

AGENDA
TOWN BOARD MEETING
TOWN OF CLAY
June 1, 2026

1. Call to Order.
2. Pledge of allegiance.
3. Approve the minutes of May 18, 2026, Regular Town Board Meeting.
4. Correspondence.
5. Cancellations and/or requested adjournments.
6. **(SEQR)** Move the adoption of a resolution that the application of Town Board Case #1250: **LANDS OF NELSON AMENDED** for a Zone Change from NC-1 Neighborhood Commercial District to HC-1 Highway Commercial District to allow for expansion of an existing parking lot to serve additional vehicle inventory for West Herr on land located at **3687 State Route 31, Tax Map No. 020.-01-06.1**, consisting of +/- .73 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. [The Town Board received a favorable referral from the Planning Board following its May 27th public hearing.](#)
7. **(DECISION)** Move the adoption of a resolution (approving/denying) Town Board Case #1250: **LANDS OF NELSON AMENDED** for a Zone Change from NC-1 Neighborhood Commercial District to HC-1 Highway Commercial District to allow for expansion of an existing parking lot to serve additional vehicle inventory for West Herr on land located at **3687 State Route 31, Tax Map No. 020.-01-06.1**, consisting of +/- .73 acres of land.
8. **(7:35 P.M.)** Public hearing to consider the application of Town Board Case #1257: **AT&T MOBILITY** for a Utility Substation Special Permit pursuant to Section 230-27 I.(2)(e)[1][g] – Utility Substation; Communication towers, radio and television towers, relay stations, or transmitting or booster antennas, to allow for installation and operations of an antenna and associated equipment cabinets and generator for AT&T's telecommunications network on property located at **7200 Henry Clay Blvd, Tax Map No. 106.-04-07.2**, consisting of +/- 3.61 acres of land. The property is located in the GOV-RA-100 District.

9. **(7:38 P.M.)** Public hearing to consider proposed **LOCAL LAW NO. 5 OF THE YEAR 2026** (f/k/a Local Law No. 4 of the year 2026) creating a new Town Code, Chapter 209 to be titled the “Town of Clay Battery Energy Storage System Law.” The Town recognizes battery storage systems represent a reliable and renewable energy storage system but also recognizes the technology is new and that we do not have a governing ordinance to address the use. The purpose of the new Chapter is to create guidelines to help the Town properly site battery energy storage systems and to balance protection of our environment and the health and safety of our residents with the promotion of safe battery energy system uses. The Town Board will consider revisions discussed at the April 20th, May 4th, May 16th & May 18th meetings. (Adjourned from the 04/20/2026, 05/04/2026 & 05/18/2026 Town Board meetings)
10. Move the adoption of a resolution calling a public hearing on **June 15, 2026**, commencing at **7:47 P.M.**, local time to consider Town Board Case #1258: **CNY PULMONARY AND SLEEP MEDICINE** for a Special Permit pursuant to Section 230-15 B.(2)(e)[3] – Medical Office, to allow for a medical office on property located at **5232 Witz Drive, Tax Map No. 112.-06-13.5**, consisting of +/- 2 acres of land. The property is located in the O-2 Office District.
11. Move the adoption of a resolution calling a public hearing on **June 15, 2026**, commencing at **7:50 P.M.**, local time to consider a Petition for a lighting district within the Town of Clay to be known as “**MICHAEL’S FARM LIGHTING DISTRICT NO.1**”.
12. Move the adoption of a resolution calling a public hearing on **June 15, 2026**, commencing at **7:53 P.M.**, local time to consider a Petition for a drainage district within the Town of Clay to be known as “**MICHAEL’S FARM DRAINAGE DISTRICT CONTRACT NO. 1**”.
13. Move the adoption of a resolution calling a public hearing on **June 15, 2026**, commencing at **7:56 P.M.**, local time to consider a Petition for a sewer district within the Town of Clay to be known as “**MICHAEL’S FARM SEWER DISTRICT CONTRACT NO. 1**”.
14. Move the adoption of a resolution calling a public hearing on **June 15, 2026**, commencing at **7:59 P.M.**, local time to consider a Petition for a water supply district within the Town of Clay to be known as “**MICHAEL’S FARM WATER DISTRICT CONTRACT NO. 1**”.

15. Move the adoption of a resolution calling a public hearing on **June 15, 2026**, commencing at **8:02 P.M.**, local time, to consider proposed **LOCAL LAW NO. 6 OF THE YEAR 2026**, for the adoption of a Temporary Moratorium prohibiting any zone change or special permit applications related to the establishment of large-scale data centers, artificial intelligence (“AI”) computing facilities, cryptocurrency mining operations, and similar high-intensity computing uses and complexes in the Town of Clay pending a study on the subject and the potential adoption of a new Local Law governing related applications. The proposed moratorium may be in effect for up to twelve months from the time of adoption.