

### Call to Order

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The November 2, 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 5:58 PM.

### Roll Call

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Board members in attendance: Deborah Biondolillo – Chairperson, Tom Moran – Member, Kerry Young – Member, Brian Jefferds – Member, Pat Collette – 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.

### Acceptance of Work Session Minutes – October 5, 2023

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The Work Session minutes from October 5, 2023, were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Young 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 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 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 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.

**Review of a Site Plan Modification Application for Splash Pad Car Wash, located at 26424 Johnson Road, tax parcel #64.20-1-35.**

Chairperson Biondolillo informed the Board that the project representative, Jamie Bracy from Kassiss Superior Signs, would be joining the upcoming regular meeting via teleconference.

Chairperson Biondolillo explained that she and Mr. Shimel had reviewed the timeline of events that led to the incorrect sign being built. She noted that Mr. Shimel had requested an updated sign permit application in February, which had not been provided. Chairperson Biondolillo requested that Splash Pad Carwash go through the Site Plan Modification process in addition to filing for a new sign permit. She said that KO Storage would be required to do the same regarding their sign.

Chairperson Biondolillo said the updated sign cut sheets had been provided. They showed two (2) LED displays and the updated dimensions for the sign. There was no mention of an “Electronic Message Center.” She stated that, going forward, Mr. Shimel and herself would review future sign proposals more closely and ask if the sign would be an electronic message center. Chairperson Biondolillo stated that an approved sign

cut sheet, or a comparable approved sign rendering, would be attached to the sign permit, and that any modification to an existing signs footprint other than what was in the existing frame, would require a Site Plan Modification.

Mr. Shimel noted that Mr. Bracy might mention the dwell time for the sign during the following, regular meeting. Chairperson Biondolillo said she had informed Mr. Bracy of her intention to research the dwell times and that all signs would adhere to the one-hour dwell time standard while the Municipal Code was under review. Chairperson Biondolillo said she would conduct thorough research on the matter and proposed the possibility of consulting a representative from a sign company, given the complexity of modern electronic signs.

Mr. Shimel informed the Board that the sign for Splash Pad Carwash was currently off due to an electrical malfunction. Chairperson Biondolillo asked Mr. Shimel if he had heard anything back from KO Storage. Mr. Shimel stated that he had sent a follow-up email earlier that day and was informed that the woman he needed to speak with would return to the office on the following Monday. Member Albrecht said he noticed KO Storage's sign was still on. Mr. Shimel said he had advised them that a Site Plan Modification was necessary.

Chairperson Biondolillo asked the Board if they felt the project should be submitted to the County Planning Board for their review before approval. Member Moran asked what her thoughts were on the matter. Chairperson Biondolillo said she felt that submission to the County Planning Board was unnecessary, given that the sole purpose of the Site Plan Modification was to update the files to reflect what was actually there. The Board agreed that it would be unnecessary.

### **Report from Planning Board Chairperson**

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Chairperson Biondolillo informed the Board that she hoped to resume discussions of the short-term rentals after the beginning of the new year. She stated the Mr. Shimel had provided a draft copy of the Town of Alexandria's short-term rental laws for review.

### **Report from Zoning Enforcement Officer**

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Mr. Shimel reported that the Zoning Board of Appeals (ZBA) held a meeting the night before. They had discussed an Area Variance application for Wewer Holding Corp on the corner of Waddingham Road and US Route 11. He stated that in a Mixed-Use (MU) District, the minimum front-yard setback was 20 feet, and the maximum was 100 feet from the right-of-way. The applicants were requesting a variance for a front-yard setback of 115 feet on Waddingham Road and a front-yard setback of 49 feet 9 inches on US Route 11. The setbacks were being requested to facilitate the implementation of Storm Water Prevention measures.

Mr. Shimel said he had sent emails to those who had not yet responded to his notice of violations, which included KO Storage. Additionally, he had responded to a Freedom of Information request for DG Solar on US Route 11, informing the recipient that the project had yet to start.

Next, Mr. Shimel said the old Crossman garage on the corner of Woodland Drive and US Route 283 had sold. The new owner was working on preparing a new updated Site Plan. On Monday, November 6, 2023, Mr. Shimel stated that he would attend a meeting with the engineer working on the development of the old Stewarts on US Route 11. He informed the Board that the tanks had been removed and there were possible plans to remove the canopy as well. Member Moran asked what their plans were for the site to which Mr. Shimel said they intended to establish a convenience store and a deli there.

Next, Mr. Shimel reported on the Nickels Hauling townhouse project. He informed the Board that they were successful in merging the three (3) parcels they had previously subdivided back into one parcel. Chairperson Biondolillo said they were hoping to be on the agenda for December 6, 2023 Planning Board meeting and reminded the Board that the submittal deadline had been moved from November 24, 2023 to November 20, 2023 due to the holiday.

Lastly, Mr. Shimel reported that he would need to follow up with Mr. Burnham on the accumulation of items in front of the building. He informed the Board that the Black River Fire Department Chief had said he was satisfied with the state of the fire lane and their access to it.

## **Report from Community Development Coordinator**

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Mrs. Jenack reported that the Comprehensive Planning Committee recently had a public meeting to gather public feedback on the Comprehensive Plan. She informed the Board that, although there was still a way to go, the typical procedure was for the Planning Board to review the plan before it was sent to the Town Board for their review.

Mrs. Jenack said Brad White had purchased the property that Steven Converse owned near LaFave Road. The property had a private road with residential homes. The Highway Superintendent, Dan Young, had informed her that Mr. White had asked what they would need to do if they decided to pave the road and dedicate it to the Town. Mrs. Jenack said the road would need to be built to Town specs but commented that the existing private drive was roughly 18 feet wide, and the current code required a minimum of roughly 24 feet. Mr. Shimel said the Town had put in infrastructure all the way to Duffy Road for future development. When Mr. Converse went under, the development never happened. Mr. Shimel stated that Mr. White planned to address the Town Board on the matter.

Mrs. Jenack discussed the changes that were made regarding the Boards salaries. She informed the Board that Davidson Carwash on Anabel Avenue was changing the front façade of the building.

Mrs. Jenack reported that the Town Board approved public access to the Town of LeRay's water and sewer infrastructure on the Development Authority of the North County (DANC) Geographic Information Systems (GIS) website.

Mrs. Jenack reported on the LeRay Solar Road Maintenance Agreement. Chairperson Biondolillo explained that the Town did not accept the suggestions the solar company had made. Moving forward, the attorneys will handle best how to proceed. Chairperson Biondolillo said there was continued conversation on the DG Solar project concerning the Stormwater Pollution Prevention Plan (SWPPP).

Member Albrecht said it appeared as if the sign roof for the Solar project on VanTassell Road had rotted. Mr. Shimel stated that the project was not online as they were waiting on the three (3) phase line from US Route 37. Chairperson Biondolillo said she would reach out to Mrs. Manson concerning the sign roof.

Chairperson Biondolillo reported that a new transmission line was being put in from Brownville to the Indian River Substation. National Grid would need to go through the Site Plan review process for the substation, in addition to a SWPPP, starting sometime next year. The involved parcels would remain in the property owners' hands, and they were only looking for a 100-foot-wide easement underneath.

Mrs. Jenack said Jim Burrows, the Town Attorney, had drafted a resolution regarding adding Mixed-Use Buildings in a Residential District. A Public Hearing was set for November 16, 2023 and the project would need to go to the Jefferson County Planning Board for their review at the end of the month.

## **Adjournment**

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A motion to adjourn the work session at 6:30 PM was made by Member Albrecht and seconded by Member Moran. The vote went as follows:

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

The motion passed.