

LERAY PLANNING BOARD
MINUTES
April 2, 2009

Open Regular Meeting

Board members in attendance: Chairman - Fred Tontarski, Sam Biondolillo, Alan Cameron, David Champagne, Jerry Hobbs, Clarke Oatman, Larry Covell, Zoning Enforcement Officer - Dean Russell, Town Engineer - Kris Dimmick., Community Development Coordinator - Jessica Jenack, and Administrative Clerk to the Supervisor - Steve Harter. Other people in attendance were: Walter Van Tassel, Terry H. Zimmer, Cathy Zimmer, Terry E. Zimmer, John Stevens, Adam Storino, Dick Wicks, Tom Kennedy, Tom Pahler, Betty Jones, Casey Spicer, Irene Lavancha, Kent Burto, and Tom Briggs.

Pledge of Allegiance

Approval of Minutes from the previous meeting

The minutes from the March 5, 2009 regular meeting were received and there were no modifications. A motion to accept the minutes was made by Mr. Cameron and seconded by Mr. Oatman. This motion passed 5-0. Mr. Covell abstained due to his absence.

Correspondence and Communication

There was no communication or correspondence.

Unfinished Business:

Jefferson County Industrial Development Agency - Eagle Ridge - Preliminary Review for Minor subdivision - to subdivide 16.253 acres out of 103.58 acres to be dedicated to Ontario Bays Initiative for the purpose of mitigating impact on the Indiana Bat and Wetland areas, located on NYS Rt. 342, Tax Parcel#65.00-1-73.27.

Tom Briggs provided a brief presentation of the proposed subdivision to the Board. The Site Plan reflects the removal of two garage units. This is in response to preserving bat habitat to be dedicated to Ontario Bays Initiative.

A motion was made to set a Public hearing for May 7, 2009 by Mr. Cameron and seconded by Mr. Hobbs. This motion passed 7-0.

Mr. Briggs asked the Board if two garage units could be built to be used as construction offices. They have not gotten approval yet because they are part of Phase IV. At present they are located in a maintenance building. It was agreed that Mr. Russell would allow a Zoning Permit for the garage units only.

A motion was made by Mr. Hobbs and seconded by Mr. Cameron for the construction of two garage units to be used as construction offices for Phase IV. These will revert to garage units when the Phase is complete. This motion passed 7-0.

Public Hearing:

Gary Schuler - Preliminary Subdivision Plat Review - @7:15 pm - to subdivide 467.60 acres into Lot 1 = 369.8 acres and Lot 2 = 97.8 acres, located on State Route 26, Tax Parcel #65.00-2-4.211.

Mr. Pahler informed the Board that the issue with the land swap was progressing but not final yet. Mrs. Jenack received a call from Mr. Denagle who owns an adjoining parcel. He is concerned on the impact to Pleasant Creek. Mrs. Jenack explained the subdivision and he was fine with the proposed subdivision.

A motion to close the hearing was made by Mr. Biondolillo and seconded by Mr. Hobbs. This motion passed 7-0.

There was not any action taken due to the outstanding land swap.

Terry Zimmer – Ice Cream Shop - Preliminary Site Plan Review @ 7: 25 pm - to construct a 1,200 sq ft. Ice Cream shop with parking, landscaping, and utility facilities, located on Steinhilber Road, Tax Parcel #65.00-2-3.21.

Mr. Van Tassel spoke in favor of the project.

Mrs. Jenack asked what was planned for the rear of the building? Her question was in response to a question from Mr. Denagle via a telephone call. Mr. Zimmer said he had no plans except to screen the dumpsters.

A motion to close the hearing was made by Mr. Cameron and seconded by Mr. Covell. This motion passed 7-0

The Board discussed the County Planning Board comments with Mr. Zimmer.

The light poles had been taken care of as well as a barrier added in case of vehicle impact.

A permit needs to be obtained from the DOH to serve food. Mr. Storino has contacted the DOH already.

The raised septic system itself was cleared by the DEC, but an on-site inspection of the amount of soil for the leech field on the property will be held this week.

A building permit must be obtained from the County and a zoning permit must be obtained from the Town of LeRay.

A motion to approve the Preliminary Site Plan was made by Mr. Covell and seconded by Mr. Biondolillo. This motion passed 7-0.

A motion to approve the Final Site Plan, with the condition, that the Chairman has to receive an approval letter from the DEC permitting the use of the leech field. This motion would also give the Chairman authority to administratively sign the Site Plan upon the receipt of the letter from the DEC. This motion was made by Mr. Cameron and seconded by Mr. Hobbs. This motion passed 7-0.

LeRay Medical - Preliminary Site Plan Review @ 7:35 pm - to construct two (2) two-story office buildings, located on Independence Way, Tax Parcel # 65.00-1-48.31.

A brief overview of the project was given upon the request of Mr. Covell due to his absence last month.

A motion to close the hearing was made by Mr. Cameron and seconded by Mr. Biondolillo. This motion passed 7-0.

The changes the Board requested at the March meeting were addressed:

- Shade trees were added.
- Fire Lanes were shown.
- Pedestrian walkways were added as well as bike racks and benches.
- Light fixture cuts will be submitted. The Photometrics need to integrate the street lighting, at this point they are Site Specific.

The Town Design Guidelines recommend connectivity between the parcels. This plan does not show connection within the complex or connection to future sidewalks that DOT is proposing as part of the I-81 connector project. There was a brief meeting prior to the Planning Board meeting to discuss the matter. The developers did not have time to discuss the matter at length. They are willing to give up parking spots to accommodate the walkways but this was not shown on the current site plan due to the timing issue, having just received County Planning's comments. This will be a challenge for the parcel in that there are five separate sites.

Mrs. Jenack asked if the trees were in the Town's Right of Way on Independence Drive. The response by Mr. Kennedy was that they are and will be maintained by LeRay Medical.

At this point the stop work order issued by the USACOE is still in force. The Developer needs to follow through on their mitigation plan for wetland and bat habitat before the permit will be issued. The remaining trees were allowed to be cut down. It was discovered that there are no bat habitats on-site and this area is only a fly over to West Creek.

A motion was made by Mr. Covell and seconded by Mr. Cameron to grant Preliminary Approval with the following modifications:

- The cut sheets on the lights be submitted.
- The connectivity between parcels be shown on a Final Site Plan for the Board's Review.

It was discussed that the Town Law must be satisfied prior to Final Site Plan Approval. The modifications need to be incorporated into the Final Site Plan. This motion passed 7-0.

New Business:

Northern Developers, LLC - Freedom Plaza - Review Site Plan – Modification of existing Building - to enclose a breeze way canopy area to be used for a professional office for First Command Financial Planning, located on US Route 11, Tax Parcel # 65.17-1-23.

Upon review it was agreed upon by the Board that it would be an insignificant change to the original Site Plan.

It was asked what the sidewalk was used for. Mr. Burto said it is used by Subway for their dumpsters.

A motion was made by Mr. Covell and seconded by Mr. Hobbs to have Mr. Russell grant a Zoning Permit. This motion passed 7-0.

Lawrence Lavancha - Sketch Review for Minor Subdivision - to subdivide 95+ acres into Lot 1 = 80+ acres, Lot 2 = 11.48 acres, and Lot 3 = 3 acres, located on Bedlam Road, Tax Parcel 65.00-2-7.1.

The Board reviewed the Subdivision Plat.

The Board conducted the Environmental Review.

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

A motion to declare a negative declaration was made by Mr. Hobbs and seconded by Mr. Oatman. This motion passed 7-0.

A motion to deem the application complete was made by Mr. Cameron and seconded by Mr. Covell. This motion passed 7-0.

A motion to set a Public Hearing for May 7, 2009 at 7:25 pm was Made by Mr. Hobbs and seconded by Mr. Oatman. This motion passed 7-0.

Unfinished Business

Walter VanTassel - U-Lock It - Site Plan Review - to operate a U-Lock it self-storage facility consisting of forty-four (44) 5'X10" storage units, twenty-two (22) 10'x10' storage units and twenty-five (25) 10'x 20' storage units, located on the Holbrook Road, Tax Parcel #65.17-1-15.

The Preliminary Site Plan was reviewed and the previous Site Plan issues were addressed.

Per Parks and Recreation a Phase IB is needed for the project. The request for more information was in a letter to Mr. Van Tassel dated 2/23/09. Mrs. Jenack had a phone conversation with Robyn at USFWS and she said that she needed to do a site visit.

Therefore, without a no effect letter being issued by the agencies, there is still a possibility of environmental impact from the project.

With the receipt of this new information (letter dated 2/23/09 from NYS Parks and Recreation) the Board made a motion to rescind the Negative Declaration that was given at the February meeting. This motion was made by Mr. Oatman and seconded by Mr. Biondolillo. This motion passed 7-0.

Walt VanTassel - U-Lock-It - Sketch Site Plan - to construct a self storage building 60'x 120', located on Holbrook Road, Tax Parcel #65.1-1-17 and 65.17-1-18 "dog leg."

The Board reviewed the sketch plan and reminded Mr. VanTassel the following issues were still in need of attention:

- A graphic scale needs to be added.
- An engineers stamp needs to be on any plans past the Sketch Phase.
- Boundary lines need to be shown.
- A finished floor elevation needs to be shown.
- Water and underground sewer lines need to be shown.
- Grading and drainage plans need to be submitted.

- Approvals are needed from NYSDOT on the Hydraulic Study.
- Size (square footage), design and construction materials of all signs needs to be submitted.
- Need to show existing vegetation.
- A planting schedule will need to be submitted.
- Need to clarify what area on the yard will be paved.

The consultation with Parks and Rec and Fish and Wildlife is not complete at this time; therefore a Negative Declaration cannot be issued.

With the combination of these two lots Mr. Van Tassel will not have enough footage to meet the road frontage requirement. A corner lot has frontage on two roads. He needs to have 200 feet along US Route 11 and he only has 175 feet. He can go to the ZBA to get a variance.

New Business:

Casey Spicer - Blankenship LLC - Sketch Site Plan Review and Sketch Review for Major Subdivision
 - Phase 1 to modify and add to the existing structures to accommodate a NAPA Auto Parts Store and a tenants used car lot, Phase 2 includes a full build out of the property, including a 6 lot Major Subdivision, located on NYS Rt. 342, Tax Parcel #65.00-1-73.

The Board was given a brief overview of the project.

Some of the structures will remain and some will be demolished. There will be one entrance onto Route 342 in Phase I - they have met with DOT.

The Board has suggested that the Subdivision be done first. Then Site Plans will be reviewed for each specific lot.

The Board is requesting a Long Form SEQR be done for the entire parcel so as not to segment the review. This needs to be done first before proceeding.

Mr. Dimmick is recommending that the water and sanitary lines be dedicated to the Town.

It was discussed that the main driveway is too narrow.

Motion to approve Conceptual Site Plan was made by Mr. Hobbs and seconded by Mr. Cameron. Motion passed 7-0.

Zoning Enforcement Officer

Mr. Russell issued a few new permits.

Report of Administrative Clerk to the Supervisor-

Mr. Harter provided the Board members with an updated Developer Financial Statement. The Casey sewer pump is on line.

The Carey well site has electricity but no gas.

Report of Community Development Coordinator-

Mrs. Jenack asked the Board members if any one was interested in the April training at JCC. Jessica will sign up those members that are interested in attending.

Adjournment

A motion to adjourn was made at 9:30pm by Mr. Cameron and seconded by Mr. Hobs. This motion passed 7-0.