

Town of LeRay

Planning Board - Minutes

August 1, 2024

Call to Order

On August 1, 2024, the LeRay Planning Board held their regular monthly meeting in the Conference Room of the Town of LeRay Municipal Building. The meeting was called to order at 6:31 PM by Chairperson Biondolillo who led the room in the Pledge of Allegiance.

Open Regular Meeting

In attendance: Deborah Biondolillo – Chairperson, Brian Jefferds – Member, Patrick Collette – Member, William Albrecht – Member, Thomas Moran – Member, Kerry Young – Member, Lee Shimel – Zoning Enforcement Officer, Jessica Jenack via telephone – Community Development Coordinator, Morgan Melancon – Secretary to Planning and Zoning, and Leland Carpenter – Town Supervisor. Additionally, Barbara Dalton, Haylie Hardy, Frank Sciortino, Mikel Johnson, Nolan Kokkoris, Felix Velazquez, Ellis Linfernal, Jack McIlroy, and Toni Paris were in attendance.

Acceptance of Minutes

The minutes from the regular meeting on July 11, 2024, were reviewed by the Board members and a motion to accept the minutes as drafted was made by Member Jefferds and seconded by Member Collette. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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.

Correspondence and Communication

Chairperson Biondolillo asked if there was anyone who was not on the agenda that wished to address the Board. There was no response.

Chairperson Biondolillo stated that Brandi Osorio of 26618 Keyser Road and Cory Elder of 26658 Keyser Road, had provided written statements for the Public Hearing concerning the 2 Lot Subdivision for Justin Davis, located along Keyser Road, tax parcel #54.00-3-7.323. These letters would be received into the record upon opening the Public Hearing.

Public Hearing @ 6:30 PM for a 5-Lot Major Subdivision Application for Felix Velazquez – proposal is to subdivide an existing 15.45-acre parcel into 5 lots: Lot 1 = 1.90 acres, Lot 2 = 1.02 acres, Lot 3 = 1.01 acres, Lot 4 = 0.82 acres, and the remaining Lot 5 = 9.85 acres, located at 27662 US Route 11, tax parcel #65.09-1-2.

Chairperson Biondolillo asked the Board to review the Preliminary Subdivision Plat for Felix Velazquez. Mr. Velazquez was in attendance as the representative and gave a brief presentation.

Chairperson Biondolillo opened the Public Hearing at 6:37 PM and Secretary Melancon read the hearing notice as published in the Watertown Daily Times on July 25, 2024. Chairperson Biondolillo asked if there were any comments from the audience. Hearing none, a motion was made by Member Young and seconded by Member Moran to close the Public Hearing at 6:38 PM. The vote went as follows:

Member Jefferds: Yes No Abstain Absent
Member Collette: Yes No Abstain Absent
Member Albrecht: Yes No Abstain Absent
Member Moran: Yes No Abstain Absent
Member Young: Yes No Abstain Absent
Member Oatman: Yes No Abstain Absent
Chairperson Biondolillo: Yes No Abstain Absent

The motion passed. A motion was made by Member Albrecht and seconded by Member Collette to review and discuss the Preliminary Subdivision Plat. The vote went as follows:

Member Jefferds: Yes No Abstain Absent
Member Collette: Yes No Abstain Absent
Member Albrecht: Yes No Abstain Absent
Member Moran: Yes No Abstain Absent
Member Young: Yes No Abstain Absent
Member Oatman: Yes No Abstain Absent
Chairperson Biondolillo: Yes No Abstain Absent

The motion passed. Chairperson Biondolillo asked if the Board had any other comments or questions regarding the Minor Subdivision, to which the Board had none.

The plat met all the requirements with no additional changes; therefore, a motion was made by Member Jefferds and seconded by Member Moran to approve the Preliminary Subdivision Plat. The vote went as follows:

Member Jefferds: Yes No Abstain Absent
Member Collette: Yes No Abstain Absent
Member Albrecht: Yes No Abstain Absent
Member Moran: Yes No Abstain Absent
Member Young: Yes No Abstain Absent
Member Oatman: Yes No Abstain Absent
Chairperson Biondolillo: Yes No Abstain Absent

The motion passed. A motion was made by Member Moran and seconded by Member Collette to review the Final Subdivision Plat. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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. Since there were no changes to the Final Subdivision Plat, a motion was made by Member Jefferds and seconded by Member Albrecht to approve the Final Subdivision Plat. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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. Chairperson Biondolillo informed Mr. Velazquez that he would need to apply for a New York State Department of Transportation (NYSDOT) Driveway Permit and Sewer/Water Easements from the Town prior to any construction. Additionally, he would receive an approval letter in the mail outlining the Boards decision.

Public Hearing @ 6:30 PM for a 2-Lot Minor Subdivision Application for Justin Davis – proposal is to subdivide an existing 4.14-acre parcel into 2 lots: Lot 1 = 2.07 acres, and the remaining Lot 2 = 2.07 acres, located along Keyser Road, tax parcel #54.00-3-7.323.

Chairperson Biondolillo asked the Board to review the Revised Preliminary Subdivision Plat for Justin Davis. Mike Johnson was in attendance as the representative and gave a brief presentation.

Chairperson Biondolillo opened the Public Hearing at 6:44 PM and Secretary Melancon read the public hearing notice as published in the Watertown Daily Times on July 25, 2024. Chairperson Biondolillo asked if there were any comments from the audience. Hearing no verbal comments, Chairperson Biondolillo said written statements had been submitted as part of the public comments for the public hearing. The written statements are attached as Appendices A and B to these minutes.

Chairperson Biondolillo noted that, according to section 135-6 (C) of the Town Code, the Board has 62 days from the Public Hearing to make a decision on the plat map – either to approve, modify and approve, or disapprove the preliminary plat.

A motion was made by Member Young and seconded by Member Albrecht to close the Public Hearing at 6:48 PM. The vote went as follows:

Member Jefferds: Yes No Abstain Absent
 Member Collette: Yes No Abstain Absent
 Member Albrecht: Yes No Abstain Absent
 Member Moran: Yes No Abstain Absent
 Member Young: Yes No Abstain Absent
 Member Oatman: Yes No Abstain Absent
 Chairperson Biondolillo: Yes No Abstain Absent

While the Board expressed willingness to mitigate issues within their capability, the responsibility for reviewing flooding concerns would ultimately rest with the Town and the Town’s Engineer. The Board agreed that since Mr. Davis was not present to provide comments, they would defer their final decision to the September 5, 2024 meeting.

A letter would be sent to Mr. Davis outlining the additional information the Board would need before a decision could be made. The Board requested that Mr. Davis provide:

- A letter outlining proposed potential solutions to the flooding concerns raised by the neighbors.
- Revisions to the Plat Map to include contour lines and a note indicating there are known flooding concerns as documented on-site.
- Construction Plans, including the approximate footprints of the homes and their location, the size and location of the driveways, and, if possible, the approximate location of the proposed wells and septic systems.
- Confirmation that if more than one acre of land was disturbed, a Stormwater Pollution Prevention Plan (SWPPP) would be required and reviewed by the Town Engineer, Mr. Altieri.

Sketch Review for a 2-Lot Minor Subdivision Application for Scott Dalton – proposal is to subdivide an existing 5.88-acre parcel into 2 lots: Lot 1 = 2.02 acres, and the remaining Lot 2 = 3.86 acres, located at 29015 Simonet Road, tax parcel #55.00-1-34.1.

Chairperson Biondolillo asked the Board to review the Sketch Subdivision Plat for Scott Dalton. Mrs. Dalton was in attendance as the representative and gave a brief presentation. Chairperson Biondolillo mentioned the Boards concerns regarding how close the milk house was to the existing stone driveway and asked if it would stay there. Mrs. Dalton stated there were no plans to move it.

Chairperson Biondolillo stated that Mr. Shimel had visited the property and there were multiple structures that were considered unsafe buildings per the Town Code. Mrs. Dalton explained that the unsafe structures on proposed lot 1 were already being removed, and they had plans to start on the buildings on proposed lot 2 shortly. Chairperson Biondolillo explained that due to the time constraints for the unsafe building protocols, she may receive a letter from Mr. Shimel if the buildings were not removed in a timely manner.

Lastly, Chairperson Biondolillo noted that if lot 2 was ever developed for residential use, the owner would be required to add a separate well and septic for that lot.

Chairperson Biondolillo asked the Board if they had any other comments or questions. The Board had none.

The Board determined that the Plat Map met all the requirements for Preliminary Review. Mrs. Jenack had prepared Part 2 of the Short Environmental Assessment Form for the Boards review. A motion was made by Member Collette and seconded by Member Albrecht to act as Lead Agency to conduct the environmental review for the Unlisted Action. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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. Based on a review of the information and analysis, the Board determined that the proposed action would not result in any significant adverse environmental impacts. A motion to declare a Negative Declaration was made by Member Jefferds and seconded by Member Albrecht. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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. The Board determined that the Preliminary Subdivision Application was complete. A motion was made by Member Moran and seconded by Member Young to deem the Preliminary Subdivision Application as complete. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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. A motion to set a Public Hearing for the September 5, 2024 meeting at 6:30 PM was made by Member Young and seconded by Member Moran. The vote went as follows:

Member Jefferds:	<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 Albrecht: Yes No Abstain Absent
 Member Moran: Yes No Abstain Absent
 Member Young: Yes No Abstain Absent
 Member Oatman: Yes No Abstain Absent
 Chairperson Biondolillo: Yes No Abstain Absent

The motion passed. Chairperson Biondolillo informed Mrs. Dalton that she would receive a letter in the mail outlining the upcoming Public Hearing details.

Review of a Site Plan Modification Application for the National Grid Indian River Substation – proposal is to expand the existing Indian River substation with installation of additional fencing, additional breakers, lighting, and two A-frame structures to connect to new 115 kV transmission lines that will be constructed as a part of the North Watertown – Indian River 115 kV #12 Line Transmission Project, located at 28288 Rogers Road, tax parcel #65.05-1-31.2.

Chairperson Biondolillo asked the Board to review the Site Plan Modification for the National Grid Indian River Substation. Frank Kokkoris was in attendance as the representative and gave a brief presentation, providing the Board with a presentation packet outlining the project specifics. Chairperson Biondolillo inquired about the intended use of the expanded area. Mr. Kokkoris explained that it was allocated for additional equipment, specifically mentioning that a battery cabinet, designed to power the substation continuously for 24 hours, would be installed within the 14-foot fence expansion area. It was noted that the batteries would not be lithium. Member Moran asked whether the project would involve installing additional transformers. Mr. Kokkoris stated that they would not, clarifying that the expansion's primary goal was to enhance outage protection for the towns of LeRay, Black River, and Pamela. The fence surrounding the expansion would stand at nine feet tall.

Supervisor Carpenter asked if there would be any security cameras. Mr. Kokkoris confirmed that there would be. Chairperson Biondolillo asked that they provide emergency contact information or a Knox Box for the Fire Department, in case of an emergency.

Chairperson Biondolillo stated that both the environmental review and the Negative Declaration had been previously issued and asked the Board if, upon the review of the application, they had any comments. The Board had none.

Chairperson Biondolillo said under section 158-145 of the General Municipal Law, the Planning Board could waive certain application or procedural requirements in consideration of the objectives in the section. The Board must determine whether the modification would result in potential significant impacts upon the following:

- | | |
|---|---|
| a. traffic generation | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| b. water consumption | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| c. adversely affect pedestrian and traffic circulation | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| d. eliminate or adversely affect parking | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| e. necessitate the review of exterior facades | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| f. other potential adverse effects to public health, safety, or welfare | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| g. would otherwise meet existing requirements and standards as contained in the Zoning Code | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

Chairperson Biondolillo stated that the modification would not have significant impacts and asked the Board if they had any further comments or questions. The Board had none.

A motion to waive the Site Plan review requirements for a Public Hearing and submittal for a 239-L and M review by the County was made by Member Moran and seconded by Member Albrecht. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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. A motion to grant approval for the Modified Site Plan was made by Member Jefferds and seconded by Member Young. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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. Chairperson Biondolillo informed him that he would receive an approval letter in the mail.

Report from the Zoning Enforcement Officer

Mr. Shimel said there were concerns regarding SWPPP compliance for the Wewer Project. A letter concerning the violations would be sent out. As part of the Municipal Separate Storm Sewer Systems (MS4) program, the Town was responsible for ensuring compliance with the stormwater regulations. Chairperson Biondolillo said she had received a message from the contactor earlier that day and was attempting to reestablish contact. Additionally, it was noted that the fuel tank on-site had no containment area around it.

Mr. Shimel reported that Buffalo Wild Wings had submitted a Change of Tenant application for a new drive-through at White Pines Plaza. The introduction of the drive-through raised concerns about parking at the location. Additionally, there were concerns regarding the grease trap at the site that would be forwarded to the Town Engineer, Mr. Altieri.

Mr. Shimel was able to locate the lease line area for Fort Drum Drives. The site was 1.43 acres, permitting a total of 72 vehicles, with 50 vehicles permitted per acre. Currently, there were approximately 48 vehicles on site and landscaping efforts were underway. Mrs. Jenack stated that only five (5) vehicles were permitted

to be displayed along US Route 11 per the approved Site Plan, and the Board then deliberated the requirements per the code and discussed the setback distances for the display parking.

Mr. Shimel reported on the progress of lots subdivided earlier in the year by Frank Gerlack. The lots had been sold to the Glick's. Zoning Permit Applications for lots 1, 2, and 3 were submitted, along with applications for driveway permits. It was noted that applications for water and sewer services would need to be filed with the Town Clerk. Additionally, maintenance responsibilities for the shared access driveway, which provided access to lot 4 and the Calcium wellhead site, were discussed. It was determined that maintenance, snowplowing and improvement costs would be shared equally among the owners of the current lots and any future lots benefiting from the use of the right of way.

Mr. Shimel stated that another inquiry had been made regarding the installation of an EV charging station. He also noted that a building deemed unsafe had not been demolished the previous week as scheduled, although the owner had been in contact regarding the matter.

Regarding NextEra's project, Mr. Shimel informed the Board that NextEra's Site Plan extension had expired. He advised that if they wished to proceed, they would need to reapply for Site Plan approval.

Lastly, Mr. Shimel shared information about a funding opportunity from the County Planning Department, which had secured \$400,000 for septic replacement under the Environmental Facilities Corporation (EFC) part. The program offers a 50% reimbursement for expenses, capped at \$10,000.

Report from the Community Development Coordinator

Mrs. Jenack said there was an MS4 meeting scheduled for September 19, 2024.

Report from the Planning Board Chairperson

Chairperson Biondolillo stated that Mr. Glick had reached out regarding tree clearing for parcel numbers 74.12-1-47.8, 74.12-47.7, and 74.12-1-47.6. Mrs. Jenack had contacted the New York State Department of Environmental Conservation (NYSDEC) regarding federally and state-protected bats in the area, and they were awaiting further guidance. Communication would be extended to Mr. Glick once more information was available. Concerning the 7-Eleven store on US Route 11, bollards were installed without a prior Site Plan Modification, due to an oversight. A formal application for modification was expected soon.

Mr. KoKinda had submitted a formal letter for a Zone Change application to allow solar use on his property, changing from Mixed-Use (MU) to Agricultural Residential (AR) District. The matter, currently being handled by Town Attorney Mr. Burrows, was anticipated to be referred to the Planning Board soon. The full environmental impacts for the change to an AR District would be assessed through a Full Environmental Assessment Form (FEAF).

The Valley Veterinary Clinic was proposing an addition to their parking and to the building on the side adjacent to property owned by Wayne Robbe. Mr. Robbe was considering a Lot Line Adjustment due to the Clinic's septic system encroaching on his land.

Lastly, Chairperson Biondolillo expressed her gratitude to Member Albrecht for his dedicated service to the Town, noting that this meeting marked his final session as a Board Member.

Adjournment

A motion was made by Member Jefferds and seconded by Member Albrecht to adjourn the meeting at 7:42 PM. The vote went as follows:

Member Jefferds:	<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 Albrecht:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
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 Oatman:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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.

APENDDICE A

Morgan Melancon

From: Brandi Hearn <[REDACTED]>
Sent: Tuesday, July 30, 2024 8:00 PM
To: Morgan Melancon; Jessica Jenack
Subject: Public hearing written statement for parcel #54.00-3-7.323

Hello here is my, Brandi Osorio of 26618 Keyser rd, written statement for the public hearing for lot minor subdivision application for Justin Davis.

Written statement starts:

Brandi Osorio
26618 Keyser rd evans mills ny 13637

Moving into our house in December 2022, we soon realized that our neighbor's adjacent lots were plagued by water-related issues. His land resembled a frozen lake after the snow melted, and as spring brought rain, it became evident that our plots, including his, were situated on what could be described as a swamp or low watershed. Until June 2024, we remained fortunate, as the water did not directly impact us. However, that changed when our basement flooded for the first time in June 2024, followed by another flood in July 2024.

The geography of these lots, lower than the surrounding land, leads to poor runoff management, resulting in flooding. We have been subject to flooding even while we sit a significant amount up grade from the plot of land in question. While I won't speak to my neighbor's experience, I share a similar plight. Thousands of dollars were spent on drainage solutions to mitigate the severe issues caused by water runoff. Yet, the decision to divide this lot, despite its known condition and geography, seems morally questionable unless extreme precautions are taken by the building contractor. It would knowingly subject potential buyers to similar hardships, potentially constituting negligence on the part of the contractors. In addition, adding an additional two more homes in this plot of land would drastically affect the natural flow of water leading to additional issues for the surrounding interest.

My moral obligation compels me to advocate for those who might face the same challenges. I don't want new neighbors to suffer needlessly. Thus, I cannot support dividing this property, potentially burdening two families and impacting the community negatively. How does one maintain integrity while telling a new neighbor, "I watched you purchase this house, knowing it would flood"? It's a delicate balance, but perhaps honesty, empathy, and a shared commitment to finding solutions can guide us through this ethical dilemma.

With all the stated information I do stand by my notion to not support the division of this property.

Written statement ends.

Thank you for your diligence in these proceedings.

I will also print this statement tomorrow July 31, 2024 and bring it in written.

APENDDICE B

My name is Cory Elder, and I reside at 26658 Keyser Road, Evans Mills, NY 13637. I am the owner of the property directly to the east of the proposed subdivision by Justin Davis on Keyser Road. I am writing to express my strong opposition to the division of this property into two lots for several reasons.

Firstly, the area in question is notably wet. During the rainy season or periods of snowmelt, there is a substantial and consistent flow of water moving from west to east across the land. This heavy flow can be observed in the attached photographs. The natural depression through which this water flows is aligned with the backyard of the westernmost property and my property on the eastern side.

The significant amount of groundwater emanating from this property has already caused considerable damage to my land. My driveway has been washed out, necessitating the installation of a larger culvert. Additionally, I had to invest \$8,000 in yard regrading and a drainage system. The excessive water flow also contributed to the failure of an inadequate septic system, which ultimately cost me \$14,000 to replace.

Given that my land is at a lower elevation than the proposed subdivision, any alterations to the topography of that land would exacerbate water issues on my property. The natural water flow would be disrupted, potentially creating a new runoff path that could severely affect my property and the structural integrity of my home. The current landowner is fully aware of these water issues, as he was both the previous landowner and the contractor responsible for developing my property.

If the town approves the division of this land, it would be knowingly permitting two future residents to purchase homes in an area with well-documented water issues. Should the land be elevated to address these issues, the increased water flow onto my property would cause further damage to my land and residence.

I urge the town to consider these significant concerns and the potential impact on my property before deciding on this matter.

Sincerely,

Cory Elder



26658 Keyser Road

Evans Mills, NY 13637



STATE/Commonwealth of New York
CITY/COUNTY OF Jefferson
SWORN TO AND SUBSCRIBED TO BEFORE
ME THIS 31 DAY OF July, 2024
Donna Fercken
NOTARY PUBLIC REGISTRATION# 01FE6360555
MY COMMISSION EXPIRES June 19, 2025

