

APPROVED - REVISED

The Regular Meeting of the Planning Board of the Town of Clay, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 25th day of February 2026. The meeting was called to order by Chairwoman Borton at 7:30 p.m. All joined in the Pledge of Allegiance and upon roll being called the following were:

<u>PRESENT:</u>	Michelle Borton	Chairwoman
	Russ Mitchell	Deputy Chair
	Karen Guinup	Member
	Hal Henty	Member
	Paul Graves	Member
	Jim Palumbo	Member
	Al McMahon	Member
	Marie Giannone	Secretary to Planning Board
<u>ABSENT:</u>	Brian Bender	Commissioner of Planning & Development
<u>OTHER:</u>	Kathleen Bennett	Planning Board Attorney
	Caitlin Choberka	C&S Engineer

Motion made by Mr. Graves to approve the minutes of the February 11, 2026 meeting. Seconded by Mr. McMahon.

Motion Carried: 7-0.

Public Hearings:

New Business:

Case #2026-010 – **Sonbyrne Sales, Inc./Byrne Dairy**, 7190 Buckley Road – Special Permit

Mr. Marshall Winn is present on behalf of the applicant. The applicant is here for a special permit for an LED electronic messaging monument sign at 7190 Buckley Road. The monument sign will have brick on the front to match comparable signage in the area. The applicant was advised that this special permit is for the electronic messaging monument sign and the Codes Department will be advised to address the other two signs for permits.

There were no questions from the board on this case. Chairwoman Borton said this is a public hearing and asked if there are any questions. Hearing none Chairwoman Borton closed this case and asked for a motion.

Motion read by Ms. Guinup: Mrs. Chairwoman: In connection with the unlisted action of the Planning Board Case No. 2026-010, I move the adoption of a resolution using our standard form No. 10 that for SEQR purposes the electronic gasoline price signage proposed by Sonbyrne Sales

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Inc. be declared to be a negative declaration as there appears to be no major environmental impacts that could not be mitigated. This action does not involve any other agencies, including the Federal Government. Seconded by Mr. Mitchell.

Motion Carried: 7-0.

Motion read by Ms. Guinup: Mrs. Chairwoman: In connection with Planning Board Case No. 2026-010, I move the adoption of a resolution using our standard form no. 70 granting Special Permit approval to Sonbyrne Sales for electronic gasoline price signage shown as Sign #1 in their sign package. Subject to all legal and engineering requirements of the Town of Clay. Seconded by Mr. Mitchell.

Motion Carried: 7-0

Case #2026-012 - **United Church of Christ**, 215 Blackberry Road, Special Permit

No one was present representing this case. Chairwoman Borton said this will be adjourned to March 18, 2026 and will ask Mr. Bender to inform the applicant of this date.

Motion made by Mr. Graves to adjourn Case #2026-012 to March 18, 2026. Seconded by Mr. McMahan.

Motion Carried: 7-0

Old Business:

Case #2026-003 **John E. Fisher Construction Co., Inc.** 4593 Wetzel Road, Site Plan (Adj. 4)

And

Case #2026-004 **John E. Fisher Construction Co., Inc.** 4593 Wetzel Road, Special Permit (Adj. 4)

Chairwoman Borton said still awaiting resolution of wetland issues and asked for an adjournment.

Motion made by Mr. Graves to adjourn Case #2026-003 and Case #2026-004 to April 22, 2026. Seconded by Mr. Palumbo.

Motion Carried: 7-0

Case #2025-037 – **Northern Credit Union** – 5004-5008 West Taft Road - Site Plan (Adj. 5)

Chairwoman Borton said the applicant asked for an adjournment.

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Motion made by Mr. Graves to adjourn Case #2025-037 to March 18, 2026. Seconded by Mr. Palumbo.

Motion Carried: 7-0

Case #2025-050 – **Ironhorn Enterprises/Troy Bullock (7245 Warehouse)**, 7245 Henry Clay Blvd.
Amended Site Plan (Adj. 4)

Ms. Alex Samoray, Keplinger Freeman, is present to address the board on behalf of the applicant.

Ms. Samoray said the letter has been submitted regarding the wetlands from the biologist for the SEQR process. Chairwoman Borton said we are ready to get started and have reviewed Part 1 of the EAF. A resolution will be made to establish our intent to be lead agency. We will need a list of all interested involved agencies and submit this to Mr. Bender for circulation.

Chairwoman asked if there are any questions/comments from the board.

This is a public hearing and asked for any questions. Hearing none Chairwoman Borton asked for a motion.

Motion read by Mr. Palumbo. Mrs. Chairwoman: In the matter of the application of Planning Board Case No. 2025-050 for Ironhorn Enterprises/Troy Bullock Amended Site Plan located at 7245 Henry Clay Blvd, I move the adoption of a resolution that the proposed action is an Unlisted Action and that this Planning Board intends to be Lead Agency for the purposes of SEQR. The Planning Commissioner is directed to circulate notice and Part 1 of the EAF to all interested and involved agencies. Seconded by Mr. Graves.

Motion Carried: 7-0

Chairwoman Borton asked the applicant if they are aware of any Type 1 thresholds that this surpasses and agree that this is an unlisted action. Ms. Samoray agreed.

Motion made by Mr. Graves to adjourn Case #2025-050 to April 8, 2026. Seconded by Mr. Palumbo.

Motion Carried: 7-0

Case #2025-054 – **Cheryl D. White/Clay Equestrian Center**, 9605 Black Creek Road – Site Plan (Adj. 2)

The applicant requested an adjournment.

Motion made by Mr. Graves to adjourn Case #2025-054 to March 18, 2026. Seconded by Mr. Palumbo.

Motion Carried: 7-0

Case #2025-056 – **Northside Baptist Church**, 7965 Oswego Road – Amended Site Plan (Adj. 2)

Ms. Alex Samoray, Keplinger Freeman, is present to address the board on behalf of the applicant.

Ms. Samoray said engineering portion is good and Ms. Choberka agreed.

Chairwoman Borton asked the board if there are any questions.

Mr. Henty asked for more details on the photometric sheet. Even though a specification packet was provided it is difficult to match up and would like to have this information and photos of fixtures on the sheet. Ms. Samoray said this will be done.

Mr. Mitchell said the title sheet is 301 and photometric is 302. This will be corrected.

There were no other comments from the board or the public.

Chairwoman Borton closed this case and asked for a motion.

Motion made by Mr. Mitchell to adjourn this case to March 18, 2026. Seconded by Ms. Guinup.

Motion Carried: 7-0

Case #2026-009 **Donald Gabor**, 850 Morgan Road, Preliminary Plat (Adj. 1)

No one was present on behalf of the applicant.

Motion made by Mr. Henty to adjourn this case to March 18, 2026. Seconded by Ms. Guinup.

Motion Carried: 7-0

Chairwoman Borton and Mr. Palumbo recused themselves for the next three cases.

Case #2026-001 **Nexamp Inc./Wetzel Road Storage**, 4664 Wetzel Road, Special Permit Referral

Deputy Chair Mitchell asked the board members if there are any questions or clarification. The board members are all set to give referrals.

Mr. Henty made a disclosure that he the Assessor for the Town of Schroepfel, NY and there is a project with no bearing on this case.

Mr. Graves: I think we are getting ahead of ourselves and I think the Town needs to look at where these should be placed. There is also an issue with these storage systems waste of chemicals, stench of electrical fire which could be problematic where these are located. Location is important.

Mr. McMahon: I am really impressed with the presentation and the addressing of the indelible concerns for safety was done very well. I also note that the Town is going to want to reach a level of comfort dealing with things like proximity to residences and establishing whatever guardrails are needed to make sure that level of quality that may be brought here doesn't set precedence for people who don't have that quality. There is a need for this which was presented very well and we have to have this going forward. But location, proximity, guardrails I think the town needs breathing room to make sure they know they are comfortable with it. A lot of my concerns coming into this project were addressed and I was really impressed. Thank you.

Mr. Henty: I agree with what was said so far but the property is too small for the project. The locations are too close to the neighborhood. I think you can find someplace with more acreage, if something were to happen to be able to get in. I can't see why National Grid isn't doing this as they have plenty of land. I do not think this is a good thing for the residents of Clay.

Ms. Guinup: At this time the direct benefit to the residents is minimal. The town would enter into a Host Agreement from which the town would then decide how best to use the funds to the benefit of the residents. Taking into consideration how the potential negative environmental issues and possible need to shelter in place and/or evacuate within a certain radius which could be within 1 mile as a result of a fire would impact residents. The most appropriate zone for BESS projects would be I-2. The town should consider I-2 area(s) where multiple BESS projects could be located rather than scattered around the town as there will need to be SEVERAL BESS projects in order to have a direct favorable electric impact to the residents. Also, the best use of BESS is if it is paired with solar panels. BESS projects should also be required to have Decommissioning Agreements. The town should table BESS applications until a comprehensive BESS ordinance can be adopted.

Deputy Chair Mitchell: I am not in favor of current approval. Since this is a new concept for the town to consider I feel we have to step back and take a good look at where these kinds of BESS projects will properly fit. Previously we have looked at cell towers and solar farms and had to make our ordinances fit the uses in the town. Because of this operation being new, we need to look at the following before we just go and approve things we do not have a handle on:

1. Have ordinances to fit the use not just trying to make them fit something that is not clearly defined.
2. Need for clear definitions to fit the use.
3. Where should they be located. Not just look at an available parcel and think it is a fit.
4. Proximity to residential and other commercial developments.
5. Concern for fire safety and possible air contamination.
6. Screening such as trees, fencing, etc.
7. Should we designate an area in an industrial zone to keep all units central rather than all over the town.
8. At what point in time is our Volunteer Fire Department trained to handle an emergency.

These are some of the things I would like the town to address.

Deputy Chair Mitchell asked for a motion.

Motion read by Mr. Graves. Mr. Chairman: In the matter of the application of planning board case No. 2026-001 Nexamp Inc./Wetzel Road Storage, I move to submit planning board comments to the Town Board using standard form #60 Special Permit Recommendation. Seconded by Mr. McMahon.

Motion Carried: 5-0.

Case #2026-002 **Nexamp Inc./Longbranch Storage**, Longbranch Road, Special Permit Referral

Deputy Chair Mitchell asked the board members if there are any questions or clarification. The board members are all set to give referrals.

Mr. Henty made a disclosure that he the Assessor for the Town of Schroepfel, NY and there is a project with no bearing on this case.

Mr. Graves: I think we are getting ahead of ourselves and I think the Town needs to look at where these should be placed. There is also an issue with these storage systems waste of chemicals, stench of electrical fire which could be problematic where these are located. Location is important.

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think the town needs breathing room to make sure they know they are comfortable with it. A lot of my concerns coming into this project were addressed and I was really impressed. Thank you.

Mr. Henty: I agree with what was said so far but the property is too small for the project. The locations are too close to the neighborhood. I think you can find someplace with more acreage, if something were to happen to be able to get in. I can't see why National Grid isn't doing this as they have plenty of land. I do not think this is a good thing for the residents of Clay.

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Deputy Chair Mitchell asked for a motion.

Motion read by Mr. Graves. Mr. Chairman: In the matter of the application of planning board case No. 2026-002 Nexamp Inc./Longbranch Road Storage, I move to submit planning board comments to the Town Board using standard form #60 Special Permit Recommendation. Seconded by Mr. McMahan.

Motion Carried: 5-0.

Case #2026-004 **Carson Power, LLC/Wetzel BES A&B**, 7846 & 7850 Goguen Drive, Special Permit Referral

Deputy Chair Mitchell asked the board members if there are any questions or clarification. The board members are all set to give referrals.

Mr. Henty made a disclosure that he the Assessor for the Town of Schroepfel, NY and there is a project with no bearing on this case.

Mr. Graves: I think we are getting ahead of ourselves and I think the Town needs to look at where these should be placed. There is also an issue with these storage systems waste of chemicals, stench of electrical fire which could be problematic where these are located. Location is important.

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Deputy Chair Mitchell asked for a motion.

Motion read by Mr. Graves. Mr. Chairman: In the matter of the application of planning board case No. 2026-004 Carson Power, LLC/Wetzel BESS A&B, I move to submit planning board comments to the Town Board using standard form #60 Special Permit Recommendation. Seconded by Mr. McMahan.

Motion Carried: 5-0.

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Chairwoman Borton and Mr. Palumbo returned to the meeting.

Motion made by Ms. Guinup to adjourn this meeting at 8:11 p.m. Seconded by Mr. Mitchell.
Next meeting is March 18, 2026.

Motion Carried: 7-0.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary