

Town of LeRay

Planning Board – Work Session

September 7, 2023

Call to Order

The September 7, 2023, Work Session portion of the LeRay Planning Board meeting took place in the Town of LeRay Conference Room. The meeting was called to order by Chairperson Biondolillo at 6:00 PM.

Roll Call

Board members in attendance: Deborah Biondolillo – Chairperson, Tom Moran – Member, Kerry Young – Member, Brian Jefferds – Member, William Albrecht – Member, Clarke Oatman – Member, Jessica Jenack – Community Development Coordinator, Morgan Melancon – Secretary to Planning and Zoning, and Lee Shimel – Zoning Enforcement Officer. Member Pat Collette was absent.

Acceptance of Work Session Minutes – August 3, 2023

The Work Session minutes from August 3, 2023, were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Young and seconded by Member Moran.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Albrecht:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					

Sketch Review of a 2-Lot Minor Subdivision Application for Thirty One Development, LLC, located at 26381/385 US Route 11, tax parcel #65.00-1-54.1.

Chairperson Biondolillo informed the Board that Robert and Janice Piatt had sold their property to PJ Simao, who was proposing to subdivide the Piatt's residence from the larger lot. Upon the successful completion of the subdivision, Mr. Simao would have a 200-foot stretch of road frontage along Anabel Avenue to establish a driveway. Notably, the location was situated directly opposite the entrance of the Precision Wash Carwash. In the eventuality that Mr. Simao decided to position the driveway further down Anabel Avenue, he would require an easement.

Chairperson Biondolillo said the current plan for the property involved the development of townhouses. Furthermore, Chairperson Biondolillo stated that as the project progressed, there would be additional considerations regarding environmental factors that Mr. Simao would need to promptly address. Chairperson Biondolillo said that, at the current stage of the project, the subdivision was relatively straightforward.

Sketch Review of a 2-Lot Minor Subdivision Application for Daniel and Suanne Slate, located at 26513 Alverson Road, tax parcel #44.00-3-30.23.

Chairperson Biondolillo informed the Board that the property in question had undergone subdivision back in 2018, resulting in the current three lots. Daniel and Suanne Slate were now seeking to subdivide the the rear lot further into two separate lots. Chairperson Biondolillo explained that the proposed subdivision would lead to the creation of four lots that would all share a common driveway. According to section 135-16 (A) of the Town of LeRay Municipal Code;

“Any driveway or right-of-way utilized as the principal means of access to a public street for more than three lots shall be considered a street and shall meet the requirements of a street pursuant to this chapter and chapter 158, Zoning.”

As a result, Mr. and Mrs. Slate proposed the establishment of a new driveway on Lot 1, while maintaining their 30-foot right-of-way. The shared driveway would then provide access solely to lots 2, 3A and 3B.

Chairperson Biondolillo discussed the necessity of a hammerhead turnaround at the end of the shared driveway by lot 3B. Mr. Shimel stated that he had spoken with Mr. Gracey who indicated that the incorporation of a turnaround would not pose any issues. Chairperson Biondolillo said the Plat Map would need to be revised and that Mr. Gracey was aware of the matter.

Sketch Review of a 2-Lot Minor Subdivision Application for Dylon Dusharm, located at 28487 Martin Road North, tax parcel #55.00-1-40.3.

Chairperson Biondolillo informed the Board that Bill Young owned the property, with Dylon Dusharm serving as the Authorized Representative for the project. Notably, a private easement traversed Bruce Johnson's property, providing access from Martin Road North to Mr. Young's property. Chairperson Biondolillo further explained that Mr. Young's intent was to subdivide the parcel and sell Lot 1, with the intended use designated for recreational purposes.

Chairperson Biondolillo said she had a discussion with Mr. Shimel and Mrs. Jenack concerning access to Lot 1 and it was agreed that granting access to the lot by utilizing the existing easement was not an option. Consequently, the decision was made to request the location of the driveway be placed off Elm Ridge Road. Chairperson Biondolillo noted that the proposed driveway access depicted on the Plat Map was subject to potential changes.

Additionally, Chairperson Biondolillo said Mrs. Jenack had identified that the property was located within a 100-year floodplain and Mrs. Jenack noted the presence of West Creek at the rear of the property. Lastly, Mrs. Jenack said a portion of the property would fall within the jurisdiction of the Village of Evans Mills.

Report from Planning Board Chairperson

Chairperson Biondolillo said Member Albrecht had previously raised a concern regarding the parking of Amish buggies behind the Aldis Supermarket. Member Albrecht observed that the buggies were parked within the drive aisle of the employee parking lot. He pointed out that the employees were not using the designated employee parking area at the back of the store, therefore Chairperson Biondolillo said that it would be feasible to request the installation of a hitching post in a location nearby that did not obstruct traffic flow.

Chairperson Biondolillo then reported that the Splash Pad Carwash had an electronic message board that frequently changed its content. She inquired if such a message board had received approval. Mr. Shimel said he was unsure if there was mention of one on the Sign Permit Application.

Chairperson Biondolillo inquired if a lit sign with a message had been approved for the Splash Pad carwash, to which Mrs. Jenack said she did not recall and asked Mr. Shimel if he had issued a Sign Permit. Mr. Shimel said a Sign Permit had been issued and that he did not recollect there being any mention of an electronic message on the application. Member Albrecht added that he had a video of the electronic sign, which demonstrated that the content changed at a rate of every 2 seconds. Mr. Shimel said the New York State Department of Transportation (NYSDOT) enforced an 8-second regulation for electronic message boards situated on state roads. He then said he would monitor the message board to confirm Member Albrecht's finding and notify them if any compliance issues arose.

Report from Community Development Coordinator

Mrs. Jenack announced that the Splash Pad Carwash ribbon cutting ceremony would be held the following Friday at 10:00 AM. Additionally, they would be providing free carwashes for the weekend.

Mrs. Jenack then reported that Champion Enterprises of Connecticut had a potential subdivision proposal off County Route 18. Chairperson Biondolillo clarified that the proposed subdivision was located at the same property

as a 2-Lot Subdivision the Board had approved in July. Furthermore, Chairperson Biondolillo said she would inform Mr. Gracey that the proposal would be better accomplished via a Lot Line Adjustment.

Mrs. Jenack then said the Town Board had set a Public Hearing for a six (6) month Moratorium on all Renewable Energy Facilities and Battery Energy Storage Systems townwide, and asked Mr. Shimel if he had received any further information on the matter. Mr. Shimel said he had spoken with a developer who said he would supply relevant information on the subject.

Mrs. Jenack said there had been no further information concerning the Auto Body project proposed by Tom Kennedy on Independence Way, nor from the the 15 Lot Major Subdivision proposed by Mr. Lundy off US Route 11.

Next, Mrs. Jenack reported on the Nickles Hauling proposal to build townhouses. She said Engineer Mike Lasell had been informed of changes that were needed for the project and that a meeting would be necessary to discuss the project further.

Mrs. Jenack reported that the proposed Site Plan Application from Wewer Holdings Corp, that was submitted in November of 2022, was back with a new engineer for the project. The proposed project was for office spaces, located on the corner of Route 11 and Waddingham Road. Mrs. Jenack stated that they were denied driveway access off Route 11 by the New York State Department of Transportation (NYSDOT) and were now proposing a driveway off Waddingham Road. A meeting would be necessary to discuss the revised Site Plan further and provide comments. Member Albrecht expressed concerns about the limited sight distance due to a nearby road curve, and Secretary Melancon mentioned the presence of an existing hidden driveway sign.

Mrs. Jenack informed the Board that the next Comprehensive Planning Committee meeting would be held on September 18, 2023. The committee had reviewed all chapters and were planning to have a public meeting, potentially in October, to gather input from the public.

Finally, Mrs. Jenack reported on Bill Jesmore's proposed 6-Lot Major Subdivision. Chairperson Biondolillo explained that Lot 2 of the project was intended to be merged by deed with Mr. Jesmore's house, and she planned to discuss the irregular shape of the remaining Lot 1 with Mr. Gracey.

Report from Zoning Enforcement Officer

Mr. Shimel stated that he had spoken with the District Manager of Wendy's regarding the unpermitted second dumpster which had since been enclosed. Additionally, he reported on a potential subdivision coming in from the Bob Mackaroy's stone house. He informed them that they would need to contact the NYSDOT to relocate the two poles that were serving as driveway markers because they were positioned within the Right of Way (ROW).

Mr. Shimel said he had addressed a Freedom of Information Law (FOIL) request concerning Spectrum and Donagan's property. The request sought information on any outstanding matters related to the properties.

He then reported that an individual had expressed interest in opening a convenience store and deli at the old Stewarts on Route 11. Mr. Shimel provided guidance to the requester regarding the necessary permitting process, emphasizing the need to obtain a permit from the New York State Department of Health (NYSDOH).

Mr. Shimel informed the Board that he had sent an email to Fort Drum Drives regarding their Site Plan. The email specifically addressed cars parked in front of the office, obstructing the fire lane, and included a reference to the screening.

Mr. Shimel said he had not heard anything from Mr. Valentine and commented that there was funding available for him from the Restore New York program.

Mr. Shimmel then reported that he had been working on the Road Use Agreement with Pivot Solar. He said he had suggested to Chairperson Biondolillo that the agreement's description should extend all the way to the South side of Chamberlain's property since the exact location of the driveway had not yet been determined.

Lastly, Member Young brought up an issue on Patricia Drive, where a nearby residence had been burning garbage. Mr. Shimmel stated that he had already taken action by sending a letter that addressed the violation, informing the residents that they would need to obtain a dump permit.

Adjournment

A motion to adjourn the work session at 6:27 PM was made by Member Young and seconded by Member Oatman.

The vote went as follows:					
Member Moran:	Yes	Member Jefferds:	Yes	Member Oatman:	Yes
Member Young:	Yes	Member Albrecht:	Yes	Chairperson Biondolillo:	Yes
The motion passed.					