

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 9th of September, 2015 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
John Marzocchi	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Eugene Young	Councilor
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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 Bray moved to **Approve** the Minutes of the July 20th, 2015 Town Board Meeting and the August 6th, 2015 Special Meeting. Motion was seconded by Councilor Rowley.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that he knew of no cancellations or adjournments.

Correspondence:

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

REGULAR MEETING:

The Supervisor said that in light of the first public hearing being called for 7:41 PM, he would begin with item numbered 13, 14 and 15 on the agenda if the Town

Council agreed and he did. He also mentioned some of the activities offered by the Recreation Department.

Project/Drainage (PH) - CLAY CONSOLIDATED DRAINAGE DISTRICT:

A public hearing to consider a Petition to add **RIVER ISLAND ESTATES** to the **CLAY CONSOLIDATED DRAINAGE DISTRICT**. (River Island Estates Subdivision).

Ron DeTota spoke regarding the request for drainage for River Island Estates. He explained that currently the area is overgrown and when the homes were constructed there was less need to incorporate rural subdivisions into drainage districts however over time the residents decided that they were willing to pay \$91.00 per year to be served by this drainage district.

Supervisor Ulatowski asked currently how the properties are drained. Mr. DeTota said that some connect to the river and swales. Some of the overgrown vegetation has been removed and the channel will drain to the Towns drainage easement.

Supervisor Ulatowski asked if there were any questions; hearing none, he **closed** the public hearing.

Zone Change (PH) – Town Board Case # 1086 - NICHOLS LD, LLC:

A public hearing to consider the application of **NICHOLS LD, LLC FOR A ZONE CHANGE** from **HC-1 Highway Commercial, RA-100 Residential Agricultural & R-TH Townhouse** to **REC-1 Recreation**, to allow for a Sports Complex on vacant land located at **7240 Oswego Road, Tax Map Nos. 114.-01-32.0, 114.-01-33.0, 114.-01-34.0 & 114.-01-37.0**; consisting of approximately 7.76± acres of land was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Tim Coyer of Ianuzi and Romans was present along with Jim Nichols property owner. Mr. Coyer explained that Mr. Nichols would like to construct a sports complex; hours of operation will be 6 AM to 10 PM seven days a week. The parcel will have 2 driveways and will be an extension of the existing Sharkey's bar and restaurant. They will serve limited food and beverage at the new complex and will require another liquor license.

Supervisor Ulatowski said that he will refer this to the **Planning Board** for review and recommendation. Councilor Hess made a motion to **adjourn** the public hearing to **October 5, 2015 at 7:35 P.M.** Motion was seconded by Councilor Bick.

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

Zone Change (PH) – Town Board Case # 1085 - STEWART'S SHOPS CORP. AND PITCHER HILL ASSOCIATES:

A public hearing to consider the application of **STEWART'S SHOPS CORP. FOR A ZONE CHANGE** from **R-APT Residential Apartment District** to **LUC-1 Regional Commercial District/R-APT Residential Apartment District** to construct a Stewart's Shop and fuel facility in the front portion and leave the rear portion as is, on vacant land located at the southeast corner of **Buckley and Bear Roads, Tax Map No. 097.-01-08.1**; consisting of approximately 9.02± acres of land was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

James Trasher of Clough Harbor Association was present on behalf of the applicant. He began by explaining that the applicant is requesting a zone change to LUC-1 for 3.21 acres of the parcel leaving 5.8 acres to remain R-Apt. They are proposing a 300' buffer and limited access onto Bear Road. They are proposing full access on Buckley Road across from the existing street. He continued that the applicant will work with the County DOT regarding the points of access. Mr. Trasher pointed out that they meet all of the setback requirements. He continued that they will relocate the stormwater basins and pipe into the swale leaving full vegetation.

Supervisor Ulatowski asked about the access and suggested no left turns out onto Bear Road with an exception perhaps at off peak times. He added that he is not in favor of right in right out. The discussion continued regarding the access to the parcel and the possibility of an auxiliary lane as discussed with the previous application.

Councilor Bick asked which direction the water will drain. Mr. Trasher replied that the water will drain towards the residential homes however with the use of a 24" pipe it will be directed to the county drain pipe; he continued that any new construction typically improves drainage issues.

Councilor Hess asked how many apartments could conceivably go into the remaining portion of the parcel should this zone change be approved. Mr. Trasher said that 30 apartments could be constructed. Supervisor Ulatowski asked if the applicant knew of anyone interested in developing the remainder of the parcel. Mr. Trasher explained that the applicant did not have any interest in developing anything but the Stewarts and that the conceptual plan provided at the previous application was only to show a possible full build out. Supervisor Ulatowski agreed that the Town generally asks for a full build out plan of what could be built. Mr. Trasher reiterated that Stewarts intention all along was to build a Stewarts and that the conceptual plan was just that, conceptual.

A resident from 7540 Meadow Wood Drive asked about the access and if they were still considering widening Bear Road. Mr. Trasher explained that they would,

based upon what DOT desires. The resident continued asking if Stewarts could build the area behind the proposed store. Supervisor Ulatowski said that they could not the only construction could be apartments. The resident then asked why Stewarts would not make it forever wild.

Carol Duerr of 7538 Meadow Wood Drive asked about the clearing of the trees. Mr. Trasher said that they will only clear the brush. She then stated that Stewarts has not done a SWPPP. Mr. Trasher replied that that will be done if the zone change is granted. Ms. Duerr continued that she is concerned with additional traffic and crime. She explained that she felt that this was not the spot for Stewarts in great detail.

Supervisor Ulatowski said that this project may mitigate some issues with the timing of the traffic signal adding that the County makes improvements with new developments.

Supervisor Ulatowski said that he will refer this to the **Planning Board** for review and recommendation. Councilor Bray made a motion to **adjourn** the public hearing to **October 5, 2015** at **7:38 P.M.** Motion was seconded by Councilor Hess.

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

Supervisor Ulatowski said that with legal councils permission he would open the next four public hearings together. Mr. Marzocchi agreed.

Project/Sewer – (PH/Amended) HARKE FARMS SEWER DISTRICT CONTRACT NO. 2 – LATERAL:

A public hearing to consider an amended petition for the sewer district within the Town of Clay known as “**HARKE FARMS SEWER DISTRICT**” and for the construction and acquisition of a sewer system therein to be designated and known as “**HARKE FARMS SEWER DISTRICT CONTRACT NO. 2 – LATERAL,**” (Amended Harke Farms Subdivision) was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Project/Sewer – (PH/Amended) HARKE FARMS DRAINAGE DISTRICT CONTRACT NO. 3 – LATERAL:

A public hearing to consider an amended petition for the drainage district within the Town of Clay known as “**HARKE FARMS DRAINAGE DISTRICT**” and for the construction and acquisition of a drainage system therein to be designated and known as “**HARKE FARMS DRAINAGE DISTRICT CONTRACT NO. 3 – LATERAL,**” (Amended Harke Farms Subdivision) was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Project/Sewer – (PH/Amended) HARKE FARMS LIGHTING DISTRICT:

A public hearing to consider an amended petition for the lighting district within the Town of Clay known as “**HARKE FARMS LIGHTING DISTRICT**” (Amended Harke Farms Subdivision) was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

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Alex Wisnewski was present and began with Harke Farms sewers by explaining that the proposed sewers will accommodate both the existing single family homes and the proposed apartments. They will be served by OCSD.

The drainage no. 3 lateral will tie into the existing public infrastructure, modifying for the new apartments, adding stormwater to the west. There will be an access easement to be dedicated to the Town.

The lighting needs to be amended to show the reduction in single family homes. Estimate cost to each home owner will be \$95.90 per lot. There is no need to include the apartments.

The drainage no. 2 lateral will be constructed to serve 24 homes. There will be a swale to modify existing storm water and will be dedicated to the Town.

Supervisor Ulatowski asked if there were any questions; hearing none, he **closed** the public hearings.

R-15-142 Bid Award (Recommendation) ROOF REPAIR TO THE EUCLID STORAGE BUILDING IN THE TOWN OF CLAY:

Councilor Hess moved the adoption of a resolution that the Town of Clay recommends that Onondaga County Office of Purchasing Division award the low bid received for **ROOF REPAIR TO THE EUCLID STORAGE BUILDING IN THE TOWN OF CLAY** to **SHAFFER BUILDING**. Motion was seconded by Councilor Bick.

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

R-15-143 Authorization/Agreement - SHAFFER BUILDING:

Councilor Hess moved the adoption of a resolution authorizing the Supervisor to execute an agreement with **SHAFFER BUILDING** for the **ROOF REPAIR TO THE EUCLID STORAGE BUILDING IN THE TOWN OF CLAY** for the low bid of **\$ 94,352.00**. The agreement shall be approved as to form and content by the Town Attorney. Motion was seconded by Councilor Rowley.

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

R-15-144 Special Permit (CPH) – Town Board Case # 1084 - SOS REAL ESTATE HOLDING COMPANY, LLC:

Councilor Bick moved the adoption of a resolution calling a public hearing **September 21, 2015**, commencing at **7:35 P.M.**, local time to consider the application of **SOS REAL ESTATE HOLDING COMPANY, LLC FOR A SPECIAL PERMIT** pursuant to Section No. 230-18 of the Town Code to allow for site development on vacant land for a 2-story Medical Office Building on property located at **8324 Oswego Road, Tax Map No. 054.-01-49.1**, currently zoned PDD. Motion was seconded by Councilor Rowley.

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

Adjournment:

The meeting was adjourned at 8:37 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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