

LERAY PLANNING BOARD
MINUTES
February 5, 2009

Open Regular Meeting

Board members in attendance: Chairman - Fred Tontarski, Sam Biondolillo, Alan Cameron, David Champagne, Larry Covell, Jerry Hobbs, Clarke Oatman, Zoning Enforcement Officer - Dean Russell, Town Engineer - Kris Dimmick, and Calcium Fire District Chief – Tim Newman. Other people in attendance were Walter Van Tassel, Jim Blankman, Betty Jones, Robin Ireland, Elizabeth Montondo, Don Converse, Rebecca Kearns, Jennifer Sztalkoper, Grover Ireland, Cathy Massaro, George Stever, Jessie Albert, Pat Scordo, Ed Olley, Paul Brunow, Megan Converse, John Stevens, and Rob Busler.

Pledge of Allegiance

Approval of Minutes from the previous meeting

The minutes from the January 8, 2009 regular meeting were received and there were no modifications. A motion to accept the minutes was made by Mr. Hobbs and seconded by Mr. Biondolillo. This motion passed 7-0.

Correspondence and Communication

The Board received a thank-you note from Ed and Jessica Jenack for their baby gift.

Public Hearing

Robin Ireland - Secret Desires - 7:15p.m. - involves creating a store to sell lingerie and novelty items, located at 27790 NYS Rt. 342, Tax parcel #75.09-1-20.

The Chairman opened the public hearing. Rebecca Kearns, Kathy Massaro, Sarah Forbes, and Melanie Jenner, all from Fort Drum, were in favor of the project as they had purchased lingerie products with Mrs. Ireland on occasions prior.

With no other comments from the public, a motion was made by Mr. Biondolillo and seconded by Mr. Cameron to close the Public Hearing.

The board members reviewed the correction made to the Site Plan.

- Six Parking spaces including 1 Handicap dedicated to this Store and not in front of the adjacent store were added to the Site Plan.
- Space dedicated to sexual oriented merchandise drawn to dimension was corrected. This area includes space for display and customer circulation.
- Signs with dimension and script were shown.

A motion to review the Final Site Plan was made by Mr. Covell and seconded by Mr. Champagne. This motion passed 7-0.

A motion to grant Final Approval was made by Mr. Cameron and seconded by Mr. Oatman. This motion passed 7-0.

A letter of approval will be sent.

Unfinished Business

Stephen Converse - Duffy Meadows - Final Subdivision Review - to subdivide 85.6 acres into 32 residential lots and road space, located on Duffy Road, Tax parcel #75.17-1-93.1.

One question on the SEQR was overlooked. The Board asked Mrs. Converse if the parcel was ever a location for Hazardous Material disposal. She reassured the Board it had not. This satisfied the SEQR.

The Board reviewed the amendments to the SEQR.

A motion to declare a Negative Declaration based on the correction was made by Mr. Hobbs and seconded by Mr. Oatman. This motion passed with a vote of 7-0.

The Negative Declaration will be sent to DEC. DEC will issue a letter of approval.

A motion was made for Final Subdivision approval, contingent on the receipt of the letter of approval from DEC. Upon the receipt of this letter the Chairman will administratively approve and sign the Subdivision Plat. This motion was made by Mr. Hobbs and seconded by Mr. Champagne. The motion passed with a vote of 7-0.

Walter Van Tassel - U-Lock It - Sketch 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.

After a review of the plan for lot 15 the outstanding issues were corrected. (See work session minutes)

The Chairman told Mr. VanTassel that this was an Unlisted Action and not a Type II as he had stated in his correspondence. No further action is needed from the DEC, DOH, or the Calcium Fire Department. An Archeological Study was conducted by Rush Consulting Services, Clayton NY. The results were sent to NYS Office of Parks and Recreation & Historic Preservation. As of this meeting there has been no response. The Board asked that a copy of these findings be placed in Mr. VanTassel's file.

The Board had questions on the Grading Plan. The back of the building had fill 1½ feet higher than the floor level. This may cause a moisture problem. Mr. Van Tassel stated he would be waterproofing below the ground and up to grade. There are no elevations shown for Lot 21. It appears that this parcel is lower. Mr. Van Tassel will redirect the water so it does not flow to Lot 21.

The Board conducted the Environmental Review

A motion for the Board as Lead Agency to conduct the environmental review for this Unlisted Action was made by Mr. Cameron and seconded by Mr. Hobbs. This motion passed 7-0.

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

A motion to grant Preliminary Approval contingent upon the submittal of the Grading Plan revisions and a copy of the Archeological Study being submitted for the file was made by Mr. Biondolillo and seconded by Mr. Oatman. This motion passed 7-0.

A motion to set a Public Hearing for **March 5, 2009 at 7:15p.m** was made by Mr. Cameron and seconded by Mr. Hobbs. This motion passed 7-0.

Jefferson Apartments Associates - Final Site Plan Review - involves the construction of 17 apartment buildings consisting of 22 units each and 10 apartment buildings of 3 units and 1 building consisting of 20 units for a total of 402 units of housing. The project also includes the construction of roads and sewer and water infrastructure, located northwest of Johnson Road, Tax parcel #65.00-1-65.1

The Negative Declaration was already issued.

The following list of contingencies for Final Approval has been met:

- The parcel that read Clair Raible now reflects the current owner.
- A legal description for the Town right-of-way has been provided
- The lines representing the present and proposed vegetation have been darkened.
- The mail boxes are now located at the individual buildings,
- A tot lot was created for children ages 2-5. The area adjacent to the Community Center is now labeled. Dedicated for Recreation Space.
- Dumpsters are being shown as screened on three sides.
- Emergency access to either Spectra or the Hotel Site has been finalized. They have permission to use the Spectra property, but would also talk to the Hotel Developer.
- Utility plans are satisfactory at this point.
- Final Approvals were obtained from DEC, DOH. It was decided that DOT was not needed.

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

New Business

Tami Villarreal - Sketch Subdivision Plan - to subdivide 5.55 acres into Lot1 consisting of 2.27 acres and Lot 2 consisting of 3.28 acres, located on the corner of Ansted Road and US Route 11, Tax parcel #56.00-2-2.4.

Rob Busler was representing Ms. Villarreal.

The Board members reviewed the Sketch Subdivision Plat.

The Board conducted the Environmental Review.

A motion was made for the Board as Lead agency to conduct the Environmental Review for this Unlisted Action. This motion was made by Mr. Cameron and seconded by Mr. Biondolillo. This motion passed 7-0.

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

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

A motion was made for Preliminary Subdivision Approval by Mr. Covell and seconded by Mr. Oatman. This motion passed with a vote of 7-0.

A motion to set a Public Hearing for **March 5, 2009 at 7:25p.m** was made by Mr. Cameron and seconded Mr. Hobbs. This motion passed 7-0.

Don Converse - Sketch Subdivision Plan - to subdivide 3.6 acres into Lot 1 consisting of 1.198 acres, Lot 2 consisting of 1.199 acres, and Lot 3 consisting of 1.199 acres, located on Woodland Drive, Tax parcel #74.16-2-11.32.

Mr. Converse told the Board that he has a permanent Right-of Way on the road leading to Atlantic Testing. This is owned and maintained by Atlantic Testing.

The Board members reviewed the Sketch Subdivision Plat.

The Board conducted the Environmental Review.

A motion was made for the Board as Lead agency to conduct the Environmental Review for this Unlisted Action. This motion was made by Mr. Cameron and seconded by Mr. Champagne. This motion passed 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. Oatman. This motion passed 7-0.

A motion was made for Preliminary Subdivision Approval by Mr. Biondolillo and seconded by Mr. Hobbs. This motion passed with a vote of 7-0.

A motion to set a Public Hearing for **March 5, 2009 at 7:35p.m** was made by Mr. Oatman and seconded Mr. Cameron. This motion passed 7-0.

Walt Van Tassel - 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".

Mr. Van Tassel gave an over view of his proposal. At the time of the meeting Mr. Van Tassel has a purchase offer on Lot 17, but does not own it.

Mr. Van Tassel was reminded that this Site Plan must include Lot 17 and Lot 18. Lot 17 cannot be the only lot included in the Site Plan Review. The Site Plan approved on Lot 18 shall become null and void when any action is taken on the Site plan V-2 #65.17-1-17 and #65.17-1-18.

The Set Back approved by the ZBA was not included as a portion of the application for the January 28, 2009 meeting. The Chairman reviewed the application. Mr. Van Tassel stated that the

Area Variance referred to Article 158 Section 49.3 Subsection E. The application did not refer to a request for any set back, only to combining lots.

The Set Back was disapproved by the Calcium Fire Department. Chief Tim Newman explained he was given a copy of the Sketch Plan by another party. At this time he is not in favor due to many safety concerns. This proposed building would be three (3) stories high with only 10 foot clearance in the rear of the lot. Twenty foot is recommended by the Fire Department. The proposed structure is approximately 200 feet long with access from only one side. The Plan did not include elevations or construction materials. Mr. Newman would like to meet with Mr. Van Tassel to review all of the safety concerns.

The Chairman stated that no further action would be taken on the Site Plan until the Planning Board received notarized letters from all persons or firms who have equity on Lot 17.

Mr. Van Tassel was advised by a lawyer that the property could be sold to him even though it is under a land contract with the seller and another party. Mr. Van Tassel stated that the third party would not be in favor of signing any papers. Mr. Tontarski said he would refer this matter to the Town Lawyer.

The lot dimensions are lacking.

All DOT requirements need to be met.

The Hydraulic Analysis has been submitted. At the time of the meeting there has been no response.

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. He asked if the Board members would like a copy of the Infrastructure Agreements as well, the Board agrees that this matter can be left to the Town Board

Report of Community Development Coordinator

Mrs. Jenack is out on maternity leave and due to return on February 19, 2009.

Adjournment

A motion to adjourn the meeting at 9:10 was made by Mr. Cameron. This was seconded by Mr. Covell and passed with a vote of 7-0