

Unapproved

At the Regular Meeting of the Town Board, **Town of Clay, Onondaga County**, held at the Town Hall, 4401 State Route 31, Clay, New York on the 16th of June, 2014 at 7:30 P.M., there were:

PRESENT:

Robert L. Edick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Joseph A. Bick	Councilor
Eugene Young	Councilor
James Rowley	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

Damian Ulatowski	Supervisor
------------------	------------

OTHERS PRESENT: Russ Mitchell – Planning Board Member, Dorothy Heller Town Historian, Lisa Vincitore – Secretary to the Town Attorney.

The meeting was called to order by Deputy Supervisor Edick 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 June 2nd, 2014 Town Board Meeting. Motion was seconded by Councilor Weaver.

Ayes - 5 and Noes - 0. Motion carried. Councilor Rowley abstained due to his absence at that meeting.

Cancellation and/or requested adjournments.

Deputy Supervisor Edick said that item number 7 will be adjourned due a request by the applicant. The Town Clerk pointed out that the applicant (Mr. Nichols) was present. The Deputy Supervisor then asked the Commissioner of Planning and Development if he had spoken to the applicant regarding the adjournment. The Commissioner said that the Secretary for the Town Attorney was handling it; and she stated that she was dealing with Mr. Romans. The Deputy Supervisor added that item 10 also will not be heard.

Correspondence:

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

R-14-93 Special Permit (PH) - Town Board Case # 1063- MCDONALD'S CORPORATION AND COR ROUTE 31 COMPANY, LLC:

A public hearing to consider the application of **MCDONALD'S CORPORATION AND COR ROUTE 31 COMPANY, LLC FOR A SPECIAL PERMIT pursuant to section 230-13A. (2) (e)** to remodel the building and improve the drive-thru of the existing restaurant located at **3869 State Route 31, Tax Map No. 021.-01-13.1** was opened by the Deputy Supervisor; proof of publication and posting was furnished by the Town Clerk.

Owen Speulstra an Engineer with Bohler spoke on behalf of the applicant. Mr. Speulstra explained that the applicant wishes to make improvements to the drive-thru. They are proposing two lanes to order converging into one lane to pay and pick up the order. In addition, they will do a major remodeling of the existing structure. The remodel will include a stone façade as well as newly renovated bathrooms that will be ADA compliant.

Deputy Supervisor Edick asked how many parking spaces there are. Mr. Speulstra said that currently there are 55 spaces but with the updates to the drive thru there will be 50. He also asked about the possibility of a connection to the retail strip to the east of the restaurant. Mr. Speulstra said that it may be a possibility but he was not sure about the grading issues.

Councilor Bick asked how old the building is and it is 14 years old. Councilor Young asked if the footprint of the building will be changed to which Mr. Speulstra responded that it will not. He asked if the applicant requires a variance for the double drive thru. Commissioner Territo said that the applicant does not need a variance for the drive thru but does for the signs. He added that the applicant will be before the Planning Board on the 9th of July.

Deputy Supervisor said that he will **adjourn** the public hearing to **July 21, 2014 at 7:44 P.M.**

R-14-94 Special Permit (PH) - Town Board Case # 1064- SHARKEY'S ECLECTIC SPORTS LOUNGE, LLC:

Deputy Supervisor Edick adjourned the public hearing to **July 21, 2014 at 7:41 P.M.**

Zone Change (PH/Adj.) – Town Board Case # 1060 - MCFARLAND DEVELOPMENT, LLC AND RICHARD ZDYB:

A public hearing to consider the application of **MCFARLAND DEVELOPMENT, LLC AND RICHARD ZDYB, FOR A ZONE CHANGE from LuC-2 Limited Use for Restaurants and HC-1 Highway Commercial to NC-1 Neighborhood Residential District** to allow for a retail and auto-parts store on properties located at **7386 Oswego Road, Tax Map Nos. 104.-03-05.1 and 104.-03-06.0** adjourned from the May 19, 2014 meeting, was opened by the Deputy Supervisor.

Alex Wisniewski, Engineer with LJR Engineering, gave a brief overview of the discussion at the previous meeting. He explained that the parcel was the home of the former Kirby's Restaurant and they are proposing an Advanced Auto Parts Store. This application requires a zone change for change in use. The Planning Board gave the applicant a positive recommendation.

Councilor Bick asked if this would be a less intensive use. Commissioner Territo explained that for part of the parcel it would be less.

Councilor Bray pointed out that the County comments recommended a *gap evaluation analysis* however there is a signalized intersection at the driveway.

Joyce Cerrito of Bayberry asked if there is currently an *Advanced Auto* near the intersection of Route 31 and Route 57. There was a short discussion about this.

Deputy Supervisor Edick asked if there were any more questions; hearing none he **closed** the public hearing.

R-14-87 Agreement - LIVERPOOL CENTRAL SCHOOL DISTRICT & TOWN OF CLAY:

Councilor Bick moved the adoption of a resolution making the following **correction**: The **LEASE AGREEMENT** between the **LIVERPOOL CENTRAL SCHOOL DISTRICT** and the **TOWN OF CLAY** with regards to the use of the school's facilities for the Town's Athletic Sports Programs for the current year which shall extend from **June 17, 2014 to August 30, 2014***. Motion was seconded by Councilor Rowley.

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

(*Previously passed June 17, 2014 to August 30, 2015)

Policy - Section §167-6 Solicitors/ Peddlers / Issuance of License:

No Action.

Local Law No. 1 of the Year 2014 (CPH) – Chapter 230 entitled 'Zoning':

Councilor Rowley moved the adoption of a resolution calling a Public hearing **July 21, 2014**, commencing at **7:38 P.M.**, local time, to consider proposed **Local Law No. 1 of the Year 2014 to amend Chapter 230** entitled "**Zoning**" by adding **Section 230-17C (2)(e)(7)** to allow for **MOTOR VEHICLE STORAGE WITH A TOWN BOARD SPECIAL PERMIT** located within the I-1 zoning district. Motion was seconded by Councilor Bray.

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

Adjournment:

The meeting was adjourned at 7:51 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

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

Jill Hageman-Clark RMC, Town Clerk