

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

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Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

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ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

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PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
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David Hess	Councilor
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REGULAR MEETING

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE from I-2 Industrial to NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE from I-2 Industrial to NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE from HC-1 Highway Commercial to LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

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Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

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Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

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William C. Weaver	Councilor
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Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

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REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

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A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

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Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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Approval of Minutes:

Councilor Hess made a motion to approve the minutes of the April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

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REGULAR MEETING

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Ayes – 6 and Noes – 0. *Motion carried.*

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Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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APPROVED

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PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
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REGULAR MEETING

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Ayes – 6 and Noes – 0. *Motion carried.*

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A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

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Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

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Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

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PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
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ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

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Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

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William C. Weaver	Councilor
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Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

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REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

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A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

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Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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Approval of Minutes:

Councilor Hess made a motion to approve the minutes of the April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

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REGULAR MEETING

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Ayes – 6 and Noes – 0. *Motion carried.*

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Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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APPROVED

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PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
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REGULAR MEETING

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Ayes – 6 and Noes – 0. *Motion carried.*

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A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

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Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE from I-2 Industrial to NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE from I-2 Industrial to NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE from HC-1 Highway Commercial to LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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.

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

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Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

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PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
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ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

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Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

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William C. Weaver	Councilor
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Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

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REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

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A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

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Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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Approval of Minutes:

Councilor Hess made a motion to approve the minutes of the April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

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REGULAR MEETING

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Ayes – 6 and Noes – 0. *Motion carried.*

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Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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APPROVED

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PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
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REGULAR MEETING

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Ayes – 6 and Noes – 0. *Motion carried.*

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A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

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Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

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Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

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PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE from I-2 Industrial to NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE from I-2 Industrial to NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE from HC-1 Highway Commercial to LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

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Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution approving the application of **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

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Ayes – 6 and Noes – 0. *Motion carried.*

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Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

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Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

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William C. Weaver	Councilor
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Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

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REGULAR MEETING

SPECIAL PERMIT (SEQR) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

SPECIAL PERMIT (A) Town Board Case # 1109 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Hess moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC/RITE AID PHARMACY FOR A SPECIAL PERMIT** pursuant to **Section 230-16 C. (2) (e) [2]** to allow for a drive thru for a proposed Rite Aid Pharmacy on land located at **3566 State Route 31**, part of **Tax Map No. 052.-02-11.1**; consisting of .044± acres of land. Motion was seconded by Councilor Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Rowley moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3566 State Route 31, Tax Map No. 052.-02-11.1**; consisting of approximately 1.29± acres of land 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 Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1107 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (SEQR) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution that the application for **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land 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 Rowley.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (A) Town Board Case # 1108 - KIMBROOK ROUTE 31 DEVELOPMENT, LLC:

Councilor Bick moved the adoption of a resolution approving the application of **KIMBROOK ROUTE 31 DEVELOPMENT, LLC FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **RC-1 Regional Commercial** to allow for a proposed 11,115 square foot Rite Aid Pharmacy on land located at **3578 State Route 31, Tax Map No. 052.-02-11.2**; consisting of approximately .38± acres of land; contingent upon to combining of the subject parcels. Motion was seconded by Councilor Hess.

Ayes – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (SEQR) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

Councilor Bray moved the adoption of a resolution that the application for **HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC) FOR A ZONE CHANGE** from **I-2 Industrial** to **NC-1 Neighborhood Commercial** to allow for more flexibility of use for the current property located at **4975 State Route 31, Tax Map No. 046.-01-16.1**; consisting of approximately 1.473± acres of land 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 – 6 and Noes – 0. *Motion carried.*

ZONE CHANGE (A) – Town Board Case # 1106 - HILARY DONOHUE (GROUP ONE DESIGN, LLC PROPERTY) & BRYAN SOTHERDEN (SIDE TRACK ENTERPRISES, LLC):

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Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (PH/Adj.) Town Board Case # 1112 - REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP.:

A public hearing to consider the application of **REROB, LLC AND KELLY-TOBIN DEVELOPMENT, CORP. FOR A ZONE CHANGE** from **HC-1 Highway Commercial** to **LUC-1 Limited use for Gasoline Services** to allow for proposed ExpressMart gas station, convenience store and car wash on vacant land on the southwest corner of **State Route 31 & Lawton Road, Tax Map No. 077.-34-17.1**; consisting of approximately 3.7 ±acres of land. (Adjourned to this date and time from the April 3, 2017 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski and Doug Beechel were present on behalf of the applicant. Mr. Beechel began by giving a brief background of the company. Mr Wisnewski continued giving an overview of the application and reiterating what was discussed at the previous meeting.

Many of the residents were present to voice their concerns and aversion to the proposed application. Some spoke out regarding an increase in traffic; others were concerned with the environmental impact. While the general mood was passionate regarding the desire not to have the proposed gas station most were respectful with the exception of a resident at 5716 Boulia Drive. The resident accused the Town Board of being motivated by “kick backs”. She continued that her family had a business and she knew how it worked. Several of the Board members were insulted by the accusations and the Supervisor told her that he resented her statement. She continued to speak out and again the Supervisor explained his irritation with her unfounded allegations. Order was restored and the meeting continued. Questions and comments went on for nearly two hours with each resident being able to make statements and ask questions and many points being made repetitively. When all of the commentary was concluded, Supervisor Ulatowski **closed** the public hearing adding that a decision would be forthcoming at a future meeting.

Zone Change (PH/Adj.) Town Board Case # 1111 - FRANCIS FIORITO:

Councilor Hess made a motion to adjourn the public hearing to **May 15, 2017 at 7:38 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

LOCAL LAW NO. 2 OF 2017 (PH/Adj.) amending Chapter 230-11:

Councilor Hess made a motion to adjourn the public hearing to **June 2nd, 2017 at 7:35 PM**. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Zone Change (CPH) - Town Board Case # 1113 - FARONE & SON, INC. AND CARMEN & BLASE LARROCA:

Councilor Hess moved the adoption of a resolution calling a public hearing **May 15, 2017**, commencing at **7:35 P.M.**, local time, to consider the application of **FARONE & SON, INC. AND CARMEN & BLASE LARROCA** for a **ZONE CHANGE** from **R-10 One-Family Residential** to **NC-1 Neighborhood Commercial** to allow for the construction of new funeral home on property located at **4887, 4889 & 4899 West Taft Road, Tax Map No. 107.-21.49.0, 50.0 & 51.0**; consisting of approximately 6.0± acres of land. Motion was seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Adjournment:

The meeting was adjourned at 9:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes – 6 and Noes – 0. *Motion carried.*

Jill Hageman-Clark RMC / Town Clerk

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 1st of May, 2017 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Jim Rowley	Councilor
David Hess	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Neil Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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OTHERS PRESENT:

Hal Henty; Member of the Planning Board & Dorothy Heller; Town Historian.

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 April 17th, 2017 meeting. Motion was seconded by Councilor Rowley.

Ayes – 5 and Noes – 0 and 1 – Abstaining. *Motion carried. Councilor Bick abstained due to his absence at that meeting.*

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that items numbered 15 and 16 on the agenda will be adjourned.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

REGULAR MEETING

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