

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the May 3<sup>rd</sup>, 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
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 and Cody Kelly; Onondaga County Legislator and Rob Bick; Town Assessor.

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 Bick made a motion to approve the minutes of the April 19, 2021 Town Board meeting. Motion was seconded by Councilor Hess.

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

**Cancellation and/or requested adjournments.**

Supervisor Ulatowski said that item number 8 on the agenda will not be heard pending more information.

**Correspondence:**

There was no correspondence.

**REGULAR MEETING:**

**ZONE CHANGE (CPH) – Town Board Case # 1160 - CTV, LLC.:**

A public hearing to consider the application of **CTV, LLC.**, for a Zone Change for **Hinerwadel’s Grove, 5300 West Taft Road, from LuC-2 and R-10 to RC-1 and R-APT, Tax Map Nos. 117.-09-23.0, 117.-09.24.0, 117.-09.25.0 and 117.-10-01.0**, consisting of 30.3± acres of land, was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Steve Calocerinos of Calocerinos Engineering was present on behalf of the applicants Mark Strutz and Cindy Hinerwadel-Lewis. Also present was Sue Kimmel of Two Plus Four Management and realtors. Mr. Calocerinos began by giving an overview of the project. The applicant is proposing three different projects on the parcel. They are intending 64 unit two-story apartments, an undisclosed big box retail and an O’Reilly Auto Parts store. The commercial uses are in the north part of the parcel while the housing will be located at the rear (south). There will be three different owners all under contract pending the approval of the zone change. Mr. Calocerinos explained that in the current R-10 portion, 70 residential homes could be constructed contributing greater amount of waste water.

A loop road is proposed in the conceptual plan with one full access onto Taft Road. Additional accesses are possible perhaps right in, right out or another full access as indicated by Onondaga County Department of Transportation. A traffic signal light is proposed across from Rockland Drive and the future road for the parcel. Mr. Calocerinos suggested that the light would allow for gaps in the traffic on Taft Road, possibly making it easier for residents to get in and out of driveways and streets. He continued that they are not proposing any connections to the existing residential streets; however, that could change if requested.

Supervisor Ulatowski asked why O’Reilly Auto Parts and Two Plus Four have been named but the big box store is not being revealed. Councilor Bick agreed adding that he would also like to know who it will be. He also asked why they would not connect to Wally Road. Mr. Calocerinos explained that the residents do not want a connection to Wally Road; there is a history of accidents exiting onto Route 11.

Councilor Young asked Commissioner Territo what other uses could go in if the zone changes were granted. He added that if the zone changes were approved, the applicant could change the use from what was presented to any other use within the code.

Commissioner Territo explained that RC-1 (regional commercial) is intended to allow for diverse large scale commercial uses such as: shopping centers, retail, personal services, office buildings, bank/credit union, restaurant, movie theater, hotel/motel, medical office, hospital/clinic, nursing home assisted living, self-storage, veterinary care facility, daycare and instructional facility plus others with a special permit. R-

Apt would allow for: multiple-family dwelling and private park/playground as well as (with special permit approval) a school, day-care center, religious institution, library, community center and a private marina.

Sue Kimmel with Two Plus Four Management gave a brief description of the proposed apartments. She explained that they are attached apartments, row house concept, two story with a community center. There will be 64 units; 36 one-bedroom apartments (2 people maximum capacity), 14 two-bedroom apartments and 14 three-bedroom apartments. Each unit will have front and rear entry and be vinyl sided. Councilor Hess asked if they are senior housing. Ms. Kimmel explained that they have a market study and there are several senior apartment complexes in Clay and Cicero. Councilor Hess asked for a copy of the study. He continued by asking why they would not pursue an NC-1 zoning with variance(s). Mr. Calocerinos explained that the RC-1 would allow for larger buffers (for screening).

Councilor Hall stated his concern for the additional traffic generated by this new development on an already heavily traveled road. Mr. Calocerinos explained that they don't predict the retail as being a destination but by drawn in by already driving by.

James Warren of Fay Park Drive, explained that Fay Park Drive is a thruway currently and fears that this will impact the residents with the additional traffic. Many other residents spoke of their concern with the additional traffic that will be generated if this project moves forward, many asking for a traffic study.

Many residents were also concerned about drainage and water in basements. A resident from Wally Road explained that when Delta Sonic is busy they don't have any water pressure in their home. Ron DeTota explained that new projects cannot have a negative impact on the existing parcels, any water must be maintained on the site. Another resident asked if they would leave the existing tree line. Mr. Calocerinos said that was the intention. Several residents asked for the Environmental Assessment Form; it is now on the Town of Clay website, as promised.

There was more discussion regarding the connection to Wally Road or Maple Lane. A connection to Maple Lane would require an agreement with the Town of Salina. The Third Ward Councilor, Daniel Ciciarelli was present and explained that he is willing to coordinate with the Town of Clay for the benefit of the residents if a connection is to occur. A resident expressed concern about emergency vehicles accessing the proposed development with only one road, adding that safety is key and recommending that the applicant talk with emergency responders.

Steve Walts of Fay Park Drive asked about the impact low income housing will have on the property values. Rob Bick, Assessor for the Town was present and explained there are three standardized approaches to value; speculation with regard to potential development is not one of them. Clay is a mixed use community and there

is contiguous residential/commercial property everywhere. Values at the moment are skyrocketing and he does not think that this will affect them. Deb Cole of Hazlehurst Ave., asked Ms. Kimmel if there were any other properties owned by Two Plus Four in the area to see the type of project that they have. Ms. Kimmel said that the apartments on Island Road (Cicero) near Believers Chapel are theirs. Tom Mainzer of Sandra Drive asked about the financing for the apartments; Ms. Kimmel explained that there is a competitive process to secure State funding for affordable housing. The state controls the design and there is an income restriction. She continued, that there is a difference between subsidized and affordable housing, this project is for affordable housing. She added that Two Plus Four also has subsidized housing projects. The loan is 1% interest allowing them to make rents more affordable. The apartments are targeted at nurses' aides, teacher aides, etc. and future Amazon employees. Several residents voiced concerns about low income housing, others about traffic and others about the environmental impact in a respectful manner. Shannon Knapp of Dormar Drive said that a traffic study should be conducted (before school is out). Councilor Bick suggested that he can't imagine making a decision without the traffic study.

Paul Graves of Hibiscus Drive submitted two petitions opposing the zone change from neighboring residents.

James Semmel of Fay Park Drive added that there are traffic lights at Taft Road and South Bay Road, Taft Road and Route 11, Taft Road and the Junior High/District Offices and Taft Road and Allen Road, another light at Taft and Rockland Drive would only add to the congestion.

Supervisor Ulatowski thanked the residents for being there, he quipped that it has been lonely for the past year without the public participation. He added that he would adjourn the public hearing pending a Planning Board hearing on Wednesday May 12, 2021 at 7:30 for recommendation. He added that he would like the traffic study to be completed prior to the adjournment date of June 7<sup>th</sup>, 2021 and asked Mr. Calocerinos if that would be acceptable. He responded that it would.

Councilor Hess made a motion to adjourn the public hearing to **June 7, 2021 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

**Project/ Water (PH) – BROWN WATER SUPPLY DISTRICT:**

A public hearing to consider the application of a Petition for the creation of a water supply district within the Town of Clay to be designated and known as "**BROWN WATER SUPPLY DISTRICT**" (**Brown Subdivision**), was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Joe Durand of TDK Engineering briefly explained that he was representing Bob and Eileen Brown of Platinum Drive. Mr. and Mrs. Brown do not currently have access to water and wish to tie into the water district on Victoria Park Drive by creating this water supply district to be known as the Brown Water Supply District. Supervisor Ulatowski asked if there were any questions; there being none, he **closed** the public hearing.

**Agreement - JANITORIAL/CLEANING SERVICES FOR THE TOWN OF CLAY HIGHWAY DEPARTMENT:**

No Action.

**Bid Advertisement – ADULT CROSSING GUARDS FOR THE 2021-2022 SCHOOL YEAR:**

Councilor Meaker moved the adoption of a resolution authorizing the advertisement of bids **TO FURNISH ADULT CROSSING GUARDS FOR THE 2021-2022 SCHOOL YEAR**, for approximately thirty-six (36) weeks, for the **TOWN OF CLAY**. Said bids to be received at the Office of the Purchasing Directory, County of Onondaga, 421 Montgomery Street, Syracuse, New York, until 2:00 P.M., local time on May 20, 2021. Motion was seconded by Councilor Pleskach.

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

**Project/ Securities (posting) - THE FARMSTEAD SUBDIVISION SECTION NO. 5:**

Councilor Hall moved the adoption of a resolution that the Town of Clay having conducted public hearings to consider the construction and acquisition of sewer, drainage water supply and lighting facilities located within **THE FARMSTEAD SUBDIVISION SECTION NO. 5**, (The Farmstead Sewer District, Contract No. 1, The Farmstead Drainage District, Contract No. 1, The Farmstead Lighting District, Contract No.1) and the construction of said facilities having been completed in accordance with the Plans and Specifications thereof; The Town Engineers having certified that the facilities have been satisfactorily completed and that the developer post the following security as shown under correspondence by the Town Engineers' under date of April 29, 2021: **Maintenance Guarantee - \$15,935** (Sewer \$10,083 and Drainage \$5,852); **Overland Drainage - \$15,000; Highway - \$31,136; Monument Deposit - \$900; Parkland Contributions - \$8,500**; and any other unpaid fees that may be owed by the Town of Clay for engineering, legal and/or administrative fees; and further contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and **MAPLE ROAD ASSOCIATES, INC.**, that the Town accept title to such facilities. Motion was seconded by Councilor Bick.

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

**Project/ Easement - THE FARMSTEAD SUBDIVISION SECTION NO. 5:**

Councilor Hall moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **THE FARMSTEAD SUBDIVISION SECTION NO. 5, (The Farmstead Sewer District, Contract No. 1 and The Farmstead Drainage District, Contract No. 1)** all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **August 24, 2020**. Motion was seconded by Councilor Pleskach.

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

**Project/ Warranty, Deed etc. - THE FARMSTEAD SUBDIVISION SECTION NO. 5:**

Councilor Hall moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads in Section Five (5) located within **THE FARMSTEAD SUBDIVISION SECTION NO. 5; from MAPLE ROAD ASSOCIATES, INC., (Weller Hall Place having Permeable Shoulders)**. Motion was seconded by Councilor Hess.

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

**Special Permit (CPH) – Town Board Case # 1163 - GUGGENHEIM DEVELOPMENT SERVICES, LLC.:**

Councilor Hess moved the adoption of a resolution calling a public hearing **May 17, 2021, commencing at 7:35 P.M.**, local time, to consider the application of **GUGGENHEIM DEVELOPMENT SERVICES, LLC., FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (E) [4]** to allow for Motor Vehicle Service (**JIFFY LUBE**), on land located at **5229 W. Taft Road, Clay, Tax Map No. 112.-06-13.3**. Motion was seconded by Councilor Pleskach.

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

**Project/ Water (A) – BROWN WATER SUPPLY DISTRICT:**

Councilor Meaker moved the adoption of a resolution **approving** the application of a Petition for the creation of a water supply district within the Town of Clay to be designated and known as **“BROWN WATER SUPPLY DISTRICT” (Brown Subdivision)**. Motion was seconded by Councilor Bick.

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

**Adjournment:**

The meeting was adjourned at 9:13 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