

**LERAY PLANNING BOARD
MINUTES
September 3, 2009**

Open Regular Meeting

Board members in attendance: Chairman - Fred Tontarski, Sam Biondolillo, Alan Cameron, David Champagne, Larry Covell, Jerry Hobbs, Clarke Oatman, 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: Jack Meeks, Cindy Meeks, Tom Kennedy, Tom Briggs, Eric Daniel, Walter Van Tassel, Guy Javarone, Sarah Rivette, Adam Kokinda, and Robert Lake.

Pledge of Allegiance

Approval of Minutes from the previous meeting

The minutes from the Special Meeting on August 20, 2009 were reviewed by the Board members. There were no modifications. A motion to approve the minutes was made by Mr. Oatman and seconded by Mr. Hobbs. This motion passed 7-0.

Correspondence and Communication

Sarah Rivette informed the Board she had taken a job in Pennsylvania with the Army Corp of Engineers and this would be her last meeting.

Report of the Zoning Enforcement Officer

Mr. Russell had nothing to report.

Report of Community Development Coordinator

Per Board Member Covell's request, Mrs. Jenack asked the Town Attorney for an interpretation of the Town Law regarding setting Public Hearings with Contingencies (158-24) and Site Plan Review. The Attorney responded that the Application needs to be complete – therefore, if any items listed are missing then it cannot be set. If there is a minor issue with a submitted item, such as labeling, then it could be set. She also mentioned that it would be more efficient if one time is announced in the newspaper for all the hearings and then they can run consecutively one right after another to prevent time gaps during the meeting. The Board agreed.

She also informed the Board that a developer has expressed interest in the former Carey – Foster property and will meet with Mrs. Jenack and Mr. Tontarski.

Public Hearing

Robert Lake. Preliminary Review of a Minor Subdivision @ 7:15pm - to subdivide 15.5+ acres into two (2) Lots, Lot 1 = 6.6+ and Lot 2 = 8.9 + acres, located on US Route 11 and North Star Road, Tax parcel #65.09-1-15.

The Chairman opened the Public Hearing.

After no comments, a motion to close the Public Hearing was made by Mr. Cameron and seconded by Mr. Biondolillo. This motion passed with a vote of 7-0.

A motion to review the Preliminary Subdivision Plat was made by Mr. Cameron and seconded by Mr. Hobbs. This motion passed 7-0.

A motion to approve the Preliminary Subdivision Plat was made by Mr. Cameron and seconded by Mr. Oatman. This motion passed 7-0.

A motion to review the Final Subdivision Plat was made by Mr. Hobbs and seconded by Mr. Cameron. This motion passed 7-0.

A motion to approve the Final Subdivision Plat was made by Mr. Biondolillo and seconded by Mr. Cameron. This motion passed 7-0.

Mrs. Jenack will send an approval letter in the mail.

Greg and Cindy Meeks. Preliminary Review of a Minor Subdivision @ 7:25 pm - to subdivide 12 acres into two (2) lots, Lot 1 = 10 acres and Lot 2 = 2 acres, located on Goulds Corners Road, Tax Parcel #65.05-1-1.1.

The Chairman opened the Public Hearing.

After no comments, a motion to close the Public Hearing was made by Mr. Hobbs and seconded by Mr. Champagne. This motion passed with a vote of 7-0.

A motion to review the Preliminary Subdivision Plat was made by Mr. Cameron and seconded by Mr. Hobbs. This motion passed 7-0.

A motion to approve the Preliminary Subdivision Plat was made by Mr. Biondolillo and seconded by Mr. Cameron. This motion passed 7-0.

A motion to review the Final Subdivision Plat was made by Mr. Oatman and seconded by Mr. Champagne. This motion passed 7-0.

A motion to approve the Final Subdivision Plat was made by Mr. Hobbs and seconded by Mr. Cameron. This motion passed 7 -0.

Mrs. Jenack will send an approval letter in the mail

New Business

Robert Gillespie. Sketch Review of a Minor Subdivision - to subdivide the 10.3 acres into two (2) lots, Lot 2A = 7.73 acres and Lot 2B = 2.57 acres, located on the northeast side of Us Route 11, including both sides of Stalder Road

There is a minor issue with the parcel. After the parcel was subdivided in 2005 the County did not issue a separate parcel number. A number has recently been obtained, but was not available at the time of the meeting. The Engineer will modify the survey plat to provide the parcel number.

A motion was made by Mr. Biondolillo for the Board as Lead Agency to conduct the Environmental Review for this Unlisted Action. The motion was seconded by Mr. Champagne and passed with a vote of 7-0.

It was determined that based on the information and analysis that the proposed action will not result in any significant adverse environmental impacts.

A motion was made by Mr. Cameron and seconded by Mr. Hobbs to declare a Negative Declaration. This motion passed 7-0.

A motion to deem the Subdivision Application complete was made by Mr. Hobbs and seconded by Mr. Cameron. This motion passed 7-0.

A motion to set a Public Hearing for October 1, 2009 at 7:00 pm was made by Mr. Cameron and seconded by Mr. Oatman. This motion passed 7-0

Unfinished Business:

Clover Construction. Eagle Ridge Townhouse Complex-Project Review for Phase III and IV - to construct 244 units of two (2) and three (3) bedroom townhouse apartments, 140 accessory garage/storage units and a 7,500 sq. foot community center on 103 acres of vacant land, with sewer and water infrastructure, public and private roads and other site improvements, located on NYS Route 342, Tax parcel #65.00-1-73.27.

Mr. Briggs reported that the access road the Board requested would connect to Golden Drive and would not just be used for emergency access. This would be built to Town specs, but kept private and maintained by Eagle Ridge. The Board would like the Fire Chief to review the new road for his input.

Mr. Briggs was asked to explain the revisions to the Community Center. He said they included a change in location for a pavilion and sidewalks due to rock, the addition of a Kiddies Pool, moving one Volleyball Court and eliminating one Volleyball Court and adding one basketball court.

DEC and DOT approvals are still outstanding. DOH has given water main approval only. DOT approval would be submitted next week. Both DOT and DEC approvals are needed for Final Approval of Phase IV.

A motion was made for the Chairman to administratively sign approval for Phase III only upon receipt of DEC approval. This motion was made by Mr. Hobbs and seconded by Mr. Cameron. The motion passed 7-0.

Eagle Ridge inquired if they were held up by DEC approvals if they could begin water lines and garage foundations.

After discussion the Board requested that they wait to see what happened with NYSDEC.

Guy Javarone. White Pines II. - Sketch Review of a Site Plan - to build a 10,900 sq foot Climate Controlled Self-Storage Building with an Automotive Service Center, located on US route 11, Tax parcel #65.17-1-21.2.

The Planning Board reviewed the Sketch Plan and considered the following items:

- A label should be added to say Future Town Road.
- At this time it is labeled Private Drive.
- Where are your snow removal areas? Snow would be trucked off site and pushed in open areas.
- You will need to obtain an area variance for 0.26 acres. They have applied to the ZBA.
- Add a note on A2, upper level how many units of each size, lower level how many units of each size, 10x20, 10x10, 10x5, 10x15, 5x5.
- Provide a Lighting photometric detail (fixture detail).
- Needs cross access easements to place storm water from Lot 2 into the ponds behind Lot 3. These also need to be marked on the Plan.
- Add vine label to site plan.

- Need detail sheet on the landscaping with planting schedule (type of mulch, etc). The vines need to be placed on the existing fence with Drozd.
- Per the Design Guidelines add evergreens around the base of the pylon sign pole.
- The Engineer has brought up some concerns regarding traffic circulation. – What is the purpose of the overhead doors? Traffic would dump out to 15’ of road.
- They are considering getting rid of the overhead doors
- Add a painted crosswalk on the main entrance drive to connect the plazas.
- Ask if he is only having trucks parked out front or trailers too? Only trucks would be parked out front.
- Where will people be returning their trucks, so as not to take up customer parking? What are you going to tell the customers in terms of where to park when bringing back trucks?
- There are inconsistencies on the parking stall sizes. They were planned for unloading.
- There is tight circulation behind the auto center. Will cars be pulling through the doors? The overhead doors would be eliminated.
- What is the purpose of the tick marks? Remove the tick marks in front of the automotive center office. This was a typo error
- Is the loading zone just striped? What is it?
- “Retaining wall by others” who is others? Others refer to the Javarone’s.
- There is no retaining structure shown on the northern property line of the storage buildings. How will you handle the slope on the southeast corner of the storage building? According to their engineer they are ok. They were asked by the Board to review this issue
- On north property line the 482 ft elevation vs. 481, so the 8 ft high fence just became a 5 ft high fence with car lights possibly shining into the adjoining lots. DEC review because disturbing more than 1 acre.
- Signage is part of site plan review. The free standing sign cannot exceed 150 sq ft per side. The total sign area including wall signs is 2 sq ft of sign per ft of building front. The Board asked that this matter be reviewed by Mr. Russell.
- Need detail sheet for the signage with colors, sq ft. etc.
- Need to sign a Developer Agreement.
- There is an excess of pavement in the front –consider bringing up some grass.
- The Plan would need to be reviewed by the County Planning Board.
- Mr. Javarone would need to comply with the SWPP.

A motion to refer the Site Plan to the County for their review if all the corrected items are to Mrs. Jenack by the close of business on September 15, 2009 was made by Mr. Hobbs and seconded by Mr. Cameron. This motion passed 7-0.

A motion to hold a special meeting on September 15, 2009 at 6:00 pm was made by Mr. Hobbs and seconded by Mr. Cameron. The motion passed 6-1. Mr. Covell voted against stating a special meeting was not necessary. This is pending the submittal of the corrected plan in time to run the ad in the newspaper.

Adam Kokinda. Sketch Review of a Site Plan – to create riding trails for all terrain vehicles, 4x4’s and other recreational vehicles, located on US Route 11, Tax parcel #55.00-1-20.7, 55.00-1-20.6, 55.00-1-20.5, and 55.00-1-20.4.

1. Review the Sketch Site Plan.

2. The Chairman said the project involved the physical disturbance of 10 acres, therefore a Long SEQR Form must be completed and it would be classified as a Type 1 action. (Some environmental issues)
 - Ag soils
 - Forest removal
 - Archeological
 - SWPP – dust Route 11
 - Acoustic (noise)
 - Trout Brook
 - Weekend and evening use

3. The Board provided the following comments and questions:
 - The lots will need to be combined into 1 for tax purposes.
 - This would be defined as a Recreational Facility.
 - What would be the hours of operation? Day light only
 - Is there any signage proposed?
 - What is your use policy or is it open to public?
 - What will you do about on-site monitoring?
 - What other sporting vehicles?
 - How are you going to operate this?
 - Starter Shed, will be storing stuff in it? Would be used if medical assistance is needed
 - Is it recreation or competitive? We need to see proof of insurance. Recreational
 - What will be the surface of the trails? Will there be mud pond areas or motor cross? Hay will be placed on turns. Otherwise where there vehicle wear the paths. There are no planned mud bogs.
 - Are you bringing in any material like fill?
 - How are you going to maintain the trails?
 - What about Dust Control?
 - What about Noise Control?
 - You need to show the adjacent house structures and distance measurements.
 - What is the material for the Parking Lot?
 - Are you charging a fee? How much? Will stickers be used?
 - Please be advised that you will need to provide an engineered Site Plan as well as other drawings.

Mr. Kokinda provided an overview of the project for the Boards consideration. He was informed that the Town Code does not provide for this type project. He suggested looking at the website www.RC4x4.org

Report of Administrative Clerk to the Supervisor

Adjournment

The Board adjourned at 10:02 pm.