

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 14th day of January 2026. The meeting was called to order by Chairwoman Borton at 7:30 p.m. All joined in the Pledge of Allegiance and upon roll being called the following were:

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

Chairwoman Borton read the following:

“I’d like to take a moment to thank Russ Mitchell for his 8 years as Chairman of this board. Those who attend our meetings regularly know that Russ began his involvement in Town government when he learned of a proposed project that would’ve impacted his neighborhood. He has continued to steadfastly advocate for the Town of Clay’s residents, working diligently over time to make an enormous impact on our community’s development and quality of life. So, thank you Russ, and I am very glad that you will continue your term as a member of this board so we can benefit from your experience and dedication”.

Organizational Items for 2026:

Motion accepting the 2026 Scheduling Calendar, which includes the official meeting dates, and states the filing dates of when a completed application is to be received from an applicant; the Proofs of Publication will be in the Tuesday edition of the Post Standard the week before the meeting; the appointment of Russ Mitchell as Deputy Chairman; the appointment of Marie Giannone as Secretary to the Planning Board; the appointment of Kathleen M. Bennett (Bond, Schoeneck & King) as the Planning Board Attorney and the appointment of C&S Engineers as the Planning Board’s Engineers for the year 2026. Motion made by Mr. Palumbo. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Motion made by Mr. Graves accepting the minutes of December 10, 2025. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Public Hearings:

New Business:

None

Old Business:

Case #2025-026 – **Kelly-Tobin Development/Mirabito Shopping Center**, 5566 State Route 31, Site Plan, (Adj. 6)

Mr. Matt Napierala is present to address the board. Mr. Napierala stated the changes requested have been made as submitted on December 31, 2025.

- ✓ Cover Sheet with proper table showing date and revision dates
- ✓ Detail Layout Plan needed clarification on way signage which has been done
- ✓ Radii of the entry off of Lawton Road has been opened at the intersection at Lawton Road (shown on diagram)
- ✓ Minor adjustment to fueling area

Mr. Napierala said the revised sheets have been given to the board.

Chairwoman Borton asked the board members for questions and/or comments.

Ms. Guinup said the wall signage is a separate application. This will be included in the motion.

Mr. Mitchell said that although he was not in favor of this project this board did the very best to put together a good site plan and wished them good luck with this project.

Mr. Napierala agreed that they have come a long way with working with the board and their comments and felt this site plan will fit the community as well as the commercial use of the area.

Chairwoman Borton said this is a public hearing and asked if there are any questions.

Hearing none, Chairwoman Borton closed this hearing.

Motion read by Mr. Palumbo. Mrs. Chairwoman: In the matter of the application of the planning board case No. 2025-026 for Kelly-Tobin Development/Mirabito Shopping Center Site Plan, 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 resolution for the following reasons: The proposed site development is compatible with the uses established of the Route 31 corridor. Seconded by Mr. Graves.

Motion Carried: 7-0.

Motion read by Mr. Palumbo. Mrs. Chairwoman: In the matter of the application of planning board case No 2025-026 for Kelly-Tobin Development/Mirabito Shopping Center Site Plan, I move the adoption of a resolution using standard form #20 Site Plan be granted based on a map by Napierala Consulting Engineer dated April 29, 2025, revised December 2025 as follows:

| Sheet Title | Sheet No. | Orig. Date | Last Revised |
|-----------------------------------|-----------------------|----------------|-------------------|
| Title Sheet | C-1 | April 29, 2025 | December 31, 2025 |
| General Notes | C-2 | April 29, 2025 | December 2, 2025 |
| Existing Conditions Survey | By: Williams & Edsall | April 6, 2025 | |
| Site Preparation Plan | C-3 | April 29, 2025 | December 2, 2025 |
| Layout Plan | C-4 | April 29, 2025 | December 31, 2025 |
| Detail Layout Plan | C-4.1 | April 29, 2025 | December 31, 2025 |
| Grading Plan | C-5 | April 29, 2025 | December 31, 2025 |
| Erosion and Sediment Control Plan | C-6 | April 29, 2025 | December 31, 2025 |
| Utility Plan | C-7 | April 29, 2025 | December 31, 2025 |
| Lighting Plan | C-8 | April 29, 2025 | December 31, 2025 |
| Landscaping and Snow Storage Plan | C-9 | April 29, 2025 | December 31, 2025 |
| Site Details | C-10 | April 29, 2025 | December 31, 2025 |
| Site Details | C-11, -14 | April 29, 2025 | December 2, 2025 |

Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Wall signage and site signage need to be handled for approval under a separate application and any such signage shown on this submission shall not be considered approved. Seconded by Mr. Graves.

Motion Carried: 7-0

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

Mr. Chad Mutter is present to address the board. The applicant would like to install three dual port level 2 48 AMP EV charging stations at their site.

Chairwoman Borton had the following comments on this site plan.

- “Amended Site Plan for EV Charging” needs to be put on the site plan drawing
- Drawings need to be to scale
- Stamp sheet label on each sheet
- Copy of Survey
- Address needs to be shown on each sheet
- Parking spaces will be restriped? Applicant said yes but only the ADA. A parking summary is required which will meet town code.

Questions from the board:

Ms. Guinup address parking width if restriping will be done.

Mr. Palumbo said the parking layout needs to show dimension of the parking spaces and depth which meet town code. The loading zoning which has the diagonal lines should have proper signage to meet ADA compliance.

There were no comments from the public as this is a public hearing.

Motion made by Mr. Graves to adjourn case 2025-044 to February 11, 2026. Seconded by Mr. McMahon.

Motion Carried: 7-0

Case #2025-046 **RailWorks Track Services, LLC** 8625 Caughdenoy Road, Site Plan (Adj. 4).

Mr. Gary Hurta is present to address the board. Mr. Hurta said the changes requested have been made and a copy has been sent to the planning board. An updated decommissioning plan was provided.

Mr. Bender, Planning & Development Commissioner, said the town attorney, Robert Germain, and the applicant attorney have reviewed the decommissioning plan with C&S Engineers and have an understanding that no Certificate of Occupancy (CO) will be issued until the decommissioning plan is complete, securities in place and approved. This will be put in the motion.

Chairwoman Borton asked the board members for comments and/or questions.

Mr. Graves questioned a future sale of the decommissioning plan. Ms. Kayla Case this would be transferred to the new owner with all the obligations set forth in the original plan.

Chairwoman Borton said this is a public hearing and asked if there are any comments and/or questions. Hearing none, the chairwoman closed this case and asked for a motion. For the record SEQR was completed by OCIDA which is the lead agency for the project and they issued the FEIS as completed on 11/15/25 and the detailed SEQR findings of 11/18/25.

Motion read by Mr. Mitchell. Mrs. Chairwoman: In the matter of the application of Planning Board case No. 2025-046 for RailWorks Track Services at 8625 Caughdenoy Road, I move the adoption of a resolution using standard form #20 – site plan be granted based on the following criteria:

Land Survey by Thew Associates dated 8/8/25

Plans prepared by Ramboll for Micron dated July 2025 and revised as follows:

G-000 & E-102 dated 12/30/25

C-102, C-103, C-104, C-501 and -A201 dated 11/6/25

C-504 dated 11/20/25

C-105, C-106, C-502 and C-503 dated 12/8/25

Photometric Plan 1 of 2 and 2 of 2 dated 2/6/24 revised 12/30/25

Goodfellow Conveyor Drawings 4 of 8 and 7 of 8 dated 7/1/25

The Fugitive Dust Control Plan dated November 2025, prepared by B&B Engineers and Geologists of New York, P.C.

This resolution is conditioned that no Certificate of Occupancy (CO) be issued until the Over-the-Road Decommissioning Plan is completed and approved. Further conditioned upon approval of all other Legal and Engineering requirements of the Town of Clay. Seconded by Ms. Guinup.

Motion Carried: 7-0

Case No. 2026-007 **Micron New York Semi Conductor Manufacturing LLC**, 5171 State Route 31, Final Plat

The preliminary plat was completed on December 10, 2025.

Mr. John Sidd, Hancock Estabrook Law Firm is present on behalf of the applicant. Map has been submitted.

There were no questions from the board.

Motion read by Ms. Guinup: Mrs. Chairwoman: For the record SEQR was done by OCIDA on 11/18/25. In connection with Planning Board case No. 2026-007 for Micron New York Semiconductor Manufacturing LLC, I move the adoption of resolution using our standard form

#40 Granting final plat approval to OCIDA based on a map by Thew Associates dated 9/30/25 revised 12/30/25 showing project no. 4483-12-22, sheets 1 & 2. Subject to the following condition of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Henty.

Motion Carried: 7-0.

Case # 2025-047 – **Micron Semiconductor Manufacturing Facility LLC**, 5171 State Route 31, Site Plan (Adj. 4)

The Micron team gave a brief presentation of the changes made. There were no questions from the board members. This presentation is available on the town of Clay website.

Chairwoman Borton said she appreciated all the time and effort the Micron team has done addressing all our questions and comments working with us over the last few months. Thank you very much. The board members all reiterated the chairwoman's comments.

Mr. Bender, Commissioner of Planning and Development said the planning department is coordinating the permitting process. We are coordinating with Micron staff having several pre construction meetings. There is activity on the site impacting neighborhoods and roads and information will be put on the town of Clay website. There will also be links to the Micron corporation website.

Chairwoman Borton said this is a public hearing and asked for any comments and/or questions. Hearing none, the chairwoman closed this case and asked for a motion.

Motion read by Mr. Mitchell. Mrs Chairwoman: SEQR has been established as follows: OCIDA was the lead agency for the White Pines project and they issued the FEIS as completed on 11/15/25 and the detailed SEQR findings as of 11/18/25. In the matter of the application of Planning Board case No. 2025-047 for a semiconductor facility at 5171 State Route 31, I move the adoption of a resolution using standard form #20 site plan be Granted based on the following:

Land Survey by Thew Associates dated 4/20/23 with project no. 4483-12-22.

Maps made by Jacobs Architectural for Micron as presented and described as follows on the cover sheet index dated 8/28/25 revised 12/30/25.

Site Plan: CS 1000, 1001, 1002, 1003 and 1004 dated 11/5/25 revised 12/30/25. CS 2000 dated 12/30/25, LI-1000, 1001, 1002, 1003, and 1004 dated 11/5/25 revised 11/26/25.

Master Plan Phasing: AO 0110, 0111 and 0112 dated 8/8/25 revised 12/30/25.

Project Visualization: AO 0150 and 0151 dated 8/28/25 revised 11/26/25.

Architectural Plans: AO 203, 204, 207 and 208 dated 8/28/25 revised 12/30/25.

Overall Building Elevations: All drawings dated 8/28/25 revised 11/26/25.

Variances: All drawings dated 8/28/25 revised 11/26/25.

Conditioned upon approval of all Legal and Engineering requirements of the Town of Clay.
Seconded by Mr. Henty.

Motion Carried: 7-0.

Case #2025-050 **Ironhorn Enterprises/Troy Bullock (7245 Warehouse)** located at 7245 Henry Clay Blvd., Amended Site Plan (Adj. 4)

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

Ms. Samoray said documents have been presented to the board as requested. Also, Water Environment Protection (WEP) provided their letter regarding capacity assurance. Also received the letter from Army Corp of Engineers regarding the jurisdictional determination for the 55.3-acre review.

Chairwoman Borton said no conditional approval can be done but during the application process if actions from this board are needed contact Mr. Bender in advance so this board can be prepared during the planning board meeting.

Chairwoman Borton discussed the shared parking and asked if there is a formal agreement in place. Ms. Samoray said it is not really a shared parking which is located across the street from the facility. Chairwoman Borton and Ms. Guinup concurred that if that parking lot/parcel was sold that would affect the parking lot requirements. Ms. Guinup referred this to Ms. Bennett, planning board attorney, for clarification. Ms. Bennett said the easement would be the most protective of the parcel. Discussion followed with the attorney and applicant.

Ms. Guinup asked about dumpsters. Ms. Samoray said no dumpsters as each tenant will handle their own waste removal.

Ms. Samoray said comments have been sent to county, and DOT, water department all set.

Mr. Greg Cleghorn, CO of Ironhorn, spoke on the parking situation which is across the street from the site. He said potential tenants do not need a lot of parking and as little as 30 parking spaces for the entire 6,000 sq ft building are needed. Chairwoman Borton referred this to Mr. Bender, commissioner of planning and development. This can be handled if a variance is needed in the future.

Chairwoman Borton said this is a public hearing and asked for any comments/questions. Hearing none, a motion was made to adjourn to February 11, 2026.

Motion made by Mr. Graves to adjourn case #2025-050 to February 11, 2026. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Case #2025-054 **Cheryl D. White/Clay Equestrian Center**, 9605 Black Creek Road, Site Plan (Adj. 1).

The applicant has requested an adjournment to January 28, 2026.

Motion made by Mr. Graves to adjourn case #2025-054 to January 28, 2026. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Case #2025-056 – **Northside Baptist Church** – 7965 Oswego Road, Amended Site Plan, (Adj 1)

The applicant has requested an adjournment to January 28, 2026.

Motion made by Mr. Graves to adjourn case #2025-056 to January 28, 2026. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Case #2025-058 – **Conifer LLC** – 4155 State Route 31, Final Plat (Adj. 1)

Mr. Tim Coyer is present to address the board on behalf of the applicant. This is to subdivide an existing 121-acre parcel into two lots – a new 13-acre parcel and a 107-acre remnant parcel. This new subdivision will be known as Great Northern Subdivision 3.

The board had no questions.

There were no questions/comments from the public as this is a public hearing.

Chairwoman Borton closed this case and asked for a motion.

Motion read by Mr. Mitchell. Mrs. Chairwoman: SEQR was done during preliminary plat on December 10, 2025. In the matter of the application of planning board case No 2025-058 for final plat of Great Northern Subdivision 3, I move the adoption of a resolution using standard form #30 preliminary plat be Granted based on a map by Ianuzi & Romans dated September 18, 2025 with File #13877.001. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Ms. Guinup.

Planning Board
Regular Meeting
January 14, 2026

Motion Carried: 7-0.

Motion made by Mr. Mitchell to adjourn this meeting at 8:30 p.m. Seconded by Ms. Guinup.

Motion Carried: 7-0.

Respectfully Submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary