

APPROVED

The Regular Meeting of the Planning Board of the Town of Clay, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 24th day of September 2025. The meeting was called to order by Chairman Mitchell at 7:30 p.m. All joined in the Pledge of Allegiance and upon roll being called the following were:

<u>PRESENT:</u>	Russ Mitchell	Chairman
	Michelle Borton	Deputy Chair
	Karen Guinup	Member
	Hal Henty	Member
	Al McMahon	Member
	Jim Palumbo	Member
	Paul Graves	Member
	Marie Giannone	Secretary to Planning Board
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	Planning Board Engineer
<u>OTHER:</u>	Caitlin Choberka	Project Engineer, C&S Companies
	Brian Bender	Commissioner of Planning & Development

A motion was made by Mr. Graves and seconded by Mr. McMahon to approve the minutes of the September 10, 2025 regular meeting.

Motion Carried: 7-0.

Public Hearings:

New Business:

*Case #2025-040 – **Derek Persse/Rich Family Subdivision** (5) – 8100-8101 Oasis Lane – Zone Change Referral

Motion made by Mr. Graves to adjourn Case #2025-040 Derek Persse/Rich Family Subdivision to October 8, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Case #2025-044 – **Chad Mutter/7293 Buckley Road EV Charging Station (3) – 7293 Buckley Road – Amended Site Plan

There was no one present representing the applicant.

Motion made by Mr. Graves to adjourn Case #2025-044 Chad Mutter/7293 Buckley Road EV Charging Station to November 19, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Old Business:

****Case #2025-009 – Sonbyrne Sales, Inc./Byrne Dairy (3) – 7190 Buckley Road – Site Plan (Adj. 7)**

Mr. Christian Brunelle is present to address the board on behalf of the applicant.

Mr. Brunelle said he met before this board on August 13, 2025 and addressed the changes that were made:

- ✓ Full set of lighting plans given to the board
- ✓ Six-foot white vinyl fence added (as shown on drawing)
- ✓ Sidewalk added on Dolshire (as shown on drawing)
- ✓ Onondaga County Dept of Transportation acceptable letter for two driveway locations sent to Mr. DeTota for the record. Mr. Brunelle read the letter to the board.
- ✓ SWPP was given to C&S Engineers on September 23, 2025.

Chairman Mitchell asked if the back entrance lines up to Dolshire. Mr. Brunelle said yes.

Chairman Mitchell asked the board if there are any questions.

Ms. Guinup said the lighting plan which was sent to Onondaga County Planning Board needs to be reviewed and signed off by County. This is noted on the report by OCPB as follows:

“The applicant must submit a lighting plan to the Onondaga County Department of Transportation for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.”

Mr. Brunelle said this will be provided to the board.

Ms. Guinup said the original date and revision dates must be noted on the title sheet as previously requested.

There were no comments/questions from Mr. Palumbo, Mr. Graves, Mr. McMahon.

Chairman Mitchell said this is a public hearing and asked if there are any questions. None.

Brief discussion with Mr. Brunelle on the time line.

Motion made by Mr. Graves to adjourn Case #2025-009 Sonbyrne Sales/Byrne Dairy to October 8, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

****Case #2025-019 Canandaigua National Bank (3) – 7515-7519 Oswego Road – Site Plan (Adj. 4)**

Ms. Alex Samoray, Keplinger Freeman Associates, is present to address the board on behalf of the applicant.

Ms. Samoray updated the board on the following:

- ✓ Several sheet changes made as requested
- ✓ Added the zoning chart
- ✓ Information added to the layout sheet
- ✓ Feedback from Engineering on Stormwater
- ✓ Finalized the manhole was public facility
- ✓ Received favorable response from Fire Department and DOT

Ms. Borton had comments on the engineering. In looking at the layout plan the entrance is not labelled which is believed to be a stop sign.

Discussion followed on stop signs with Ms. Samoray as shown by Ms. Borton.

Ms. Guinup asked about the height of the clock tower. Mr. Jeffrey Ashline said the tower is 16 ft. Ms. Guinup said to add this on the drawing.

Mr. Henty is good.

Mr. Palumbo spoke about the landscaping on Rt.57 in front of the Wegmans Plaza. Tress will not be permitted in the island right-of-way. There are six (6) trees and five (5) of these trees are crabapple. One Maple tree is located in the back. As trees grow they tend to block signs, etc. The curb island could use a tree as well as at the entrance to the plaza. Ms. Samoray will check this out as with the lights if this could be a full maple. Also, Mr. Palumbo said to be sure all labelling is complete on the drawing. Mr. Palumbo concluded that the established trees along Rt. 57 should be kept.

Mr. McMahon and Mr. Graves are good.

Ms. Choberka is looking for additional detail on the water quality treatment package that was proposed. Ms. Choberka will send an email on this.

Chairman Mitchell said this is a public hearing and asked for any questions. None.

Chairman Mitchell asked Ms. Samoray to give an overview of all changes made on the sheet. Also change the cover sheet with the revision date. An approval can be given at the October 8, 2025 meeting if the above is complete for our review and approval.

Motion made by Mr. Graves to adjourn Case #2025-019 Canandaigua National Bank to October 8, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

****Case #2025-021 – Windsor Property Group (3) – 7985 Morgan Road – Preliminary Plat (Adj. 4)**

And

****Case #2025-022 – Windsor Property Group (3) – 7985 Morgan Road – Final Plat (Adj. 4)**

Mr. Tim Coyer, Ianuzzi & Romans, is present to address the board. Mr. Coyer said all requested changes have been made.

Chairman Mitchell said this is a public hearing and asked if there are any questions. None.

Chairman Mitchell closed this case and asked for a motion.

Motion made by Mr. McMahon. Mr. Chairman: In the matter of the application of the planning board case No. 2025-021 for Windsor Property Group, I move the adoption of a resolution using standard form #10 SEQR, that the proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed action will not have a significant effect on the environment and the resolution shall constitute a negative declaration for the following reason. There appears to be no impact that cannot be mitigated. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Motion made by Ms. Guinup to move to final plan. Seconded by Ms. Borton.

Motion Carried: 7-0.

Motion made by Mr. McMahon. Mr. Chairman: In the matter of the application of the planning board case No 2025-022 for Winsor Property Group, I move the adoption of a resolution using standard form #40 final plat, be granted based on a map by Ianuzzi & Romans Land Surveyors PC the final plan dated March 6, 2025 revised September 24, 2025 and file numbered 12841.001. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Graves.

Motion Carried: 7-0.

*Case #2025-035 – **Northern Credit Union** (5) – 5004-5008 West Taft Road – Special Permit Referral (Adj. 1)

And

Case #2025-037 – **Northern Credit Union (3) – 5004-5008 West Taft Road – site Plan (Adj. 1)

Motion made by Mr. Graves to adjourn Case #2025-035 and Case #2025-037 Northern Credit Union to October 8, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0

Case #2025-041 – **Morgan Road Business Park (3) – Morgan Road (East Side) Site Plan (Adj. 1)

Motion made by Mr. Graves to adjourn Case #2025-041 Morgan Road Business Park to November 19, 2025. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Back to New Business:

Case #2025-046 – **RailWorks Track Services, LLC (3) – 8625 Caughdenoy Road – Site Plan

Mr. Gary Hurta, B&B Engineering & Geologists, and Mr. Jeremy McMullin are present to address the board with the power point presentation.

The purpose of the proposed rail spur facility:

- Construct and Operate Rail Spur to receive stone aggregate materials to the Micron facility
- Convey aggregate to adjacent parcels for construction
- Minimize environmental impact from truck traffic

The location of this facility as shown on the map is on two vacant parcels totaling 38 acres. The site is located just west of the Micron campus, with parcel frontage along Caughdenoy Road, approximately ¼ mile north of NYS Rt. 31 adjacent to the CSX rail line. The property is zoned O-2 Industrial. The aggregate will come by rail, offloaded from rail cars and a series of conveyors will take the aggregate and transported to the Micron campus used for construction.

Chairman Mitchell asked why is it necessary for the aggregate to be conveyed this way. This is done to try to minimize and reduce truck traffic, emissions, and noise.

The description of Proposed Rail Spur:

- Rail Siding – used to stage the rail cars
- Rail Yard – used for storing the rail cars coming to site
- Offloading Facilities
- Conveyancy System – will go from the offloading facility then drop to over the road conveyor to Caughdenoy road, drop down to an over land conveyor to a series of portable conveyors called grasshopper conveyors that can be moved around anywhere on the construction site of the Micron facility minimizing truck traffic.
- Locomotive Shed – house locomotives not in operation and maintenance of the locomotive
- Emergency Aggregate Stockpile – in case conveyor system is not operational. Aggregate can then be trucked from this emergency stockpile.
- Access Roads – main access roads lead to the central portion of the site. Used primarily for employees entering the site, with parking facility, temporary office space (double wide trailer). Shown on the map is a “C” shaped access road would be used if aggregate needs to be trucked into the site.
- Stormwater Management Facilities – two primary stormwater management features, one retention for water run off for the northern portion and the other triangular shape will be constructed for stormwater run off

Mr. Henty asked the height of the conveyor that goes over Caughdenoy Road. Believed to be 29 or 30 ft. with the added footings. Mr. Henty questioned tractor trailers traffic.

Description of Proposed Rail Spur

- Property Parcels: 046.-02-03.2 and 046.-01-19.1
- Property Acreage 38.24 +/- acres
- Area of Disturbance 25.9 +/- acres
- New Impervious Area 14.4 +/- acres – includes rail yard, access roads and emergency stockpile area
- Undisturbed Natural Areas Maintained 12.6 +/- acres

Description of Operations: (Jeremy McMullin))

Hours of Operation - Employees

- 24 hours per day, Sunday through Saturday, including holidays
- Rail Yard Operating – 6 am to 10 pm
- Conveyors Operating – 6 am to 10 pm (shuts down at 10 pm to start maintenance)
- Maintenance – 10 pm to 6 am

- Employees – Up to 18 includes field (4 teams of 4) and office staff

Description of Operations (video shown of operation of conveyor) – The final operation plan for CSX is not available at this time. CSX will bring in sixty (60) cars loads down toward Rt. 31. Fifteen cars are loaded during the process and moved to be ready for CSX pickup.

Rail Car Offloading System

- Grasshopper Conveyors
- Over the road Conveyor
- Overland Conveyor
- Radial Stacking Conveyor

(This was shown in detail on the power point presentation).
End of power point presentation.

Questions from the board members:

Ms. Borton went through what is needed for site plan as follows:

- ✓ Summary on the site plan
- ✓ Building height – height to peak of roof labelled in feet.
- ✓ Parking area
- ✓ More details on drawings
- ✓ Signoff by Department of Transportation (DOT)
- ✓ Variances that will be granted shown on drawing
- ✓ Ownership of property – show property lines
- ✓ Status of wetlands
- ✓ Title Sheet showing original date with revision dates as updated
- ✓ Exterior building colors
- ✓ CSX approval (email)
- ✓ OCWA approval (email)
- ✓ National Grid (email)

Ms. Borton asked if there is a decommissioning plan for the conveyors. Office and trailer use should be labelled as temporary to avoid returning for amended site plan approval.

Ms. Borton questioned if Caughdenoy Road will close for any of this construction. If so, DOT has to be notified and the approximate time plan for this. A check list will be provided to the applicant for what is required for site plan.

Chairman Mitchell gave a list to the applicant stating what sheets are needed for site plan.

- ✓ Cover Sheet – Original date and revision dates as updated)
- ✓ 101 – identify trees, lighten up sheet
- ✓ 102 incorporate on 105 and 106
- ✓ 502 keep and incorporate to 503 to 504
- ✓ Put dumpster on 504
- ✓ Mr. DeTota will provide a letter to the applicant on the public/private sewers and what is required.
- ✓ 106 is omitted
- ✓ 110 – make more legible
- ✓ 301, 302, 303 – remove - Chairman Mitchell said a letter from CSX to give approval that they have review this.
- ✓ Lighting sheet with photometric should be in the site plan not engineering
- ✓ Landscaping plan should be included in site plan
- ✓ Acknowledgement from National Grid on gas line

Mr. Henty said the code for lighting fixture is 26 ft. Mr. Henty said #14 and #15 could be too much light as these are positioned close to the road. This will be addressed. Mr. Henty said the photometric gives the spill.

Mr. Palumbo asked about the noise of the conveyors. Mr. Palumbo would like to have a better understanding of this noise level as the video shown had no sound. This information will be provided. Mr. Palumbo asked what is stored in the “non aggregate storage”. Building material is stored there. There is no fuel storage on site.

Chairman Mitchell read from the Onondaga County Planning Board (OCPB) comments received 9/24/25 concerning noise levels as follows:

“WHEREAS, noise levels related to operation of the rail spur were examined as part of the overall Micron DEIS, which finds that noise from construction and operation of the Micron facility, the rail spur site, and the childcare center will exceed established thresholds for significant adverse effects on recorded noise and vibration and some noise effects may be unavoidable; various means proposed to avoid and minimize noise effects include vibratory drilling as opposed to pile driving; installation of ground level noise barriers and rooftop shielding elements, berms, sound attenuators or low noise

packages on equipment, and strategic equipment locations; noise barriers are to be constructed on the rail spur site to abate noise from rail spur operations;”

Mr. Graves asked about the sixty rail cars. Sixty cars are what is needed to meet the threshold. One CSX engine on site and one in storage in case of breakdown. The operation for having one at each end is to limit the time parked to move down the line to ten minutes. This plan is still being worked on with CSX. Mr. Graves asked about the “C” shaped roads and if trucks will be parked there. Only if rail interruption occurs. Brief discussion on the noise level of the conveyor. More information will be provided. Mr. Graves asked where the aggregate comes from. That has yet to be determined.

Mr. McMahon asked where was the location of the video of the conveyor operation shown in the power point presentation. This was at the Texas location.

Mr. Henty asked if the locomotives are electric or diesel. Diesel.

Chairman Mitchell asked about the horseshoe on sheet C104. This is one way truck traffic.

Ms. Guinup had the following questions/comments for the applicant:

- ✓ Ownership of the property – to be determined. Site Plan cannot be approved from the applicant who does not own the property. If this is not the case a joint application is required. If it is leased from Micron, then Micron is the applicant because of ownership.
- ✓ Percentage of aggregate by rail. 100% except in emergency using trucks.
- ✓ Conveyors will be up and running July 2026.
- ✓ Siding owned by the operator.
- ✓ CSX will not do maintenance work on locomotives
- ✓ Road – to be determined by others which is a public road
- ✓ Location of future crane pad should be put on site plan
- ✓ Required fencing near three houses in this location. No chain link fence and advise what type of fencing. There is sound barrier fencing available and advised to applicant to look into this application.
- ✓ Train cars on conveyors are open. What about spillage over Caughdenoy Road. Discussion followed. Details on this will be provided for clarification.
- ✓ Dumpster location is needed.

Mr. Palumbo brought up about the variances for the front yard setback for fence. Site Plan should depict where the setback lines are and what triggers the need for the variance.

Planning Board
Regular Meeting
September 24, 2025

Chairman Mitchell said there is a two page check off sheet that is given to the applicant stating what is required for site plan review. On this sheet are the requirements for dumpster location, siding and enclosure for our review.

Ms. Choberka is working with the DEC. The most up to date drawings are required. As stated earlier, Mr. DeTota will be sending out an email with the changes to be made.

Chairman Mitchell said this is a public hearing and asked for any questions.

Mrs. Janet Rathburn, 4760 Freestone Road, asked about the sixty cars crossing. Is there one train of sixty cars or does the sixty cars come at multiple times. Answer was one train per day of sixty cars.

Motion made by Mr. Henty to adjourn case #2025-046 RailWorks Tracks Services to October 8, 2025. Seconded by Ms. Guinup.

Motion Carried: 7-0.

Motion made by Mr. Graves to adjourn this meeting at 9:21 p.m. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary