

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 21, 2025, at 7:30 P.M., there were:

PRESENT:

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|----------------------|-----------------------------|
| Joseph Bick | Deputy Supervisor/Councilor |
| Eugene Young | Councilor |
| Ryan Pleskach | Councilor |
| Deborah Magaro-Dolan | Councilor |
| David Capria | Councilor |
| Edward Wisnowski | Councilor |
| Jill Hageman-Clark | Town Clerk |
| Robert Germain | Town Attorney |
| Ron DeTota | Town Engineer |

ABSENT:

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|------------------|---|
| Damian Ulatowski | Supervisor |
| David Tessier | Interim Commissioner Planning & Development |

OTHERS PRESENT:

Russ Mitchell, Planning Board Chairman; Hal Henty and Paul Graves, Planning Board Members. Mike Redhead, Fire Inspector and Mike Brown, MCFD Chief.

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

APPROVAL of MINUTES:

Councilor Magaro-Dolan made a motion to approve the minutes of the April 7, 2025 Regular Town Board Meeting. Motion was seconded by Councilor Young.

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

CORRESPONDENCE:

Dylan Black, Representative for Senator Chris Ryan was present to deliver a poster informing the public of the Senators mobile office hours at the Liverpool Library the second Tuesday of each month from 4-7 PM.

CANCELLATIONS and/or REQUESTED ADJOURNMENTS:

Sonbyrne Sales, Town Board Case #1222 requested an adjournment.

REGULAR MEETING

ZONE CHANGE (SEQR) – Town Board Case # 1221 – LAUREL SPRINGS ZONE CHANGE:

Councilor Magaro-Dolan moved the adoption of a resolution regarding the application of Town Board Case #1221: **LAUREL SPRINGS ZONE CHANGE** for a Zone Change from HC-1 Highway Commercial District to R-SR Senior Residential District to allow for Senior Housing on land located at **W. Taft Road, Tax Map No. 107.-18-12.0** consisting of +/- 4.74 acres of land, 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 Young.

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

ZONE CHANGE (A) – Town Board Case # 1221 – LAUREL SPRINGS ZONE CHANGE:

Councilor Magaro-Dolan moved the adoption of a resolution **approving** the application of Town Board Case #1221: **LAUREL SPRINGS ZONE CHANGE** for a Zone Change from HC-1 Highway Commercial District to R-SR Senior Residential District to allow for Senior Housing on land located at **W. Taft Road, Tax Map No. 107.-18-12.0** consisting of +/- 4.74 acres of land. Motion was seconded by Councilor Pleskach.

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

SPECIAL PERMIT (PH/Adj.) – Town Board case # 1222 - SONBYRNE SALES, INC./CLAY-DOLSHIRE BYRNE DAIRY.:

The applicant requested an adjournment to the May 5, 2025 Town Board meeting.

Councilor Young moved the adoption of a resolution **adjourning** the public hearing to **May 5, 2025 at 7:44 PM**. Motion was seconded by councilor Magaro-Dolan.

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

SPECIAL PERMIT (PH) – Town Board Case #1225 - SENECA SAVINGS FINANCIAL FACILITY:

A public hearing to consider the application of Town Board Case #1225: **SENECA SAVINGS FINANCIAL FACILITY** for a Special Permit pursuant to Section 230-15 B.(2)(e)[2] – Bank/Credit Union, to allow for a bank with drive-thru service on land located at **5332 State Route 31, Tax Map No. 051.-01-11.1**, consisting of +/- 2.66 acres of land. The property is located in the O-2 Office District, was opened by the Deputy Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Jesse Plumley was present on behalf of the applicant and provided a brief overview of the request. He explained that they are proposing one driveway onto Route 31. The parcel is on the south side of Route 31 near the intersection of Stearns Road to the west and Burnet Road to the east. The hours of operation are 8:30 AM to 5 PM Monday thru Friday and 9 AM to Noon on Saturday.

Councilor Pleskach asked if they had been before the Board already. Mr. Plumley said for the Zone Change now they are seeking the Special Permit to operate a drive thru service.

There being no additional questions or comments; Deputy Supervisor Bick referred the applicant to the Planning Board for review and recommendation.

Councilor Pleskach moved the adoption of a resolution **adjourning** the public hearing to **May 5, 2025 at 7:47 PM.**

SPECIAL PERMIT (PH) – Town Board Case #1226 - JUSTIN'S CANINE CAMPUS:

A public hearing to consider the application of Town Board Case #1226: **JUSTIN'S CANINE CAMPUS** for a Special Permit pursuant to Section 230-16 C.(2)(e)[14] – Animal Care/Training Facility, to allow for a dog daycare facility on land located at **4112 State Route 31, Tax Map No. 055.-01-06.1 (Marketfair North Plaza)**, consisting of +/- 15.06 acres of land. The property is located in the RC-1 Regional Commercial District, was opened by the Deputy Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Tim Coyer of Ianuzi and Romans spoke on behalf of the applicant. He began by explaining that the parcel was inadvertently advertised as ±15.06 acres of land when the tax map in question, is only 0.345 acres. There was a discussion about the advertisement and if it would need to be readvertised. It would not because the actual acreage is considerably smaller therefore less intense.

Councilor Young asked if the address is for the entire plaza or just the (empty Firestone) building. Each business has its own address and tax map number. Mr. Coyer continued that the applicant has outgrown the location on Route 57 and will be moving if this application is granted. They will close the other location.

Councilor Pleskach asked if there will be any grassy areas. The applicant wishes to have mostly pavement with some landscaping adding that the pavement is easier to keep clean. They estimate 100 dogs daily with no more than 25 in the outdoor fenced area at a time.

Pet owners will drop off the dogs but there is ample parking. There being no additional questions or comments, the Deputy Supervisor said that he would refer this to the Planning Board for review and recommendation.

Councilor Magaro-Dolan moved the adoption of a resolution **adjourning** the public hearing to **May 5, 2025 at 7:50PM**. Motion was seconded by Councilor Wisnowski.

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

Community Development Block Grant 2025 (PH):

A public hearing to consider the **2025** application of street repairs for **Community Development Block Grant (CDBG)** funding. After a street reassessment by the Highway Superintendent, it was determined an urgent need of road repairs to Woodward Way and Winchester Drive is required this year rather than Steelway Blvd. South which will Councilor moved to year 2027, was opened by the Deputy Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Deputy Supervisor Bick gave a concise explanation of the location, request and the need to move the paving date, due to poor condition of the road. There were no questions or comments, so he **closed** the public hearing.

Community Development Block Grant 2026 (PH):

A public hearing to consider the **2026** application of street repairs for **Community Development Block Grant (CDBG)** funding for Maltage Drive and Goguen Drive for application due April 11, 2025, was opened by the Deputy Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Deputy Supervisor Bick again gave an explanation of the request. Janet Rathburn asked if the area must meet certain criteria for the grant money and if so how is it based in commercial areas. Deputy Supervisor Bick said that it is based on the residential mean income. Ms. Rathburn asked if the road would be repaved or

upgraded. Deputy Supervisor said that he thought it would be brought up to grade. There were no additional questions or comments, so he **closed** the public hearing.

ZONE CHANGE (PH) – Town Board Case # 1223 – NORTHERN CREDIT UNION:

A public hearing to consider the application of Town Board Case #1223:

NORTHERN CREDIT UNION to allow for a Zone Change from PDD Planned Development District & R-10 Residential District to NC-1 Neighborhood Commercial District on land located at **5004-5008 West Taft Road, Tax Map Nos. 116.1-01-04.1 and 116.1-01-05.0** to allow for construction of a Bank/Credit Union with a drive-in service on +/-2.52 acres of land. (*Adjourned from the 04/07/2025 Town Board meeting*) was opened by the Deputy Supervisor.

Brody Smith of Bond, Schoeneck and King was present on behalf of the applicant. Mr. Smith began by handing out maps to the Board and stating that they had taken the comments from the last meeting into consideration and made some changes. They have moved the proposed bank closer north to Taft Road and increased the berm and the buffer to offer greater privacy to the residential homes. He stated that the applicant wants to be a good neighbor.

Deputy Supervisor Bick asked if they had considered amending the application to reflect an O-2 office zone. Mr. Smith said that the new maps reflect that change, which offers fewer uses to further consider the residents. He continued that the residents assumed that the screening (trees) would be removed if this is constructed; they would not.

Daniel Corbet of Wintersweet said that he is concerned for the loss of privacy adding that there is a great deal of thru traffic from Metropolitan Drive. He also asked why they are proposing 45 parking spots for a bank with a drive thru. Deputy Supervisor said that the number of parking spaces is dictated by the code. He also asked how the applicant would be held accountable. The Deputy Supervisor said that if approved and the applicant does not provide what is approved by the Planning Board on the site plan, the codes department will not issue a certificate of occupancy.

Deputy Supervisor Bick stated what a great concession from the applicant to change the request to O-2 as this is less intrusive and more agreeable to the residents.

Colleen Dillenbeck from Astilbe Path asked if they are still proposing one-way in and one-way out. Mr. Smith said that they are and when customers are using the ATM the headlights will be shining north toward Taft Road.

Sandy Laurente said that she is concerned about the traffic, what will happen if the apartments are constructed and a bank and a credit union and the McDonald's. She continued that there will be an increase of traffic on Wintersweet. She said that they are already seeing an increase from Metropolitan Drive. What is the Town thinking? Deputy Supervisor said that he would refer this to the Planning Board for review and recommendation.

Councilor Magaro-Dolan moved the adoption of a resolution **adjourning** the public hearing to **May 5, 2025 at 7:53 PM**. Motion was seconded by Councilor Young.

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

SPECIAL PERMIT (CPH) – Town Board Case #1227 - CANANDAIGUA NATIONAL BANK:

Councilor Magaro-Dolan moved the adoption of a resolution calling a public hearing on **May 5, 2025**, commencing at **7:35 P.M.**, local time, to consider the application of Town Board Case #1227: **CANANDAIGUA NATIONAL BANK** for a Special Permit pursuant to Section 230-16 C.(2)(e)[2] – Drive-in Service, to allow for construction of a bank with drive-in service on land located at **7515 & 7519 Oswego Road, Tax Map No. 093.-04-08.1**, consisting of +/- 74.82 acres of land. The property is located in the RC-1 Regional Commercial District. Motion was seconded by Councilor Wisnowski.

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

PURCHASE/ HIGHWAY - TWO (2) 2025 WESTERN STAR 47X, CUMMINS X12 500HP PLOW TRUCKS:

Councilor Wisnowski moved the adoption of a resolution approving the transfer in the amount of \$656,184.00 from the Capital Reserve Account to the General Capital Fund to pay for the purchase of **TWO (2) 2025 WESTERN STAR 47X, CUMMINS X12 500HP PLOW TRUCKS FOR USE BY THE HIGHWAY DEPARTMENT** for a sum not to exceed Six Hundred Fifty-Six Thousand, One Hundred and Eighty-Four Dollars and 00/100 (\$656,184.00). Motion was seconded by Councilor Magaro-Dolan.

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

EASEMENT (Drainage) – Agreement - 3567 RT 31 TT, LLC:

Councilor Magaro-Dolan moved the adoption of a resolution approving and authorizing the Supervisor to sign a drainage easement agreement with **3567 RT 31**

TT, LLC, to allow for a drainage easement on land located at **3567 State Route 31, Tax Map No. 019.-02-29.1**. After completion of construction of the drainage system,

3567 RT 31 TT, LLC shall, at its sole cost and expense, conduct regular maintenance of the drainage system and fulfill any requirements pursuant to and in accordance with the planning board approval. Motion was seconded by Councilor Young.

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

AGREEMENT- (Easement and Stormwater maintenance) – KRSM, LLC:

Councilor Pleskach moved the adoption of a resolution approving and authorizing the Supervisor to sign an easement and stormwater maintenance agreement with **KRSM, LLC**, to allow the Town of Clay (“Municipality”), its authorized agents, contractors, representatives, and employees, a permanent easement to enter upon the premises upon reasonable times upon forty-eight (48) hours’ notice (except in the event of an emergency, in which case no notice shall be required) to inspect the control measures whenever the Town of Clay deems necessary, to ensure that the control measures are functioning as intended and being maintained in proper working condition to meet design standards, for land located at **4583 Buckley Road, Tax Map No. 087.-01-27.0**. The Town of Clay is under no obligation to construct or routinely maintain or repair the control measures. Motion was seconded by Councilor Magaro-Dolan.

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

Adjournment:

The meeting was adjourned at 8:31 P.M. upon motion by Councilor Young and seconded by Councilor Magaro-Dolan.

Ayes – 6 and Noes – 0. *Motion carried.* Councilor Young thanked Deputy Supervisor Bick for conducting a well-handled meeting.


Jill Hageman-Clark RMC / Town Clerk