

**APPROVED**

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 2<sup>nd</sup> of February 2015 at 7:30 P.M., there were:

**PRESENT:**

Damian Ulatowski	Supervisor
Robert L. Edick	Deputy Supervisor/Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Joseph A. Bick	Councilor
Jim Rowley	Councilor
Eugene Young	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
John Marzocchi	Town Attorney
Ron DeTota	Town Engineer

**ABSENT:**

**OTHERS PRESENT:**

Hal Henty – Planning Board Member; Lisa Vincitore – Secretary to the Town Attorney.

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 Edick moved to **Approve** the Minutes of the January 21<sup>st</sup>, 2015 Town Board Meeting. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

**Cancellation and/or requested adjournments.**

Supervisor Ulatowski explained that the Applicant for Riverwalk has requested an adjournment. Councilor Bray made a motion to adjourn to the March 2<sup>nd</sup> 2015 meeting at 7:56 P.M. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

**Correspondence:**

None

**REGULAR MEETING:**

**Zone Change (PH/Adj.) – Town Board Case # 1068 – RIVERWALK ASSOCIATES, INC.:**

Adjourned to the March 2<sup>nd</sup>, 2015 at 7:56 P.M.

**Zone Change (PH) – Town Board Case # 1073 - COR VERPLANK ROAD COMPANY, LLC:**

A public hearing to consider the application of **COR VERPLANK ROAD COMPANY, LLC FOR A ZONE CHANGE** from **R-15 Residential District** to **R-APT Apartment District** to allow for an apartment complex located on **VerPlank Road & Dell Center Drive**, part of **Tax Map Nos. 021.-01-19.1 & 021.-01-02.3**; and consisting of approximately 58.32 acres of land. (Adjourned to this date and time from the January 21, 2015 Town Board Meeting), was opened by the Supervisor.

Kate Johnson Legal Council for COR Development and Hal Romans, surveyor for the applicant, presented. Mr. Romans and Ms. Johnson began by distributing updated maps for the parcel. Ms. Johnson explained that the new maps better depict the parcel and the access points for emergency and regular vehicular traffic. She continued that the Town of Clay Planning Board gave a favorable recommendation and the Onondaga County Planning Board took No Position which means that the Town Board is not required to pass this application by a super majority.

Hal Romans explained that he met with *Moyers Corners Fire Department* to discuss the plan for the roads and access points for emergency vehicles. He continued that they are proposing two access points onto VerPlank Road that will be restricted to public access by a chain that can be cut with bolt cutters, in an emergency. Additionally, access to the south will connect with Morgan Park Apartments in two places. He continued that Morgan Properties has cooperated with the Fire Department by taking some recommendation that were made and added strobe lights to the tops of buildings and dry sprinklers to the porches to increase safety and efficiency.

Kate Johnson said that they are proposing 20' asphalt roads with 2' concrete gutters on each side. Councilor Young said that the existing road does not appear to be that wide and they discussed it at length. Ms. Johnson explained

that it is a private road but will be constructed to town specs without the responsibility to maintain it. Councilor Young suggested that the additional traffic may be problematic for the current tenants.

Ms. Johnson explained that they have lengthened the driveways (36') on both sides of the road to accommodate two cars per drive. In addition, there are 296 apartment garages and 110 visitor parking spaces. The residential mailboxes will be located at a central location, most likely the club house.

Councilor Rowley asked about school bus stops. Ms. Johnson said that there will likely be several stops. She continued that there will be a mix of 2 and 3 bedroom units adding that this is still a conceptual plan at this point and that the applicant will work with the Planning Board. There was a discussion on whether or not the units could be rezoned to Town House use and sold to tenants and Ms. Johnson said that they could not, adding that they will always remain a true apartment use; always a rental unit.

There was a question about snow removal. Ms. Johnson said that Morgan Management Group is accustomed to dealing with snow at their Fort Drum complex, adding that they have 60 properties.

There was a long discussion about sewers. Ron DeTota began explaining about the sewers with regards to the Onondaga County Planning comments and conveyance. Mr. DeTota explained that at the time they made comments it was thought that the sanitary sewers were close or at capacity. Alex Wisnewski, engineer for the applicant, distributed maps showing how the sewers will extend under Route 31 to accommodate the sewer needs. Mr. Wisnewski explained that originally the sewer would empty into Oak Orchard; however with this plan the sewers will flow to Dell Center by the school where the problem of the 8" sewers exists, at this point they will be diverted to a 24" sewer line with ample capacity and redirected to the Wetzel Road pump station.

There was a discussion regarding the number of buildings. Councilor Rowley said that he was in favor of about 10 less buildings therefore decreasing the density of this project. Ms. Johnson said that she did not know if the Developer would consider such a large reduction of units. She reiterated that the apartments give the feel of a single family home more than an apartment. She added that they may lose some of the buildings in the Site Plan process with the Planning Board.

Supervisor Ulatowski asked if all infrastructures will be maintained privately leaving the Town with no responsibility; Ms. Johnson said that is true. He continued stating that when the County comments were addressed, the waste water was to be maintained by Oak Orchard however, now waste

water will be redirected to the Wetzel Road pump station therefore lessening the burden. Mr. Wisnewski surmised that if the zone change is granted that it will relieve some of the burden on the infrastructure.

Supervisor Ulatowski explained that he is uncomfortable with the parking and asked if the developer may be able to add 20 or so more spots to the visitor parking. Ms. Johnson said that she'd look into it. Councilor Edick asked about porous pavement for the visitor lots. Councilor Edick said that he would like to see a decrease in the number of units.

Supervisor Ulatowski said that he would **close** the public hearing.

**Licenses and Permits (PH) - CASUAL ESTATES (MOBILE HOME COURT) LLC, d/b/a MADISON VILLAGE:**

Supervisor Ulatowski asked who was present to speak on behalf of the applicant; no one responded. The Supervisor said that he would adjourn the public hearing pending representation from the applicant. He added that a letter will be drafted to the applicant suggesting representation before the Town Board prior to granting the permit.

**R-15-36 Appointment – (A) CLAY VOLUNTEER FIRE DEPARTMENT, INC.:**

Councilor Bick moved the adoption of a resolution approving the appointment of **Mark Procopio** as a volunteer member of the **CLAY VOLUNTEER FIRE DEPARTMENT, INC.** Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-37 Fire Hydrant – (A) Clay Consolidated Water Supply District (Superior Self Storage Route 31):**

Councilor Rowley moved the adoption of a resolution authorizing the installation of a fire hydrant in the **Clay Consolidated Water Supply District** and authorizing the Supervisor to execute the **OCWA** fire hydrant application (Superior Self Storage Route 31). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-38 Fire Hydrant(s) – (A) Riverwalk Water Supply District:**

Councilor Rowley moved the adoption of a resolution authorizing the installation of four (4) fire hydrants in the **Riverwalk Water Supply**

**District** and authorizing the Supervisor to execute the **OCWA** fire hydrant application (Riverwalk Subdivision). Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-39**      **Agreement - BEAVER HILL REALTY, LP:**

Councilor Edick moved the adoption of a resolution authorizing the Supervisor to enter into an Agreement on behalf of the Town with **BEAVER HILL REALTY, LP** for the construction/development of **WILDFLOWER SUBDIVISION**. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-40**      **ONONDAGA COUNTY COMMUNITY DEVELOPMENT FUNDING(CPH):**

Councilor Bray moved the adoption of a resolution calling a public hearing **March 2, 2015** commencing at **7:35 P.M.**, local time, to solicit from Town of Clay residents their comments and input regarding the use of funds by the Town of Clay with respect to the applications for funding filed with **ONONDAGA COUNTY COMMUNITY DEVELOPMENT** for the year **2015**. Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-41**      **Zone Change (CPH) – Town Board Case # 1074 - BANK OF AMERICA:**

Councilor Young moved the adoption of a resolution calling a public hearing **March 2, 2015**, commencing at **7:38 P.M.**, local time to consider the application of **BANK OF AMERICA FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District** to **O-2 Office District** to allow for a Drive-up ATM Kiosk on vacant land located on **State Route 31, Tax Map No. 053.-01-20.1**, between the railroad tracks and Lowe's; consisting of approximately 0.5± acres of land. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-42**      **Zone Change (CPH) – Town Board Case # 1075 - ASSOCIATED GROUP SERVICES, INC.:**

Councilor Young moved the adoption of a resolution calling a public hearing **March 2, 2015**, commencing at **7:41 P.M.**, local time to consider the

application of **ASSOCIATED GROUP SERVICES, INC., FOR A ZONE CHANGE** from **RA-100 Residential Agricultural District, O-2 Office District & R-TH Townhouse District** to **RC-1 Regional Commercial District** to allow for a Car Dealership and other associated commercial uses on properties located at **3652, 3694, 3702, 3706, 3712 & 3720 State Route 31, Tax Map Nos. 053.-01-09.1, 10.1, 11.1, 12.1, 13.1 & 14.1**; consisting of approximately 31.6± acres of land. Motion was seconded by Councilor Weaver.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-43**      **Zone Change (CPH) – Town Board Case # 1076 – MARK BROSH:**

Councilor Bray moved the adoption of a resolution calling a public hearing **March 2, 2015**, commencing at **7:44 P.M.**, local time to consider the application of **MARK BROSH FOR A ZONE CHANGE** from **I-2 Industrial District** to **R-40 One-Family District** to allow for future development on vacant land located on **Verplank Road, Tax Map No. 043.-01-10.1**; consisting of approximately 1.95± acres. Motion was seconded by Councilor Edick.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-44**      **Project (drainage)(CPH) - WILDFLOWER DRAINAGE DISTRICT, CONTRACT NO. 1:**

Councilor Weaver moved the adoption of a resolution calling a public hearing **March 2, 2015**, commencing at **7:47 P.M.**, local time to consider a Petition for the creation of a drainage district within the Town of Clay to be designated and known as **“WILDFLOWER DRAINAGE DISTRICT”** and for the construction and acquisition of a drainage system therein to be designated and known as **“WILDFLOWER DRAINAGE DISTRICT, CONTRACT NO. 1,”** (Wildflower Subdivision). Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-45**      **Project(water supply)(CPH) - WILDFLOWER WATER SUPPLY DISTRICT:**

Councilor Bick moved the adoption of a resolution calling a public hearing **March 2, 2015**, commencing at **7:50 P.M.**, local time to consider a Petition for the creation of a water supply district within the Town of Clay to be designated and known as **“WILDFLOWER WATER SUPPLY DISTRICT”**

and for the construction and acquisition of a water supply system therein to be designated and known as “**WILDFLOWER WATER SUPPLY DISTRICT,**” (Wildflower Subdivision). Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

**R-15-46**      **Project (lighting)(CPH) - WILDFLOWER LIGHTING DISTRICT:**

Councilor Bick moved the adoption of a resolution calling a public hearing **March 2, 2015**, commencing at **7:53 P.M.**, local time to consider a Petition for the creation of a lighting district within the Town of Clay to be designated and known as “**WILDFLOWER LIGHTING DISTRICT,**” (Wildflower Subdivision). Motion was seconded by Councilor Rowley.

Ayes-7 and Noes-0. *Motion carried.*

**Adjournment:**

The meeting was adjourned at 8:32 P.M. upon motion by Councilor Bray and seconded by Councilor Bick.

Ayes-7 and Noes-0. *Unanimously carried.*

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Jill Hageman-Clark RMC, Town Clerk