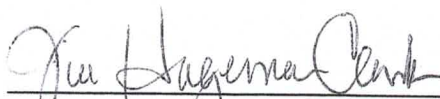
Councilor Hess moved the adoption of a resolution calling a public hearing on **March 4, 2024**, commencing at **7:41 P.M.**, local time to consider the application of **QP2 PROPERTIES, LLC** for a Special Permit to allow for a drive-in coffee shop/cafe pursuant to Section 230-18 G.(1)(b) – Site Plan Special Permit, on land located at **4595 NYS Route 31, Tax Map No. 045.-01-02.1**. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 5 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 8:21 P.M. upon motion by Councilor Young and seconded by Councilor Magaro-Dolan.

Ayes – 5 and Noes – 0. *Motion carried.*



Jill Hageman-Clark – Town Clerk/RMC