

**LERAY PLANNING BOARD
MINUTES
September 4, 2008**

1. Open Regular Meeting

Board members in attendance: Chairman-Fred Tontarski, Al Cameron, David Champagne, Larry Covell, Jerry Hobbs, Clarke Oatman, Town Supervisor-Ron Taylor, Community Development Coordinator-Jessica Jenack, Zoning Enforcement Officer-Dean Russell, Town Engineer-Kris Dimmick, Administrative Clerk to the Supervisor-Steve Harter. Board member Sam Biondolillo was absent. Other people in attendance were: Walter VanTassel, Matt Morgia from Aubertine and Currier, Tim Titus from Aubertine and Currier, Colene McKenna, Don Converse, Anne Converse, Betty Jones, and Phyllis Murphy.

2. Pledge of Allegiance

3. Approval of Minutes from the Previous Meeting

The minutes from the August 7, 2008 Work Session were received and there were no modifications. A motion to accept the minutes was made by Mr. Cameron and seconded by Mr. Hobbs. This motion passed 6-0.

The minutes from the August 7, 2008 Regular meeting were received and there were no modifications. A motion to accept the minutes was made by Mr. Hobbs and seconded by Mr. Cameron. This motion passed 6-0.

4. Correspondence and Communication

There was no correspondence.

5. Unfinished Business

Lucky Lutz - Preliminary Review for Minor Subdivision - to subdivide a 1.6 acre parcel at the Southwest corner of tax parcel #65.05-1-40 located on US Route 11.

The Board previously requested that Mr. Lutz address the following items:

- If parcel 33 and 40 are covered under one deed how would acreage be transferred from parcel 33-40. The matter was resolved by a lot line adjustment.
- The stream needs to be added to the plat. This was taken care of. At this point all other surface water is dry due to beaver dams.
- The septic locations should be shown. This matter was resolved
- The mailing address should be shown. This matter was resolved.
- A note indicating the Zoning District should be added. This matter was resolved
- Check to see if the north arrow is actually pointing in the correct direction. Due to the location of the property the arrow may be pointing north.
- The deed is in Mr. Lutz's and his wife's name so the property transfer can be done by deed. This matter was resolved.

The Board conducted the Environmental Review.

A motion was made that the Board as Lead Agency conduct the Environmental Review for the Unlisted Action. This motion was made by Mr. Hobbs and seconded by Mr. Champagne. This motion passed with a vote of 6-0.

It was determined that that the proposed action would not result in any significant adverse environmental impacts.

A motion was made by Mr. Cameron to declare a negative declaration. This motion was seconded by Mr. Oatman and passed by a vote of 6-0.

A motion was made by Mr. Hobbs and seconded by Mr. Oatman to deem the Preliminary Subdivision Application complete. This motion passed 6-0.

A motion to set a Public Hearing for **October 2, 2008 at 7:15 pm** was made by Mr. Cameron and seconded by Mr. Hobbs. This motion passed 6-0

Anne Converse-Pena - Preliminary Review for Minor Subdivision - to subdivide a 2.755 acre parcel of land into two (2) lots, Lot1 = 1.837 acres and Lot 2 = 0.918 acres, located on Woodland Drive, Tax Parcel #74.16-2-7.3.

The Preliminary Plat was reviewed and discussed.

THEN:

The Chairman opened the Public Hearing.

With no comments from the floor, a motion to close the Public Hearing was made by Mr. Cameron and seconded by Mr. Champagne. This motion passed 6-0.

The Board reviewed the Preliminary Subdivision Plat.

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

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

Mr. Converse was informed that Mrs. Jenack would send an approval letter in the mail.

Children First Daycare and Learning Zone - Preliminary Site Plan Review - to establish a daycare facility for infants and school aged children with part of the building being used for the tutoring of school aged children, located on Maple Street, Tax Parcel #75.11-1-23.

1. Review and discuss the Preliminary Plat
 - The Board suggested that there be one way traffic in and one way out due to the size and location of the driveway. Two way traffic entering from two driveway entrances would lead to conflicting traffic movements. Especially with three parallel parking spaces in the parking lot adjacent to County Route 50. Mr. Morgia argued for two ways but the Board was adamant that

the traffic circulation be reviewed again. Mr. Dimmick commented on stacking issues during peak hour drop off times.

- The Board would like additional landscaping in the front of the building with potted planters per the Towns Design Guidelines. Due to the fact that the parking lot is all asphalt, a landscaped median would not be required.
- Shrubs or flowering plants are needed at the base of the sign. It was asked when they would need to be put in, the Board responded next year.
- Mrs. Jenack asked if the free standing sign on the building would be removed. The response was yes.
- They were asked by the Board what the hours of operation would be. The response was 6:00 am - 6:00 pm.
- The design and colors for the proposed sign need to be submitted.
- A floor plan of the building will need to be submitted before final approval will be given.
- Mr. Morgia asked if a Public Hearing could be set for October 2nd. The tenants are leasing the building and would like to start renovations as soon as possible. Mrs. Jenack responded that SEQR had not been completed, so the application could not be deemed as complete and then a Public Hearing set. Mr. Morgia insisted that the project was a Type II action and did not require review. Mrs. Jenack wanted to review the SEQR law before making that determination. Chairman Tontarski suggested setting a Public Hearing be set contingent upon it being a Type II action.
- Mr. Morgia was informed that the Site Plan would need to be reviewed by the County Planning Board at their September meeting. The deadline for submission is September 18th. The Board will need a revised Site Plan addressing the concerns discussed to be submitted. Mrs. Jenack would send a letter outlining the Boards requested changes.

A motion to set a Public Hearing for **October 2, 2008 at 7:25 pm.** was made by Mr. Hobbs and seconded by Mr. Cameron. This motion passed 5-1. Mr. Covell stated that the Board should determine what type of action to be taken on the SEQR before scheduling the hearing

6. **New Business**

There was no new business to discuss.

7. **Zoning Enforcement Officer**

Mr. Russell had issued a few permits and has answered a few complaints. He also attended the ZBA meeting and met with the Town Attorney.

8. **Report of Administrative Clerk to the Supervisor**

Mr. Harter provided the Board members with an updated Developer Financial Statement.

Mr. Harter reported that construction on the Carey well site would begin shortly.

Progress is being made on Water District 4.

The new sewer pump on Route 11 is still without gas and electricity.

LeRay Crossing will have a fall start on their infrastructure.

Eagle Ridge had requested to move ahead with approvals for Phase III and IV. They are in negotiation with the sewer cleanout for Phase II. They won't get their highway permit until the fall of 2008.

Jefferson Apartments is working on road infrastructure. Three developers are collaborating on one road system.

For the RCI project, additional funding was announced to build additional housing on Post.

9. Report of Community Development Coordinator

Mrs. Jenack reported on a meeting held with representatives from Eagle Ridge, Chairman Tontarski, Fish and Wildlife, the Army Corps of Engineers and herself. They will need to go before the ZBA for an Area Variance for the change in setbacks. Ontario Bays Initiative will own the 15 feet hedgerow. A letter of recommendation was sent to the ZBA by the Board recommending approval of the area variance.

The Subdivision Plat that was approved by the Planning Board needs to be revised per the County Clerks Office. The label commercial subdivision will be added to the plat. There is no indication at this time that Mr. Lake is selling his property for the Bat and Wetland Mitigation.

The Draft Comprehensive Plan is almost ready for review.

Mrs. Jenack urged the Board members to attend the Town Board meeting in support of the proposed setback changes.

The Board members made corrections to the Draft Zoning Laws based on comments from the Public Hearing held on August 14, 2008 (See Attached sheet)

A motion was made to recommend to the Town Board the new proposed set backs developed by Chairman Tontarski. This motion was made by Mr. Covell and seconded by Mr. Cameron. This motion passed 6-0.

A motion was made to recommend to the Town Board that Map #4 be used when rezoning the DD district. This motion was made by Mr. Hobbs and was seconded by Mr. Oatman. This motion passed 6-0.

10. Adjournment

A motion to adjourn the meeting at 9:30 p.m. was made by Mr. Cameron and seconded by Mr. Covell. This motion passed 6-0.