

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 15, 2023 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Eugene Young	Councilor
David Hess	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; 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 May 1, 2023 Regular Town Board meeting. Motion was seconded by Councilor Bick.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that there are no requests for adjournments.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on anything not on the agenda. Many residents from Fancher Road, Manhattan Drive and Caughdenoy Road were present to request public water. They have submitted petitions, sent letters and even submitted a request from the Fire Chief speaking on behalf of the Caughdenoy Fire Department and stating that he supports this request and that it will improve the ability for firefighting for Caughdenoy Volunteer Fire Department and mutual aid companies by providing on-demand water in the event

of a fire. He continued, *“this will greatly impact response and widely improve our fire protection capabilities.”*

Many of the residents spoke in support of this request acknowledging that they will incur a cost.

Ron DeTota, Town Engineer, explained that he is aware of the request and has looked into it. He said that there may be financial assistance in the form of grants with a low interest rate. He suggested that residents provide results from water testing and any other information that may improve the possibility of funding, Supervisor Ulatowski thanked the residents for their patience and diligence, adding that if grant funding is not available, the town will still provide the costs for the residents. The Supervisor reiterated that any proof of contamination provided in water testing should be forwarded to the Town Clerk to improve chances of securing funds.

REGULAR MEETING:

Special Permit – (SEQR) – Town Board Case # 1138 – DELTA SONIC CAR WASH SYSTEMS, INC.:

Councilor Hess moved the adoption of a resolution that the application of DELTA SONIC CAR WASH SYSTEMS, INC., for a Special Permit located at 3627 & 3809 State Route 31, Tax Map Nos. 020.-01-01.1, 020.-01-02.1 and 020.-01-02.2, pursuant to Section 230-16 D. (2)(e)[1] – Drive-In Service, to allow for a proposed convenience store with a drive-thru, associated with the development of a proposed Delta Sonic Car Wash facility is an unlisted action with a completed EAF and involves no other permit granting agency outside the Town. The proposed project **will not** have a significant effect on the environment and therefore **does not** require the preparation of an EIS. Motion was seconded by Councilor Bick.

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

Special Permit – (A) – Town Board Case # 1138 – DELTA SONIC CAR WASH SYSTEMS, INC.:

Councilor Hess moved the adoption of a resolution **approving** the application of DELTA SONIC CAR WASH SYSTEMS, INC., for a Special Permit located at 3627 & 3809 State Route 31, Tax Map Nos. 020.-01-01.1, 020.-01-02.1 and 020.-01-02.2, pursuant to Section 230-16 D. (2)(e)[1] – Drive-In Service, to allow for a proposed convenience store with a drive-thru, associated with the development of a proposed Delta Sonic Car Wash facility. Motion was seconded by Councilor Bick.

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

ZONE CHANGE – (SEQR) – Town Board Case # 1180 - ROUTE 31 WIDEWATERS:

No Action

ZONE CHANGE – (A/D) – Town Board Case # 1180 - ROUTE 31 WIDEWATERS:

No Action

ZONE CHANGE (PH) – Town Board Case #1184 – CLIFTON EQUIPMENT/TABITHA REYNOLDS:

A public hearing to consider the application of **CLIFTON EQUIPMENT/TABITHA REYNOLDS**, for a Zone Change located at **5334 State Route 31, Tax Map No. 051.-01-10.5**, from RA-100, Residential Agricultural District to HC-1, Highway Commercial District, on ±3 acres of land was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Tim Coyer was present on behalf of the applicant. He explained that the applicant wishes to combine the two parcels for a small engine business and by rezoning the RA-100 parcel to HC-1 he can operate legally. Supervisor Ulatowski suggested that it makes the property more marketable. Mr. Coyer explained that Ms. Reynolds took over the former Garrys Small Engine business. She said that combining the parcels makes sense for tax purposes.

Supervisor Ulatowski asked if the Commissioner of Planning will combine the parcels administratively. He stated that the Assessor can do this and file it in the County Clerks office. Supervisor Ulatowski **closed** the public hearing.

ZONE CHANGE – (W) – Town Board Case # 1179 - SPLASH CAR WASH 4S-BUCKLEY LLC:

Adjourn to June 5, 2023, 7:38 P.M., Town Board meeting per applicant's request.

Hydrant(s) (A) – Clay Consolidated Water District:

Councilor Pleskach moved the adoption of a resolution **approving** the installation of four (4) fire hydrants in the existing L395 Clay Consolidated Water District as proposed on OCWA Map File No. 1981, authorizing the Supervisor to execute the

OCWA fire hydrant application. Fire Hydrant No. 15228 (± 160' North of NYS Route 31), 15229 (±480' North of NYS Route 31), 15230 (±150' East of Henry Clay Blvd) and 15231 (±1,080' East of Henry Clay Blvd), OCWA Project No. 9004133. The Developer, Clay Marketplace, will pay for the hydrant installation in conjunction with the 12" water main extension. The Town will be notified when the hydrant is in service, and will be billed the annual hydrant maintenance rate, which is currently \$82.11 per hydrant per annum. Motion was seconded by Councilor Hess.

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

Authorizing/Emergency Agreement – ISAAC HVAC:

Councilor Hess moved the adoption of a resolution authorizing the Supervisor to enter into an **Emergency Agreement with ISAAC HVAC**, for the purchase of a new chiller to be installed at Town Hall, located at 4401 State Route 31, in the amount of \$175,000.00 with a warranty, not exceed \$ 17,000.00. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 7 and Noes – 0. *Motion carried.* Councilor Hess thanked the Supervisor on his efforts in this matter.

Easement (release)(A) - 4936 Look Kinney Circle:

Councilor Magaro-Dolan moved the adoption of a resolution approving the abandonment of a 25-foot wide utility easement along the rear property line per the request of the property owner located at **4936 Look Kinney Circle, Tax Map No. 096-21-26.0** (Mark Omilanowicz, property owner) as shown on a map prepared by Dussing Land Surveying, LLC, dated September 8, 1985, (Lot No. 19 Look-Kinney Estates Phase 1) and authorizing the Supervisor to execute a Termination of Easement form subject to execution by the property owner. The property owner shall bear the responsibility and all costs associated with the execution of this document. This resolution is in response to the request of the property owner challenging the necessity for this easement. The Town Engineer has determined the easement does not contain any town owned infrastructure within it and that it would be reasonable for the Town Board to consider the property owner's request. Motion was seconded by Councilor Meaker.

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

**SPECIAL PERMIT (CPH) – Town Board Case # 1185 - AMY MILES/
EQUIPMENT SHARE:**

Councilor Bick moved the adoption of a resolution calling a public hearing **June 5, 2023**, commencing at **7:41 P.M.**, local time, to consider the application of **AMY MILES/EQUIPMENT SHARE**, for a Special Permit located at **SEC Dey Road and Edgcomb Drive, Tax Map No. 105.-02-02.1**, pursuant to Section 230-17C.(2)(e)[3] to allow for Motor Vehicle Rental on ±8.9 acres of land. Motion was seconded by Councilor Meaker.

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

LOCAL LAW NO. 1 OF THE YEAR 2023 (CPH)(amending) Chapter 230:

Councilor Pleskach moved the adoption of a resolution calling a public hearing **June 5, 2023**, commencing at **7:44 P.M.**, local time, to consider adding a proposed Local Law to be entitled **“LOCAL LAW NO. 1 OF THE YEAR 2023”** to amend **CHAPTER 230** entitled **“ZONING”** by amending **Section §230-22C. (1) (c) [1] [a] [i]** adding the words **“and Community Center”** after religious institutions and to strike the word **“and”** before religious institutions to said section of the Code of the Town of Clay. Motion was seconded by Councilor Magaro-Dolan.

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

SPECIAL TOWN BOARD MEETING AND PUBLIC HEARING (CPH) – Town Board Case #1182 - Onondaga County Industrial Development Agency (OCIDA)/White Pine Commerce Park:

Councilor Magaro-Dolan moved the adoption of a resolution calling a **SPECIAL TOWN BOARD MEETING AND PUBLIC HEARING**, commencing **Wednesday, June 7, 2023**, from **5:30 P.M to 8:30 P.M.**, to be held in the Liverpool High School Auditorium located at **4338 Wetzel Road**. There will be a Special Meeting and Public Hearing of the Town Board of the Town of Clay and the Town Planning Board of the Town of Clay to consider the application of **Onondaga County Industrial Development Agency (OCIDA)/White Pine Commerce Park** for Zone Changes for the following parcels: R-15, One-Family Residential District for land located at Burnet Road, Tax Map No. 051.-01-14.1 and 8450 Burnet Road, Tax Map No. 051.-01-14.2 to I-2, Industrial 2 District and for a Zone Change from RA-100 Residential

Agricultural District for land located at Caughdenoy Road, Tax Map No. 064.-01-06.3; State Route 31, Tax Map No. 050.-01-01.0; 5267 State Route 31 Tax Map No. 050.-01-02.1; State Route 31, Tax Map No. 050.-01-03.1; 5117 State Route 31, Tax Map No. 064.-01-08.0; State Route 31, Tax Map No. 051.-01-10.1; 5363 State Route 31, Tax Map No. 051.-01-13.2; 5367 State Route 31, Tax Map No. 051.-01-13.3; State Route 31, Tax Map No. 051.-01-05.1; State Route 31, Tax Map No. 050.-01-01.0; 5267 State Route 31, Tax Map No. 050.-01-02.1; State Route 31, Tax Map No. 050.-01-03.1; Burnet Road, Tax Map No. 048.-01-21.0; Burnet Road, Tax Map No. 048.-01-22.0; 8739 Burnet Road, Tax Map No. 048.-01-23.1; 8751 Burnet Road, Tax Map No. 048.-01-23.3; Burnet Road 049.-01-03.0; 8722 Burnet Road, Tax Map No. 049.-01-04.0; 8718 Burnet Road, Tax Map No. 049.-01-05.0; 8710 Burnet Road, Tax Map No. 049.-01-06.0; 8694 Burnet Road, Tax Map No. 049.-01-08.1; 8688 Burnet Road, Tax Map No. 049.-01-09.1; 8668 Burnet Road, Tax Map No. 049.-01-10.1; 8664 Burnet Road, Tax Map No. 049.-01-11.0; Burnet Road, Tax Map No. 049.-01-12.2; Burnet Road, Tax Map No. 049.-01-13.0; 8594 Burnet Road, Tax Map No. 049.-01-14.0; 8631 Burnet Road, Tax Map No. 049.-01-15.0; 8635 Burnet Road, Tax Map No. 049.-01-16.0; 8647 Burnet Road, Tax Map No. 049.-01-16.0; 8647 Burnet Road, Tax Map No. 049.-01-17.0; 8653 Burnet Road, Tax Map No. 049.-01-18.4; 8699 Burnet Road, Tax Map No. 049.-01-19.1; 8677 Burnet Road, Tax Map No. 049.-01-19.2; 8543 Burnet Road, Tax Map No, 050.-01-04.1; 8531 Burnet Road, Tax Map No. 050.-01-04.2; 8549 Burnet Road, Tax Map No. 050.-01-04.3; 8617 Burnet Road, Tax Map No. 050.-01-04.4; 8623 Burnet Road, Tax Map No. 050.-01-05.0; 8574 Burnet Road, Tax Map No. 050.-01-06.0; 8558 Burnet Road, Tax Map No. 050.-01-07.1; Burnet Road, Tax Map No. 050.-01-07.2; 8546 Burnet Road, Tax Map No. 050.-01-08.1; 8526 Burnet Road, Tax Map No. 050.-01-08.2, 8536 Burnet Road, Tax Map No. 050.-01-09.0; 8516 Burnet Road, Tax Map No. 050.-01-10.0; 8512 Burnet Road, Tax Map No. 050.-01-11.1; 8508 Burnet Road, Tax Map No. 050.-01-12.1; Burnet Road, Tax Map No. 050.-01-13.2; 8502 Burnet Road, Tax Map No. 050.-01-13.3; 5397 Burnet Road, Tax Map No. 051.-01-05.4; 8447 Burnet Road, Tax Map No. 051.-01-10.9; 8501 Burnet Road, Tax Map No. 051.-01-10.6; Burnet Road, Tax Map No. 051.-01-10.7; Burnet Road , Tax Map No. 051.-01-10.8; 8419 Burnet Road, Tax Map No. 051.-01-12.0 and 8424

Burnet Road, Tax Map No. 051.-01-13.1 to I-2, Industrial 2 District as OCIDA in reference to their proposal to expand White Pine Commerce Park. Motion was seconded by Councilor Meaker.

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

Adjournment:

The meeting was adjourned at 8:10 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