

**LERAY PLANNING BOARD  
MINUTES  
November 5, 2009**

**Open Regular Meeting**

Board members in attendance: Chairman - Fred Tontarski, Acting Chairman – Jerry Hobbs, Alan Cameron, Larry Covell, Clarke Oatman, David Champagne, Town Engineer - Kris Dimmick, Community Development Coordinator - Jessica Jenack, and Town Attorney – Gene Langone. Administrative Clerk to the Supervisor - Steve Harter and Town Supervisor - Ron Taylor arrived during the meeting. Other people in attendance were: Walter Van Tassel, Guy Javarone, Guy Javarone Jr., Jerry LaBrie, Robert LaBrie, and Thomas Pahler arrived during the meeting. Board member – Sam Biondolillo, Secretary – Debbie Biondolillo, and Zoning Officer – Dean Russell were absent.

**Pledge of Allegiance**

**Approval of Minutes from the previous meeting**

The minutes from October 1, 2009 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. Covell. This motion passed with 5-0. Mr. Champagne abstained due to absence.

The minutes from the Special Meeting on October 13, 2009 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. Champagne. This motion passed 4-0. Mr. Covell and Mr. Oatman abstained due to absence.

**Correspondence and Communication**

There was no correspondence or communications.

**Public Hearing**

*Walt Van Tassel. U-Lock It – Preliminary Review of a Site Plan* - to construct a 3 story Climate Controlled Self-Storage building and a 2<sup>nd</sup> building of 2 stories for an office for sales and truck rental, located on Holbrook Road, Tax parcel #65.17-1-17 and 65.17-1-18 “dog leg”.

The Chairman opened the Public Hearing. The Chairman asked Ms. Fuller to read the public notice posted in the Watertown Daily Times.

After no comments, a motion to close the Public Hearing was made by Mr. Champagne and seconded by Mr. Oatman. This motion passed with a vote of 6-0.

The Chairman postponed further comments to move on to other shorter business.

**Unfinished Business:**

*Gary Schuler. Preliminary Subdivision Plat Review* - to subdivide 467.60 acres into Lot 1 = 369.8 acres and Lot 2 = 97.8 acres, located on State Highway 26, Tax parcel #65.00-2-4.211.

The Chairman asked for this discussion to be tabled as there was no representative present, however if a representative showed before the end of the meeting the Board would go back to

discussion. A motion was made by Mr. Covell and seconded by Mr. Cameron. This motion passed with a vote of 6-0.

### **New Business**

*Jerry LaBrie. Sketch Minor Subdivision Plat* – to subdivide 13 acres into two (2) lots, Lot 1 = 10.27 acres and Lot 2 = 2.73, located on US Route 11, Tax parcel #75.00-1-76.1.

The Sketch Plan was reviewed at the work session. The drawing meets all the requirements for Preliminary submission and review.

The Community Development Coordinator had prepared Part 2 of the Short Environmental Assessment form for review.

A motion was made by Mr. Covell and seconded by Mr. Cameron for the Board as Lead Agency to conduct the Environmental Review for the Unlisted Action. This motion passed 6-0.

Based on the information and analysis it was determined there would not be any significant adverse environmental impacts.

A motion was made by Mr. Cameron and seconded by Mr. Covell to declare a Negative Declaration. This motion passed 6-0.

A motion to deem the application complete was made by Mr. Cameron and seconded by Mr. Champagne. This motion passed 6-0.

A motion to set a Public Hearing for **December 3, 2009 at 7:00 pm** was made by Mr. Cameron and seconded by Mr. Oatman. This motion passed 6-0.

### **Unfinished Business**

*Walt Van Tassel. U-Lock It – Preliminary Review of a Site Plan* - to construct a 3 story Climate Controlled Self-Storage building and a 2<sup>nd</sup> building of 2 stories for an office for sales and truck rental, located on Holbrook Road, Tax parcel #65.17-1-17 and 65.17-1-18 “dog leg”.

The Board discussed the County Planning Board comments with Mr. Van Tassel.

- A Jefferson County Building Permit is required for the construction.
- The buildings appear to have flat roofs while the Design Guidelines call for peaked roofs. In addition, the Guidelines suggest windows as well as multiple entry points to break up large expanses of facade. Mr. Van Tassel stated he spoke at the County Planning Board and told them that he felt that a peaked roof on a 3 story building was dangerous from falling snow and ice. He also stated that windows and multiple entry points in the Climate Controlled building was a security risk and he was not willing to add more to the building. The Board did not have a concern regarding these comments.
- There were two plans, dated October 5<sup>th</sup>, submitted that appear to conflict with each other. The Board should request that the plans submitted are consistent with each other. The Board said the plans that were submitted have since been changed to be consistent.
- The application did not include information on signage, lighting, or drainage as required. The Board discussed that the lighting detail was on the plan and a separate Grading Plan

was submitted. Mr. Van Tassel stated that the signage had been taken care of by himself and the Zoning Officer – Dean Russell.

- A decorative wall or fence is required along the property lines for self-storage facilities. The Board noted that there is a fence along the property line on the plan.
- The hitch bay shown in part of the office building appears to have blocked access with the employee parking spaces. Mr. Hobbs asked if the hitch bay was a drive through. Mr. Van Tassel stated that the hitch bay has only one door. He feels that there is more than enough room, but if need be then he will remove one of the employee parking spaces.
- Local law states that parking should be located behind the facility and out of street side view. Landscaping is required to screen the parking areas from both roads. The Board said that there is landscaping on all road frontages.

A motion was made by Mr. Cameron and seconded by Mr. Champagne to grant Preliminary Site Plan Approval. This motion passed 6-0.

Mr. Langone was asked to discuss the sewer easement agreement that is needed from Mr. Van Tassel. Mr. Van Tassel stated he will call Mr. Blodgett to tell him to move forward with it, but that he will not execute the agreement at this time.

Mr. Dimmick had comments about the details of the sewer and water permit and the driveway permit; however, he was not present in the meeting room at the time. Mr. Tontarski discussed this comments with Mr. Van Tassel. Mr. Van Tassel responded that he has his driveway permit and that he will work with the Town on the sewer and water permit.

The Board discussed granting Final Site Plan Approval, but with some conditions:

Before receiving a Zoning Permit, the following conditions will need to be met:

1. A Sewer and Water Permit must be obtained from the Town.
2. A Driveway Permit must be obtained from the Highway Supervisor.
3. Lots 17 and 18 must be combined by deed.
4. The Site Plan Approval for Lot 18 will become null and void and the existing building with 3 storage units must be removed from Lot 18.

A motion to issue Final Site Plan Approval with the above conditions was made by Mr. Covell and seconded by Mr. Cameron. This motion passed 6-0.

*Gary Schuler. Preliminary Subdivision Plat Review* - to subdivide 467.60 acres into Lot 1 = 369.8 acres and Lot 2 = 97.8 acres, located on State Highway 26, Tax parcel #65.00-2-4.211.

The Chairman stated that a Public Hearing had previously been held in April 2009.

A motion to return to the tabled discussion of the Subdivision Plat was made by Mr. Covell and seconded by Mr. Cameron. This motion passed 6-0.

A motion to review the Preliminary Subdivision Plat was made by Mr. Oatman and seconded by Mr. Champagne. This motion passed 6-0.

A motion to approve the Preliminary Subdivision Plat was made by Mr. Cameron and seconded by Mr. Champagne. This motion passed 6-0.

A motion to review the Final Subdivision Plat was made by Mr. Champagne and seconded by Mr. Oatman. This motion passed 6-0.

A motion to approve the Final Subdivision Plat was made by Mr. Cameron and seconded by Mr. Champagne. This motion passed 6 -0. Mrs. Jenack will send an approval letter in the mail.

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

The Planning Board had asked for the following issues to be resolved:

1. Vehicles waiting to be repaired should not be visible from the road. The turn around pad was suggested as a solution. This was addressed.
2. The designated employee parking was labeled on the drawing. This was addressed.
3. Mr. Javarone said he did not intend to provide any parking spaces at the rear of the Storage Facility. This was addressed.
4. A construction schedule would be needed prior to Final Approval. This was addressed.
5. A signed Developer Agreement was needed and has been completed. This was addressed.

Mr. Hobbs turned the floor over to Mr. Dimmick, who had the following comments:

1. On the Cover page the sub-base gravel compaction is stated at 90%. He is recommending 95%.
2. On C-1.1 the property owners on the adjacent parcels are not up to date.
3. On C-2 the symbol "cc" is not in the legend. Mr. Dimmick believes it is referring to the concrete curb.
4. On C-3 the grading slope is steep and unreinforced. Also, the grading for the future "Town" road will change the slopes on the existing road. Mr. Javarone stated that the slope is fine and none of the other steep slopes on Lot 1 have any reinforcement.
5. On C-4 the water and sewer detail connections. Mr. Javarone stated that he had already spoken to the people who handle the water connections and they had said they are fine. Mr. Dimmick stated that it is his job to comment on these plans. Mr. Javarone said that he is doing what was done on the other lot. Mr. Dimmick said that he is suggesting a more cost effective way that will save some money.
6. On C-7 the sub base depth and other design detail changes. Mr. Dimmick stated that the sanitary lateral has been found to be most effective when using both the tracer wire and tape.

The Board is reminded that Mr. Javarone did not obtain an area variance from the ZBA to meet the acreage requirement. He is therefore proposing a lot line adjustment to get the needed acreage. He will have 1.64 acres of usable area not including the road easement. There is consensus among the Board members that this is enough area as our current law does not have any specific regulation regarding mixed use development on one lot. The 1.5 acres would be the stricter use of the two uses. The Town Attorney discussed how the Board reached that decision.

The Board had a question as to whether there would be enough road frontage on Lot 3 with a lot line adjustment. There would be 267 feet of road frontage with the lot line adjustment.

Mr. Langone told Mr. Javarone that in conjunction with final site plan approval for his project, the Town would like to take the road area now in title and maintain it as well as work on construction of the southern portion with him. Mr. Javarone stated that he would speak with his Attorney.

A motion to deem the application complete was made by Mr. Cameron and seconded by Mr. Champagne. This motion passed 6-0.

Mr. Javarone spoke up and stated that the details on the signage were on a previous submission that he had worked out with Mr. Russell.

A motion to set a Public Hearing for **December 3, 2009 at 7:00 pm** was made by Mr. Cameron and seconded by Mr. Oatman. This motion passed 6-0

Mr. Hobbs asked Mr. Javarone to discuss and work on the sewer and water details with Mr. Dimmick before the Public Hearing and if there are any changes to submit a revised plan ten (10) days before the December 3, 2009 meeting.

#### **Report of the Zoning Enforcement Officer**

The Zoning Officer was absent.

#### **Report of Administrative Clerk to the Supervisor**

The Board members were provided with the updated Developer Report.

Mr. Harter informed the Board that the Town Budget passed, the Town Tax Rate was stable, and the County Tax Rate had gone down 16 cents.

Mr. Harter informed the Board that the bids on the Water District #4 well are going out. He said that we are still waiting for DOH approval. There is also a legal issue on the water tower.

#### **Report of Community Development Coordinator**

Mrs. Jenack reminded the members that there will be a training course on November 18, 2009 at JCC. Each member was updated on their education credits for the year. Mr. Hobbs stated that he received the Local Government Conference Training in the mail for April 1, 2010.

Mrs. Jenack reported that she had a few phone calls on the laws regarding personal wind towers. The Board agreed that the laws regarding wind towers needs to be worked on. Mr. Langone and Mrs. Jenack are going to get together to prepare a rough draft for the Board's review.

She said that the Narrigan property had been purchased. They had taken down the barn and storage sheds. They are working on their archaeology study.

Mrs. Jenack received a phone call that day that the Willowbrook Plaza ownership has changed, but has no further information.

Mrs. Jenack spoke about a FDRLO meeting that she had attended. She stated that she is going to update the Town's website to create links for people to get Fort Drum information.

Mrs. Jenack asked Mr. Langone about any updates on the by-laws. Mr. Langone stated that there were no updates at this time.

Mr. Javarone returned with Mr. Dimmick and apologized to the Board.

Mr. Hobbs informed those in the meeting room that Mrs. Biondolillo had surgery and is home. Mr. Hobbs then introduced Ms. Fuller as the substitute secretary and thanked her for her time.

**Adjournment**

A motion to adjourn was made by Mr. Covell and seconded by Mr. Champagne. This motion passed 6-0. The meeting adjourned at 8:15pm.