

Town of LeRay

Planning Board – Work Session

June 6, 2024

Call to Order

The June 6, 2024 Work Session portion of the LeRay Planning Board meeting took place in the Town of LeRay Board Room. The meeting was called to order by Chairperson Biondolillo at 5:57 PM.

Roll Call

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

Acceptance of Work Session Minutes

The May 2, 2024 Work Session minutes were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Young and seconded by Member Jefferds. The vote went as follows:

Member Moran:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Albrecht:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Oatman:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent

The motion passed.

Public Hearing @ 6:30 PM for a 2-Lot Minor Subdivision Application for Kathleen Eisenhauer – proposal is to subdivide an existing 5.74-acre parcel into 2 lots: Lot 1 = 3.87 acres and the remaining Lot 2 = 1.87 acres, located at 23795 Woodland Drive, tax parcel #74.16-2-11.62.

Chairperson Biondolillo stated that the propane tank had been relocated. Additionally, she reiterated that Chapter 135-17 (G) of the zoning code ensured that the proposed access met the necessary requirement of the Town Code.

Review of Proposed Changes to Approved Site Plan for Wewer Holding – the Board will determine whether the proposed changes to the project would require a modification to the approved Site Plan. The changes include relocating two sidewalks, adding an awning, and slightly adjusting the sign location. Additionally, there are slight changes to the grading at the entrance due to the changes, located at 27375 US Route 11, tax parcel #65.09-1-15.21.

Chairperson Biondolillo reported that she had received updated Site and Architectural Plans from Mr. Cervini, outlining proposed changes to the project. Mr. Altieri reviewed the proposed grading changes and found no issues. The Board reviewed the conceptual Site Plan with the proposed amendments and

compared them against the previously approved Site Plan. Notable changes included the addition of an awning, the relocation of two sidewalks, adjustments to the sign location, modifications to the entrance grading, and a swap of a door and a window which the Board considered as numerous changes to the previously approved Site Plan. The Board determined that the project would require a Site Plan Modification. The modification would ensure that the final approved documents on file accurately reflect the current plan.

Discussion of Pivot Solar’s Intent to Seek Relief from the Solar Moratorium, if granted, they will then seek an extension on their previously approved project set to expire on July 13, 2024, located at 28747 Martin Road North, tax parcel #55.00-1-42.2.

Chairperson Biondolillo reported that Pivot Solar was addressing outstanding issues, including finalizing the Road Maintenance Agreement, completing the final utility design at the project’s Point of Interconnection with National Grid, and awaiting a decision from the United States Army Corps of Engineers (USACE) on their Joint Application for Permit.

Pivot Solar had submitted a letter seeking relief from the Town Board, which would enable them to request a Site Plan and Special Use Permit approval extension from the Planning Board. An extension would be necessary in order to continue work on finalizing the items mentioned and begin project construction.

Update on the Calcium Fire Department Project, located at 24882 Stalder Rd, tax parcel #74.12-1-19.

Chairperson Biondolillo informed the Board that she had received an email from Tim Titus concerning the Calcium Fire Department project. A pre-submittal meeting was being arranged. She requested that a member of the Planning Board join her for the meeting, as Mrs. Jenack would be unavailable.

The Fire Department would also discuss the potential abandonment of Stadler Road to use as their primary access to US Route 11. The Town Board had initially opposed this idea when it was presented in the original plans.

Mr. Shimel said the project would require an Area Variance, as the Town Code required fifteen (15) acres for such developments, while the project possessed only three (3). He noted that they were considering the acquisition of adjacent land, which would reduce the extent of the variance required.

Discussion on Renewable Energy Facilities and Battery Energy Storage Systems.

Chairperson Biondolillo stated the Solar Moratorium would expire soon and she was unsure if the Town Board would vote to extend the moratorium again or not. She stated that she wanted to send a recommendation from the Planning Board to the Town Board explaining that without more substantial guidance from New York State on battery storage, the Planning Board cannot move forward to say that our code, as drafted, would protect the health, safety and welfare of the residents of the Town of LeRay.

Report from the Zoning Enforcement Officer

Mr. Shimel reported that the Board of Assessment and Review convened for Grievance Day on May 30, 2024. He noted that there had been two requests for the installation of electric vehicle charging stations. In compliance efforts, enforcement letters had been dispatched to properties found in violation of their approved Site Plans. Fort Drum Drives had a violation for screening and had already responded to the notice. They anticipated rectifying the situation within the next couple of weeks. Another letter was sent to a business on US Route 11, which lacked sufficient acreage and road frontage, with a directive to resolve the violations by June 15, 2024. Additionally, an issue at Freedom Plaza concerning unenclosed dumpsters was being addressed.

Mr. Shimel said the DG Solar Project on US Route 11 was seeking renewal of their Zoning Permit. Additionally, the new Hunting Ridge Solar project on Route 3 would require a Special Use Permit, Site Plan approval, and a Zoning Permit.

Report from the Planning Board Chairperson

Chairperson Biondolillo said the June meeting for the Comprehensive Planning Committee was canceled, with the committee scheduled to reconvene in July.

Adjournment

A motion to adjourn the work session at 6:23 PM was made by Member Young and seconded by Member Oatman. The vote went as follows:

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|--------------------------|---|-----------------------------|----------------------------------|---------------------------------|
| Member Moran: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| Member Young: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| Member Jefferds: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| Member Albrecht: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| Member Collette: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| Member Oatman: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |
| Chairperson Biondolillo: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Absent |

The motion passed.