

LERAY PLANNING BOARD
MINUTES
June 3, 2010

Open Regular Meeting

Board members in attendance: Chairman – Jerry Hobbs, Andy Barella, Sam Biondolillo, Alan Cameron, Larry Covell, David Champagne, Clarke Oatman, Town Engineer - Kris Dimmick, Community Development Coordinator - Jessica Jenack, Administrative Clerk to the Supervisor - Steve Harter. Other people in attendance were: Thomas Briggs, Nancy Hajdasz, Nate Podkaminer, Dinesh Patel, Bhavik Patel, Matt Morgia, Walter Van Tassel, Susan Sams, Michael Richardson, and Kent Burto.

Pledge of Allegiance

Approval of Minutes from the previous meeting

The minutes from May 6, 2010 were reviewed by the Board members. There was a correction to add David Champagne as being present at the meeting. A motion to approve the minutes was made by Mr. Cameron and seconded by Mr. Oatman. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes and Mr. Barella – Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 7-0.

The minutes from the Special Meeting on May 13, 2010 were also reviewed. A motion to approve the minutes was made by Mr. Cameron and seconded by Mr. Oatman. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - Yes, Mr. Cameron - Yes, Mr. Biondolillo - abstained due to absence, Mr. Champagne – Yes, Mr. Barella - abstained due to absence, and Chairman Hobbs - Yes. The motion passed with a vote of 5-2.

Correspondence and Communication

There was no correspondence or communication.

Public Hearing

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 Chairman opened the Public Hearing.

With no comments, a motion to close the hearing was made by Mr. Champagne 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 letter was received from the Calcium Fire Department. Mr. Newman is satisfied with the location of the second fire hydrant. He is requesting to be involved when construction begins. He would like to review the installation of the Fire Suppression System. A loop is not warranted.

The sign and display board were too close to the road and too large. This matter was also discussed in the County Planning Boards letter. A revised Sign Detail was submitted during the meeting by Matt Morgia.

The applicant was asked to add lighting at the intersection to increase the intensity to 2.0 foot candles. The photometric plan was reviewed. The lighting at the intersection was addressed.

A letter was received from Mr. Javarone on May 14, 2010 stating that there are no issues with the Patel's planned lighting, or grading.

The Board then questioned if there would be any way to lower the average foot candle from the 1.84 being proposed. The Board discussed it and then decided that the 1.84 would be reasonable to allow and no further adjustments to the lighting would need to be made.

On the Photometric Plan a clarification was made as to what 1.62 is the average of. It is shown as the average of the parking lot areas.

The MH-1 labels have been added.

The label "future" town road has been corrected to read town road.

The reuse of the existing sanitary line was addressed.

The Utility Plan now shows the clean out on the right-of-way line.

An inlet was provided adjacent to the Town road right-of-way for the snow storage area. However, this created a deep hole. The Board asked that this be addressed. The engineer was informed that the stormwater drainage will need to drain into West Creek. It is currently shown as draining into the Town's water recharge area which the Town will not allow.

The storm tech system details were provided.

The applicant stated that pavement system had been approved by the Highway Superintendent. The details on the pavement width were revised on the plan.

Mr. Javarone had provided a letter stating he will work with the Mr. Patel on the grade transition between the parcels.

Trees were added along the lower portion of the slope between the development and the planned Town Road.

The Board reviewed the County Planning Boards comments. They informed the applicant that:

- A NYS DOT Highway work permit is required.
- A SWPP needs to be prepared and a Notice of Intent must be filed with the NYSDEC. Also the Board reminded the Patel's that per the Zoning Law "a record of the application for and approval status of all necessary permits must accompany the application for Final Site Plan Approval."

- The Board referred to Mr. Richardson, the Fort Drum Planner, if he felt the lighting would impact Fort Drum. He stated it would not, due to the lighting facing downward to the pavement.
- The area on the site plan designated as open space will decrease from 39% to 25% once the road is taken.
- The monument sign is 15 feet from the property line and is too large.
- The trees appear to be too close to the property line. The Board agreed that this would not be an issue.
- There is no sidewalk planned for the side of the building. This was a safety concern for the Board members.

Mr. Dimmick then gave his comments as follows:

- The average light intensity has increased.
- The retaining wall description is missing.
- Details as to the Fire Service and Fire Department connection need to be provided for concurrence by the Fire Chief.
- The storm water outlet pipe must extend an additional 190 feet to the east to reach West Creek.
- Traceable warning tape must be used over new sanitary sewer piping from the top of the sanitary clean-out to the connection WYE and over all storm sewer piping.
- No hydraulic analysis was provided on the water system addition.
- A storm water sewer profile should be provided for the gravity piping.
- The drainage easement for the storm pipe should be labeled 30ft. wide.
- The recessed area on the eastern portion of the property is excessively deep.
- No technical specifications were provided with the submission.
- Easement lines are not needed across the Town Road.
- The Fire Hydrant detail needs to show the traffic flange 3" above finished grade.

The Engineer, Mr. Morgia, with Aubertine and Currier, then addressed the Board:

- He was unaware that copies of the permits from other agencies were required for Final Site Plan approval. The Chairman responded by quoting the Zoning Law, which states “a record of the application for and approval status of all necessary permits must accompany the application for Final Site Plan Approval.”
- The monument sign has been relocated and the signage decreased. A revised sign plan was given to Mrs. Jenack during the meeting.
- The sidewalk was proposed for the main entry only. Mr. Patel addressed the Board stating that newer Hotels do not have sidewalks on the side of the building and he is very concerned with the costs of the project. The Board came to a consensus that they would forego the sidewalk on the sides of the hotel.
- They will be in contact with the Fire Chief.

Mr. Dimmick reminded Mr. Morgia that the storm water outlet as drawn is in Zone 1 of the Town’s well head protection area. The Town will not allow this. They will need to work with DEC on drainage into the West Creek.

The traceable tape will be added to the detail sheet.

The Hydraulic analysis will be completed. Mr. Morgia has to consult with his client for the additional services.

Mr. Morgia will give the elevations of the sewer at the crossings. Mr. Dimmick requested that the portion of the line that is being dedicated to the Town be profiled. The catch basin to the West Creek easement needs to be dedicated.

The thirty foot easement will refer to the approved Site Plan. There should be a twenty foot easement on the hydrant line.

The recessed area would be taken care of.

Technical specs will be provided.

The hydrant details will be provided.

A motion to grant Preliminary Site Plan approval with modifications 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.

Three copies of the Site Plan with the modifications and a copy of the Highway Permit, a copy of the SWPP and a copy of the approval from NYSDEC will also need to be provided no later than 12 days prior to the July 1, 2010.

The Secretary will send a letter in the mail outlining the modifications as discussed.

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.

The Chairman opened the Public Hearing.

With no comments, a motion to close the hearing was made by Mr. Cameron and seconded by Mr. Barella. The vote went as follows: Mr. Oatman - abstain, 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 6-1.

A motion to grant Preliminary Site Plan Approval was made by Mr. Covell and seconded by Mr. Cameron. The vote went as follows: Mr. Oatman - abstain, 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 6-1.

A motion to grant Final Site Plan Approval was made by Mr. Cameron and seconded by Mr. Champagne. The vote went as follows: Mr. Oatman - abstain, 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 6-1.

The Secretary will send an approval letter in the mail.

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 Chairman opened the Public Hearing.

With no comments, a motion to close the hearing 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.

The Chairman said that the County Planning Board felt it was premature to send the plan in at this time. At such time when a tenant is determined the project will have to go to County Planning for review.

The ZEO had spoken to Mrs. Sams and reported to Mrs. Jenack that there were too many free standing signs on the property. Therefore, the 4X4 sign has to be removed. It was shown on the Site Plan that it would be removed.

A motion to grant Preliminary Site Plan Approval 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.

There being no other changes, a motion to grant Final Site Plan Approval 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.

The Secretary will send an approval letter in the mail.

Unfinished Business:

342 Hotel Associates, LLC. Expansion of the Microtel. Modification of a Final Site Plan Approval - 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 relocate the parking into the existing lot, located on Virginia Smith Drive, Tax Parcel # 75.05-1-58.

The Board reviewed the revised Final Site Plan. The parking was reallocated in the existing lot so the applicant does not need to purchase additional land. There are 131 remaining parking spaces. Some of the landscaped areas had to be moved but were replaced.

When asked about the easement, Mr. Podkaminer stated it was on other people's property and they would not be working on it.

A motion to grant approval for the Revised Site Plan was made by Mr. Champagne and seconded by Mr. Oatman. 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.

The Secretary will send an approval letter in the mail.

New Business

Northern Developers. Review of a Lot Line Adjustment - to take 0.57 acres from Tax Parcel # 65.17-1-2, owned by Ferris Enterprises and add it to Tax Parcel # 65.17-1-23, owned by Northern Developers, while 0.21 acres from Tax Parcel# 65.17-1-23, owned by Northern Developers and add it to Tax Parcel # 65.17-1-2, located on US Route 11.

The Board reviewed the Plat Map. With no comments, a motion to grant approval was made by Mr. Champagne 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.

Mr. Burto then approached the Board about the possible sale of the Freedom Plaza. The interested buyer has a time limit with his financial institution to spend the money. He asked if the Board would consider holding a Special Meeting in June to review the 2-lot Subdivision application, so he could be on the July 1, 2010 Planning Board Agenda.

A motion was made to set a Special Meeting for June 17, 2010 at 6:30 pm. This motion was made by Mr. Biondolillo and seconded by Mr. Cameron. The vote went as follows: Mr. Oatman - Yes, Mr. Covell - abstained, Mr. Cameron - Yes, Mr. Biondolillo - Yes, Mr. Champagne - Yes, Mr. Barella -Yes, and Chairman Hobbs - Yes. The motion passed with a vote of 6-1.

The submission deadline for the application and maps is June 11, 2010.

Unfinished Business:

The Board reviewed the changes made to the Draft Small WECS law at the Special Meeting held May 13, 2010. The definition of “background sound level “was added.

Exemptions -Section (L) was added.

The setbacks from habitat areas and state wetlands were decreased.

Expanding the setback requirement to include “other recognized habitats such as any nearby NYS Wildlife Management Areas, any locally recognized priority habitat areas such as those set aside for bats and any area considered “sensitive” This may include but not limited to area such as Bird Conservation Areas or areas covered under mitigation for species such as grassland birds; and State identified wetlands to be shown on the Site Plan.

A motion was made to send the Draft to the Town Board for their review. 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 second Public Hearing will be needed due to significant changes.

The Board then discussed the Draft Law for Site Plan Modifications. There were no changes made.

A motion was made to send the Draft to the Town Board for their review. This motion was made by Mr. Covell and seconded by Mr. Oatman. 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 Administrative Clerk to the Supervisor

A grant application has been in for over a year through Fort Drum to update the Zoning Law. The Federal Government has just finished using up the money from the previous year so our project should be next.

Report of Community Development Coordinator

Mrs. Jenack had nothing to report.

Adjournment

A motion to adjourn at 8:50 pm 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.