

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 4, 2022 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
David Hess	Councilor
Ryan Pleskach	Councilor
Kevin Meaker	Councilor
Deborah Magaro Dolan	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Joseph A. Bick	Deputy Supervisor/Councilor
Eugene Young	Councilor

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 21, 2022 Town Board meeting. Motion was seconded by Councilor Pleskach.

Ayes – 5 and Noes – 0. *Motion carried.*

**Cancellation and/or requested adjournments.**

None

**Correspondence:**

There was no correspondence.

**REGULAR MEETING:**

*Supervisor Ulatowski said that he would open all of the Farmstead Projects at the same time.*

**Project/Sewer – (PH) THE FARMSTEAD SEWER DISTRICT EXTENSION – CONTRACT NO. 1.:**

A public hearing to consider a Petition for the creation of a sewer district within the Town of Clay to be designated and known as “**THE FARMSTEAD SEWER DISTRICT EXTENSION**” and for the construction and acquisition of a sewer system therein to be designated and known as “**THE FARMSTEAD SEWER DISTRICT EXTENSION – CONTRACT NO. 1.**” was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

**Project/Sewer – (PH) THE FARMSTEAD DRAINAGE DISTRICT EXTENSION – CONTRACT NO. 1.:**

A public hearing to consider a Petition for the creation of a drainage district within the Town of Clay to be designated and known as “**THE FARMSTEAD DRAINAGE DISTRICT EXTENSION**” and for the construction and acquisition of a sewer system therein to be designated and known as “**THE FARMSTEAD DRAINAGE DISTRICT EXTENSION – CONTRACT NO. 1.**” was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

**Project/Water – (PH) THE FARMSTEAD WATER SUPPLY DISTRICT EXTENSION.:**

A public hearing to consider a Petition for the creation of a water supply district within the Town of Clay to be designated and known as “**THE FARMSTEAD WATER SUPPLY DISTRICT EXTENSION.**” was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

**Project/Lighting– (PH) THE FARMSTEAD LIGHTING DISTRICT EXTENSION.:**

A public hearing to consider a Petition for the creation of a lighting district within the Town of Clay to be designated and known as “**THE FARMSTEAD LIGHTING DISTRICT EXTENSION.**” was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Alex Wisnewski of LJR Engineering spoke on behalf of the applicant, giving a brief overview of the project. He began by orientating the people to the location of the project near the intersection of Maple and Grange Roads. He continued that they are nearing the completion of construction for the Farmstead Development (sections 6-9) and that there will be new access. The applicant is extending the districts; sewer will consist of 6” diameter pipes draining to the Oak Orchard Plant costing the residents \$35.00 for consolidated sewer and \$464.68 for Onondaga County sewer annually per unit (lot). The drainage will be extended 6000’ and will drain to Shaver Creek. Residents will be charged an annual cost of \$103.00 per unit (lot). Water districts for the new 91 lots will include hydrants to be charged \$76.74 per

hydrant currently approximately \$8.00 per unit. The lighting district will be extended for the 91 lots at an annual cost of \$93.73 per lot annually.

Supervisor Ulatowski said that this looks straightforward. Councilor Hess asked how many lots will there be upon completion. Mr. Wisnewski said 213 total they are just over halfway to completion.

There being no more questions, Supervisor Ulatowski **closed** the public hearings.

**Zone Change (PH/Adj.) – Town Board Case # 1171 - CHICK-FIL-A:**

A public hearing to consider the application of **BOHLER ENGINEERING**, for a Zone Change for a **CHICK-FIL-A** on South Bay Road, from **R-10 to LuC-2, Tax Map No. 118.-01-02.0** consisting of +/- .25 acres of land. (Adjourned to this date and time, from the March 21, 2022 Town Board Meeting) was opened by the Supervisor. Supervisor Ulatowski asked if there was anyone present on behalf of the applicant. There was not. Councilor Pleskach said that he had questions for the applicant. Hearing no further comments, the Supervisor explained that the Planning Board has established themselves as lead agency for SEQR purposes. This means that they have notified all involves agencies, such as DOT, DEC, Village of North Syracuse, OCWA, of this proposal for their input and comments. This letter was sent on March 28, 2022; the commencement period is 30 days. Once the time has expired we can move forward with our decision. Councilor Hess made a motion to **adjourn** the public hearing to **May 2, 2022 at 7:35 PM**. Councilor Meaker seconded the motion.

Ayes – 5 and Noes – 0. *Motion carried.*

**Zone Change (PH/Adj.) – Town Board Case # 1172 – CLAY VOLUNTEER FIRE DEPARTMENT INC:**

A public hearing to consider the application of **IANUZI & ROMANS LAND SURVEYING, P.C.** for a Zone Change for the **CLAY VOLUNTEER FIRE DEPARTMENT INC. (STATION 3)**, located at **8129 Caughdenoy Road (at the corner of Mirage Lane)**, from **Government District to R-15 One-Family Residential District, part of Tax Map Nos. 075.-01-02.1 and 075.-01-02.2** consisting of +/- .84 acres of land. (Adjourned to this date and time, from the March 21, 2022 Town Board Meeting) was opened by the Supervisor.

Tim Coyer was present on behalf of the applicant; he began by explaining that they received a favorable recommendation from Onondaga County Planning. There was a discussion about the perimeter strip being given to the Clay Volunteer Fire Department; however, they do not want it.

Supervisor Ulatowski said that he and the Town Engineer, Ron DeTota, walked the property and concluded that this property is likely too wet to build. There was standing water with a stream running through the property. There was trash and

significant water, not just pockets. Councilor Meaker asked if Mr. Coyer had seen the petition submitted to the Town Clerk and verified by the Assessor. He had not. Councilor Meaker added that it will require a super majority to pass. Mr. Coyer asked if he could address the concerns prior to the closing and subsequent vote. Supervisor Ulatowski agreed that the meeting could be adjourned to accommodate the applicant. Councilor Pleskach asked Tim Shaughnessy why the Fire Department does not want the property. He explained that they have no use for it.

Many residents spoke out in opposition of this zone change and development, many citing the already poor drainage conditions and the effect that it will have on the neighboring parcels and the wildlife.

Councilor Hess made a motion to **adjourn** the public hearing to **April 18, 2022 at 7:38 PM**. Motion was seconded by Councilor Pleskach.

Ayes – 5 and Noes – 0. *Motion carried.*

**ZONE CHANGE (PH/Adj.) – Town Board Case # 1157 – CLAY MARKETPLACE (PDD):**

A public hearing to consider the application for a Zone Change from RC-1, Regional Commercial District to PDD, Planned Development District. Said project to be known as **CLAY MARKETPLACE**, located on the Northeast corner of **NYS Route 31 and Henry Clay Blvd, Tax Map No. 045.-01-02.1**. Consisting of a total of 14.9 acres, comprised of ninety-six (96) apartment units, in two (2) three-story buildings, and commercial sites consisting of ±30,000 square feet of retail, restaurant and office space. (Adjourned to this date and time, from the March 21, 2022 Town Board Meeting) was opened by the Supervisor.

Alex Wisnewski of LJR Engineering and Gordon Stansbury were present on behalf of the applicant. Mr. Stansbury began by explaining the traffic study conducted in February of 2021, explaining that the focus was on State Route 31 and Henry Clay Boulevard encompassing the Circle K and Sherwood Circle curb cuts. He discussed the gaps in traffic and the trips generated during peak hours. Morning peak generates 400 vehicles traveling south on Henry Clay per hour and 200 north per hour. Evening generates 600-700 per hour peak. Mr. Stansbury said that the proposed left turn lane will greatly improve the movement of the traffic at the intersection however there will be no modification to the signal.

Councilor Hess asked about the ranking of the driveways for the Circle K, the Storage Facility and Sherwood Circle. Mr. Stansbury explained they range from D to E weekdays, C, and D on Saturdays. Dave Holloway of Newbury Place asked for clarification, “only one new car every four minutes including the apartments in the back?” Mr. Stansbury concurred. He continued, stating that people generally assume that apartments generate more traffic than they actually do and the trips are staggered. 96 apartments will create low trip generation. Councilor Pleskach asked where the trip analysis on apartments comes from. Mr. Stansbury said that

it is national data and is very accurate. Councilor Pleskach asked if they took COVID into consideration regarding the reduction in traffic and people working remotely. Mr. Stansbury said that they applied 10% to accommodate for COVID.

Mr. Wisniewski summarized that this project will improve the current traffic situation by adding the left turn lane. Councilor Meaker asked how much it would cost to improve the signal; Mr. Stansbury said probably a half million dollars. Mr. Wisnowski explained that the improvements to the roadway at the intersection are costly and will not be completed if the application is not approved.

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

**Fire Hydrant (relocation) - Fire Hydrant #12417 (A):**

Councilor Hess moved the adoption of a resolution **approving** the proposed relocation of existing **Fire Hydrant #12417** Clay Fire Station, authorizing the Supervisor to execute the OCWA fire hydrant relocation application; OCWA Project No. 9003971. Motion was seconded by Councilor Meaker.

Ayes – 5 and Noes – 0. *Motion carried.*

**BID/RFQ - Three Rivers Brownfield Opportunity Area (BOA) Pre-Development Project, Three Rivers Point:**

Councilor Pleskach moved the adoption of a resolution authorizing the Supervisor to advertise for a Request for Qualifications (RFQ) from qualified firms interested in providing technical consulting services associated with Components 1 – 3 of the **Three Rivers Brownfield Opportunity Area (BOA) Pre-Development Project, Three Rivers Point**, within the Town of Clay. Said RFQ's to be received until **April 28, 2022**. Motion was seconded by Councilor Hess.

Ayes – 5 and Noes – 0. *Motion carried.*

**Project/Sewer – (A) THE FARMSTEAD SEWER DISTRICT EXTENSION – CONTRACT NO. 1.:**

Councilor Magaro-Dolan moved the adoption of a resolution **approving** the creation of a sewer district within the Town of Clay to be designated and known as **"THE FARMSTEAD SEWER DISTRICT EXTENSION, CONTRACT NO. 1."** Councilor Meaker seconded the motion.

Ayes – 5 and Noes – 0. *Motion carried.*

**Project/Sewer – (A) THE FARMSTEAD DRAINAGE DISTRICT EXTENSION – CONTRACT NO. 1.:**

Councilor Magaro-Dolan moved the adoption of a resolution **approving** the creation of a drainage district within the Town of Clay to be designated and known as "**THE FARMSTEAD DRAINAGE DISTRICT EXTENSION, CONTRACT NO. 1.**" Councilor Meaker seconded the motion.

Ayes – 5 and Noes – 0. *Motion carried.*

**Project/Water – (A) THE FARMSTEAD WATER SUPPLY DISTRICT EXTENSION.:**

Councilor Meaker moved the adoption of a resolution **approving** the creation of a water supply district within the Town of Clay to be designated and known as "**THE FARMSTEAD WATER SUPPLY DISTRICT EXTENSION.**" Councilor Magaro-Dolan seconded the motion.

Ayes – 5 and Noes – 0. *Motion carried.*

**Project/Lighting– (A) THE FARMSTEAD LIGHTING DISTRICT EXTENSION.:**

Councilor Meaker moved the adoption of a resolution **approving** the creation of a lighting district within the Town of Clay to be designated and known as "**THE FARMSTEAD LIGHTING DISTRICT EXTENSION.**" Councilor Magaro-Dolan seconded the motion.

Ayes – 5 and Noes – 0. *Motion carried.*

**Project (acquire public facilities) - THE FARMSTEAD SUBDIVISION SECTION Nos. 6 – 9:**

Councilor Meaker moved the adoption of a resolution that it **is** in the public interest that the Town of Clay approve the construction and acquire the public facilities located within the "**THE FARMSTEAD SUBDIVISION SECTION NOS. 6 - 9**" (The Farmstead Sewer District Extension, Contract No. 1; The Farmstead Drainage District Extension, Contract No. 1; The Farmstead Water Supply District Extension; and The Farmstead Lighting District Extension) in accordance with the terms and conditions of a certain Agreement entered into between the Town of Clay and the developer **MAPLE ROAD ASSOCIATES, INC.** Councilor Magaro-Dolan seconded the motion.

Ayes – 5 and Noes – 0. *Motion carried.*

**FINAL PLANS (A) - THE FARMSTEAD SUBDIVISION SECTION Nos. 6 – 9:**

Councilor Meaker moved the adoption of a resolution **approving** the Final Plans for the **“THE FARMSTEAD SUBDIVISION SECTION NOS. 6 – 9”** (The Farmstead Sewer District Extension, Contract No. 1; The Farmstead Drainage District Extension, Contract No. 1; The Farmstead Water Supply District Extension; and The Farmstead Lighting District Extension) and authorizing the Supervisor to execute the documents necessary therefore. Councilor Magaro-Dolan seconded the motion.

Ayes – 5 and Noes – 0. *Motion carried.*

**Adjournment:**

The meeting was adjourned at 8:23 P.M. upon motion by Councilor Young and seconded by Councilor Bick.

Ayes – 5 and Noes – 0. *Motion carried.*

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Jill Hageman-Clark RMC / Town Clerk