

LERAY PLANNING BOARD
MINUTES
May 6, 2010

Open Regular Meeting

Board members in attendance: Chairman – Jerry Hobbs, Andy Barella, Sam Biondolillo, Alan Cameron, Larry Covell, Clarke Oatman, David Champagne, Town Engineer - Kris Dimmick., Community Development Coordinator - Jessica Jenack, Administrative Clerk to the Supervisor - Steve Harter, and Zoning Enforcement Officer - Dean Russell. Other people in attendance were: Walter Van Tassel, Tom Kennedy, Matt Morgia, Susan Sams, Thomas Briggs, John Stevens, and Michael Richardson.

Pledge of Allegiance

Approval of Minutes from the previous meeting

The minutes from April 1, 2010 were reviewed by the Board members. There were no modifications. A motion to approve the minutes was made by Mr. Cameron and seconded by Mr. Barella. The vote went as follows: Mr. Oatman - Yes, Mr. Covell abstained from voting due to absence, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes and Mr. Barella - Yes. Chairman Hobbs also abstained from voting due to absence. The motion passed with a vote of 5-0.

Correspondence and Communication

Michael Richardson was introduced to the Board Members. He is the new Community Planner for Fort Drum.

Public Hearing

342 Hotel Associates, LLC. Expansion of the Microtel. Preliminary Review of a Site Plan Modification - to add 12.3 feet to the north side 1st and 2nd floor rooms to accommodate larger rooms and include two beds per room and shift of the parking lot relative to building expansion, located on Virginia Smith Drive, Tax Parcel # 75.05-1-58.

The Board members reviewed the Preliminary Site Plan.

The Chairman opened the Public Hearing. With no comments from the floor, a motion to close the public hearing was made by Mr. Oatman and seconded by Mr. Cameron. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Hobbs - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes and Mr. Barella - Yes. The motion passed with a vote of 7-0.

The Board requested a construction schedule to give some kind of time frame after approval is granted.

Mr. Kennedy said the easement is recorded along with papers from the JCIDA. Mr. Dimmick commented that the specific wording on what was allowed to be done on the property was missing. Attorney Langone will be working on this with Mr. Kennedy.

A copy of the lease agreement was provided as requested as well as the lighting detail, labeling of the new property line and curbing.

Mr. Hobbs explained to Mr. Kennedy that based upon consultation with the Town Attorney the Board would grant Final Approval only when the property is owned in fee title and added to the existing parcel through a lot line adjustment. This would be a condition of the approval.

A motion to grant the Preliminary Site Plan was made by Mr. Cameron and seconded by Mr. Champagne. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes and Chairman Hobbs – Yes. The motion passed with a vote of 7-0.

A motion to grant Final Site Plan was made by Mr. Champagne and seconded by Mr. Barella. The following conditions were made: the parcel is owned in fee title and added to the existing parcel through a Lot Line adjustment and the existing storm water easement is formally conveyed to the Town. The Site Plan will not be signed until all of the conditions are met. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - No, Mr. Cameron - No, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs – Yes. The motion passed with a vote of 5-2.

Mr. Kennedy stated that Conifer felt that the liens would be released from the state soon.

Old Business

Dinesh Patel. 3 Story Hotel. Preliminary Review of a Site Plan - to build a 3 story hotel with asphalt parking area and drop off area, site work will include sanitary and water connections to municipal system, storm water management area, lighting, landscaping, and Town Road, located on US Route 11, Tax Parcel # 65.17-1-20.2.

The Plan meets all the requirements for Preliminary review.

The Board had the following comments on the Preliminary Site Plan:

- A second fire hydrant has been requested by the Calcium Fire Chief. The water main and other details need to be approved by Mr. Dimmick. You need to get a letter from the Chief saying that he is satisfied.
- The sign design has been submitted. After submission the applicant sent Mrs. Jenack a modified design which included an LED display board. The signage will have to be recalculated to be sure it meets the requirements.
- The MH1 labels need to be added on the Lighting Plan.
- The requirement of two foot candles at the intersections will need to be met. Lighting at the northeastern intersection will need to be provided to meet the 2.0 requirement. The lighting at the northern property line is above the maximum of .6 foot candles.
- Lighting area calculations for the parking lot areas need to show that they meet the average 1.0 foot candles as required. If the Town Engineer is satisfied with the storm water pipe location, the Town needs to work on drafting the drainage easement document and Mr. Patel's engineer should prepare a description of the easement area (and possibly prepare a map of the area). A storm drainage profile will need to be submitted. The existing Sanitary WYE will need to be used.

- The Utility Plan needs to show the cleanout on the right-of-way line. Details of the storm tech underground detention area will be needed.
- The pavement system within the Town right-of-way must be approved by the Highway Superintendent.
- A smoother transition between the WJ Development and the Patel property is suggested.
- It was suggested that trees be placed along the town road near the snow storage area by locating them about one third of the way up the tow of the slope to help balance the landscaping on site. The Town will also be adding trees at the northeastern corner of the property along the town road.

With no further comments the Board conducted the Environmental Review.

A motion was made for the Board to act as Lead Agency to conduct the Environmental Review for this Unlisted Action. This motion was made by Mr. Cameron and seconded by Mr. Biondolillo. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

A motion was made by Mr. Biondolillo and seconded by Mr. Champagne to declare a negative declaration. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

A motion to deem the application complete was made by Mr. Oatman and seconded by Mr. Barella. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

A motion was made to refer the project to the County Planning Board for their review. This motion was made by Mr. Cameron and seconded by Mr. Covell. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

Mr. Morgia commented on the items that were requested by the Board.

- He said his client would contact the Fire Department as to the need for a second fire hydrant.
- The sign design would be revised for the next submission.
- The matter of the light level being too high at the property line would be taken care and minimized. Mrs. Jenack suggested that they contact the adjoining property owner to help resolve the issue.
- Mr. Morgia will try to lower the lighting to 1.0 foot candle.
- The labeling for the MH1 light units will be addressed.
- The label "Town Road" will Replace "possible location of future town road". The applicant and Town have entered into a Road Agreement, but the timeline is unsure.
- The easement for the storm water line is being worked on. Mr. Dimmick will work with the applicants engineer on the specifics.

- The existing Sanitary will now be used.
- The storm tech details will be provided.
- The pavement issue will be addressed.
- Filling in on the neighbors property to smooth the grade will be addressed with the neighbor.
- Trees will be added along the Right-of-Way.
- The storm water drainage will be broadened to capture the snow melt.

The Chairman stated a letter will be sent to Mr. Patel outlining all the issues discussed.

A motion to set a Public Hearing for June 3, 2010 at 7:00pm was made by Mr. Cameron and seconded by Mr. Champagne. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

Mr. Patel was reminded that 3 copies of the revised Site Plan need to be submitted with all of the revisions twelve (12) days prior to the June 3rd Planning Board meeting or the hearing will not be set.

Clover Construction. Eagle Ridge Townhouse Complex – Preliminary review of a Modification to a Site Plan - to construct collection areas for trash , located off NYS route 342, Tax Parcel # 65.00-1-73.27.

Mr. Briggs presented the project to the Board in December 2009. An open wood fence design was submitted to screen the trash areas.

The SEQR was previously completed for the entire housing project.

A motion was made by Mr. Cameron and seconded by Mr. Barella to deem the Site Plan application complete. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

A motion to set a Public Hearing for June 3, 2010 at 7:00pm was made by Mr. Covell and seconded by Mr. Champagne. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

New Business

Susan Sams .Preliminary Review of a Site Plan- to obtain a Site Plan approval for a future retail use, located on US Route 11, Tax Parcel # 65.17-1-10.

The plan meets all the requirements for Preliminary Review.

There was a public facility using the existing house on this site. The applicant wants to rent/lease the house for retail use which is a different use than what previously existed. The other existing business on site is not changing.

The sign will be relocated out of the NYS DOT Right-of-Way and landscaping will be added to the base. When a new sign is put up a sign permit will be needed.

No construction has been proposed at the site.

Mrs. Sams was informed that when a retail use does locate at the parcel the Town is to be notified.

A motion was made for the Board to act as Lead Agency to conduct the Environmental Review for this Unlisted Action. This motion was made by Mr. Cameron and seconded by Mr. Barella. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

A motion was made by Mr. Cameron and seconded by Mr. Oatman to declare a negative declaration. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

A motion to deem the application complete was made by Mr. Barella and seconded by Mr. Champagne. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

A motion was made to refer the project to the County Planning Board for their review. This motion was made by Mr. Biondolillo and seconded by Mr. Barella. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

A motion to set a Public Hearing for June 3, 2010 at 7:00pm was made by Mr. Cameron and seconded by Mr. Barella. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

Report of the Zoning Enforcement Officer

Mr. Russell issued 3 appearance tickets. One person was granted 30 more days and the other two did not show.

Some complaints have been submitted to Mr. Russell for property on the Dutch Settlement Road.

Report of Administrative Clerk to the Supervisor

Mr. Harter handed out the monthly developer fee billing.

Report of Community Development Coordinator

Mrs. Jenack updated the Board members on Jefferson Apartments. The proposed housing will now be Townhouse Style not Garden Apartments. The existing foot print will be used. A meeting will be held May 17, 2010 to discuss the changes. This will also change the density of the project, but it will be lower than what was originally approved.

Mrs. Jenack and Mr. Hobbs met with Mr. Burto and a Modified Site Plan was submitted for Freedom Plaza. There is a possible Lot Line adjustment with Mr. Ferris being proposed.

The Board members started to review the Draft Small WECS law and the Draft Site Plan amendment law. Mrs. Jenack told the Board members that they should abide by the NYS Ag and Markets guidelines regarding farm operations in certified county agricultural districts.

A motion was made by Mr. Covell and seconded by Mr. Oatman to hold a Special Meeting to specifically discuss the Draft Wind Law and Draft Law for Site Plan Modifications on May 13, 2010 at 6:00 pm. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

Adjournment

A motion to adjourn was made by Mr. Covell and seconded by Mr. Barella. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella - Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.