

APPROVED

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 17th of September, 2018 at 7:30 P.M., there were:

PRESENT:

Damian Ulatowski	Supervisor
Joseph A. Bick	Deputy Supervisor/Councilor
David Hess	Councilor
Eugene Young	Councilor
Brian Hall	Councilor
Ryan Pleskach	Councilor
Kevin Meaker	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert Germain	Town Attorney
Ron DeTota	Town Engineer

ABSENT:

None

OTHERS PRESENT:

Russ Mitchell; Planning Board Chairman, Hal Henty; Planning Board Member, Joe Grispino; Code Officer and Dorothy Heller; Historian.

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 Hess made a motion to approve the minutes of the September 5th, 2018 meeting. Motion was seconded by Councilor Bick.

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

Cancellation and/or requested adjournments.

Supervisor Ulatowski said that he knew of no adjournments.

Correspondence:

Supervisor Ulatowski asked if anyone wished to address the Board on any items not on the agenda. No one responded.

ZONE CHANGE - (PH) Town Board Case # 1095 - GEORGIAN COURT ENTERPRISES, LLC and FERNANDO VONA:

A public hearing to consider the application of **GEORGIAN COURT ENTERPRISES, LLC AND FERNANDO VONA FOR A ZONE CHANGE** from **RA-100 Residential Agricultural** to **R-APT Residential Apartment** to allow for future construction of two apartment buildings on vacant land located on **Belmont Drive, Tax Map No. 104.-03-11.0**; consisting of approximately 3.76± acres of land.

Hal Romans was present for the applicant; he began by giving an overview of the project adding that it was before the Town Board in August of 2016. He explained that it is basically an extension of the existing Georgian Court units. Mr. Romans went on to explain that the original plan would have the units constructed behind the Belmont Village Townhomes. The Planning Board recommended back in 2016 that the restrictive covenant be amended to allow construction adjoining the existing apartment units, not the townhomes. They will be restricted to 99 units total. Mr. Romans explained that keeping the units in close proximity is also a better plan for infrastructure. Supervisor Ulatowski asked if there were any additional questions. Hearing none he **closed** the public hearing.

ZONE CHANGE - (PH) Town Board Case # 1135 – RED BARN COUNTRY LLC/ LANDS of TROMBLEY:

A public hearing to consider the application of **RED BARN COUNTRY, LLC, KEITH W. FOX AS TRUSTEE OF THE LINDA TROMBLEY IRREVOCABLE TRUST AND LAND YACHTS, LLC FOR A ZONE CHANGE** from **R-10 One-Family Residential District** to **HC-1 Highway Commercial** on two (2) smaller parcels in order to combine with a larger project (Red Barn Acres), on land located at **110 Red Barn Acres and lands adjacent to Red Barn Acres, Tax Map No. 117.-01-11.0 & part of 8.1**, consisting of approximately 0.907± acres of land, was opened by the Supervisor; proof of publication and posting was furnished by the Town Clerk.

Tim Coyer was present on behalf of the applicant and began by explaining that the applicant wishes to obtain the proposed zone changes and combine them with the existing commercial parcel. He explained that he is not proposing any drainage easement on the parcels. He will construct a buffer on lot 1; lot 2 may be used for the driveway and landscape buffer. Councilor Bick asked why the applicant is proposing this change. Mr. Coyer responded that it will enhance the commercial parcel. Councilor Hess asked if there will be a structure on the lot(s) and there will not. Mr. Coyer said that he will extend the berm and perhaps a possible sign (marker) announcing Red Barn Circle. He said that he will use pine trees for the berm to separate the residential from the commercial. Walter Messina explained that this is a jewel, one of the nicer neighborhoods in the Town and there is already

a ton of commercial development around and it doesn't fit with the neighborhood. He continued that they can barely get in and out of the development. Councilor Young explained the commercial portion was there previous to the construction of the residential development. Several other residents echoed Mr. Messina's concerns adding that they did not want any commercial development near their neighborhood. Councilor Young reminded them that the Brooklyn Pickle has already been approved. Mr. Camperlino added that this application will help to insulate the residential portion from the commercial. Several residents were concerned that other buildings will be constructed on these two parcels. Mr. Camperlino suggested that he would agree to a covenant. Several residents were asking to see a conceptual rendering and it was explained that this will happen at site plan review (Planning Board) after a zone change is approved. Some residents asked about road access to the Tombley parcel; Mr. Camperlino said that it will not have road access but will be used only for retention.

Supervisor Ulatowski said that he would refer this to the Planning Board for review and recommendation. He suggested that the residents follow up by attending the meeting (Planning Board) on September 26, 2018 at 7:30 P.M.

Councilor Bick made a motion to **adjourn** the public hearing to **October 1, 2018 at 7:35 P.M.** Motion was seconded by Councilor Hess.

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

Ordinance 2018-03 (PH) (amending) CHAPTER 211, TRAFFIC AND VEHICLES ORDINANCE, §211-29 entitled “Parking of certain motor vehicles and trailers prohibited in residential districts”:

A public hearing to consider proposed **Ordinance 2018-03** amending **CHAPTER 211, TRAFFIC AND VEHICLES ORDINANCE** of the Code of the Town of Clay, **§211-29** entitled **“Parking of certain motor vehicles and trailers prohibited in residential districts”** by repealing subparagraphs A. through D. and replacing with new subparagraphs A. through F. of this section. (Adjourned to this date and time from the September 5, 2018 Town Board meeting).

Supervisor Ulatowski opened the public hearing by explaining that this is ongoing dialogue in conjunction with the efforts from the Blue Ribbon Commission to draft changes to the traffic and vehicles ordinance to accommodate and respect those affected by the recent wording.

The Supervisor continued that the dialogue has been good and productive in a compromise for the benefit of all of the residents. He continued that he has extended

a stay of prosecution for compliance for one year so that any changes may be made by the owners of such vehicles.

Tom Parisi said that he is concerned with the new wording in c-ii regarding parking in backyards and if the area needs to be paved (or a hard surface). There was a discussion on whether or not the area next to the house or behind needs to be a hard surface (such as stone, tar or concrete but not wood). Several of the Town Board members felt that it is preferable for the vehicle to be parked in the rear yard. Councilor Bick said that if it is parked in the front it should be on a hard surface (driveway) but didn't feel it necessary in the rear yard. Councilor Hess agreed. Councilor Meaker suggested that several rear yards have easements and was concerned about residents parking in the easements which may obstruct drainage etc.; he added that the weight of such vehicles could be a detriment and or a liability. Councilor Bick disagreed adding that the homeowner should be able to make their own choices. There was a discussion about the homeowner having the responsibility of knowing where the easements are and considering that prior to parking in the rear of the parcel.

Supervisor Ulatowski surmised, no parking in the front yard, side of home ok, back yard ok. The corner lot is the exception; one side is a side. No businesses, no living quarters.

A resident stated (as she had in the previous meeting) that she has company stay in her driveway, in their motorhome, next to her parked motorhome. This would constitute a violation. Another resident said that he also had visitors vacationing in his driveway. There was dialogue as to if this would be allowed, for how long etc. Councilor Meaker said that he disagreed with living in the camper, adding that the residential neighborhood is not designed to be a campground. Supervisor Ulatowski agreed adding that there should not be anyone dwelling in a driveway and only one vehicle should be allowed. He added that there needs to be more work done to be fair to owners of the vehicles and the residents affected by this; and to iron out some of the topics discussed here tonight.

Councilor Pleskach asked if he could try to draft an updated draft of the T&V Law based upon the three concerns raised tonight. Supervisor Ulatowski agreed.

Councilor Hess made a motion to **adjourn** the public hearing until **October 1, 2018** at **7:38 P.M.** Motion was seconded by Councilor Bick.

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

Adjournment:

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The meeting was adjourned at 9:03 P.M. upon motion by Councilor Young and seconded by Councilor Hall.

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

Jill Hageman-Clark RMC / Town Clerk