

Town of LeRay

Planning Board - Minutes

January 4, 2024

Call to Order

On January 4, 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 6:30 PM by Chairperson Biondolillo who led the room in the Pledge of Allegiance.

Open Regular Meeting

In attendance: Deborah Biondolillo – Chairperson, Tom Moran – Member, Kerry Young – Member, Brian Jefferds – Member, Pat Collette – Member, William Albrecht – Member, Jessica Jenack – Community Development Coordinator, and Mike Altieri – Town Engineer, were in attendance. Additionally, Kevin Bamann, Stephen Gracey, Mike Lasell, Michelle Nickles, and Joseph Mastroianni via telephone, were in attendance. Member Clarke Oatman was absent. Lee Shimel – Zoning Enforcement Officer was absent.

Acceptance of Minutes – December 7, 2023

The minutes from the regular meeting on December 7, 2023, 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 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 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 asked Mrs. Jenack if there was any correspondence to which she replied there was none.

Public Hearing @ 6:30 PM for a 4-Lot Minor Subdivision Application for Brooke Haukaas – proposal is to subdivide an existing 11.85-acre parcel into 4 lots: Lot 1 = 2.27 acres, Lot 2 = 1.27 acres, Lot 3 = 1.37 acres, and the remaining Lot 4, consisting of 6.94 acres, will be combined by deed with tax parcel #44.00-3-1.1, located at 34784/34858 Snell Road, tax parcel #44.00-3-2.1.

Chairperson Biondolillo asked the Board to review the Revised Preliminary Subdivision Plat for Brooke Haukaas. Mr. Gracey was in attendance as the representative and gave a brief presentation. The Plat map

was updated to show that the adjoining land was recently purchased by Brooke Haukass. The remaining lot 4 would be combined by deed with tax parcel #44.00-3-2.1 owned by Brooke Haukass.

Chairperson Biondolillo opened the Public Hearing at 6:35 PM and Mrs. Jenack read the hearing notice as published in the Watertown Daily Times on December 21, 2023. Chairperson Biondolillo asked if there were any comments from the audience. Hearing none, a motion was made by Member Moran and seconded by Member Albrecht to close the Public Hearing. 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. A motion was made by Member Collette and seconded by Member Jefferds to review and discuss the Revised Preliminary Subdivision Plat. 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. 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 Young and seconded by Member Moran to approve the Revised Preliminary Subdivision Plat. 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. A motion was made by Member Young and seconded by Member Jefferds to review the Final Subdivision Plat. 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. Since there were no changes to the Final Subdivision Plat, a motion was made by Member Moran and seconded by Member Collette to approve the Final Subdivision Plat. 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. Chairperson Biondolillo informed Mr. Gracey that he would receive an approval letter in the mail.

Public Hearing @ 6:30 PM for a Site Plan Application for NYC Deli Style, Inc. – proposal is to open a deli/convenience store without gasoline sales, located at 26253 US Route 11, tax parcel #65.17-1-4.2.

Chairperson Biondolillo asked the Board to review the Site Plan application for NYC Deli Style, Inc. Mr. Mastroianni was in attendance via telephone as the representative and gave a brief presentation. The main concerns were the cross-access easement, sewer location and grease trap location. He had spoken with the adjoining landowner, but they were not willing to relocate the cross-access location. His clients main concern was the construction of a 200-foot paved road at his cost.

Chairperson Biondolillo opened the hearing at 6:45 PM and Mrs. Jenack read the hearing notice as published in the Watertown Daily Times on December 21, 2023. Chairperson Biondolillo asked if there were any comments from the audience. Hearing none, a motion was made by Member Collette and seconded by Member Albrecht to close the Public Hearing. 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. The Board reviewed the Jefferson County Planning Boards staff comments since the December 26, 2023 meeting had been cancelled. The comments were as follows:

- A Jefferson County Building Permit may be required for the interior renovations.
- Consistent with the Town Zoning Law Section 158-84, requirement for connectivity along US Route 11 divided highway, access drive connections to both adjacent parcels should be provided

to the south and north. The Town should determine the best location for the shared access drive connection and require the access for this project while avoiding the existing septic field areas.

The Revised Preliminary Site Plan met all the checklist requirements, therefore a motion was made by Member Moran and seconded by Member Jefferds to approve the Revised Preliminary Site Plan. 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. A motion was made by Member Moran and seconded by Member Collette to review the Final Site Plan. 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. Chairperson Biondolillo asked the Board if they had any other questions regarding the Final Site Plan. Hearing none, a motion was made by Member Young and seconded by Member Collette to grant Final Site Plan approval with conditions. The conditions were as follows: the Sidewalk Easement Agreement needed to be executed. In addition, a Cross Access Easement was required with the adjoining landowner of the Laundromat. Town staff would attempt to assist with discussions between both parties. The existing building is not connected to the Town's sewer system, so the Town Attorney would investigate this to determine if a connection was required. The piping for the grease trap needed to be reviewed and confirmed by the Town's Engineer. Once those items are addressed, the Chairperson can administratively sign the Site Plans. 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. Chairperson Biondolillo informed Mr. Mastroianni that he would receive an approval letter in the mail.

Public Hearing @ 6:30 PM for a Special Use Permit and a Site Plan Application for Nickles Hauling, Inc. – proposal is to construct 6 townhomes for a total of 24 dwelling units, with individual driveways and garages with overflow parking located along each end, located at 26080 Eagle Ridge Road, tax parcel #64.20-1-22.1.

Chairperson Biondolillo said the applicant was completing the Special Use Permit process concurrently with the Site Plan review pursuant to Section 158-126 of the Town of LeRay Zoning Code. Therefore, the Planning Board would make their decision separately for each application. Chairperson Biondolillo asked the Board to review the Special Use Permit and Site Plan application for Nickles Hauling, Inc. Mr. Lasell was in attendance as the representative and gave a brief presentation. Mr. Lasell stated that the parking had been moved to the sides of the building. As for the curved sidewalk, the Town Engineer asked if it was raised. Mr. Lasell responded no that it was not and that it followed the water treatment ditches and was at grade with the road.

Chairperson Biondolillo opened the Public Hearing at 7:19 PM and Mrs. Jenack read the hearing notice as published in the Watertown Daily Times on December 21, 2023. 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. 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. A motion was made by Member Jefferds and seconded by Member Albrecht to approve the Special Use Permit. 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. A motion was made by Member Collette and seconded by Member Moran to review the Revised Preliminary Site Plan Application. 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. The Revised Preliminary Site Plan met all the checklist requirements, therefore a motion was made by Member Albrecht and seconded by Member Moran to approve the Revised Preliminary Site Plan. 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. A motion was made by Member Young and seconded by Member Collette to review the Final Site Plan. 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. Chairperson Biondolillo asked the Board if they had any other questions regarding the Final Site Plan. Hearing none, a motion was made by Member Albrecht and seconded by Member Jefferds to grant Final Site Plan approval. 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. Chairperson Biondolillo informed Mr. Lasell that he would receive an approval letter in the mail.

Sketch Review of a 3-Lot Minor Subdivision Application for Frank Gerlack – proposal is to subdivide an existing 6.45-acre parcel into 3 lots: Lot A = 2.15 acres, Lot B = 2.15 acres, and the remaining Lot C = 2.15 acres, located along Elm Ridge Road, tax parcel #45.00-3-13.6.

Chairperson Biondolillo asked the Board to review the Sketch Subdivision Plat for Frank Gerlack. Mr. Gracey was in attendance as the representative and gave a brief presentation. Mr. Gracey stated that it was

a basic subdivision for residential lots. 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 Jefferds 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 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 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 Collette and seconded by Member Moran. 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 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 Young and seconded by Member Collette to deem the Preliminary Subdivision Application as complete. 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 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 February 1, 2024 meeting at 6:30 PM was made by Member Jefferds and seconded by Member Young. 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: Yes No Abstain Absent
 Member Oatman: Yes No Abstain Absent
 Chairperson Biondolillo: Yes No Abstain Absent

The motion passed. Chairperson Biondolillo informed Mr. Gracey that he would need to provide 3 copies of the Revised Subdivision Plat Map no later than January 19, 2024, at noon. Additionally, she informed him that he would receive a letter in the mail outlining the upcoming Public Hearing details.

Sketch Review of a Site Plan Application for Wewer Holding, Inc. – proposal is to construct a new +/- 10,000 SF office building located on the corner of Waddingham Road and US Route 11, tax parcel #65.09-1-15.21.

Chairperson Biondolillo asked the Board to review the Site Plan Application for Wewer Holding, Inc. Mr. Bamann was in attendance as the representative and gave a brief presentation. Mr. Bamann stated that front setback variances had been approved by the Zoning Board of Appeals. Solar light fixtures were proposed for the building. There would be detention ponds on-site in natural areas. He inquired about the provision of water from the Town. The Town Engineer responded that due to NYSDOT restriction on access, construction of the water expansion would not take place until the Fall. Staff would consult with the Town’s Attorney on having a private well on-site. The Town Engineer also had some technical comments that he would provide directly.

In reviewing the Site Plan, the Board had the following questions/comments:

- The location of the adjoining driveway on Waddingham Road should be shown on the Site Plan.
- The Highway Superintendent would need to review the location of the proposed driveway.
- Chairperson Biondolillo inquired about the building height; Mr. Bamann responded 26 feet.
- Member Moran asked about light spillage and Mr. Bamann stated there would be none as they were using solar fixtures.
- Tree cutting would be similar to the NYSDEC requirements during certain time frames.
- They were still waiting for a response from the USFWS for SEQR.
- A Developer Agreement had not been executed as the Developer had some minor changes they were requesting.

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

A motion was made by Member Young and seconded by Member Jefferds to send the project to the County Planning Board for their review at their January 30, 2024 meeting. 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. A motion was made by Member Albrecht and seconded by Member Moran to set a Public Hearing for the February 1, 2024 meeting at 6:30 PM. 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. Chairperson Biondolillo informed Mr. Bamann that he would need to provide three (3) copies of the Revised Site Plan no later than January 19, 2024, at noon. Additionally, she informed him that he would receive a letter in the mail outlining the upcoming Public Hearing details.

Adjournment

A motion was made by Member Young and seconded by Member Jefferds to adjourn the meeting at 8:06 PM. 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.