

APPROVED

At the REGULAR MEETING of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the September 16, 2024, at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
David Hess	Councilor
Eugene Young	Councilor
Ryan Pleskach	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:

Luella Miller	Councilor
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OTHERS PRESENT:

Edward Wisnowski, Chairman of the Zoning Board of Appeals.

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 September 4, 2024, Regular Town Board Minutes. Councilor Magaro-Dolan seconded the motion.

Ayes – 4 and Noes – 0. *Motion carried. Councilors Bick and Pleskach abstaining.*

Cancellations and/or requested adjournments:

Supervisor Ulatowski said that the continued public hearing for McDonalds USA, LLC, will be adjourned.

Correspondence:

There was no correspondence.

REGULAR MEETING

Community Development Funding (SEQR) Steelway Blvd.:

Councilor Hess moved the adoption of a resolution that the application for the **2025 Steelway Boulevard Repaving Project** through **Community Development Block Grant** funding 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.*

Community Development Funding (A) Steelway Blvd.:

Councilor Hess moved the adoption of a resolution **approving** the application for the **2025 Steelway Boulevard Repaving Project** through **Community Development Block Grant** funding. Motion was seconded by Councilor Pleskach.

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

SPECIAL PERMIT (SEQR) – Town Board Case # 1211 LORA LAKOV/BRETT LINDSAY:

Councilor Young moved the adoption of a resolution that the application of **LORA LAKOV/BRETT LINDSAY** for a Special Permit pursuant to Section 230-16C.(2)(e)[4] Motor Vehicle Service, to allow for a motor vehicle maintenance and service shop on land located at **8015 Oswego Road, Tax Map No. 080.-01-01.0** consisting of +/- 2.0 acres of land. The property is located in the RC-1 Regional Commercial District 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 Pleskach.

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

SPECIAL PERMIT (A) – Town Board Case # 1211 LORA LAKOV/BRETT LINDSAY:

Councilor Young moved the adoption of a resolution **approving** the application of **LORA LAKOV/BRETT LINDSAY** for a Special Permit pursuant to Section 230-16C.(2)(e)[4] Motor Vehicle Service, to allow for a motor vehicle maintenance and service shop on land located at **8015 Oswego Road, Tax Map No. 080.-01-01.0** consisting of +/- 2.0 acres of land. The property is located in the RC-1 Regional Commercial District. Motion was seconded by Councilor Pleskach.

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

LOCAL LAW No. 2 of the Year 2024 (Amending the Town of Clay Town Code – Section 230-17 A (PH):

Councilor Bick moved the adoption of a resolution that **LOCAL LAW NO. 2 OF THE YEAR 2024**, to amend Town Code Section 230-17 A. (1) Performance standard for all Industrial Districts to exempt land use activities on properties located in Industrial II (I2) zones, is an unlisted action with a completed EAF and involves no other permit granting agency outside the Town. The proposed 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.*

LOCAL LAW No. 2 of the Year 2024 (Amending the Town of Clay Town Code – Section 230-17 A (A):

Councilor Bick moved the adoption of a resolution **approving** **LOCAL LAW NO. 2 OF THE YEAR 2024**, to amend Town Code Section 230-17 A. (1) Performance standard for all Industrial Districts to exempt land use activities on properties located in Industrial II (I2) zones.

Existing Code Sections: § 230-17 Industrial districts.

Introduction. The industrial districts are for those areas of the Town that are found to be suitable for heavy commercial and/or industrial activities. These

activities comprise land uses and structures that are engaged in the large-scale production or processing of raw materials; the transformation of materials from one form to another; the handling, storage or production of significant quantities of potentially hazardous or objectionable materials, and/or the use of dangerous or obnoxious processes used in the production or handling of materials. All of these activities are expected to require good access to transportation routes, extra attention for fire and emergency services, and may require specialized water or sanitary sewage services. The districts are generally ordered in increasing level of intensity. Industrial District 1 is for lowest intensity types of industrial land uses, those that operate within enclosed structures and are least likely to have adverse impacts beyond their individual properties. Industrial 2 is for moderate-intensity land uses that may have exterior activity, will tend to be larger in scale and may have more objectionable characteristics requiring more monitoring and mitigation measures. The S-1 Special

Uses District is for high-intensity land uses that may employ unique processes or materials which need to be sensitively placed within the Town.

A. Performance standards for all industrial districts.

(1) Noise. No land use activity shall emit noises measured at the property lines of the subject property exceeding 70 decibels between 6:00 a.m. and 10:00 p.m., or 60 decibels between 10:00 p.m. and 6:00 a.m. These maximum sound levels may be intermittently exceeded by not more than seven decibels for a maximum of six minutes during any sixty-minute period. Any land use activity on property that is entirely or partially within 500 feet of a Residential Zone District shall be subject to the more restrictive noise standards of either this section or of the Town of Clay Code, Chapter 152.

Proposed added language to Section 230-17 A (1):

Land use activities in Industrial II (I2) zones are specifically exempt from the more restrictive noise standard, but still must comply with the industrial noise standards contained in this Code. Motion was seconded by Councilor Hess.

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

SPECIAL PERMIT (PH/Adj) – Town Board Case #1210 McDonald’s USA, LLC:

Councilor Hess made a motion to **adjourn** the public hearing to **October 21, 2024, at 7:35 P.M.** Motion was seconded by Councilor Pleskach.

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

Bid Award – Electronic Reader Board:

Councilor Pleskach moved the adoption of a resolution approving the purchase of a new Electronic Reader Board to be located at 4401 State Route 31, Clay, NY and authorizing the bid award to **Charles Signs** in the amount of **\$33,282.83**. Motion was seconded by Councilor Bick.

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

Bid Award – Acrylic Monument:

Councilor Pleskach moved the adoption of a resolution approving the purchase of a new Acrylic Monument to be located at 4401 State Route 31, Clay, NY and authorizing the bid award to **Charles Signs** in the amount of **\$41,600.00**. Motion was seconded by Councilor Bick.

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

Traffic & Vehicle (CPH) – TWO (2) STOP SIGNS Mediator Way and Weller Hall Place:

Councilor Hess moved the adoption of a resolution calling a public hearing on October 7, 2024, commencing at 7:35 P.M., local time to consider the amendment of **CHAPTER 211**, entitled **TRAFFIC AND VEHICLES ORDINANCE** of the Code of the Town of Clay, **SECTION 211-12 “STOP INTERSECTIONS,” SCHEDULE IX (§211-42)**, of the Town of Clay Municipal Code to install two additional stop signs at the intersection of Mediator Way and Weller Hall Place, creating a three-way stop; and

installation of the necessary signs, therefore. Motion was seconded by Councilor Magaro-Dolan.

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

Town Audit of the Town for the Fiscal Year ending December 31, 2023
-Accepting:

Councilor Hess moved the adoption of a resolution that the Town of Clay does hereby accept the **Town Audit of the Town for the Fiscal Year ending December 31, 2023**. Motion was seconded by Councilor Bick.

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

Appointment – Board of Assessment Review:

Councilor Young moved the adoption of a resolution appointing **MARY LOU DES ROSIERS** to the Board of Assessment Review for a term of five (5) years. Said term to expire September 30, 2029. Motion was seconded by Councilor Magaro-Dolan.

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

Great Northern Mall – Accepting Recommendation of the Planning Board:

Councilor Magaro-Dolan moved the adoption of a resolution that the Town Board of Clay accepts the recommendations of the Planning Board for the **GREAT NORTHERN MALL PDD** concept plan, as submitted on a map dated March 12, 2024, to the Town of Clay Planning Board.

WHEREAS, a Concept Plan was received for a Preliminary Planned Development District (PDD) to be known as the Great Northern Mall Redevelopment PDD, located on the north side of New York State Route 31 (NY31), bounded by Morgan Road to the east, New York State Route 481 (NY481) to the west and VerPlank Road to the north and encompasses the following Tax Map Parcels; 028.-01-43.0, 028.-01-40.4, 028.-01-47.0, 028.-01-40.5, 028.-01-40.3, 028.-01-13.4, 028.-01-14.0, 028.-01-13.1, 028.-01-13.3, 028.-

01-13.2, 028.-01-16.0, 028.-01-17.0, 028.-01-18.0, 028.-01-19.0, 028.-01-20.0, 028.-01-21.0, 028.-01-22.0, 028.-01-23.0, 028.-01-24, 028.-01-25.0, 028.-01-26.0, 028.-01-27.0, 028.-01-28.0, 028.-01-29.0. The Concept Plan consists of approximately 213.09 acres and is comprised of approximately 1,636, three to six story apartment units, approximately 7,000 square feet of residential support space, approximately seven, six story hotel buildings with 875 total rooms; approximately 605,850 square feet of medical office; an approximately 150,000 square feet Ambulatory Care Facility; approximately 67,890 square feet of Recreational/Entertainment space; approximately 30,000 square feet of community center and approximately 450,141 square feet of retail, restaurant, service and commercial space.

NOW, THEREFORE, BE IT RESOLVED that the said application be and the same hereby is referred to the Town Planning Board of the Town of Clay for its review and comment pursuant to the Town of Clay Zoning code, and for its review and recommendation as to the possible environmental significance of the project pursuant to the New York State Environmental Quality Review Act. Motion was seconded by Councilor Pleskach.

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

Authorization – Purchase Agreement – 4531 State Route 31:

Councilor Young moved the adoption of a resolution authorizing the Supervisor execute a Real Estate Purchase Agreement with Glider Oil for the purchase of three parcels of land, identified as 4531 State Route 31, Tax Map No. 029.-01-10.1-19 consisting of +/-19.36 acres of land; Tax Map No. 029.-01-09.1, lot size 134 x 98; and Tax Map No. 029.-01-11.1, lot size 200' x 158', the corner lot, commercial structure and parking lots with adjacent land, and authorizing the Supervisor to execute the proposed contract with contingencies and necessary documents therefore. Purchase price shall not exceed \$2,350,000.00. Motion was seconded by Councilor Pleskach.

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

Authorization – Environmental Investigation – 4531 State Route 31:

Councilor Young moved the adoption of a resolution authorizing C&S Engineers to complete an Environmental Investigation of property located at 4531 State Route 31, Tax

Map No. 029.-01-10.1-19 consisting of +/-19.36 acres of land; Tax Map No. 029.-01-09.1, lot size 134x98; and Tax Map No. 029.-01-11.1, lot size 200' x 158', the corner lot, commercial structure and parking lots and adjacent land. Motion was seconded by Councilor Magaro-Dolan.

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

Authorization/Agreement – Appraisal – 4531 State Route 31:

Councilor Young moved the adoption of a resolution authorizing the Town of Clay to order an appraisal and enter into an agreement with **Stropp**

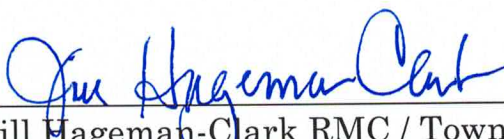
Appraisals, of three parcels of land to be purchased from Glider Oil, identified as 4531 State Route 31, Tax Map No. 029.-01-10.1-19 consisting of +/-19.36 acres of land; Tax Map No. 029.-01-09.1, lot size 134 x 98; and Tax Map No. 029.-01-11.1, lot size 200' x 158', the corner lot, commercial structure and parking lots with adjacent land, in an amount not to exceed \$2,350.00. Motion was seconded by Councilor Magaro-Dolan.

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

Adjournment:

The meeting was adjourned at 7:48 P.M. upon motion by Councilor Young and seconded by Councilor Magaro-Dolan.

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



Jill Hageman-Clark RMC / Town Clerk