

APPROVED

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 30th day of September 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
	Paul Graves	Member
	Al McMahon	Member
	Jim Palumbo	Member
	Hal Henty	Member
	Marie Giannone	Secretary to Planning Board
	Brian Bender	Commissioner of Planning & Development
	Amber Dillon	Planner II – Planning & Development Department
	Kathleen Bennett	Planning Board Attorney
	Caitlin Choberka	C & S Engineer

Motion made by Mr. Graves to approve the minutes of the September 16, 2026 meeting. Seconded by Mr. Palumbo.

Motion Carried: 7-0.

Public Hearings:

Case #2026-025 Community Bank N.A. (R&F Plaza) 4000 State Route 31 Site Plan Adj. 4.

Ms. Lisa Wennberg, Keplinger Freeman, is present to address the board on behalf of the applicant. Mr. Eric Turner, Director of Facilities, is also present.

Ms. Wennberg said the letter and paperwork from OCWA approving the easement has been filed and a copy will be sent to the town. Chairwoman Borton said the notification has been received from OCWA. There were no questions from the board. The chairwoman noted that this is a closed hearing and asked for a motion.

Motion made by Mr. Mitchell: Mrs. Chairwoman: In the matter of the application of planning board case No. 2026-025 for Community Bank in the R&F Plaza at 4000 State Route 31, I move the adoption of a resolution using standard form #10 SEQR that the proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed action will not have a significant effect on the environment and the resolution shall constitute a

negative resolution for the following reason: it blends in with the character of the plaza.
Seconded by Mr. Henty.

Motion Carried: 7-0.

Motion made by Mr. Mitchell: Mrs. Chairwoman: In the matter of the application of planning board case No. 2026-025 for Site Plan for Community Bank in the R&F Plaza at 4000 State Route 31, I move the adoption of a resolution using standard form #20 Site Plan be granted based on a map by Keplinger Freeman Associates dated 3/13/26 with revision dates of 7/17/26 and 8/11/26 as per the drawings on the Community Bank Cover Sheet. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Seconded by Mr. Graves.

Motion Carried: 7-0.

Case #2026-051 **Amazon Drone Implementation – Amazon, Inc.** 7211 Morgan Road, Amended Site Plan Adj. 4

Mr. Tareq Wafaie, Mr. Frank Pavia and Mr. Kevin Hixson are present to address the board on behalf of the applicant.

Mr. Tareq Wafaie showed a power point presentation on Amazon and the drone delivery operations. His talking points on this presentation follow on Page 4-5.

Prime Air Drone Delivery

Mission

- Safety-first approach
- Customer delivery in 60 minutes or less

MK30 Drone

- Power is 100% electric
- Range is 7.5 miles
- Holds up to 5 lb. package
- Altitude is less than 400 ft
- Cruise speed is 60-74 mph

Enhanced Safety Features

- Highly autonomous operations with human flight monitors
- Ability to operate in wind and light rain
- Detect and avoid technology
- Perception system to detect humans, animals, and obstacles at customer-selected delivery point

Privacy is Paramount

- Drones use onboard cameras and sensors used for navigation, detect and avoid aircraft and safe delivery
- No live camera feed monitored by any person
- Does not track individuals, record movements, or perform surveillance function
- Does not use facial recognition technology, read license plates, record audio, or identify individuals
- All imagery captured by drone stored on encrypted drives accessible only to a very small number of authorized personnel

Federal Aviation Administration – Airspace approval is under the strict authority of the FAA

- FAA Part 135 Air Carrier Certificate
- Amazon engages the FAA to review Prime Air airspace operations from the fulfillment center to determine where drones can safely operate
- The FAA conducts an Environmental Analysis (EA) as required by the National Environmental Policy Act (NEPA) to ensure Prime Air does not create any negative impacts to community, wildlife, or the environment

The Customer Experience

Shop at Amazon Store

- Drone delivery is optional.
- Fully integrated customer experience from Amazon.com or the Amazon app for delivery in 60 minutes or less
- Drone delivery FAQs, Privacy, Delivery Area Confirmation and Consent information available at Amazon.com

Fulfillment a Site

- Customer order taken from the site to the Prime Air Drone Delivery Center (PADDC)
- Drone load with fully-charged battery and customer order

Delivery (see slide)

- Vertical takeoff and transition to horizontal flight
- Descend and scan delivery area for humans, pets, and obstacles
- Customer order dropped at delivery point.

Amazon MK30 Compared to Everyday Noises (see slide)

Multiple Layers of Review

FAA

- Airspace approval
- Environmental Assessment

Host Jurisdiction

- Land use and zoning approvals
- Permitting and inspections

Other Stakeholders

- Deconfliction with other airspace users

The Prime Air Drone Delivery Center is located at the Amazon location 7211 Morgan Rd. This will be located at the back of the building.

Drone layout at Morgan Road facility (see slide)

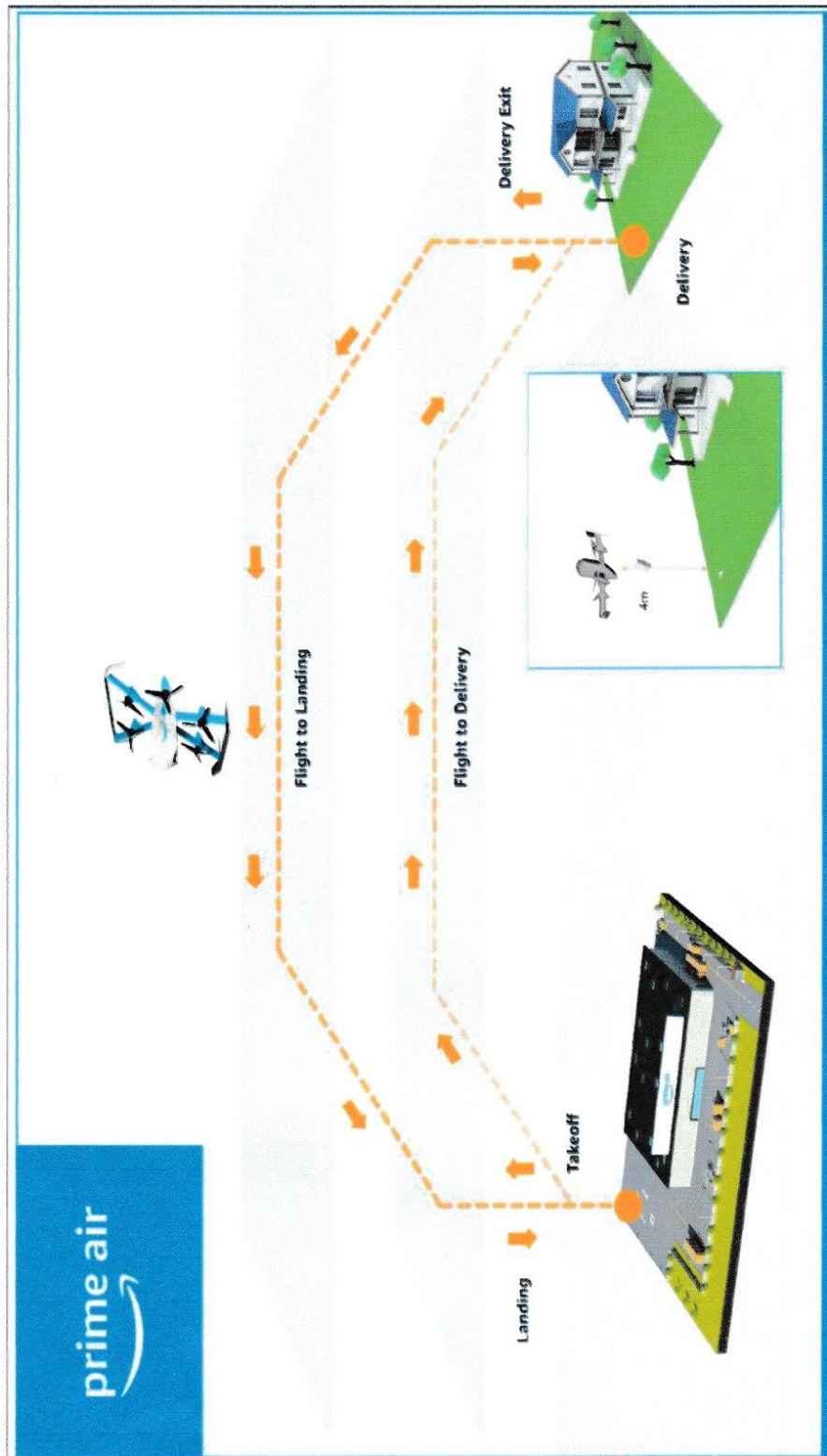
End of power point presentation.

Mr. Wafaie spoke during the power point presentation and these were his talking points:

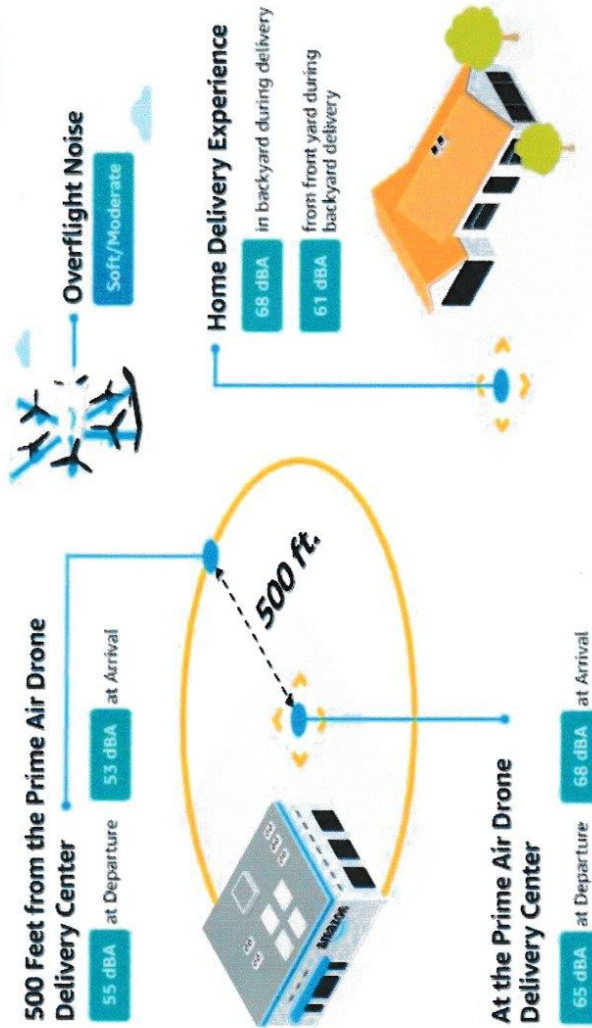
- Drones are manufactured in the US outside of Seattle, WA
- Drones are 5 ½ ft tall and 5 ft wide lots of technology built into the drone
- 6 propellers on drone for safety reasons
- 60% of all products shipped are less than the 7.5. lbs.
- There is no pilot – highly autonomy vehicle, but heavy human involvement
- Can travel in light wind and rain but can be grounded during severe weather
- Perception system to avoid animals, children, birds etc.
- Privacy – yes cameras and sensors are on the drone as this is necessary to clear the FAA path to be able to deliver this program to our customers
- Does not track individuals, license plates
- Camera is used near delivery to make sure no obstacle can impede drop off of package. (You can't stand underneath it to catch it – it won't make delivery)
- It will capture images only if there is an incident. If a drone cannot make the delivery, it will be recorded and go back to an encrypted drive for review. If there is no incident this information stored on the drone is deleted on the next flight.
- FAA controls airspace and here to get land use approval
- Clearance from FAA and received FAA Part 135 Air Carrier Certificate; still going through local approvals
- Drone delivery is optional for amazon customers. This is an opt-in program at present. A form is filled out, designate area for delivery, with 18 ft clear diameter, 100 ft height for

drone delivery without any obstacle. Most deliveries are 30 to 60 minutes after placing order. Very little theft with drone delivery because of the quick turnaround time. Resident is waiting for package. Area is cleared by Amazon (aerial image) for customer to have drone delivery. There is a huge demand in this area for this type of quick delivery.

- Delivery slide getting into the air as quickly as possible for this reason. We are more than 500 ft from an adjacent property but want to get in the air as high well over 100 ft before transitioning to forward flight helps minimize the impact on surrounding properties. Then cruising between 205 and 370, get to location and vertical dissent to 100 ft straight down. Drone finds delivery area, hovers 13 ft in the air and drops package. Drone heads back up and begins flight back to Amazon facility taking 25 to 30 seconds.
- Truck driving through the Amazon parking lot is louder than a drone. Loudest noise of a drone is during takeoff at about 68 decibels. Sound overhead passing over a soccer field which takes 10 to 15 seconds, 100 ft in the air is about the sound of an electric toothbrush.
- There are multiple levels of review. National clearance has been approved and currently getting local clearance which takes a lot of work and review. This region has been chosen because it is very active in drone technology and innovation.
- We are proposing about 1,000 sq ft of actual disturbance in the drone delivery area of the site. As shown on the slide it is just painting circles and bringing in storage containers which store the drones. During operation they will be rolled out to six smaller circles which are for takeoff and landing. If a drone has to land for any other reason they land on the divert pad as shown in the center of the diagram. The green area shown is the battery storage which operate on 100% lithium-ion battery and has to be charged each day. We work with the fire department to address all safety measures. The rest of the business happens inside of the building. More than 2,000 employees work in the building and this drone operation will not take away jobs but will add.
- The service radius slide is pending airspace analysis which incorporates 7.5 radius centering from the SYR Amazon location.



Amazon's MK30 Compared to Everyday Noises



Levels of Noise in decibels (dB)

PAINFUL & DANGEROUS

140dBA Fireworks, gun shots, custom car stereos
130dBA Jackhammers, ambulances

UNCOMFORTABLE

120dBA Jet planes (during take off)

VERY LOUD

110dBA Concerts, car horns, sporting events
100dBA Lawnmowers, power tools, blenders
90dBA Sawnhorses, MP3 players

LOUD

80dBA Alarm clocks
70dBA Traffic, vacuum

MODERATE

60dBA Dishwasher, normal conversation
50dBA Moderate rainfall

SOFT

40dBA Quiet library
30dBA Whisper

FAINT

20dBA Leaves rustling

Chairwoman Borton thanked Mr. Wafaie for the presentation and continued with site plan.

The chairwoman had comments/questions:

- Title sheet should show the original date, and revision dates.
- For city/town should be Town of Clay.
- Any changes to lighting. No.
- Is landscaping being disturbed? No. This will be updated by the applicant.
- Is there fencing? No.
- Site Plan C1.01 parking should show existing parking and what is proposed and more zoning information is needed
- Why is the applicant doing pop up canopies and what will they look like. Answer: This will be used for sunny days as protection for associates. A permanent structure would disturb more earth and could be detrimental to the drones flying. There would be a lot of push back from the design team.
- EAF – description of action needs to be updated. An EAF long form is required because this is an Industrial I district.
- EAF -Any wetlands? Answer: No wetlands being disturbed.
- EAF -Under zoning regulations it stated permanent use. This was checked N/A. Applicant said nothing in the town codes defines drones flying so it is a continuation of use of the building.
- FAA time line what do you anticipate as far as approval. What are the flight paths for this area. A lot of concerns in other municipalities having no fly zones creates channels when shifted to another area and can create problems. Answer: a point in time will not be published as it depends on customer demand. The chairwoman is concerned with what areas could have a lot of drones around their area/property.
- Is there an opportunity for the public to have input on the FAA approval. Answer: you would have to contact the FAA either State or Regional offices. Information will be provided to the Planning Department. Discussion followed on this with Mr. Bender, Ms. Bennett and Mr. Pavia reaching out to FAA and NEPA for more information.

Mr. Henty asked about working with 911, fire department emergencies as they use drones. Will there be coordination. Answer: Another team reaches out to the 911 center, fire departments and first responders and anyone who may be flying something in the region they will meet with them to make sure they have an understanding of the Traffic Management System in this region for airspace.

Ms. Guinup said we need more detail on the pop-up canopies on the site plan. This will then help code enforcement if they encounter any complaints. Ms. Guinup asked to explain more on the “opt in” for drone delivery. Answer: A drone will never delivery a package to a resident without first Opting In to request drone delivery. A form needs to be filled out and then checked by Amazon. If you are eligible for drone delivery you still have to check that you want

this type of delivery. Ms. Guinup asked who overwrites images to be saved, where are they located and for what period of time. Answer: it is not someone but a machine that stores data and encrypted, gets reviewed and stored only if it is an incident. Also, if the drone has to be retrieved from private property, authorities are called before going on private property. Ms. Guinup said more details are needed on the shipping containers, battery storage area including battery vault – a product brought to the site and put on a concrete pad and holds 15 batteries. Also, Ms. Guinup said we will need information from the fire department on this battery vault.

Mr. Graves asked about the flight path. Answer: If there is a disruption in the flight path, the drone can go around it. If there was an issue with high traffic, the drone delivery would be cancelled or postponed until the path is clear.

Mr. McMahon had comments/questions:

- ✓ Short EAF references the building. This will be updated.
- ✓ Correct acreage? Acreage is 110.957.
- ✓ Scanning the horizon every three hours? Answer: Scanning the horizon is still done at the Amazon facility which Amazon considers an extra safety precaution.
- ✓ How much of the specs of the drone will be publicly available? Answer: very little.
- ✓ 68 decibels fall short of the 72 decibels. Is the background that supports this available? Answer: an independent study was done and a copy will be provided. Mr. McMahon concern is not the snapshot but the ongoing ramp up.
- ✓ Delivery of packages by drones: Answer is sunrise to sunset.
- ✓ Will the map of the prohibitive area be published. Answer: not sure but will inquire and ask what the FAA would be comfortable releasing to the public.
- ✓ Wildlife presence including bald eagles nesting? The State Fish and Wildlife is also part of the process and will locate prohibitive areas.
- ✓ No images are taken in flight but could this change in the future with technology. Answer: Amazon said it would not be in their best interest to do this.

Mr. Palumbo:

- ✓ Do the drones have lights. This is shown on the slide which show lights on the corners of the drone – red and green lights.
- ✓ What is the separation of FAA jurisdiction of navigable airspace and the ground. Is it 13 ft where the drone stops and drops. Mr. Pavia said the term navigable airspace is used in case law that has decided preempted authority of the FAA and the case law says navigable airspace includes the following factors: flight levels, flight distances, operational noise levels, air speed safety and other related factors impacting airspace

safety. Those areas according to court's decisions are preempted by FAA and there are cases where local jurisdictions have tried to impinge on that authority and has been denied. More discussion on navigable airspace and this can be addressed with the FAA for a clearer understanding. This information for the FAA will be provided.

Mr. Mitchell addressed Mr. Hixson on the parking spaces as shown on the site plan.

- More detail is needed on the snow storage area.
- Do the packages for drone delivery originate from the fulfillment center. Answer: Yes, from the Morgan Rd facility as this is the location of the drone operation.
- Does Amazon fly drones at any other facilities where other commercial companies use the same air space. Answer: Yes, Texas and California. This is controlled by the FAA.

Chairwoman Borton said correspondence was received from Ms. Susan Conover and Ms. Eva Piltch and will be entered into the record.

Ms. Choberka said based on DEC mapping, this area is not in any wetland boundaries. The chairwoman also said the Onondaga County Planning Board (OCPB) in their comments said there are no significant adverse inter community or county wide implications.

Chairwoman Borton said this is a public hearing and asked if there are any questions. Hearing none the chairwoman asked for a motion.

Motion made by Mr. Mitchell to adjourn this case to October 14, 2026. Seconded by Ms. Guinup.

Motion Carried: 7-0.

Case #2026-054 **Delta Sonic Accessory Vacuums – Delta Sonic Car Wash Systems**, 3728-3770 Brewerton Road, Special Permit Referral

Mr. Matt Oates is present to address the board on behalf of Delta Sonic. The applicant is requesting a special permit to construct an accessory vacuum and drying station at the existing Delta Sonic on a 0.61-acre parcel in an RC-1 zoning district. The site is located within 500 feet of Brewerton Road and South Bay Road and the municipal boundary is between the Town of Clay and Town of Salina. The two existing vacant buildings will be demolished where the accessory vacuum and drying station will be located. This is shown on the plan to the board. This will have a better flow of traffic at the car wash and detailing locations. There will be a right only onto Brewerton Road which has been approved by Department of Transportation.

Mr. Bender said a site plan application will be required and reviewed after approval of a special permit. Mr. Oates said they have a site plan review with the Town of Salina.

Chairwoman Borton asked about the DOT recommendation. Mr. Oates said DOT is satisfied but only have “right out only” at Brewerton Road exit. The chairwoman stated in the OCPB findings the Syracuse Metropolitan Transportation Council (SMTC) recommends sidewalks that would be beneficial if not now but for future development. Mr. Oates said this sidewalk would not be connected to anything. The chairwoman explained this is for future development along the Brewerton Road area. Mr. Oates said this will be address and reviewed at site plan.

Chairwoman Borton asked the board members for questions/comments.

Mr. Graves asked about the landscape area shown on the drawing and asked if the turning radius will handle large vehicles. Mr. Oates said the area is 15 ft wide but will take another look to be sure this is no turning problem. Mr. Graves questioned the area that is used for employee parking and if this will affect snow removal. The landscape area will be utilized for snow removal. Dumpsters will be moved to another area as shown on the drawing.

Mr. McMahon – good

Mr. Palumbo is also concerned with the turning radius as mentioned by Mr. Graves. Trash haulers may have a turning radius problem but Mr. Oates said they will take another look at this.

Mr. Henty is looking for details on the lighting fixtures. This will be address during site plan review.

Ms. Guinup asked about the routing of a vehicle entering the facility to exit. Mr. Oates showed this on the diagram. Mr. Oates said this is laid out as the vacuum system will be for customers only and can only be used after going through the car wash. Mr. Oates said most customers get gas and then go to the car wash. As most customers are monthly pay customers, they are familiar with the operation. Mr. Oates said as customers get familiar with the facility there should be less confusion. Ms. Guinup asked about the existing detailing operation and if this will continue. Mr. Oates said yes but the traffic flow will be better. Ms. Guinup was concerned with the stacking of vehicles at the five-towel drying area and vacuum area and getting out to Route 11. Mr. Oates showed on the diagram how this new traffic pattern will work. Ms. Guinup said one out of every three cars at the drying area is a lot of cars and there will be more traffic with the vacuum system area. From a Town of Clay standpoint looking at this accessory structure parcel, this is not a real good option for the town because of the traffic pushed there. Ms. Guinup voiced her opinion as far as the town board goes, that she does not see how a special permit in an RC-1 fits this operation. If you look at the RC-1 there is no operation that is taking

place that fits into an RC-1 except for a car wash. There is no car wash in the Town of Clay as the car wash is in the Town of Salina. These two parcels will remain separate so there is no car wash to support an RC-1 special permit. Mr. Bender said when this was presented to staff Mr. Bender had a consultation with the Mr. Germain, town attorney and came to this conclusion for a special permit. Ms. Guinup reiterated that it is up to the town board for the final decision.

Ms. Guinup concurred with Mr. Graves and Mr. Palumbo on the potential turning radius with large vehicles including trash haulers.

Mr. Mitchell asked about the drying stations. Mr. Oates said three and during busy times they use four.

Chairwoman Borton asked if it is feasible to make it two way from the drying area to gas area. This will be addressed. Mr. Quandt said it did not solve the problem. It would be more of a conflict bringing the vehicles across. This is a site plan issue. Mr. Oates also said making two way would make the turning radius shorter.

Mr. Palumbo asked about the drying stations – does Delta Sonic dry the vehicles. Mr. Oates said Delta Sonic. Mr. Palumbo said in his opinion the drying stations are an extension of the car wash but the vacuum area is done by the customer but a service with the car wash.

Chairwoman Borton said this is a public hearing and asked if there are any questions/comments. None. The chairwoman closed this hearing and asked if any board members needed more time before making their referral. None. Chairwoman Borton polled the board.

Mr. Henty said this is complicated but you will have to live with the problem it causes if you want to get the vacuums in. I do not have a problem.

Ms. Guinup feels having this operation in the Town of Clay versus Delta Sonic in the Town of Salina is going to push more traffic from the Delta Car Wash operation over into the Town of Clay exit because of the drying station and attractiveness of vacuums. I personally feel that a special permit RC-1 does not fit this application because RC-1 says that it has to have a car wash. There is no car wash operation on the town of Clay site. Therefore, I do not feel that this special permit should be granted.

Mr. Graves – in favor

Mr. McMahon – in favor

Mr. Palumbo – in favor and he feels that if we get over the word “car wash” and look at the detailing facility I think the drying station is an extension of a car wash service and it is a tough

layout in his opinion but if this comes back during site plan this can be worked out the challenge it present. I think it is an appropriate use of this small piece of property.

Mr. Mitchell is ok with this. He agrees with Ms. Guinup concerning the traffic but it will be right only and he is ok with this.

Chairwoman Borton is in favor and there is enough flexibility that can be worked out at site plan review.

Chairwoman Borton asked for a motion for special permit referral.

Motion made by Mr. Graves. Mrs. Chairwoman: In the matter of the application of case No. 2026-054 for Delta Sonic Car Wash at 3728 -3770 Brewerton Road, I move to recommend to the Town Board using standard form #60 special permit recommendation that the petition be recommended based on the comments of the planning board members. Also, this will add value to the customers and no have a negative impact. Seconded by Mr. Palumbo.

Motion Carried: 6-1

Old Business.

#2025-054 **Clay Equestrian Center, Chery D. White**, 9605 Black Creek Road, Site Plan, Adj. 8.

The applicant requested an adjournment until October 14, 2026.

Motion made by Mr. Mitchell to adjourn this case to October 14, 2026. Seconded by Mr. Graves.

Motion Carried: 7-0.

Case #2026-061 **Equipment Share**. This case has been withdrawn.

Signs.

Kassis Superior Signs/Rania Kassis – Boot Barn – 3863 – 3865 State Route 31, Zoned RC-1, Permit #56,228

1 Wall sign A115 Square foot, internally illuminated LED Wall Sign proposed, when 139.6 square feet is allowed. This will meet code.

1 Wall sign A 96.25 square foot, illuminated LED Wall Sign proposed, when 139 square feet is allowed. This will meet code.

Planning Board
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1 Freestanding Sign panel replacement proposed for the freestanding sign measuring 7.65 square feet and include internally illuminated LED lighting. 128 square feet is allowed. This will meet code.

Motion made by Mr. Graves to approve two wall signs and one free standing sign for Boot Barn on Permit # 56,228. These signs meet code. Seconded by Mr. McMahon.

Motion Carried: 7-0

Motion made by Mr. Graves to adjourn this meeting at 9:55 p.m. Seconded by Mr. McMahon. Next meeting is October 14, 2026.

Motion Carried: 7-0.

Respectfully submitted,

Marie Giannone

Marie Giannone
Planning Board Secretary