

PROCEEDINGS OF A SPECIAL JOINT TOWN BOARD AND PLANNING BOARD
MEETING HELD AT THE TOWN MUNICIPAL OFFICE ON OCTOBER 21, 2008.

The meeting was called to order by Supervisor Taylor at 2:00 p.m. with the following present:

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| Ronald C. Taylor, Supervisor | Steve Harter, Ck to Supervisor |
| Mary C. Smith, Town Clerk | Gene Langone, Atty |
| Michael Gracey, Councilman | Frederick Tontarski, PB Chairman |
| William Jesmore, Councilman | Jessica Jenack, Planner |
| Mark Thompson, Councilman | Jerry Hobbs, PB Member |
| Karl Vebber, Councilman | David Champagne, PB Member |

The public hearing having been held on October 9, 2008 for proposed Local Law 10-2008 to rezone the DD zone to an AR-MHO1, BR-2 and R-2, Mr. Schuler has stated to the Planning Board Chairman that he does not have a problem with the zone change, the board went through the SEQR form.

A motion was made by Thompson and seconded by Gracey that the board declare a negative declaration with a Type 1 Action for SERQ for the zone change. Carried Ayes 5 Nay 0.

A motion was made by Thompson and seconded by Vebber that the board adopt Local Law 10-2008 Zone change from DD Zone to an AR-MHO1, BR-2 and R-2. Gracey – yes, Vebber – yes, Jesmore – yes, Thompson – yes and Taylor – yes. Carried.

The public hearings having been held on October 9, 2008 for Local Law 11-2008 Grading Standards and definitions for Recreational vehicles, Local Law 12-2008 Grading Standards for Subdivision regulations, Local Law 13-2008 Storage Facilities, allowable zones, setbacks of 150' and 300' and Automobile, vehicle equipment sales and services the board went through the SEQR Form.

A motion was made by Vebber and seconded by Thompson that the board declare a negative declaration with a Type 1 action to SEQR for Local Law 11, 12, 13. Carried Ayes 5 Nay 0.

Further discussion on Local Law 13-2008 for Storage Facilities it was recommended that the following exception be added which will apply to both 150' and 300' setbacks.

Exception: Any existing facility or establishment that has previously obtained and received Final Site Plan Approval from the Planning Board may be allowed to expand or enlarge in kind. They will be exempt from the 300 foot setback from the NYSDOT Right-of-Way provided the following requirements are met:

- A. All other lot size, area, setback and zoning requirements are met.
- B. The property line boundary where the expansion or enlargement is proposed has not changed since Final Site Plan approval was given or will change as a result of the expansion.

C. Review and approval by the Planning Board for the expansion or enlargement including an Updated Site Plan.

Exception: The provision of the 300 foot setback in this Local law shall not apply to any of the following:

- A. Applications for Site Plan Approval pending before the Town of LeRay Planning Board along with zoning permits and/or variances relating to such applications provided that the Site Plan Review Standards and Regulations in Articles, VI, VII, VIII, and IX are met. There shall be a period of one year to take action on pending applications to the extent that the applicant must, at minimum, personally appear before the Planning Board for a status review.

Also, to change under section 158-49.3

- h. All area lighting shall be in accordance with Section 158-21 of the Zoning Law. **Doorway areas shall be adequately lit.**

A motion was made by Vebber and seconded by Thompson that the adoption of Local Law 11-2008 Grading Standards and definitions for recreational vehicles. Gracey – yes, Vebber – yes, Jesmore – yes, Thompson – yes, Taylor – yes. Carried

A motion was made by Thompson and seconded by Gracey that the adoption of Local Law 12-2008 Grading Standards for Subdivision regulations. Gracey – yes, Vebber – yes, Jesmore – yes Thompson – yes, Taylor – yes. Carried.

A motion was made by Vebber and seconded by Thompson that Local Law 13- 2008 Storage Facilities, setbacks of 150’ and 300’, Allowable zones, Automobile and Vehicle equipment sales and services be adopted with the amendments stated above. Gracey – no, Vebber – yes, Jesmore – no, Thompson – yes, Taylor – yes. Carried.

A motion was made by Thompson and seconded by Vebber to set a public hearing for November 6, 2008 at 7:10 p.m. to hear comments on proposed Fire and Ambulance contracts for the year 2009 as follows: Black River Ambulance Squad \$30,000, Evans Mills Vol. Ambulance Squad \$30,000, Black River Fire Department \$78,000 and Pamela Fire Department \$9,000. Carried Ayes 5 Nay 0.

A motion was made by Gracey and seconded by Vebber to set a public hearing for November 6, 2008 at 7:15 p.m. to hear comments on the Preliminary Budget for the year 2009. Carried Ayes 5 Nay 0.

A motion was made by Gracey and seconded by Vebber to adjourn meeting at 3:35 p.m. Carried Ayes 5 Nay 0.

Respectfully given:

Mary C. Smith, RMC

Town Clerk