

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the December 6th, 2021 at 7:30 P.M., there were:

PRESENT:

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

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell; Planning Board Chairman and Hal Henty; Planning Board Member.

The meeting was called to order by Supervisor Ulatowski 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 November 22, 2021 Town Board meeting. Motion was seconded by Councilor Hall.

Ayes – 7 and Noes – 0. *Motion carried.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that item number 8 on the agenda will be adjourned.

Correspondence:

There was no correspondence.

REGULAR MEETING:

Supervisor Ulatowski said that as preliminary housekeeping Items 10 and 11 will be heard and the Town Clerk will swear in the New Tax Receiver and the New Town Board Member.

Appointment (Resignation) – Tax Receiver:

Councilor Bick moved the adoption of a resolution accepting the resignation of **Brian Hall** as Town Board Member and appointing him as **Tax Receiver**, effective December 6, 2021, filling the unexpired term of JoDee Kelly. Said term to expire December 31, 2021. Motion was seconded by Councilor Hess.

Ayes – 7 and Noes – 0. *Motion carried.*

Appointment (Resignation) – Town Board Member:

Councilor Bick moved the adoption of a resolution accepting the resignation of **Deborah Magaro-Dolan** as Member of the Zoning Board of Appeals and appointing her as **Town Board Member**, effective December 6, 2021, filling the unexpired term of Brian Hall. Said term to expire December 31, 2021. Motion was seconded by Councilor Hess.

Ayes – 7 and Noes – 0. *Motion carried.*

The Town Clerk Swore in Brian Hall as Tax Receiver and Deborah Magaro-Dolan as Town Board Member and they signed the Oath of Office Book. Councilor Magaro-Dolan took the seat vacated by former Councilor Hall.

Special Permit (PH) - Town Board Case # 1169 - CLASSY CHASSY/KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

A public hearing to consider the application of **CLASSY CHASSY/KIMBROOK ROUTE 31 DEVELOPMENT, LLC., FOR A SPECIAL PERMIT** pursuant to Section 230-16C.(2)(e)[3] to allow for an Automobile Car Wash on +/-1.50 acres of land, located at **3610 NYS Route 31, Tax Map No. 052.-02-11.6.** was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Patrick Reynolds and Hal Romans, both of Ianuzi and Romans were present on behalf of the applicant.

Mr. Reynolds began reading an overview of the project while Mr. Romans delivered maps to Board members. Mr. Reynolds explained that they will demo the single story building and replace it with a masonry and wood single story structure that will be similar to the existing footprint. They propose new lighting, drainage and landscaping. There will be 2-4 people working at all times and the hours of operation will be from 7:00 AM to 9:00 PM. and the lighting will be off after business

is closed. He continued that they will utilize a water reclamation system which will reduce the amount of discharge.

The vehicles will enter from the ring road and be guided clockwise to the tube, following around and exiting at the other curb cut. There will be vacuums available for patrons only. There was a great deal of discussion regarding the upkeep and repairs to the ring road. He added that Onondaga County Planning didn't have any adverse comments regarding this application.

Mr. Reynolds concluded that they will use approximately 1680 gallons of water a day which is roughly half of what the average restaurant uses. The noise from the vacuums will equate to half of the decibels caused by the traffic on the road.

Supervisor Ulatowski asked several questions such as if only paying customers or members can use the vacuums; that is correct. He asked if the kiosk will be staffed; it will not but an attendant will be nearby. The Supervisor said that it appears that the ring road goes to Theodolite Drive. It does and the ring road is owned by Kimbrook Plaza.

Councilor Bick asked how close the vacuums are. They are approximately 13' apart. Councilor Bick suggested that the proximity would affect the amount of decibels generated by multiple vacuums running. Dave Clements of Classy Chassy explained that there is only one motor for all of the vacuums, adding that the one motor creates no overlap of sound.

Councilor Hess voiced his concerns with water dripping off the vehicles, creating an icy hazard. The applicant explained that they have an efficient drying system and that there will be some dampness under the carriage, adding that they will maintain the ring road to insure that there is no icy build up as this is in their own best interest. Supervisor Ulatowski said that he would like confirmation in writing and Mr. Romans concurred.

Councilor Meaker said that he didn't see where they could allow for stacking of 37 vehicles asking if they were FIATs? The applicant will verify the number of vehicles for stacking.

Councilor Magaro-Dolan asked if the 37 cars stacking is what is predicted and what will happen if there are more vehicles, would they back up onto the ring road? Hal Romans explained that this is a business utilized by people in route to somewhere, not typically a destination. It was also mentioned, that they could speed up the time it takes to go through the tube.

Supervisor Ulatowski opened the questions to the public.

Pete Smith, owner of the Four Seasons Carwash was the first to speak, asking several questions. He began by stating that he didn't believe that they could reclaim

as much water because of the climate and the amount of salt used in the winter. He continued that with the parking lot would be chaos. He asked if each of the vacuums had an on off switch and if they would keep the name Classy Chassy or change it to Splash because there is a new owner.

Jeff Arnold began by explaining that Classy Chassy has an advanced reclamation equipment but will confirm the numbers. He continued that they have no control over the easements in the Kimbrook Plaza. They have no plan to change the name from Classy Chassy to Splash at this proposed location or in Cicero or Baldwinsville. Councilor Young asked if the Special Permit could be granted specifically for Classy Chassy. Councilor Hess interjected that he didn't think that the name on the building was relevant. Ron DeTota asked if they have the same water reclamation system as at their other two local carwashes. Mr. Arnold said that this equipment is newer and more advanced. Mr. DeTota said that he would like more information on the water consumption on the new system as well as the consumption from the existing Classy Chassys. Councilor Young asked what effect this will have on the Oak Orchard Treatment Plant, the DEC and transmission concerns. Mr. DeTota explained that this is what they are trying to ascertain. He added that the wastewater will be identified throughout the SEQR process. If operations increases the developer must take measures to ensure this does not become environmentally burdensome.

Shannon Knapp of Dormar Drive said that this seemed like the same proposal but sees that they have changed the building. She also suggested that this should be shown with a projector so that everyone can see the maps.

Tom Zinsmyer explained that he is concerned with the loss of Mom and Pop type businesses adding that business like Suburban Hardware pick up where the national chains like Lowes and Home Depot leave off.

Supervisor Ulatowski said that he would adjourn the public hearing, referring it to the Planning Board on 12/15/2021 and would like the applicant to provide the following at the next hearing:

- **Building Layout**
- **Water Records**
- **Written agreement for snow removal & salting**
- **Vehicle size/number of vehicles for stacking**
- **DEC range cumulative**

Councilor Hess made a motion to **adjourn** the public hearing to **January 19, 2022** at **7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*

Special Permit (PH) - Town Board Case # 1168 – CLAY QUAD WEST, LLC:

A public hearing to consider the application of **CLAY QUAD WEST, LLC./KIA**

MATTHEWS, FOR A SPECIAL PERMIT pursuant to Section 230-16C.(2)(e)[4]+[5] to allow for an expansion of existing special permit use of motor vehicle service and sales, located at **3885 STATE ROUTE 31, Tax Map No. 021.-01-03.1.** was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Brian Bouchard of CHA Consulting was present on behalf of the applicant. Mr. Bouchard began by explaining that the applicant is proposing an expansion to the former Fuccillo Nissan and Kia dealerships. Councilor Young asked if this was a new permit or an expansion. There was a brief discussion about this. Mr. Bouchard continued that the expansion will allow for a display lot as well as a second drive across from the Nissan dealership. They are also proposing to expand the showroom and add to the service area with new lifts.

Councilor Hess asked if they will be making this all into one parcel. They will; Councilor Hess applauded the applicant for going through the proper channels. He asked if they could possibly reduce the sharpness in the curve when they add the driveway and shoulder pavement. The applicant said that this will be done as part of the expansion to the landscape buffer.

Councilor Meaker asked about the small building in front. The applicant said that this was the former Orange Theory and they had tried to purchase this as well for cross connection, however the terms were unfavorable. Mr. DeTota said that there is a significant elevation change between the two parcels that could be problematic.

There being no more questions or comments; Supervisor Ulatowski **closed** the public hearing.

Local Law No. 2 of the Year 2021(adding a new chapter) SOLAR ENERGY SYSTEMS (PH):

Councilor Hess made a motion to **adjourn** the public hearing to **December 20, 2021 at 7:35 PM**, Motion was seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 1 OF THE YEAR 2021 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C (Withdrawing):

Councilor Hess moved the adoption of a resolution **withdrawing** proposed **LOCAL LAW NO. 1** of the year **2021 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C**. Motion was seconded by Councilor Meaker.

Ayes – 7 and Noes – 0. *Motion carried.*

Meeting - Date Change:

Councilor Magaro-Dolan moved the adoption of a resolution cancelling the **January 17, 2022** Town Board meeting and rescheduling same to **Wednesday, January 19, 2022** commencing at **7:30 P.M.**, local time due to the Martin Luther King Holiday. Motion was seconded by Councilor Bick.

Ayes -7 and Noes – 0. *Motion carried.*

Meeting - Date Change:

Councilor Young moved the adoption of a resolution cancelling the **February 21, 2022** Town Board meeting due to President’s Day and due to the annual Association of Towns meeting. Motion was seconded by Councilor Pleskach.

Ayes – 7 and Noes – 0. *Motion carried.*

Lighting – Falcon Drive, Warbler Way, Sutcliffe Drive, Pine Gate Parkway, Pinyon Pine Drive and Plum Yew Circle:

Councilor Pleskach moved the adoption of a resolution authorizing the installation of six (6) Carriage C LED light fixtures to be installed on 16’ fiberglass embedded poles with 48W Carriage C LEDs at the following locations: one (1) light on Falcon Drive; one (1) light on the corner of Falcon Drive and Warbler Way; one (1) light on Sutcliffe Drive; one (1) light on the corner of Pine Gate Parkway and Pinyon Pine Drive; one (1) light on the corner of Underbrush Drive and Pine Gate Parkway, one (1) light on Plum Yew Circle; as shown on a sketch plan provided by National Grid. The estimated annual cost for the underground lighting fixtures are \$1,496.40. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried; Councilor Hess abstaining due to employment.*

Adjournment:

The meeting was adjourned at 9:03 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

Ayes – 7 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

REGULAR MEETING OF THE TOWN BOARD – December 6th, 2021

Town of Clay

Page 7 of 7