

At the Regular Meeting of the Town Board, Town of Clay, Onondaga County, held at the Town Hall, Clay, New York on the 5th of December, 2011 at 7:30 P.M., there were:

PRESENT:

Damian M. Ulatowski	Supervisor
Robert L. Edick	Deputy Supervisor/Councilor
Clarence A. Rycraft	Councilor
Naomi R. Bray	Councilor
William C. Weaver	Councilor
Joseph A. Bick	Councilor
Bruce N. Johnson	Councilor
Jill Hageman-Clark	Town Clerk
Mark V. Territo	Commissioner of Planning and Development
Robert M. Germain	Town Attorney
Ron DeTota	Town Engineer

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 Bray moved the adoption of a resolution approving the Minutes of the Regular Town Board Meeting held on **November 21st, 2011**. Motion was seconded by Councilor Weaver.

Ayes-6 and Noes-0 and 1-Abstain Motion carried. Councilor Edick abstained due to his absence at the November 21st meeting.

Correspondence/ Other Business:

Supervisor Ulatowski asked if anyone wished to address the Board on anything that is not on the agenda.

No one responded.

Supervisor Ulatowski gave a brief update on the inquiries that arose at the November 21st meeting. He determined that the reduction in speed to 45 MPH occurs on NYS Route 31 in front of the Lawton Road intersection.

In addition the lights illuminating the front of the Town Hall sign have been repaired.

Cancellation and/or requested adjournments

COR VerPlank Road Company, LLC requested an adjournment to the January 18th, 2012 Town Board meeting.

Regular Meeting:

Local Law No. 3 of the Year 2011(SEQR) Chapter 230 entitled 'ZONING', Section 230-22 C:

Councilor Bick moved the adoption of a resolution that the application of proposed local law to be entitled "**Local Law No. 3 of the Year 2011**", to amend **Chapter 230** entitled '**ZONING**', **Section 230-22 C.(3)(f)[2] Short-duration temporary signs** by adding to [d] Grand opening, the word sign and to add a subparagraph **[e] Now Hiring Sign** to same and to further add the words "**Now Hiring Sign**", within **Section 230-22 B. Definitions** to the Code of the Town of Clay, 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 on an EIS. Motion was seconded by Councilor Edick.

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

Local Law No. 3 of the Year 2011(A) Chapter 230 entitled 'ZONING', Section 230-22 C:

Councilor Bick moved the adoption of a resolution approving proposed local law to be entitled "**Local Law No. 3 of the Year 2011**", to amend **Chapter 230** entitled '**ZONING**', **Section 230-22 C.(3)(f)[2] Short-duration temporary signs** by adding to [d] Grand opening, the word sign and to add a subparagraph **[e] Now Hiring Sign** to same and to further add the words "**Now Hiring Sign**", within **Section 230-22 B. Definitions** to the Code of the Town of Clay. Motion was seconded by Councilor Edick.

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

Local Law No. 4 of the Year 2011(PH) Chapter 230 entitled 'ZONING', Section 230-16B:

A public hearing to consider proposed **LOCAL LAW NO. 4 OF THE YEAR 2011** to amend **Chapter 230** entitled "**ZONING**", **Sections 230-16B.(2)(e) and 230-16C.(2)(e) to allow Indoor Recreation- Participant, Indoor Recreation – Spectator, Outdoor Recreation – Participant and Outdoor Recreation – Spectator** in said sections to the Code of the Town of Clay with a Special Permit, was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk.

Supervisor Ulatowski explained that currently the code does not allow for outdoor sports. Proposed Local Law Number 4 of the Year 2011 would allow for such uses with a Special Permit. The Supervisor said that he would refer this application to

the Planning Board for their recommendation. Commissioner Territo stated that this is on the agenda for the December 14th, 2011 Planning Board meeting.

Councilor Edick made a motion to **adjourn** this public hearing to the **December 19th, 2011 at 7:38 P.M.** Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0 Motion carried.

Zone Change (PH) - Town Board Case #1020 COR VERPLANK ROAD COMPANY, LLC:

The applicant requested an **adjournment** to **January 18, 2012.**

Zone Change (PH) - Town Board Case # 1009 - JOLU DEVELOPMENT COMPANY:

A public hearing to consider the application of **JOLU DEVELOPMENT COMPANY** for a change of zone from **R-15 One-Family Residential District to PDD Planned Development District** on property located on **NEW YORK STATE ROUTE 31** – Tax Map No. 051.01-02.1, near the municipal boundary between Town of Clay and Town of Cicero, was opened by the Supervisor. Proof of publication and posting was furnished by the Town Clerk. (Adjourned to this date and time at the November 21st, 2011 Town Board Meeting.)

Amy Franco of Clough Harbour Associates stated that she and Commissioner Territo had met with the residents to better explain and answer questions that were brought up at the last meeting. She continued that it was overall a good meeting and that the residents are on board with the project. She again outlined the plan as far as the layout with the 11 apartment buildings in the center surrounded by the 12 town home buildings. The commercial development will be facing Route 31. Phase I of the construction will begin on the Cicero side at Legionnaire Drive and continue to the Clay side developing the pool house first. She added that the commercial development will be part of the final phase but will be based on demand.

Ms. Franco continued that the residents to the west had concerns regarding the drainage and the snow removal. The applicant will ensure that these concerns are maintained within the property thus not having an effect on the neighbors.

Mr. Germain asked about the status of the traffic light on Lawton Road and Route 31. Ms. Franco said that perhaps after the development is complete the State Department of Transportation will place a light at the intersection to meet the need of increased population.

Supervisor Ulatowski asked if Mr. Ryan McDermott of Lawton Valley, would like to comment on the meeting with the developer as he was present and raised concerns

at the last meeting.

Mr. McDermott began by thanking the Board for suggesting that the applicant meet with the residents adding that many questions had been answered. He also thanked Commissioner Territo for checking into the plans for his development with regard to the trees facing Route 31.

Mr. McDermott said that he was concerned with the lighting of the commercial section and the effect that it will have on the residents across Route 31. Ms. Franco explained that the Planning Board will have a great deal of input and that they are very stringent about the lighting and the spillage of light. Supervisor Ulatowski added that it is very unlikely that the lights would spill over onto Route 31.

Supervisor Ulatowski asked if there were any more questions. Hearing none he **closed** the public hearing.

Meeting - Date Change:

Councilor Johnson moved the adoption of a resolution cancelling the **January 2nd, 2012** Town Board Meeting and rescheduling same to Wednesday, **January 4th, 2012**, commencing at **7:30 P.M.**, local time due to the New Year's Holiday. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0 Motion carried.

Meeting - Town Board (Organizational):

Councilor Weaver moved the adoption of a resolution that the **Organizational Meeting** for the Town of Clay will commence at **7:00 P.M.**, local time, **January 4th, 2012**, prior to the Regular Town Board Meeting. Motion was seconded by Councilor Bray.

Ayes-7 and Noes-0 Motion carried.

Meeting - Date Change:

Councilor Edick moved the adoption of a resolution cancelling the **January 16th, 2012** Town Board Meeting and rescheduling same to Wednesday, **January 18th, 2012**, commencing at **7:30 P.M.**, local time due to Martin Luther King Holiday. Motion was seconded by Councilor Bick.

Ayes-7 and Noes-0 Motion carried.

Meeting - Cancellation:

Councilor Bray moved the adoption of a resolution cancelling the Town Board meeting of **February 20th, 2012** due to the Association of Towns Meeting in New York City. Motion was seconded by Councilor Bick.

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

Adjournment:

The meeting was adjourned at 7:50 P.M. upon motion by Councilor Bray and seconded by Councilor Bick. Ayes-7 and Noes-0. *Motion carried.*