

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the April 3, 2023 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
Eugene Young	Councilor
David Hess	Councilor
Kevin Meaker	Councilor
Deborah Magaro-Dolan	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Ryan Pleskach	Councilor
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OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty, Planning Board Member.

The meeting was called to order by Supervisor Ulatowski at 7:30 P.M. All present joined in the Pledge of Allegiance.

Approval of Minutes:

Councilor Hess made a motion to approve the minutes of the March 20, 2023 Regular Town Board meeting. Motion was seconded by Councilor Meaker.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that there are no requests for adjournments.

Correspondence:

There was no correspondence; however, Supervisor Ulatowski said that before he continued with the meeting he wanted to recognize Hal Henty for his service to the Town of Clay and presented him with the following Proclamation:

PROCLAMATION

At the Regular Meeting of the Town Board of the Town of Clay, held on the 3rd day of April 2023, the following resolution was duly adopted:

WHEREAS, Mr. Hal A. Henty has capably and tirelessly served the Town of Clay and our residents for more than 36 years. Hal started working for the Town as a part-time Assessment Clerk in 1986. During his 36 years of service, Hal also served as a Codes Officer, Town Assessor, and our unofficial professional photographer. Even after officially retiring from the Town, Hal stayed active by serving as a member of the Zoning Board of Appeals and he currently serves on the Town Planning Board. Hal Henty devoted much of his life to the Town of Clay. As you can see, he is still at it-and we are forever grateful.

WHEREAS, Hal played an instrumental role in several of the Town’s development efforts, and accomplishments. He continually supported public safety, welfare, and livability in the Town by working to insure sound and proper planning efforts. Hal continually emphasized the importance of establishing and maintaining quality public spaces and parks for our residents to enjoy. He has devoted his life to serving his family, friends, and community. Today, Hal’s tireless advocacy is officially recognized.

NOW, THEREFORE, BE IT RESOLVED by the Town of Clay Board that from this day forth, the Town of Clay Willow Stream Park shall be officially named and known as “Hal Henty Community Park.” This resolution authorizes installation of any new signage related to this matter.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the **Great Seal of the Town of Clay** to be affixed at Town Hall this 3rd day of April, in the year of our Lord, Two Thousand Twenty-Three.

Damian M. Ulatowski, Supervisor

REGULAR MEETING:

ZONE CHANGE – (PH/Adj.) – Town Board Case # 1177 - ROUTE 31 HOLDING COMPANY, LLC:

A public hearing to consider the application of **ROUTE 31 HOLDING COMPANY, LLC** for a Zone Change located at **5252 State Route 31**, from RA-100 Residential

Agricultural District to HC-1 Highway Commercial District, **Tax Map No. 064.-01-12.3** consisting of 20 +/- acres of land, was opened by the Supervisor. *Adjourned from the March 20, 2023, Town Board Meeting.*

Tim Frateschi was present to speak on behalf of the applicant, Dr. John Davis (also present). He explained that Dr. Davis is the property owner but does not practice there. He explained that there are 5 acres with frontage on Route 31 but because of the highway overlay twice the property (10 acres) would be required. There are 10 existing acres and approval of this zone change would be consistent with the zoning to west of this parcel. Onondaga County has indicated that they may want Industrial Zoning for the south side of Route 31.

Councilor Young asked why they are requesting a zone change for the entire parcel and if they have a plan for construction. Mr. Frateschi said that they have no plans at this time. There was a discussion about the requirements for the Highway Commercial zoning.

A curb cut is shown from Sterns Road to access the parcel. Councilor Meaker asked where on the map the closest residential parcel is on Sterns Road. Mr. Frateschi said that it does not show on the map.

All questions and comments having been heard, Supervisor Ulatowski **closed** the public hearing.

ZONE CHANGE – (CPH) – Town Board Case # 1178 - TIDAL WAVE AUTO SPA:

Councilor Meaker moved the adoption of a resolution calling a public hearing **May 1, 2023**, commencing at **7:35 P.M.**, local time, to consider the application of **TIDAL WAVE AUTO SPA** for a Zone Change located at **5004, 5008 & 5014 West Taft Road**, from R-10 One-Family Residential District to HC-1 Highway Commercial District, **Tax Map Nos. 116.1-01-04.1, 116.1-01-05.0 and 116.1-01-06.0** consisting of +/-3.87 acres of land. Motion was seconded by Councilor Young.

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

ZONE CHANGE – (CPH) – Town Board Case # 1181 - POPEYES/LIBERTY RESTAURANTS DEVELOPMENT:

Councilor Hess moved the adoption of a resolution calling a public hearing **April 17, 2023**, commencing at **7:38 P.M.**, local time, to consider the application of

POPEYES/LIBERTY RESTAURANTS DEVELOPMENT for a Special Permit to allow for a fast-food restaurant drive through pursuant to Section 230-16C.(2)(e)[2] – Drive-In Service, for property located at **7379 Oswego Road, Tax Map No. 104.-02-13.1 and 104.-02-13.2**. Motion was seconded by Councilor Young.

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

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

Councilor Hess moved the adoption of a resolution calling a public hearing **April 17, 2023**, commencing at **7:41 P.M.**, local time, to consider the application of **SPLASH CAR WASH 4S-BUCKLEY LLC.**, for a Special Permit to allow for a Car Wash for property located at **7190-7192 Buckley Road, Tax Map No. 117.-02-47.0**. Motion was seconded by Councilor Young.

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

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

Councilor Young moved the adoption of a resolution calling a public hearing **April 17, 2023**, commencing at **7:44 P.M.**, local time, to consider the application of **ROUTE 31 WIDEWATERS** for a Zone Change located at 3715 State Route 31, from RC-1 Regional Commercial District to RC-1 Regional Commercial District and R-Apt Residential Apartment District, **Tax Map No. 020.-01-05.1 and 020.-01-05.2**. Motion was seconded by Councilor Meaker.

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

ONONDAGA COUNTY COMMUNITY DEVELOPMENT for the year 2024 (CPH):

Councilor Magaro-Dolan moved the adoption of a resolution calling a public hearing **April 17, 2023**, commencing at **7:35 P.M.**, local time, to solicit from Town of Clay residents their comments and input regarding the use of funds by the Town of Clay with respect to the application(s) for funding to be filed with **ONONDAGA COUNTY COMMUNITY DEVELOPMENT** for the year 2024. Motion was seconded by Councilor Bick.

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

Authorization (application for grant funding) - Energy Efficiency and Conservation Bock Grant (EECBG) Program:

Councilor Bick moved the adoption of a resolution authorizing the Supervisor to complete the application for Department of Energy (DOE) formula grant funding through the **Energy Efficiency and Conservation Bock Grant (EECBG) Program**. Funding through the EECBG Program is noncompetitive and the Town of Clay has been allocated funding in the amount of \$118,800 from DOE. Said application and pre-award information sheet is due on April 28, 2023. Motion was seconded by Councilor Hess.

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

Project/Securities (posting) – HARKE FARMS SUBDIVISION SECTION NO. 2:

Councilor Meaker moved the adoption of a resolution that the Town of Clay having conducted public hearings to consider the construction and acquisition of sewer, drainage water supply and lighting facilities located within **HARKE FARMS SUBDIVISION SECTION NO. 2**, (Harke Farms Sewer District, Contract No. 1, Harke Farms Drainage District, Contract No. 1, Harke Farms Lighting District, Contract No.1) and the construction of said facilities having been completed in accordance with the Plans and Specifications thereof; The Town Engineers having certified that the facilities have been satisfactorily completed and that the developer post the following security as shown under correspondence by the Town Engineers' under date of March 31, 2023: **Maintenance Guarantee - \$11,000 (Sewer \$8,000 and Drainage \$3,000); Highway - \$14,028; Monument Deposit - \$900; Parkland Contributions - \$4,500;** and any other unpaid fees that may be owed by the Town of Clay for engineering, legal and/or administrative fees; and further contingent upon the developer having complied with all the requirements set forth in an Agreement between the Town of Clay and **COR VERPLANK ROAD COMPANY, LLC.**, that the Town accept title to such facilities. Motion was seconded by Councilor Magaro-Dolan.

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

Project/Easement - HARKE FARMS SUBDIVISION SECTION NO. 2:

Councilor Hess moved the adoption of a resolution accepting easements for sewer and drainage facilities located within **HARKE FARMS SUBDIVISION SECTION NO. 2**, (Harke Farms Sewer District, Contract No. 1 and Harke Farms Drainage

District, Contract No. 1) all as shown on a Final Plan prepared by Ianuzi & Romans Land Surveying, P.C., dated **October 27, 2016**. Motion was seconded by Councilor Bick.

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

Project/Warranty, Deed, etc. – HARKE FARMS SUBDIVISION SECTION NO. 2:

Councilor Hess moved the adoption of a resolution accepting a Warranty Deed, Dedication, Application and Release of damages for the roads in Section Two (2) located within **HARKE FARMS SUBDIVISION SECTION NO. 2**; from **CORVERPLANK ROAD COMPANY, LLC**. (Harke Lane having Permeable Shoulders). Motion was seconded by Councilor Bick.

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

Authorizing/Agreement - Annual Groundwater Sampling, Site-Wide Inspection, and Periodic Review Report:

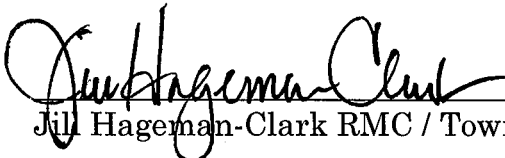
Councilor Bick moved the adoption of a resolution authorizing the Supervisor to enter into an agreement with C&S Engineers, Inc. for **Annual Groundwater Sampling, Site-Wide Inspection, and Periodic Review Report** at Maider Road Waterfront Site, NYSDEC Site No. B00015 for a lump sum fee of \$16,000.00 US Dollars. Motion was seconded by Councilor Magaro-Dolan.

Ayes – 6 and Noes – 0. *Motion carried. Councilor Young asked if this sampling will be completed yearly. Mr. DeTota explained that the mitigation efforts will be determined by the samples gathered this year.*

Adjournment:

The meeting was adjourned at 8:04 P.M. upon motion by Councilor Young and seconded by Councilor Meaker.

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


Jill Hageman-Clark RMC / Town Clerk