

Town of LeRay

Planning Board – Work Session

April 4, 2024

Call to Order

The April 4, 2024 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

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

Acceptance of Work Session Minutes

The March 7, 2024 Work Session minutes were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Albrecht and seconded by Member Jefferds. The vote went as follows:

Member Moran:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Young:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" 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 type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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 for a 4-Lot Minor Subdivision Application for Michael Wendt – proposal is to subdivide an existing 10.86-acre parcel into 4 lots: Lot 1A = 1.47 acres, Lot 1B = 1.14 acres, Lot 1C = 4.71 acres, and the remaining Lot 4 = 3.54 acres, located at 32466/32478 County Route 18, tax parcel #45.00-3-7.3.

Chairperson Biondolillo stated that a portion of the driveway was not situated within the right-of-way and would be relocated. Additionally, the driveway would be modified to a dead-end format, preventing it from looping around. Lots 1A and 1B were depicted as sharing a well, with a note indicating the requirement for separate wells should the lots be used for residential purposes. She stated that all requested additions and corrections to the Plat Map had been addressed.

Sketch Review of a Site Plan Modification Application for Evergreen Self Storage – proposal is to add an additional 30' X 200' storage unit, located at 26085 NY Route 283, tax parcel #74.16-2-2.1.

Chairperson Biondolillo said there was a 100-foot wide National Grid Transmission Line Easement that went across the front of the property. As the required screening fell within the easement boundaries, the

company had the right to dig up the screening vegetation at any time if work was to be done within the easement area. She said the Board must consider whether to waive the screening requirement given the circumstances.

The Plat Map showed the planned construction of storage building number 6, along with the proposed addition of storage building number 7. The layout had been adjusted to ensure the stone limits were set back sufficiently to accommodate both buildings, with the vehicle storage area located behind them. The lighting would be provided at the rear of the buildings, which would adequately illuminate the vehicle storage area.

Sketch Review of a Site Plan Modification Application for DG LeRay Solar – proposal is to update the Site Plan to correct a discrepancy found in the original survey. The approved Site Plan depicts a 160-foot setback, but when resurveyed the actual setback was 145 feet, which does not meet the Town’s setback requirements and will be adjusted to the required 160 feet, located at 28983 US Route 11, tax parcel #55.00-1-39.

Mr. Shimel had suggested the realignment of the panels in order to meet the setback requirements, which would avoid the need for an Area Variance. Chairperson Biondolillo stated that no other changes were made other than the layout of the panels within the boundaries of the fencing.

Review of Approved Condition set forth on June 1, 2006 for a Minor Subdivision Application for Stephen Converse – John Murtha and Pamela Beyor-Murtha are requesting the condition be terminated and removed from the official Planning Board records to allow the use of the property for residential purposes, located along LaFave Road, tax parcel #75.00-1-38.2 and tax parcel #75.00-1-38.12.

Chairperson Biondolillo reviewed the Jefferson County Geographic Information System (GIS) map with the Planning Board. She explained that in 2006, Stephen Converse has subdivided parcel #75.00-1-38 into two lots; Lot 1 now listed as parcel #75.00-1-38.2, and the remaining Lot 2 now listed as parcel #75.00-1-38.12.

A condition had been attached to the 2006 subdivision's approval, stating that the “use of the 1.5 acres parcel, shown as Lot 1 on this map, as a residential lot is strictly prohibited.” Subsequently, parcel #75.00-1-38.2 received Site Plan approval for a sugar processing facility named Pete’s Sweets, which ultimately was not developed. A letter was received from Merrell and Merrell Attorneys and Counselors at Law, representing John Murtha and Pamela Beyor-Murtha, the current owners of parcel #75.00-1-38.2. The Murtha’s were considering selling the property, and the prospective buyer was interested in developing it for residential use. The attorney requested the removal of the subdivision approval condition from the Planning Board’s official records to enable residential development on the site.

Member Albrecht inquired about the existence of a deed restriction related to this condition. Chairperson Biondolillo confirmed such a restriction, noting the attorney’s plan to draft a Termination of Restrictions for the deed to formally lift the restriction.

Report from the Zoning Enforcement Officer

Mr. Shimel updated the Board on the progress of the Remedy of Violation for the property located along US Route 11. The owner had been notified that the removal of the discarded vehicles and debris on the property could be done in multiple phases, with the removal of all unlicensed vehicles and trailers from the property being phase one. Mr. Shimel stated that phase two of the process was now underway, which was the removal of all recyclable debris. The owner was given till April 10, 2024 to complete this phase of the cleanup.

Mr. Shimel stated that he had received three separate phone calls from residents on Martin Road North and US Route 11. Each resident expressed interest in uses currently not permitted within their Mixed-Use district. He recommended that if they were interested in pursuing such uses, they might consider collaborating to submit a Zone Change Application. Mr. Shimel stated that he had also received a phone call regarding parking bollards for 7-Eleven, Inc, located along US Route 11. After speaking with Chairperson Biondolillo, it was concluded that they would be required to submit for a Site Plan Modification application.

An update was given regarding the improvements for the former Whites Quality Meats store located along US Route 3. Mr. Shimel stated the front of the building had been cleaned up. Mr. Burnham is in an agreement with Valero regarding the installation of fuel pumps, and he was still working with the bank. Mr. Shimel stated that he had spoken to the Chief of the Black River Fire Department, Matt Carpenter, regarding his concerns over the fire lane, and asked him to send correspondence regarding its condition and access. The email that was received from Mr. Carpenter was forwarded to Mr. Burnham.

Mr. Shimel informed the Board that the Wewer project, located on the corner of US Route 11 and Waddingham Road, had started construction without securing a Stormwater Permit from the New York State Department of Environmental Conservation (NYSDEC). Consequently, the project was issued a violation.

Lastly, Mr. Shimel reported that all violations at Laundry 24 were resolved, and the Karate School, located along US Route 3, was now open.

Adjournment

A motion to adjourn the work session at 6:26 PM was made by Member Collette and seconded by Member Albrecht. 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 type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" 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.